GEORGIAN YOUNG LAWYERS' ASSOCIATION

A SYSTEMIC ANALYSIS OF THE EXECUTION OF EUROPEAN COURT OF HUMAN RIGHTS JUDGMENTS BY GEORGIA, WITH REGARD TO GENERAL MEASURES



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TABLE OF CONTENTS

INTRODUCTION 5

METHODOLOGY 6

KEY FINDINGS 7

a. The Right to Life and the Prohibition of Torture 8

b. Discrimination and ill-treatment (in the context of hate-motivated violence and freedom of assembly) 9

c. Protection of Private and Family Life (in the Context of Covert Eavesdropping) 9

d. Privacy and the Protection of Family Life (in the Context of Legal Gender Recognition) 9

e. Criminal and Civil Justice 9

f. Administrative Adjudication in Cases of Administrative Offenses 10

g. Issues Related to Extradition 10

h. Appointment of Judges and Disciplinary Liability 10

RECOMMENDATIONS 11

To the branches of the Georgian government and national bodies 11

To the Parliament of Georgia 11

To the judicial authorities 12

Ministry of Internal Affairs of Georgia 13

Ministry of Justice of Georgia 13

To the Public Defender of Georgia 13

To the Georgian Bar Association 13

To all state agencies and representatives 13

1. GENERAL OVERVIEW OF THE PROCEDURES FOR THE EXECUTION OF JUDGMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS 14

1.1. The Enforcement System within the Framework of the Council of Europe 14

1.2. Enforcement System at the National Level 15

2. STATISTICAL DATA REGARDING CASES IN THE ENFORCEMENT PROCESS 17

3. GENERAL MEASURES 19

3.1. Right to life and protection against torture (in the context of police violence and the protection of the rights of persons deprived of their liberty) 19

Tsintsabadze v. Georgia 19

Makharadze and Sikharulidze against Georgia 20

3.2. Right to Life and Ill-treatment (in the Context of Domestic Violence) 22

Tkhelidze v. Georgia 22

3.3. Ill-treatment and protection of private life (in the context of an ineffective investigation into sexual abuse of a child) 24

X v. Georgia 24

3.4. Discrimination and Ill-treatment (in the context of hate-motivated violence and freedom of assembly) 25

Identoba Group Cases 25

3.5. Freedoms of assembly and expression, and ill-treatment (in the context of the dispersal of assemblies) 26
Tsaava and Others v. Georgia 26
3.6. Protection of Private and Family Life (in the Context of Covert Eavesdropping) 28
Romanchenko and Kharazishvili v. Georgia 28
3.7. Protection of Private and Family Life (in the Context of Legal Gender Recognition) 29
A. D. and Others v. Georgia 29
3.8. Protection of Private and Family Life (in the Context of Defamation) 30
Ramishvili v. Georgia 30
3.9. Criminal Justice and Deprivation of Liberty 31
Ugulava v. Georgia 31
Ugulava v. Georgia (2); Ghlonti and Others v. Georgia 32
Merabishvili against Georgia 34
Mchedlishvili v. Georgia 35
Rostomashvili v. Georgia 35
Chokhonelidze against Georgia 36
Kartvelishvili against Georgia 37
3.10. Civil Justice 38
Tsulukidze and Rusulashvili v. Georgia 38
Schrade v. Georgia 38
3.11. Administrative Justice 39
Makarashvili and Others v. Georgia 39
3.12. Issues related to extradition 42
Shamayev and 12 Others v. Georgia 42
3.13. Right to Property 42
Bekanasa LLC v. Georgia 42
Mikeladze and Others v. Georgia 43
Khizanishvili and Kandelaki v. Georgia 43
3.14. Appointment of a Judge and Disciplinary Liability 43
Sturua v. Georgia 43
Bakradze Against Georgia 44

INTRODUCTION

The execution of judgments from the European Court of Human Rights is a fundamental prerequisite for the effectiveness of the Convention system. A finding of a violation by the Court does not, in itself, ensure the full restoration of the violated right, nor does it preclude the recurrence of similar violations. Under Article 46 of the Convention, states are under an obligation to abide by final judgments, a process that is supervised by the Committee of Ministers of the Council of Europe.

Execution encompasses both individual and general measures. The purpose of individual measures is to restore the specific applicant's situation as far as possible; this may involve the payment of just satisfaction, the conduct of an effective investigation, the reopening of a case, or other appropriate steps. General measures, by contrast, are aimed at addressing the legislative, institutional, or practical shortcomings that led to the violation of the Convention. Their primary objective is to prevent similar violations from occurring in the future. The implementation of general measures constitutes the most complex aspect of executing judgments. Their effectiveness cannot be assessed solely based on enacted laws, established procedures, training programs, or statistics provided by the state. It is essential to analyze whether the measures taken actually address the problem identified by the European Court; whether they are effective in practice; whether mechanisms for independent monitoring and accountability are in place; and whether the risk of recurrence of similar violations is genuinely reduced.

In this context, assessing the status of the execution of European Court judgments takes on particular significance, given the ongoing human rights, institutional, and democratic crisis in Georgia. In a number of areas, the state continues to face systemic challenges that have been identified over the years, such as: the effective investigation of ill-treatment and the prevention of impunity; effective oversight of the activities of law enforcement agencies; protection against discrimination; the safeguarding of freedom of assembly and expression; judicial independence and impartiality; and effective guarantees for a fair trial and the right to respect for private life.

Furthermore, legislative, institutional, and practical developments that have emerged since 2024 create a risk, in certain areas, not only of delays in implementation but also of regression. When the state fails to take the necessary measures requested by the Committee of Ministers, or adopts steps that weaken human rights protection mechanisms, such as by hindering the documentation and effective investigation of violations, restricting the activities of civil society, or increasing the potential for arbitrary interference with rights, the issue becomes one not merely of a failure to fulfill obligations, but of a deterioration in the environment necessary for implementation. The purpose of this report is to assess the status of the execution of judgments of the European Court of Human Rights by Georgia and to identify the key systemic challenges that hinder the comprehensive, effective, and sustainable implementation of general measures. The report focuses specifically on leading cases and groups of cases within the execution process, the requirements set forth by the Committee of Ministers, the measures proposed or taken by the State, and the practical impact of these measures.

The report does not aim to provide an exhaustive review of all judgments rendered against Georgia; rather, it focuses on cases and areas of rights where the European Court has identified structural or recurring problems, or where ongoing domestic developments directly call into question the fulfillment of obligations arising from the judgments. Based on this analysis, the document presents findings and recommendations aimed not only at the execution of specific cases but also at the genuine and sustainable implementation of Convention standards within Georgia.

METHODOLOGY

The execution of judgments from the European Court of Human Rights is a fundamental prerequisite for the effectiveness of the Convention system. A finding of a violation by the Court does not, in itself, ensure the full restoration of the violated right, nor does it preclude the recurrence of similar violations. Under Article 46 of the Convention, states are obligated to abide by final judgments, a process supervised by the Committee of Ministers of the Council of Europe.

Execution encompasses both individual and general measures. The purpose of individual measures is to restore the specific applicant's situation as far as possible; this may involve paying just satisfaction, conducting an effective investigation, reopening a case, or taking other appropriate steps. General measures, by contrast, aim to address the legislative, institutional, or practical shortcomings that led to the violation. Their primary objective is to prevent similar violations in the future. Implementing general measures is the most complex aspect of executing judgments. Their effectiveness cannot be assessed solely based on enacted laws, established procedures, training programs, or state-provided statistics. It is essential to analyze whether the measures actually address the problem identified by the European Court; whether they are effective in practice; whether independent monitoring and accountability mechanisms are in place; and whether the risk of recurrence is genuinely reduced.

In this context, assessing the execution status of European Court judgments takes on particular significance, given the ongoing human rights, institutional, and democratic crisis in Georgia. In several areas, the state continues to face long-standing systemic challenges, such as: the effective investigation of ill-treatment and the prevention of impunity; effective oversight of law enforcement agencies; protection against discrimination; the safeguarding of freedom of assembly and expression; judicial independence and impartiality; and effective guarantees for a fair trial and the right to privacy.

Furthermore, legislative, institutional, and practical developments since 2024 create a risk in certain areas not only of delays in implementation but also of regression. When the state fails to take the necessary measures requested by the Committee of Ministers, or adopts steps that weaken human rights protection mechanisms, such as hindering the documentation and effective investigation of violations, restricting civil society, or increasing the potential for arbitrary interference with rights, the issue becomes not merely a failure to fulfill obligations, but a deterioration of the environment necessary for implementation.

The purpose of this report is to assess the status of the execution of judgments of the European Court of Human Rights by Georgia and to identify the key systemic challenges that hinder the comprehensive, effective, and sustainable implementation of general measures. The report focuses specifically on leading cases and groups of cases within the execution process, the requirements set forth by the Committee of Ministers, the measures proposed or taken by the State, and the practical impact of these measures.

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KEY FINDINGS

This report demonstrates that the execution of judgments from the European Court of Human Rights in Georgia, particularly regarding general measures, continues to be characterized by significant systemic challenges. Although the State generally pays the "just satisfaction" amounts awarded by the European Court, this fact alone cannot be considered a sufficient indicator of the effective execution of judgments. The fundamental objective of execution is to eliminate the systemic, legislative, institutional, and practical causes underlying a violation, and to prevent similar violations in the future.

Statistical data indicate that Georgia's execution rate for "leading cases" is low, while the number of cases currently undergoing the execution process has been increasing over the years. As of September 17, 2026, Georgia's execution rate for leading cases among Council of Europe member states stands at 65%. However, the percentage of cases closed under supervision does not, in itself, reflect the extent to which the problems identified by the European Court have been addressed in a genuine and sustainable manner. For this very reason, the assessment of the execution of judgments cannot rely solely on formal statistical data; rather, it requires a substantive analysis of the general measures taken by the state, their actual impact, and the assessments provided by the Committee of Ministers.

An analysis of the cases examined in this report reveals several interrelated problems that recur across various areas of rights. First and foremost, there is frequently a discrepancy between the measures deemed necessary by the Committee of Ministers and the state's actual response. In some instances, the state points to legislative frameworks, training programs, statistical data, or specific court rulings; however, the information provided fails to demonstrate that these measures effectively address in practice the systemic shortcomings identified by the European Court.

Furthermore, a significant gap remains between formal reforms and their effective implementation in practice. Changes to legislation or institutional arrangements often fail to ensure the genuine protection of rights, effective investigations, judicial oversight, the participation of victims, or the imposition of accountability for wrongdoing. In addition, in certain areas, positive steps declared by the state do not negate the assessments of independent national and international institutions, which point to significant and recurring violations in practice.

Moreover, the inadequate functioning or weakening of independent and effective institutional mechanisms becomes particularly stark during the implementation phase. This concerns the investigation of, and accountability for, instances of ill-treatment; the independence of the Prosecutor's Office and the judiciary; the oversight of law enforcement agencies; guarantees of a fair trial within administrative and criminal justice proceedings; and mechanisms for protection against discrimination. Thus, the root cause of the problem often lies not merely in a flaw within a specific legal provision, but rather in the ineffectiveness or insufficient independence of the institutions tasked with applying that provision in accordance with the standards of the Convention.

It is particularly concerning that, as of 2024, certain areas show not only a stagnation in the progress of implementation but an evident regression. For the purposes of this report, "regression" refers to legislative, institutional, or practical changes that run counter to obligations arising from the judgments of the European Court and the supervision of the Committee of Ministers; such changes weaken existing safeguards, hinder the effective investigation of violations, and increase the risk of similar violations recurring. This trend has been particularly apparent regarding the use of force against participants in peaceful assemblies, the investigation of ill-treatment, the application of administrative and criminal law mechanisms, issues

concerning discrimination and gender identity, as well as the independence of the judiciary.

An increasingly restrictive environment for civil society, the media, human rights defenders, and critical voices acts as a negative factor for the execution process. The Law on Transparency of Foreign Influence, legislation concerning the registration of "foreign agents," amendments to the Law on Grants, and other restrictive legislative initiatives run counter to the values of the Convention and undermine the capacity of actors who play a vital role in the execution process. Specifically, civil society, applicants, and their representatives perform an essential function in documenting violations, submitting alternative information and "Rule 9" communications to the Committee of Ministers, verifying data provided by the State, and ensuring public accountability regarding the execution process.

The findings presented below, categorized by rights and thematic areas, encompass the systemic issues identified by the European Court, the key requirements set forth by the Committee of Ministers, the measures declared or implemented by the State, and the practical impact of these measures. The report places particular emphasis on instances where state action fails to meet enforcement obligations or, indeed, undermines the legislative and institutional environment necessary for the protection of rights and the effective execution of judgments from the European Court.

a. The Right to Life and the Prohibition of Torture

1. The use of disproportionate force and systemic torture against participants in peaceful protests in November–December 2024, as well as the ineffective investigation into these crimes, significantly undermines the implementation of decisions related to the prohibition of torture.
2. Persistent issues include the incorrect legal classification of instances of police violence, ineffective investigations, and challenges regarding the identification of perpetrators and the suspension of their official powers during the investigative process.
3. Measures to prevent police violence are insufficient. Notably, there is no clear obligation for police to use body-worn cameras, nor are there established rules requiring the display of identification markers on the equipment of officers participating in police operations.
4. The Special Investigation Service—an independent body tasked with overseeing police violence, required institutional strengthening and greater independence. Instead, the complete abolition of this agency significantly weakens the institutional framework for investigating ill-treatment and undermines the progress achieved thus far in the enforcement process.
5. Progress has been observed regarding the screening and treatment of infectious diseases in penitentiary institutions; however, the timely and adequate provision of healthcare services in general remains a challenge.
6. Georgia has made some progress in addressing issues related to domestic violence and gender-based discrimination: the use of the electronic monitoring system has been stepped up; the training of law enforcement officers, prosecutors, and judges on identifying gender-based motives has been positively assessed; and efforts have been made to strengthen victim coordination services and raise public awareness about existing protection and support mechanisms. Despite positive steps taken in this regard, several issues remain a challenge: the inconsistency of the definition of rape with the standards of the Istanbul Convention, ineffective or delayed responses by law enforcement agencies, inaccurate risk assessments, the misclassification of sexual offenses, and a scarcity of social services.

b. Discrimination and ill-treatment (in the context of hate-motivated violence and freedom of assembly)

7. The homophobic/transphobic legislative package adopted in September 2024 significantly undermines the implementation of judgments from the European Court of Human Rights and is incompatible with obligations arising from the European Convention.
8. State representatives, through the use of homophobic/transphobic rhetoric, reinforce a discriminatory environment and disseminate disinformation regarding sexual orientation and gender identity, actions that further hinder the implementation of European Court of Human Rights judgments.
9. The State has yet to provide the Committee of Ministers with detailed specifications or a timeline for the implementation of the planned program focused on specialized investigation of hate-motivated crimes.

c. Protection of Private and Family Life (in the Context of Covert Eavesdropping)

10. The legislative framework governing covert investigative actions, including the broad grounds for and the duration of covert investigative wiretaps, is problematic, as is the quality of judicial oversight over such actions.

d. Privacy and the Protection of Family Life (in the Context of Legal Gender Recognition)

11. It remains impossible for transgender individuals to access a swift, accessible, and transparent procedure for changing the gender/sex marker in their civil documents. Following the adoption of a legislative package in September 2024, the situation has deteriorated further; in addition to other discriminatory restrictions, both the alteration of gender/sex markers in civil documents and forms of trans-specific healthcare have been explicitly prohibited.

e. Criminal and Civil Justice

12. The impartiality and independence of the justice system continue to face significant challenges. This is evidenced by the political dimension present in criminal cases involving protest participants and politicians, as well as violations of the right to a fair trial.
13. The justice system requires comprehensive reform, carried out with the involvement of broad segments of society, yet the political will for such reform is lacking.
14. Issues concerning the procedure for appointing the Prosecutor General remain unresolved. Key recommendations from the Venice Commission have not been addressed, including: appointing the Prosecutor General by a qualified (rather than a simple) majority in Parliament; reviewing the composition of the Prosecutorial Council (to ensure greater representation of civil society); and establishing concrete guarantees for the independence of individual prosecutors (such as requiring superior prosecutors to issue instructions in writing, and creating mechanisms to review the legality of such instructions).
15. The practice of delivering guilty verdicts based on evidence obtained through substantial violations of the law remains a challenge, as do the shortcomings related to ensuring the presence of neutral observers during searches and seizures.
16. New rules regarding the restriction of witness identification, which entered into force in 2025 and entail the complete concealment of the identity of individuals participating in operational-search or covert investigative activities, deprive the defense of the opportu-

nity to thoroughly examine such a witness's testimony or to challenge their credibility and reliability. This may lead to a violation of the right to a fair trial.

17. Instances where an agent of an investigative body provokes the commission of a crime during operational investigative activities remain inadequately regulated by legislation.

18. The practice of courts reclassifying charges within the final verdict remains a challenge, as it denies the defense a genuine opportunity to present a defense regarding the final legal classification of the charges. This practice was particularly noticeable in politically motivated cases during 2025 and 2026.

19. Instances of protracted proceedings, in both criminal and civil law cases, remain problematic.

20. he absence of rules governing conflicts of interest for judicial assistants, as well as the current practice in this regard, remains a problem.

f. Administrative Adjudication in Cases of Administrative Offenses

21. The amendments made to the Code of Administrative Offenses in several waves following 2024 are problematic, as are the groundless and automatic application of administrative detention and administrative imprisonment, the shifting of the burden of proof onto the alleged offender, the lack of substantiation in court decisions, which are often based solely on police testimony, and the disproportionate nature of the sanctions. Consequently, cases involving administrative offenses have been transformed into an instrument of repression, which the state actively employs against individuals participating in protests.

g. Issues Related to Extradition

22. The expulsion of journalist Afgan Sadigov to Azerbaijan on April 5, 2026, carried out in violation of an interim measure issued by the European Court of Human Rights and despite the risk of political persecution and ill-treatment in Azerbaijan, sets a disturbing precedent. This serves as a clear example of a practice that disregards Convention standards regarding extradition, as well as an explicit violation of an interim measure imposed by the European Court

h. Appointment of Judges and Disciplinary Liability

23. The amendments made to the Law on Common Courts in 2025 undermine the progress achieved over the years, despite numerous challenges, regarding the system of disciplinary proceedings, effectively transforming it into a tool for exerting pressure on judges. Under these amendments, disciplinary proceedings have come entirely under the control of the High Council of Justice and have become even more opaque. The vague and unpredictable provision, "improper performance of duties," has been reintroduced into the legislation as a form of disciplinary misconduct. Disciplinary proceedings against judges have been made entirely closed to the public, and the Office of the Independent Inspector has been abolished.

24. The system for appointing judges is characterized by significant flaws. This is evident in the excessively broad powers granted to the High Council of Justice, as well as in the corporatism and informal influences present within the system.

25. The excessive influence exerted by the High Council of Justice over the High School of Justice and matters determining judicial careers hinders the entry of new personnel into the system, a factor that, among other things, contributes to delays in the administration of justice.

26. There are valid questions regarding the integrity of individuals appointed or elected to high-ranking positions within the judicial system; however, both the political authorities and representatives of the judiciary categorically oppose the introduction of an appropriate vetting mechanism and declare the matter closed.

RECOMMENDATIONS

To the branches of the Georgian government and national bodies

Against the backdrop of ongoing anti-democratic processes in Georgia, characterized by the erosion of the separation of powers and the persecution of civil society, the media, the opposition, and individuals or groups holding dissenting views, a critical issue is the deliberate assault on human rights and democracy.

The recommendations presented here aim to outline the steps the state must take to effectively implement the rulings of the European Court. However, given the current repressive reality in Georgia, many of these recommendations, if considered in isolation and without systemic change, lose their significance.

It is essential that these recommendations be interpreted precisely within this context.

To the Parliament of Georgia

1. Repeal the amendments introduced in several waves since December 2024 to the Code of Administrative Offenses, the Law on Assemblies and Manifestations, and the Criminal Code, amendments that significantly increase sanctions for offenses related to protest activities, introduce new offenses, effectively criminalize freedom of assembly, and make the exercise of this right contingent upon state permission.
2. Carry out a comprehensive reform of the Code of Administrative Offenses, involving broad segments of society.
3. Repeal the Law on Transparency of Foreign Influence, the Law on the Registration of Foreign Agents, the amendments made to the Law on Grants in 2025 and 2026, as well as any consequential amendments to other legal acts stemming from these laws.
4. Repeal the homophobic/transphobic law adopted in September 2024, along with any consequential amendments to other legal acts.
5. Repeal the amendments to the Law on Broadcasting adopted in 2025 concerning the prohibition of foreign funding.
6. Establish an independent agency for the purpose of investigating police violence. This agency should be equipped with guarantees of independence, in line with the recommendations of the Venice Commission and civil society regarding the previously existing Special Investigation Service.
7. Introduce legislative amendments to mandate the use of body-worn cameras by the police.
8. Conduct a comprehensive reform of the judicial system, including the development of a mechanism to vet the integrity of judges, with broad participation from the public and international institutions.
9. Incorporate the recommendations of the Venice Commission into the procedure for appointing the Prosecutor General.

10. Review the amendments adopted in 2025 concerning the restriction of witness identification, which provide for the complete concealment of the identity of individuals participating in operational-search or covert investigative activities.
11. Reform the legislation governing covert investigative activities, in accordance with the recommendations of the Venice Commission and the Public Defender, and with broad public participation.
12. Through legislative amendments, extend the grounds for the recusal of judges to also apply to judicial assistants.
13. Review, on an annual basis, the report on the execution of judgments of the European Court, in accordance with the Rules of Procedure of the Parliament of Georgia. Ensure broad public engagement and the participation of civil society in this review process.

To the judicial authorities

14. Cease the use of criminal justice mechanisms for political purposes, review allegedly politically motivated cases, and release individuals imprisoned as a result of politically motivated justice.
15. End the persecution of civil society organizations through politically motivated criminal justice mechanisms, including the unjustified imposition of asset seizures.
16. Stop using the Code of Administrative Offenses as a punitive tool against dissenting opinions.
17. Conduct effective investigations into the crackdowns on protests in April, May 2024, November, December 2024, and on February 2, 2025, as well as the torture and inhuman treatment of demonstrators, to ensure the identification of both the direct perpetrators of violence and those who issued the orders, and to hold them accountable.
18. Conduct an effective investigation into the dispersal of the June 20, 2019 protest and the instances of ill-treatment, in order to identify both the direct perpetrators and those who issued the orders, and to ensure they are held accountable.
19. Ensure that acts of police violence are subject to appropriate legal classification. Eliminate the practice of investigating or prosecuting cases of torture and ill-treatment under less serious legal provisions (for example, Article 333 of the Criminal Code, exceeding official authority). The Prosecutor's Office of Georgia should ensure that victim status is granted to affected individuals in a timely and proactive manner.
20. Suspend the official powers of individuals accused of torture or ill-treatment for the duration of the investigation and judicial proceedings.
21. Strengthen efforts to identify hate motives in crimes driven by bias, including those motivated by gender.
22. Ensure that the awareness of individuals working within the justice system is raised regarding gender-based and domestic violence.
23. Ensure the active and effective performance of the witness and victim coordinator.
24. Ensure that police officers are held accountable for inadequate responses to cases of gender-based or domestic violence.
25. Ensure that the courts exercise effective oversight over covert investigative measures.

Ministry of Internal Affairs of Georgia

26. The protocol for the use of special police equipment, including kinetic and chemical agents, should be regulated in detail. The Ministry of Internal Affairs must refrain from the unlawful or disproportionate use of such equipment, for example, mixing chemical agents into water cannons. Given the heightened risks to life and health, as well as the unpredictable consequences, the mixing of chemical irritants into water cannons must be explicitly prohibited.
27. Identification numbers should be displayed on the equipment of special unit personnel involved in police operations.
28. The details of a planned program designed to enhance the qualifications of investigators, with the aim of combating hate-motivated crimes, should be submitted to the Committee of Ministers.
29. The public should be provided with information regarding insurance coverage for electronic monitoring devices, ensuring that the fear of financial liability for potential damage to the equipment does not deter victims from consenting to electronic monitoring.

Ministry of Justice of Georgia

30. Ensure an increase in the number of nurses in penitentiary institutions and the timely, high-quality provision of medical services, including the implementation of recommendations issued by the Public Defender in this regard.
31. Submit an annual report to the Parliament regarding the judgments of the European Court, in accordance with the Rules of Procedure of the Parliament of Georgia.

To the Public Defender of Georgia

32. Continue to submit communications to the Committee of Ministers regarding the execution of judgments, including in respect of cases under standard supervision.

To the Georgian Bar Association

33. Make use of the opportunity to submit communications to the Committee of Ministers regarding the execution of judgments in cases involving violations of the right to a fair trial and challenges related to the exercise of the right to a defence.

To all state agencies and representatives

34. Cease the dissemination of disinformation regarding civil society and ensure its participation in the decision-making process.
35. Refrain from using gender-insensitive language, homophobic/transphobic rhetoric, or other types of discriminatory narratives. Ensure that the public is informed about the elimination of discrimination based on gender, sexual orientation, gender identity, or other grounds.

1. GENERAL OVERVIEW OF THE PROCEDURES FOR THE EXECUTION OF JUDGMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS

1.1. The Enforcement System within the Framework of the Council of Europe

Article 46 of the European Convention on Human Rights concerns the execution of judgments of the European Court of Human Rights. Under this article, the Committee of Ministers supervises the execution of the Court's final judgments.

The Committee of Ministers is the decision-making body of the Council of Europe, composed of the Ministers for Foreign Affairs of the member states.[1] The Committee meets once a year at the ministerial level, and approximately 30 to 35 times a year at the level of Permanent Representatives appointed by the ministers.[2] To monitor the execution of the European Court's judgments, the Committee holds special meetings four times a year, during which it adopts relevant final or interim resolutions.[3]

Within six months of a final judgment by the European Court of Human Rights, the national authorities must submit an "action plan" to the Committee of Ministers, outlining the measures to be taken by the state to execute the judgment; subsequently, they must periodically submit "action reports" regarding the implementation of this plan.[4] Submissions to the Committee of Ministers regarding the execution of judgments may also be made by: the applicant and their representative; National Human Rights Institutions (NHRIs) (for example, the Office of the Public Defender in Georgia); the Bar Association; civil society organizations; and international intergovernmental organizations (or their constituent bodies), provided that their objectives include the protection of human rights.[5] It should be noted that individual human rights defenders or lawyers (unless they are acting as representatives of a party) do not have the right to submit such communications.

The supervision of the execution of decisions may be subject to either a standard procedure or an enhanced procedure.[6] Most cases fall under the standard supervision procedure.[7]

When several cases under the supervision of the Committee of Ministers concern the same issue or relate to the same structural or systemic problem within the respondent state, the Committee may decide to group these cases together and examine them collectively. Where necessary, the Committee may modify the grouping of cases.[8] Furthermore, a distinction is made between "leading cases" and "repetitive cases." Leading cases concern issues related to legislation and/or practice and require the respondent state to adopt new or additional

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[1] Council of Europe, Working with the Council of Europe: A Practical Guide for Civil Society, 2022, p. 17, https://rm.coe.int/work-with-coe-guide-english-2022/1680a66592, last accessed: 23.09.2026.
[2] Ibid.
[3] Council of Europe, Rules and working methods of the Committee of Ministers, https://www.coe.int/en/web/execution/rules-and-working-methods, last accessed: 23.09.2026.
[4] Department for the Execution of Judgments of the European Court of Human Rights (DEJ), Guide for the drafting of action plans and reports for the execution of judgments of the European Court of Human Rights, https://rm.coe.int/guide-drafting-action-plans-reports-en/1680592206, last viewed: 23.09.2026.
[5] Council of Europe, Communications by NHRIs/CSOs, https://www.coe.int/en/web/execution/nhri-ngo#%7B%2244361690%22:%5B3%5D%7D, last accessed: 23.09.2026.
[6] Council of Europe, The supervision process, https://www.coe.int/en/web/execution/the-supervision-process, last accessed: 23.09.2026.
[7] Ibid.
[8] Department for the Execution of Judgments of the European Court of Human Rights (DEJ) Glossary, Group of cases, https://www.coe.int/en/web/execution/glossary, last accessed 23.09.2026.

general measures, whereas repetitive cases involve general or structural problems that have already been identified within the context of a leading case. [9]

Cases involving particularly significant, structural problems are generally subject to an enhanced procedure. [10] In such cases, the Committee of Ministers plays a more active role in monitoring execution and typically reviews the cases during its quarterly meetings. [11] In contrast, for cases under standard supervision, the role of the Committee of Ministers is primarily limited to ensuring the timely submission of adequate action plans or reports and assessing whether the measures announced or taken are sufficient. [12] The Secretariat of the Committee of Ministers provides a preliminary assessment of the action plans and reports submitted by states in cases subject to standard supervision. [13] Where necessary, the Secretariat may contact national authorities to obtain additional information or clarifications. The Committee of Ministers becomes involved at the final stage of the process to close the supervision. [14] Once an agreement is reached between the state and the Secretariat regarding the content of a report, the case is submitted to the Committee of Ministers with a proposal to close the supervision. [15]

The execution of a judgment from the European Court of Human Rights encompasses both individual and general measures. The purpose of individual measures is to restore the applicant's violated rights; these may include actions such as providing compensation for damages, conducting investigations, or reopening a case. [16] The purpose of general measures is to prevent similar violations in the future; these may involve steps such as amending the legislative framework or changing existing practices. [17]

Action plans, state reports, submissions from civil society, and other relevant materials concerning the supervision of execution are available on the HUDOC-EXEC website. [18]

1.2. Enforcement System at the National Level

The supervision of the execution of judgments from the European Court is not carried out solely at the international level. Domestically, this process is institutionally overseen by the Parliament of Georgia, while the Ministry of Justice handles reporting.

In Georgia, the coordination of the execution of judgments from the European Court of Human Rights falls under the prerogative of the Ministry of Justice. According to Article 4, sub-

[9] Ibid.Leading Cases, Repetitive Cases

[10] Ibid.

[11] EIN, Implementation of Judgments of the European Court of Human Rights A Handbook for NGOs, injured parties and their legal advisers, 2018, გვ. 6, https://static1.squarespace.com/static/55815c4fe4b077ee5306577f/t/5e1c2ac53d0fa72e53f955c4/1578904366756/202001_EIN_HandbookEN_Website.pdf, last accessed 23.09.2026.

[12] Committee of Ministers, Supervision of the execution of the judgments and decisions of the European Court of Human Rights Consolidated document, Working methods, Twin-track supervision system, 2024, პარ. 4.1.https://search.coe.int/cm#{%22CoEIdentifier%22:[%220900000168049426d%22],%22sort%22:[%22CoEValidationDate%20Descending%22]}, last accessed 23.09.2026.

[13] Ibid. 4.2.

[14] Ibid.

[15] Ibid.4.3.

[16] Council of Europe, Guide on Article 46 of the Convention – Binding force and execution of judgments, 2025, https://ks.echr.coe.int/documents/d/echr-ks/guide_art_46_eng, last accessed 23.09.2026. ასევე Department for the Execution of Judgments of the European Court of Human Rights (DEJ) Glossary, Group of cases, https://www.coe.int/en/web/execution/glossary, last accessed 23.09.2026.

[17] Ibid..

[18] See the website: https://hudoc.exec.coe.int/eng, last accessed 23.09.2026.

paragraph “p” of the Regulation on the Ministry of Justice, the Ministry’s mandate includes “the development of proposals and the facilitation of their implementation for the purpose of executing judgments delivered by the European Court of Human Rights against Georgia.” [19]

Furthermore, the execution of judgments from the European Court of Human Rights in Georgia is subject to oversight by the legislative body. Under Article 171 of the Rules of Procedure of the Parliament of Georgia, the Government is required to submit an annual report to Parliament regarding the status of the execution of these judgments, no later than April 1st. [20] The information submitted by the Government to Parliament includes:

(a) A report on the execution of judgments/decisions of the European Court of Human Rights regarding cases for which a final resolution has been adopted by the Committee of Ministers of the Council of Europe during the preceding year (where applicable);

(b) An action plan for the execution of judgments/decisions of the European Court of Human Rights regarding ongoing cases, as well as decisions and interim resolutions adopted by the Committee of Ministers of the Council of Europe concerning these cases (where applicable).[21]

According to the Rules of Procedure, the lead committee also reviews the opinions and assessments of interested parties in order to prepare the matters for committee consideration. [22] Based on information published on the Parliament’s website, reports on the status of the execution of judgments/decisions delivered by the European Court of Human Rights against Georgia were last heard during a joint committee meeting on June 5, 2026. [23]

It is worth noting that, based on past practice, following the submission of a report by the government, the Parliament’s Human Rights and Civil Integration Committee would set a deadline for civil society organizations to submit their own reports. GYLA inquired with the Parliament as to whether this report had been reviewed during the 2023–2024 period. [24] We have not received a response from the Parliament of Georgia.

[19] Decree No. 389 of the Government of Georgia dated December 30, 2013, on the Approval of the Statute of the Ministry of Justice of Georgia.

[20] Rules of Procedure of the Parliament of Georgia, Article 171.

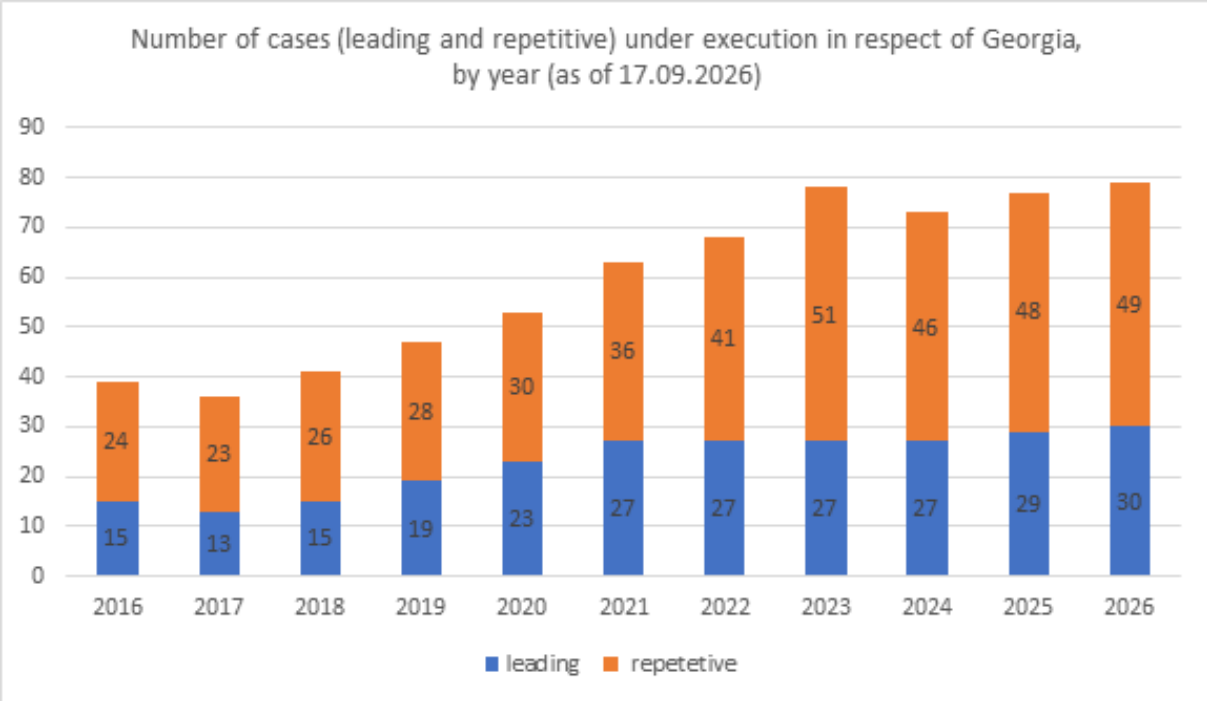
[21] Ibid.

[22] Ibid.

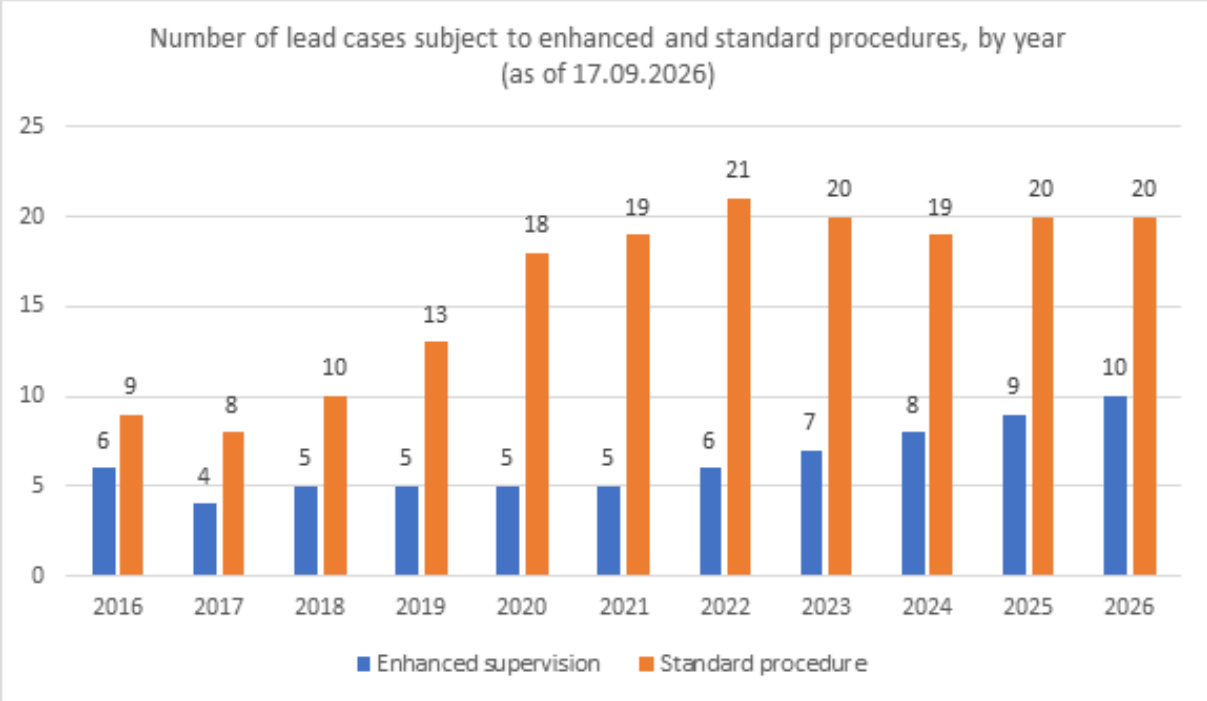
[23] Website of the Parliament of Georgia; 2025 reports on the status of the execution of judgments/decisions delivered by the European Court of Human Rights against Georgia were presented at a joint meeting of the committees, 05.06.2026, https://parliament.ge/media/news/parlamentis-komitetebma-ertobliv-skhdoma-ze-adamianis-uflebata-evropuli-sasamartlos-mier-sakartvelos-mimart-gamotanili-gadatsqvetilebebis-ganchine-bebis-aghsrulebis-mdgomareobis . Last accessed: 23.09.2026.

[24] GYLA submitted alternative reports to the Parliament regarding the execution of European Court judgments, 20.04.2022, https://gyla.ge/post/saiam-parlaments-alternatiuli-angarishebi-tsarudgina-evropuli-sasamartlos-gadatsyvetilebebis-aghsrulebis-taobaze, last accessed: 23.09.2026; GYLA submitted alternative reports to the Parliament of Georgia regarding the execution of Strasbourg judgments, 21.05.2021, https://gyla.ge/post/saiam-strasburgis-gadatsyvetilebebis-aghsrulebis-taobaze-saqartvelos-parlaments-alternatiuli-angarishebi-tsarudgina, last accessed: 23.09.2026; GYLA addressed the Parliament with alternative reports on the status of the execution of Strasbourg Court cases, 22.05.2020, https://www.gyla.ge/post/saiam-parlaments-strasburgis-sasamartlos-saqmeebis-aghsrulebis-mdgomareobis-shesakheb-alternatiuli-angarishebit-mimarta, last accessed: 23.09.2026; GYLA submitted an alternative report to the Parliament, 06.06.2019, https://gyla.ge/post/saiam-parlaments-alternatiuli-angarishi-tsarudgina, last accessed: 23.09.2026.

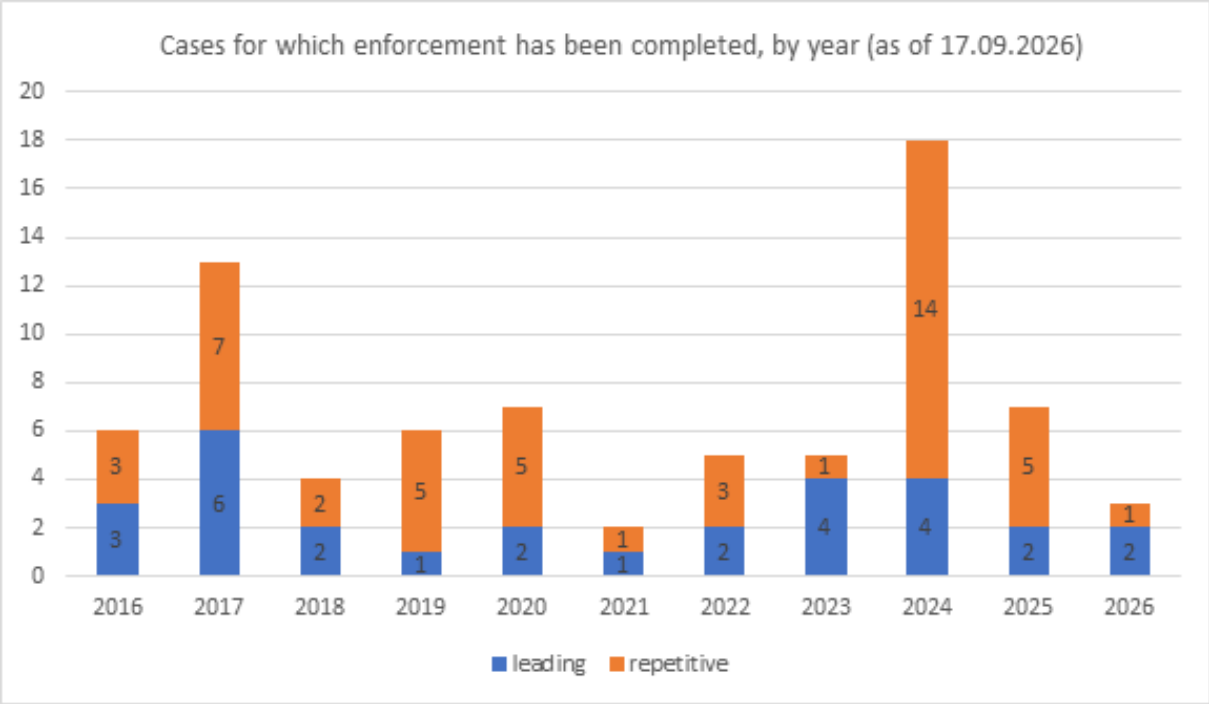
2. STATISTICAL DATA REGARDING CASES IN THE ENFORCEMENT PROCESS



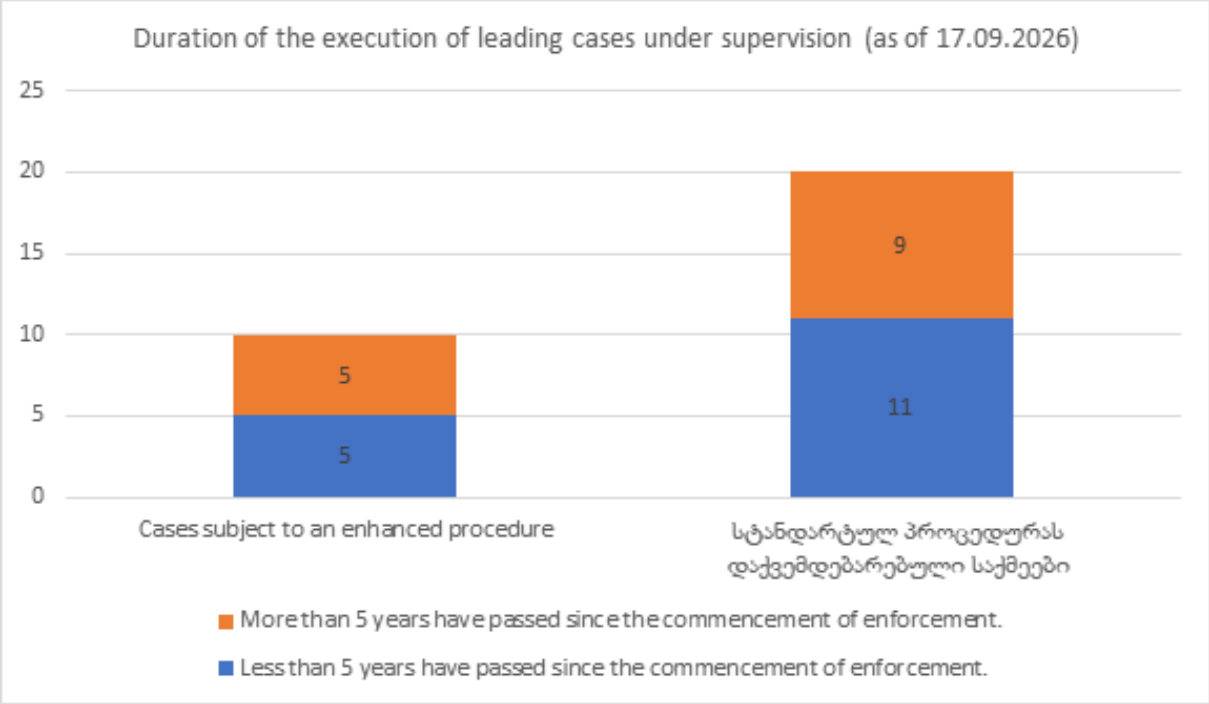
Source: https://www.coe.int/en/web/execution/georgia



Source: Annual reports of the Committee of Ministers of the Council of Europe (2016–2025): https://www.coe.int/en/web/execution/annual-reports, as well as: https://hudoc.exec.coe.int/eng



Source https://www.coe.int/en/web/execution/georgia



Source: https://hudoc.exec.coe.int/eng

As of September 17, 2026, among the member states of the Council of Europe, Georgia's rate for the execution of leading cases—measured by the percentage of such cases for which supervision has been concluded—stands at 65%. Following Georgia are: Hungary (55%), Ukraine (54%), Albania (53%), Azerbaijan (25%), and the Russian Federation (a non-member state, 24%).

3. GENERAL MEASURES

Since general measures typically encompass complex institutional and legislative reforms, as well as adjustments to administrative or judicial practices, assessing the extent to which a state is fulfilling its obligations arising from the execution process requires a systematic analysis and substantive evaluation of the steps taken by the state in light of the decisions of the Committee of Ministers.

In this chapter, key cases currently under the execution process, as of September 23, 2026, are grouped thematically, and the progress made regarding their execution is analyzed.

3.1. Right to life and protection against torture (in the context of police violence and the protection of the rights of persons deprived of their liberty)

Tsintsabadze v. Georgia [25]

The *Tsintsabadze* group of cases comprises 22 judgments concerning procedural and substantive violations of the right to life and the prohibition of torture, including deaths in custody, police operations, acts of torture by police and prison staff, and other forms of ill-treatment.

This group of cases is subject to **enhanced supervision.**

In its 2024 decision, [26] the Committee of Ministers urged the State to take measures to strengthen the Special Investigation Service and to step up efforts regarding the granting of "victim" status to affected individuals. The Committee noted the steps taken by the Special Investigation Service concerning the legal classification of offenses and encouraged the State to continue its work in this area. Furthermore, the decision included a recommendation to strengthen protection against ill-treatment, specifically by increasing the scope and effectiveness of video and audio recording during interactions between the police and individuals.

Conversely, the decisions of the Committee of Ministers for 2025 and 2026 reveal that not only have the obligations regarding general measures, arising from the execution of the *Tsintsabadze* group of cases,[27] been disregarded, but the state of execution has also significantly deteriorated across several areas. This is largely linked to the violent dispersal of the 2024–2025 protests and subsequent developments, including police violence, specifically widespread torture and ill-treatment, as well as the ineffective investigation of these incidents and the degradation of the institutional framework for the state's response.

More specifically, the decisions of the Committee of Ministers for 2025 and 2026 express strong concern regarding widespread instances of ill-treatment, as documented in reports by the Public Defender, the Council of Europe Commissioner for Human Rights, and civil society. [28] The Committee urges the State to conduct prompt and effective investigations into these cases and to establish protective mechanisms against ill-treatment, including the introduction of identification markings for police officers and the increased use of video and audio recording during interactions with the police. Furthermore, the Committee expressed concern regard-

[25] See the judgment of the European Court of Human Rights of 15 December 2011 in the case of Tsintsabadze v. Georgia (35403/06) and other cases in the same group.

[26] 1492nd meeting (12–14 March 2024) (DH) – H46-14 Tsintsabadze group v. Georgia (Application No. 35403/06), CM/Del/Dec(2024)1492/H46-14, para. 5, last accessed: 23.09.2026.

[27] 1531st meeting (10–12 June 2025) (DH) – H46-18 Tsintsabadze group v. Georgia (Application No. 35403/06), CM/Del/Dec(2025)1531/H46-18; 1553rd meeting (9–11 March 2026) (DH) – H46-18 Tsintsabadze group v. Georgia (Application No. 35403/06), CM/Del/Dec(2026)1553/H46-18, last accessed: 23.09.2026.

[28] Ibid..

ing the difficulties associated with obtaining official recognition as a victim. It also called upon the State to improve the legislative framework and policies governing the legal classification of ill-treatment, and to ensure that victims have unimpeded access to investigative materials. The Committee urged the State to provide comprehensive information regarding the practice of suspending public officials from their duties in cases involving ill-treatment, as well as information on the practices for documenting the planning and execution of special operations, along with consolidated annual statistics and relevant analysis. Furthermore, the Committee emphasized the importance of civil society and called upon the State to foster an environment that would enable civil society to operate without hindrance.

The decisions of the Committee of Ministers also express a negative assessment regarding the abolition of the Special Investigation Service. Despite the Committee's explicit call to the State in 2025 not to abolish the Special Investigation Service, the Georgian authorities dissolved this agency, [29] which was intended to be an independent body established to investigate torture and ill-treatment, and transferred its functions to the Prosecutor's Office. [30]

It is noteworthy that the systemic violence and ill-treatment that occurred in November, December 2024 remain unaddressed by effective investigations or accountability. Furthermore, the misclassification of these offenses, categorizing them as "exceeding official authority" rather than "ill-treatment," is a practice that fosters an environment of impunity. [31]

Moreover, despite calls from the Committee of Ministers in 2025 and 2026, "Georgian Dream" continues to shrink the civic space. In addition to the continued enforcement of the 2024 "Law on Transparency of Foreign Influence" (the "Russian Law"), the 2025 "Foreign Agents Registration Act" (so-called FARA), and amendments to the "Law on Grants," the ruling party adopted further amendments on March 4, 2026. These changes render the already restrictive environment even more repressive and, in effect, criminalize civic activism. [32]

Makharadze and Sikharulidze against Georgia[33]

The cases in this group concern violations of the right to life resulting from a lack of, or the complete absence of, adequate medical care for the treatment of tuberculosis in prisons.

This group is subject to the standard supervision procedure.

In reports submitted to the Committee of Ministers between 2020[34] and 2025, [35] the State highlighted positive steps taken regarding tuberculosis treatment in prisons, including infrastructure improvements and favorable assessments by the CPT.

According to the 2018 CPT report, the delegation noted progress in prisoners' access to primary and secondary healthcare; it recommended that the State fill vacant physician positions

[29] Ibid.

[30] 1553rd meeting (March 2026) (DH) – Rule 9.2 – 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), para. 26.

[31] Ibid.

[32] Ibid., 36-40.

[33] See the judgment of the European Court of Human Rights of 22 November 2011 in the case of Makharadze and Sikharulidze v. Georgia (35254/07) and other cases in the same group.

[34] 1383rd meeting (29 September-1 October 2020) (DH) - Action report (28/07/2020) - Communication from Georgia concerning the case of MAKHARADZE AND SIKHARULIDZE v. Georgia (Application No. 35254/07),

[35] 1545th meeting (December 2025) (DH) - Action Report (30/10/2025) - Communication from Georgia concerning the group of cases of MAKHARADZE AND SIKHARULIDZE v. Georgia (Application No. 35254/07), last viewed: 23.09.2026.

and recruit additional nursing staff.[36] The same report noted that, with the exception of two, the medical units in all the facilities visited were satisfactory. Furthermore, there were no significant issues regarding the supply of medication to prisons, with the exception of psychiatric drugs.[37] The CPT also noted significant progress regarding the treatment of infectious diseases, which has resulted in a 73% reduction in the prevalence of tuberculosis among the prison population since 2014.[38]

The CPT's 2025 report again highlights a generally positive situation regarding healthcare services in prisons, including screening for infectious diseases, though this does not extend to mental health and addiction-related services, which continue to present greater challenges.[39]

Despite progress made in the treatment of infectious diseases and the provision of healthcare services within the penitentiary system, several issues concerning the effectiveness of healthcare remain.[40] According to the Public Defender's reports on the human rights situation in Georgia for 2024 and 2025, persistent problems include inadequate treatment, delays in medical services, breaches of confidentiality in doctor-patient communication, and the malfunctioning of mechanisms for monitoring the adequacy of treatment.[41] The reports confirm multiple instances where specific prisoners received untimely or inadequate medical care, leading to a deterioration in their health. Furthermore, there is a recurring practice of delayed medical referrals, with established timeframes being exceeded for both scheduled outpatient and inpatient services.[42] Determining the waiting time for patient consultations also remains a challenge, as the available documentation does not indicate when a patient was originally scheduled for a consultation.[43] It is noteworthy that, during interviews, some prisoners stated that they often have to wait a month or more for a consultation with a medical specialist.[44]

In its reports, the State also notes that it is working to increase the awareness of judicial representatives regarding the standards of the Convention; it points to the inclusion of training modules within the curricula of the High School of Justice that address these Convention standards in the context of criminal and administrative justice.[45]

It is noteworthy that, in November, December 2024, a systemic issue emerged: individuals beaten by the police during demonstrations were sentenced to administrative detention despite a lack of actual evidence of any offense. In these instances, judges failed to take into account clear physical signs of torture or ill-treatment, denied the detainees the opportunity

[36] CPT Report on the visit to Georgia from 10 to 21 September 2018, CPT/Inf (2019) 16, para. 76 https://rm.coe.int/1680945eca, last accessed: 23.09.2026.
[37] Ibid. 78.
[38] Ibid. 82.
[39] CPT Report on the visit to Georgia from 18 to 29 November 2024 and from 21 to 22 January 2025, CPT/Inf (2026) 06, paras. 46–48, https://rm.coe.int/48802aab80, last accessed: 23.09.2026.
[40] Report of the Public Defender of Georgia on the State of Human Rights in 2024, 2025, pp. 52-53, https://ombudsman.ge/res/docs/2025040121291438156.pdf, last accessed: 23.09.2026; Report of the Public Defender of Georgia on the State of Human Rights in 2025, 2026, pp. 52-54, https://ombudsman.ge/res/docs/2026040108450417707.pdf, last accessed: 23.09.2026.
[41] Ibid.
[42] Ibid.
[43] Ibid.
[44] Ibid.
[45] 1545th meeting (December 2025) (DH) - Action Report (30/10/2025) - Communication from Georgia concerning the group of cases of MAKHARADZE AND SIKHARULIDZE v. Georgia (Application No. 35254/07), Par 18, last viewed: 23.09.2026.

to speak about such mistreatment, and, in certain cases, disregarded their medical needs.[46] Furthermore, in December 2024, the Council of Europe Commissioner for Human Rights called upon Georgia to immediately release individuals who had been detained for the legitimate and peaceful exercise of their freedom of assembly.[47] Against this backdrop, it is difficult to believe that the mere inclusion of these modules in the qualification curricula for judges yields any real results, especially when considering the questions surrounding judicial independence, impartiality, and the integrity of judges.

3.2. Right to Life and Ill-treatment (in the Context of Domestic Violence)

Tkhelidze v. Georgia[48]

This group comprises four cases concerning the state's failure to take preventive measures to protect the applicants' female relatives from domestic violence, which ultimately resulted in their deaths. In relation to the *Tkhelidze* group of cases, the European Court of Human Rights emphasized that law enforcement authorities failed to properly classify instances of domestic violence or investigate gender-based discrimination; furthermore, their passive response to allegations of domestic violence created an environment conducive to further violence against women.

The *Tkhelidze* group of cases is subject to enhanced supervision by the Committee of Ministers.

In 2024, the Secretariat of the Committee of Ministers noted that Georgia has made some progress in addressing issues related to domestic violence and gender-based discrimination, including an increased use of the electronic monitoring system. Furthermore, positive assessments were given to the training of law enforcement officers, prosecutors, and judges on identifying gender-based motives; the strengthening of victim coordination services; and measures to increase public awareness regarding existing protection and support mechanisms.[49]

Furthermore, in 2024, the Committee of Ministers called upon the State to provide comprehensive information regarding the use of restraining and protection orders, the implementation of risk assessment tools, and the functioning of the national referral mechanism.[50] It also urged the State to redouble its efforts to identify gender-based motives and to provide an explanation to the Committee concerning the low rate of pre-trial detention in cases involving violence against women and domestic violence, as well as the discrepancy between the rates of criminal prosecution and conviction in such cases.[51] Additionally, the State is required to provide the Committee with information on statistical data regarding domestic violence and

[46] GYLA et al., Human Rights Crisis in Georgia Following the 2024 Parliamentary Elections, November 28, 2024 – February 28, 2025, 2025, pp. 62, 146–148, https://www.gyla.ge/post/adamianis-uplebata-krizisi-dokumentire-bis-angarishi, last accessed: 23.09.2026.

[47] Commissioner for Human Rights: Georgian authorities must fulfil their obligation to uphold the right of peaceful assembly, 04.12.2024, https://www.coe.int/en/web/portal/-/commissioner-for-human-rights-georgian-authorities-must-fulfil-their-obligation-to-uphold-the-right-of-peaceful-assembly, last accessed: 23.09.2026.

[48] See the judgment of the European Court of Human Rights of 8 July 2021 in the case of Tkhelidze v. Georgia (33056/17) and other cases in the same group.

[49] 514th meeting (3–5 December 2024) (DH) – H46-15 Tkhelidze group v. Georgia (Application No. 33056/17), CM/Notes/1514/H46-15, last accessed: 23.09.2026.

[50] 1514th meeting (3–5 December 2024) (DH) – H46-15 Tkhelidze group v. Georgia (Application No. 33056/17), CM/Del/Dec(2024)1514/H46-15, paras. 3–4, last accessed: 23.09.2026.

[51] Ibid.

violence against women, the duration of investigations, [52] and specific data on the application of disciplinary or criminal measures in response to inadequate handling of gender-based violence. [53] Recognizing the significant role of civil society in addressing gender-based violence, the Committee has urged the State to create an enabling environment for the activities of civil society organizations. [54]

In information submitted to the Committee of Ministers, civil society organizations emphasized that the State should strengthen the electronic monitoring system, not merely by increasing technical equipment, but also by raising awareness among victims and providing guarantees for their financial protection, to ensure that the fear of damaging the equipment does not deter the use of this safety mechanism. As part of systemic reforms, it is crucial to eliminate entrenched gender stereotypes within investigative bodies, ensuring that traditional contexts or the existing relationship between the victim and the perpetrator do not serve as mitigating or justifying factors for the crime. Only through a comprehensive approach, encompassing both strict monitoring of law enforcement and the mandatory implementation of rehabilitation programs for perpetrators, can preventive mechanisms against gender-based and domestic violence function effectively. [55]

It is noteworthy that the action plan submitted by the state in May 2025 contains no information regarding the general measures taken to address the issues identified in the cases handled by the "Tkhelidze Group." [56]

According to the Public Defender's 2025 report, the situation regarding violence against women and domestic violence in Georgia remains alarming and involves systemic challenges. Legislative gaps persist as primary concerns, specifically, the misalignment of the definition of rape with international standards and the absence of a definition for digital violence. [57]

Furthermore, there is an ineffective response from law enforcement agencies, manifested in the misassessment of risks, delayed action, and the incorrect legal classification of sexual offenses. Compounding this is a scarcity of social services. The number of shelters and crisis centers falls short of the minimum standards established by the Council of Europe's Istanbul Convention, while the existing compensation mechanism is flawed and practically inaccessible to victims. [58]

Addressing this problem requires a comprehensive approach, which, first and foremost, entails harmonizing national legislation with the Istanbul Convention. State agencies must promptly approve and implement action plans and standard operating procedures to enhance interagency coordination. Furthermore, it is critically important to provide systematic training for law enforcement personnel on gender sensitivity and communication with victims, to introduce a unified statistical methodology, and to expand the geographical reach of services,

[52] Ibid.
[53] Ibid 5.
[54] Ibid 8.
[55] 1514th meeting (December 2024) (DH) - Rule 9.2 - Communication from NGOs (Georgian Young Lawyers' Association (GYLA); European Human Rights Advocacy Center (EHRAC); Union Sapari) (22/10/2024) concerning the Tkhelidze group of cases v. Georgia (Application No. 33056/17).
[56] 1531st meeting (June 2025) (DH) - Action Plan (30/05/2025) - Communication from Georgia concerning the group of cases of Tkhelidze v. Georgia (Application No. 33056/17).
[57] GYLA, State Response to Gender-Motivated Violence: An Analysis of Legislation and Practice in Georgia, 2024, https://gyla.ge/files/genderi_geo.pdf, last accessed: 23.09.2026.
[58] Report of the Public Defender of Georgia on the State of Human Rights in 2025, 2026, p. 251; see https://ombudsman.ge/res/docs/2026040108450417707.pdf, last accessed: 23.09.2026.

ensuring that all victims can access legal and financial assistance, as well as psycho-social rehabilitation. [59]

3.3. Ill-treatment and protection of private life (in the context of an ineffective investigation into sexual abuse of a child)

X v. Georgia[60]

The case concerns the ineffectiveness and protraction of an investigation into sexual abuse committed against a child by a family member, as well as the refusal to grant the victim the formal status of an "aggrieved party."

The case is subject to standard supervision.

The six-month deadline for the State to submit an action plan has not yet expired (the judgment became final on June 30, 2026). The State has not yet submitted an action plan.

It is noteworthy that the Public Defender of Georgia, [61] international mechanisms, [62] and civil society[63] have for years pointed to existing challenges in the fight against sexual violence against children[64]. Nevertheless, according to the Public Defender's assessment, no concrete steps are being taken to improve current practices. The UN Committee on the Rights of the Child also identifies the limited response to detected cases of violence as a challenge; it urges Georgia to ensure the timely and effective investigation of all instances of violence against children, particularly sexual violence, and to guarantee the criminal prosecution and punishment of perpetrators with sentences commensurate with the gravity of their crimes. [65]

Other problematic areas include the absence or inadequate accessibility of rehabilitation programs tailored to children and their families; the failure to conduct investigative procedures in a child-friendly environment; shortcomings in the proper interviewing of children; and limited geographical access to medical forensic examinations. [66] The compilation of statistics on sexual violence against children (as well as other forms of violence) is also fraught with challenges. The country still lacks a unified dataset regarding reports and identified cases of violence against children, nor is there precise statistical information on the number of investigations initiated into cases of violence against children, including sexual violence. [67]

In a report published in 2025, the Public Defender positively assessed the steps taken by the Special Investigation Service in 2024, specifically regarding the tightening of policies, the intro-

[59] GYLA, The State's Response to Gender-Motivated Violence in Georgia: An Analysis of Legislation and Practice, 2024, https://gyla.ge/files/genderi_geo.pdf, last accessed: 23.09.2026.
[60] See the judgment of the European Court of Human Rights of 31 March 2026 in the case of X v. Georgia (35640/22).
[61] Report of the Public Defender of Georgia on the State of Human Rights in 2025, 2026, p. 342, https://ombudsman.ge/res/docs/2026040108450417707.pdf , last accessed: 23.09.2026.
[62] Committee on the Rights of the Child, Concluding observations on the combined fifth and sixth periodic reports of Georgia, 2024, CRC/C/GEO/CO/5-6, §§ 22-23.
[63] GYLA, Overview of Challenges in the State's Response to Sexual Violence Against Children, 22.04.2026, https://gyla.ge/post/GYLA-bavshvtamimartseqsualuridzaladoba-saxelmtsiporeagireba, last accessed: 23.09.2026.
[64] Report of the Public Defender of Georgia on the State of Human Rights in 2025, 2026, p. 342, https://ombudsman.ge/res/docs/2026040108450417707.pdf, last accessed: 23.09.2026.
[65] Committee on the Rights of the Child, Concluding observations on the combined fifth and sixth periodic reports of Georgia, 2024, CRC/C/GEO/CO/5-6, §§ 22-23.
[66] Report of the Public Defender of Georgia on the State of Human Rights in 2025, 2026, pp. 342–343, https://ombudsman.ge/res/docs/2026040108450417707.pdf, last accessed: 23.09.2026.
[67] Ibid. 339-340.

duction of monitoring mechanisms, and efforts toward prevention and child support (namely, the establishment of a dedicated department, the initiation of a registry for convicted offenders and monitoring mechanisms, the commencement of legislative reforms, and the holding of preventive meetings).[68] The Public Defender urged the state to ensure the timely and effective implementation of these initiatives; however, the Special Investigation Service has since been abolished entirely, and the measures initiated in 2024 have yet to be implemented. It is important that, when developing the action plan, the state takes into account the challenges identified in the Public Defender's reports,[69] as well as in the assessments provided by civil society and international mechanisms.[70]

3.4. Discrimination and Ill-treatment (in the context of hate-motivated violence and freedom of assembly)

Identoba Group Cases[71]

This group of cases concerns the investigation of hate-motivated violence against religious minorities and LGBTQI individuals during assemblies, as well as human rights violations committed by the police in this context.

The cases in the "Identoba" group are subject to enhanced supervision by the Committee of Ministers.

Recent decisions adopted by the Committee of Ministers regarding the execution of these cases demonstrate that the State is not only failing to fulfill its obligations related to the implementation of judgments but is also actively worsening the situation, effectively creating fertile ground for hate-motivated violence and discrimination.

In its 2024 decision, the Committee called upon the State to repeal discriminatory, homophobic, and transphobic laws.[72] Assessments by the Venice Commission and the OSCE's Moscow Mechanism confirm that the legislative package adopted on September 17, 2024, is incompatible with human rights, specifically the freedoms of assembly and expression, and is characterized by vague legal provisions, a lack of legitimate purpose, and a homophobic/transphobic nature.[73] Nevertheless, this legislative package remains in force to this day. In its 2025 decision, the Committee of Ministers expressed a negative assessment regarding the disregard for its recommendation and the subsequent adoption of the law; consequently, it called upon the State to repeal it.[74]

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[68] Report of the Public Defender of Georgia on the State of Human Rights in 2024, 2025, p. 327, https://ombudsman.ge/res/docs/2025040121291438156.pdf, last accessed: 23.09.2026.

[69] Organic Law on Amendments to the Organic Law of Georgia "On the Prosecutor's Office", document number 693-IIms-XImp, https://matsne.gov.ge/ka/document/view/6534876?publication=0, last accessed: 23.09.2026.

[70] Report of the Public Defender of Georgia on the State of Human Rights in 2025, 2026, p. 343, https://ombudsman.ge/res/docs/2026040108450417707.pdf, last accessed: 23.09.2026.

[71] See the judgment of the European Court of Human Rights of 12 May 2015 in the case of Identoba and Others v. Georgia (73235/12) and other cases in the same group.

[72] 1507th meeting (17-19 September 2024) (DH) - H46-9 Identoba and Others group v. Georgia (Application No. 73235/12), CM/Del/Dec(2024)1507/H46-9, Last viewed: 23.09.2026.

[73] Venice Commission, Georgia, Opinion on the Draft Constitutional Law on Protecting Family Values and Minors CDL-AD(2024)021, https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2024)021-e, last accessed: 23.09.2026; OSCE fact-finding mission on Georgia (2026) under paragraph 12 of the Moscow Mechanism Document, Report on developments in Georgia in respect of human rights and fundamental freedoms since Spring 2024, paras. 212–223, 268–278, https://odihr.osce.org/odihr/662725, last accessed: 23.09.2026.

[74] Interim Resolution CM/ResDH(2025)31 - Execution of the judgments of the European Court of Human Rights - Identoba and Others group v. Georgia (Application No. 73235/12), Last viewed: 23.09.2026.

The Committee of Ministers also urged Georgia to refrain from discriminatory rhetoric and to express its complete intolerance toward hate-motivated crimes, including through measures aimed at combating impunity. [75]

For years, the Committee has called upon Georgia to establish a specialized investigative unit to ensure the effective investigation of hate crimes. [76] According to a report submitted by the State in June 2024, following a mission to Georgia in June 2023 by the Department for the Execution of Judgments of the European Court of Human Rights, the Ministry of Internal Affairs of Georgia presented its vision for the specialization of investigators, intended as an alternative to the creation of a specialized investigative unit. [77] The report indicated that the Ministry was actively preparing for this specialization of investigators. [78] In its December 2024 report, the State highlighted programs planned within the Ministry of Internal Affairs system aimed at enhancing professional qualifications. [79]

In its March 2025 decision, consistent with previous decisions, the Committee called upon the State to share detailed features of the planned specialization program for the investigation of hate-motivated crimes, including the timeline for its implementation; [80] however, the report submitted by Georgia in July 2025 still fails to include this information. [81]

3.5. Freedoms of assembly and expression, and ill-treatment (in the context of the dispersal of assemblies)

Tsaava and Others v. Georgia[82]

The case concerns the excessive use of force by the state during the dispersal of an anti-occupation protest on June 20, 21, 2019. As a result, citizens, protesters, and journalists sustained physical injuries due to the improper use of special equipment by the police. The dispersal operation lasted nearly seven hours, during which the police fired more than 800 rubber bullets. Consequently, some individuals lost an eye, while others suffered fractures to their facial bones.

It is noteworthy that the "June 20 case" marks the first instance in Georgian history where the Grand Chamber of the European Court of Human Rights has examined a case following a request from the applicants. Specifically, the applicants' representatives appealed a decision, initially rendered by a Chamber of the Court on May 7, 2024, to the Grand Chamber of the European Court of Human Rights. [83] On February 26, 2025, an oral hearing regarding the June

[75] Ibid.
[76] 1355th meeting (DH) September 2019 – H46-8 Identoba and Others v. Georgia (Application No. 73235/12), CM/Del/Dec(2019)1355/H46-8, para. 10, last accessed: 23.09.2026.
[77] 1507th meeting (September 2024) (DH) - Action Report (27/06/2024) - Communication from Georgia concerning the case of IDENTOBA AND OTHERS v. Georgia (Application No. 73235/12), Para. 49, last viewed: 23.09.2026.
[78] Ibid.
[79] 1521st meeting (March 2025) (DH) - Action Report (23/12/2024) - Communication from Georgia concerning the group of cases of IDENTOBA AND OTHERS v. Georgia (Application No. 73235/12), Last viewed: 23.09.2026.
[80] Interim Resolution CM/ResDH(2025)31 - Execution of the judgments of the European Court of Human Rights - Identoba and Others group v. Georgia (Application No. 73235/12), Last viewed: 23.09.2026.
[81] 1537th meeting (September 2025) (DH) - Action report (02/07/2025) - Communication from Georgia concerning the group of cases of IDENTOBA AND OTHERS v. Georgia (Application No. 73235/12), Last viewed: 23.09.2026.
[82] See the judgment of the European Court of Human Rights of 11 December 2025 in the case of Tsaava and Others v. Georgia (13186/20).
[83] GYLA, an oral hearing regarding the "June 20" cases will be held before the Grand Chamber of the Strasbourg Court on February 26, 2025; February 25, 2025; see https://www.gyla.ge/post/20-ivnisis-saqmis-ganxilva-did-palatashi-gyla; last accessed: September 23, 2026.

20 case was held at the Strasbourg Court before a panel of 17 judges. The final judgment was subsequently delivered by the Grand Chamber on December 11, 2025. In this case, the Grand Chamber of the European Court provided a detailed explanation regarding the use of kinetic means and, pursuant to Article 46 of the European Convention on Human Rights, indicated to the State the necessity of regulating the framework governing the use of special means, in compliance with the rules of international human rights law and taking into account, [84] among other things, the guiding standards developed within the framework of the United Nations.

- *Kinetic impact projectiles (rubber bullets) should be used only in cases of absolute necessity, in response to a real and immediate threat to life or risk of physical injury;*
- *Kinetic impact projectiles (rubber bullets) should be used only on an individual, targeted basis, and not as a general means of crowd control; furthermore, they must be employed in a manner, taking into account the technical specifications of the specific device, that minimizes the risk to life and health, even when directed at specific individuals;*
- *Multi-component projectiles or those containing metal must not be used;*
- *The use of kinetic impact projectiles (rubber bullets) must be preceded by an appropriate warning, except in circumstances where providing such a warning is clearly impossible;*
- *Kinetic impact projectiles (rubber bullets) should be used only by law enforcement personnel who have received proper training, not only regarding the technical specifications of the specific equipment, but also concerning the potential risks to life and health that may result from their use.*
- *The use of kinetic impact devices (rubber bullets) must be subject to strict command and control.* [85]

The Committee of Ministers established a separate supervisory group regarding the execution of the "June 20" case and placed it under enhanced supervision.

The broader issues surrounding the June 20th case extend beyond the use of rubber bullets; they encompass a widespread practice of misusing "less-lethal" weapons, a pattern that has persisted during subsequent protests, including through the addition of chemical agents to water cannons.

Rather than improving the regulatory framework, the existing legislation and practices have deteriorated further since 2019. [86] Order No. 1002, issued by the Minister of Internal Affairs and in effect in 2019, prohibited the use of water cannons, rubber bullets, and tear gas against participants in assemblies or demonstrations, whether used simultaneously or in parallel. Currently, however, the situation has worsened, as this provision has been completely removed from the instructions. [87] Establishing international standards regarding the use of police force during assemblies and demonstrations is particularly relevant for Georgia, given the ongoing peaceful protests that have taken place since 2024, a period during which the police engaged

[84] See the judgment of the European Court of Human Rights of 11 December 2025 in the case of Tsaava and Others v. Georgia (13186/20), para. 466.
[85] Ibid. 342.
[86] 1563rd meeting (June 2026) (DH) - Rule 9.2 - Communication from NGOs (European Human Rights Advocacy Center and Georgian Young Lawyers Association) (05/03/2026) in the case of Tsaava and Others v. Georgia (Application No. 13186/20), last seen: 23.09.2026.
[87] GYLA, Civil Rights in the Face of Growing Police Terror, 2024, p. 16, https://gyla.ge/post/mzardi-sapolicio-terori, last accessed: 23.09.2026.

in systematic and widespread acts of torture, inhuman or degrading treatment, unlawful dispersal, and the arbitrary, intensive use of special equipment. [88]

On June 16, 2026, the State submitted an action plan for execution to the Committee of Ministers regarding the "June 20" case, indicating that amendments to Order No. 1002 are planned. However, the action plan does not contain further substantive details.

3.6. Protection of Private and Family Life (in the Context of Covert Eavesdropping)

Romanchenko and Kharazishvili v. Georgia [89]

The case concerns a violation of the right to respect for private life, resulting from covert surveillance and the recording of telephone conversations within the framework of criminal proceedings in 2020.

The case is subject to standard supervision.

According to the European Court's judgment, the violation stemmed from the formalistic nature of judicial oversight regarding the covert investigative measure, as well as the court's failure to substantiate the necessity of such a measure. In this ruling, the European Court did not find that the legislation governing covert surveillance failed to meet the qualitative requirements of "lawfulness." [90] However, as the application concerned the application of the law in a specific instance, the Court focused not on a general assessment of the legislation, but rather on the specific circumstances of the case at hand. [91]

According to a report submitted by the State to the Committee of Ministers in 2025, Georgian legislation regulates the rules and safeguards for covert surveillance in an exhaustive and detailed manner, and defines such investigative measures as a measure of last resort. According to the State, it is also taking steps to enhance the qualifications of representatives of the judicial system. [92] In its report, the State asserts that the violation was an isolated incident and that the Committee should close its supervision of the execution of this case. [93]

Despite the State's position that this case was an isolated incident, both national and international institutions have for years pointed to shortcomings in the legislation governing covert investigative measures, as well as challenges regarding judicial oversight. For instance, in its 2022 opinion on amendments to the Criminal Procedure Code, [94] *the Venice Commission expressed critical concerns regarding the expansion of the grounds for such investigative measures, the extension of their duration, and the reduced level of notification provided to the individuals concerned.* [95] *The Commission also highlighted the seemingly low standard of judicial control and urged the State to strengthen the system regulating covert investigative measures,*

[88] GYLA and others, Human Rights Crisis in Georgia Following the 2024 Parliamentary Elections, November 28, 2024 – February 28, 2025, 2025, https://www.gyla.ge/post/adamianis-uplebata-krizisi-dokumentirebis-angarishi, last accessed: 23.09.2026.

[89] See the judgment of the European Court of Human Rights of 18 February 2025 in the case of Romanchenko and Kharazishvili v. Georgia (33067/22).

[90] Ibid.50-62.

[91] Ibid., para. 51.

[92] Ibid.

[93] Ibid.

[94] Venice Commission, Georgia, Urgent opinion on the draft Law on the amendments to the Criminal Procedure Code, adopted by the Parliament of Georgia on 7 June 2022, CDL-AD(2022)037, para. 64, https://www.coe.int/en/web/venice-commission/-/cdl-ad-2022-037-e, last accessed: 23.09.2026.

[95] Ibid.

specifically by enhancing the quality of judicial oversight. It is noteworthy that in the 2025 report on the human rights situation, the Public Defender of Georgia, consistent with previous years, points to shortcomings in the legislation governing covert investigative actions and calls upon the Parliament of Georgia to:

"Adopt appropriate legislative amendments that would:

*Limit the list of crimes for which covert investigative measures may be conducted, in accordance with the principles of strict necessity and proportionality; *

Establish timeframes for the conduct of covert investigative measures, as well as an upper limit for their extension;

Define the timeframes for notifying an individual about a covert investigative action, as well as an upper limit for the extension of these periods." [96]

3.7. Protection of Private and Family Life (in the Context of Legal Gender Recognition)

A. D. and Others v. Georgia[97]

The case concerns the absence of a transparent and accessible procedure for changing the sex marker in civil documents, as well as the ambiguity of legislation regarding legal gender recognition.

The case is subject to **enhanced supervision.**

This case serves as yet another example of how the authorities, rather than implementing a ruling, deliberately worsen the situation. It is noteworthy that, following the issuance of this ruling, a legislative package adopted in September 2024 completely prohibited legal gender recognition, as well as trans-specific healthcare. Consequently, the legislation has drifted even further from international human rights standards and the case law of the European Court. [98] In a 2025 decision, the Committee of Ministers of the Council of Europe expressed grave concern regarding the prohibitions introduced by the law "On Family Values and the Protection of Minors." The Committee emphasized the necessity for legislative amendments and urged the State to promptly revise its legislation and practices, aligning them with the standards of the European Convention and the European Court, to ensure that transgender individuals have access to a swift, accessible, and transparent procedure for changing the gender/sex marker in their civil documents. [99]

[96] Report of the Public Defender of Georgia on the State of Human Rights in 2025, 2026, p. 168, https://ombudsman.ge/res/docs/2026040108450417707.pdf, last accessed: 23.09.2026.

[97] See the judgment of the European Court of Human Rights of 1 December 2022 in the case of A.D. and Others v. Georgia (57864/17).

[98] The Georgian Young Lawyers' Association responds to legislative amendments that are discriminatory and directed against human rights and democracy, 20.09.2024, https://gyla.ge/post/saqartvelos-akhalgazrda-iuristta-asociacia-diskriminaciul-adamianis-uflebebis-da-demokratiis-tsinaaghmdeg-mimartul-sakanonmdeblo-cvlilebebs-ekhmaureba, last accessed: 23.09.2026.

[99] 1537th meeting (15-17 September 2025) (DH) - H46-13 A.D. and Others v. Georgia (Application No. 57864/17), CM/Del/Dec(2025)1537/H46-13, Last viewed: 23.09.2026.

3.8. Protection of Private and Family Life (in the Context of Defamation)

Ramishvili v. Georgia [100]

The case concerns a defamation complaint arising from statements made by a prominent member of the clergy in 2017, during a live television interview, regarding a lawyer involved in a high-profile case. The European Court found that the domestic court failed to strike a balance between the interests protected by the Convention. Specifically, despite the arguments presented by the applicant, the gravity of the accusations leveled against him, and the absence of any factual basis for those allegations, the Supreme Court placed the burden of refuting the claims on the applicant. It further ruled that the evidence he provided was insufficient to disprove the accusations made by the clergyman. Consequently, the domestic courts imposed an unattainable standard of proof upon the applicant.

The case is subject to standard supervision.

The six-month deadline for the submission of an action plan has not yet expired (the judgment became final on May 3, 2026). The State has not yet submitted an action plan.

It is noteworthy that in 2025, legislation concerning defamation underwent significant changes. Among these, the allocation of the burden of proof was altered, shifting it onto the defendant (the author of the allegedly defamatory statement). [101] Furthermore, as a result of these amendments, the element of "harm" was removed from the definition of defamation, and the protections afforded to journalistic sources were weakened. [102]

Significantly, these legislative and practical changes have coincided with a deterioration in the protection of freedom of expression, a development that has drawn the attention of international mechanisms and human rights groups. [103] For instance, according to an assessment under the OSCE's "Moscow Mechanism," shifting the entire burden of proof onto the defendant in defamation cases, at least under certain circumstances, could create a "chilling effect" and encourage self-censorship, driven by the fear of potential defamation lawsuits. [104] Given the general repressive policy directed against freedom of expression in recent years, which includes the imposition of prison sentences for non-violent, vulgar expression, [105] as well as the

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[100] See the judgment of the European Court of Human Rights of 3 February 2026 in the case of Ramishvili v. Georgia (4100/24).

[101] GYLA, Laws Against Speech: An Analysis of Legislative Amendments Restricting Freedom of Expression and Media Operations in Georgia, February – July 2025, pp. 18–20. https://admin.gyla.ge/uploads_script/publications/pdf/%E1%83%99%E1%83%90%E1%83%9C%E1%83%9D%E1%83%9C%E1%83%94%E1%83%91%E1%83%98%20%E1%83%A1%E1%83%98%E1%83%A2%E1%83%A7%E1%83%95%E1%83%98%E1%83%A1%20%E1%83%AC%E1%83%98%E1%83%9C%E1%83%90%E1%83%90%E1%83%A6%E1%83%9B%E1%83%93%E1%83%94%E1%83%92.pdf, Last viewed: 23.09.2026.

[102] Ibid..

[103] For a detailed discussion of legislative amendments aimed at restricting freedom of expression in 2025, see: GYLA, *Laws Against Speech: An Analysis of Legislative Amendments Restricting Freedom of Expression and Media Operations in Georgia (February–July 2025)*, 2025, pp. 18–20. https://admin.gyla.ge/uploads_script/publications/pdf/%E1%83%99%E1%83%90%E1%83%9C%E1%83%9D%E1%83%9C%E1%83%94%E1%83%91%E1%83%98%20%E1%83%A1%E1%83%98%E1%83%A2%E1%83%A7%E1%83%95%E1%83%98%E1%83%A1%20-%E1%83%AC%E1%83%98%E1%83%9C%E1%83%90%E1%83%90%E1%83%A6%E1%83%9B%E1%83%93%E1%83%94%E1%83%92.pdf, Last viewed: 23.09.2026.

[104] OSCE fact-finding mission on Georgia (2026) under paragraph 12 of the Moscow Mechanism Document, Report on developments in Georgia in respect of human rights and fundamental freedoms since Spring 2024, par 224, https://odihr.osce.org/odihr/662725, Last viewed: 23.09.2026.

[105] GYLA: Imposition of 14-day detention on Vakho Sanaia contradicts fundamental principles of justice, 22.07.2026, https://gyla.ge/post/GYLA-Sanaias-patimrobis-shepaseba, last accessed: 23.09.2026.

combined use of civil and criminal legal mechanisms to target the journalistic work of independent media,[106] it is crucial that the enforcement process for this decision does not become a tool for further restricting freedom of expression, or for justifying the repressive measures already adopted to curtail it.

3.9. Criminal Justice and Deprivation of Liberty

Ugulava v. Georgia[107]

This case concerns the lack of justification for the use of detention as a preventive measure, as well as the application of detention against the applicant within the framework of ongoing proceedings, which resulted in a violation of the right to liberty.

The case is subject to standard supervision.

In its report,[108] the State refers to a Constitutional Court ruling that declared unconstitutional a specific provision within Article 205, Part 2 of the Criminal Procedure Code of Georgia. This provision allowed for the continued detention of an accused person in a criminal case if, following the formal filing of charges or the discovery of sufficient grounds for such charges, the individual had already spent a cumulative total of 9 months in custody across any and all ongoing criminal proceedings against them.[109]

It should be noted that the 2015 Constitutional Court ruling represents a clearly positive step, as it prohibits the practice of extending the 9-month detention limit, a practice deemed both unconstitutional and incompatible with the Convention. However, it must also be noted that the use of detention as a preventive measure, without adequate justification or proper consideration of individual circumstances, remains a significant problem, particularly in cases involving a political dimension.[110]

According to the results of court monitoring, a total of 147 activists and politicians have faced criminal charges in the context of protests during 2024, 2025 (including 66 individuals detained following the events of October 4, 2025).[111] Through the observation of nearly 300 court hearings involving 69 individuals, GYLA (Georgian Young Lawyers' Association) identified significant violations, which are detailed in a special report prepared by the organization.[112] Monitoring of criminal cases in the court of first instance indicates that the use of criminal prosecution mechanisms against activists is aimed not only at preventing specific alleged crimes but also at

[106] GYLA, The Tbilisi City Court's decision regarding the TV company Formula is a SLAPP (Strategic Lawsuit Against Public Participation) precedent, 15.07.2026, https://gyla.ge/post/GYLA-Formulacase-SLAPP, last accessed: 23.09.2026.

[107] See the judgment of the European Court of Human Rights of 9 February 2023 in the case of Ugulava v. Georgia (5432/15) and the related group of cases.

[108] 1537th meeting (September 2025) (DH) – Action Report (09/09/2025) – Communication from Georgia concerning the case of Ugulava v. Georgia (Application No. 5432/15).

[109] Judgment No. 3/2/646 of the Constitutional Court of Georgia dated September 15, 2015, in the case of "Georgian citizen Giorgi Ugulava v. the Parliament of Georgia."

[110] GYLA, Results of Monitoring Politically Motivated Cases of Individuals Detained in the Context of Protests (2024–2025) in Courts of First Instance, 2025, p. 6. https://admin.gyla.ge/uploads_script/publications/pdf/2024-2025%20wlebSi%20politikurad%20motivirebuli%20saqmeebi_geo.pdf, last accessed: 23.09.2026.

[111] Assessment by the Georgian Young Lawyers' Association, The State of Human Rights in Georgia in 2025, 10.12.2025, p. 24, https://gyla.ge/post/adamianisuplebebisaqartveloshi-2025-GYLA, last accessed: 23.09.2026.

[112] GYLA, Results of Monitoring Politically Motivated Cases of Individuals Detained in the Context of Protests in 2024–2025 at the First-Instance Court, 2025, https://admin.gyla.ge/uploads_script/publications/pdf/2024-2025%20wlebSi%20politikurad%20motivirebuli%20saqmeebi_geo.pdf, last accessed: 23.09.2026.

exerting pressure on the freedoms of assembly and expression. Monitoring of all these cases is ongoing. [113]

In criminal cases involving individuals arrested in the context of protests, the court almost invariably opted, at the initial stage, for the most severe form of pre-trial restriction: imprisonment. Judges failed to take into account relevant factors such as the individual characteristics of the accused, including their personal background, professional activities, age, health status, family situation, and financial circumstances. [114] According to GYLA's assessment, the imposition of unjustified, long-term detention on activists served not the legitimate purposes of a pre-trial restrictive measure, but rather the punishment of protest participants and/or the exertion of pressure upon them. [115]

A significant challenge concerns the transparency and public nature of proceedings in cases with potential political motives; access to hearings involving activists was frequently restricted due to the small size of courtrooms and the arbitrary decisions of presiding judges. Furthermore, as a result of legislative amendments introduced in 2025, the media has been almost entirely prohibited from video and audio recording within the courtroom. Despite the formal possibility of obtaining permission from the High Council of Justice to record or broadcast proceedings, in practice, the media received no response from the Council. [116]

In some of the cases involving activists, limitations on the right to a defense were also observed. [117]

Regarding the criminal cases against 69 individuals, which GYLA examined in a special report, the approach taken by the prosecution and the judiciary was generally harsh; this was reflected, among other things, in a high rate of convictions and the imposition of custodial sentences. Convictions were handed down in all these cases, with the exception of those involving Giorgi Akhobadze, Tevdore Abramov, and Nikoloz Katsia, who were acquitted by the court of first instance. [118]

Other problematic issues included the violation of the presumption of innocence, as well as allegations made by the accused or convicted individuals regarding ill-treatment and poor conditions. [119]

Ugulava v. Georgia (2);[120] Ghlonti and Others v. Georgia[121]

In the case of *Ugulava v. Georgia* (2), a violation of the right to a fair trial arose from the participation of a former Prosecutor General in the Supreme Court panel hearing the case, a fact significant given the political sensitivity of the matter, as well as the role and extensive powers of the Prosecutor General within the Georgian prosecutorial system.

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[113] Assessment by the Georgian Young Lawyers' Association, The State of Human Rights in Georgia in 2025, 10.12.2025, p. 24, https://gyla.ge/post/adamianisuplebebisaqartveloshi-2025-GYLA, last accessed: 23.09.2026.
[114] Ibid.
[115] Ibid.
[116] Ibid., p 25.
[117] Ibid. P 25-26.
[118] Ibid.
[119] Ibid.pp 25; 27.
[120] See the judgment of the European Court of Human Rights of 1 February 2024 in the case of Ugulava v. Georgia (no. 2) (22431/20) and the related group of cases.
[121] See the judgment of the European Court of Human Rights of 11 February 2025 in the case of Glonti and Others v. Georgia (13708/18).

The case of *Ghlonti and Others v. Georgia* concerns the accused's awareness of the nature and cause of the charges against them, as well as the failure to provide the defense with sufficient time to prepare, an issue linked to the Court of Appeal's reclassification of the charges.

On February 9, 2026, the applicants in *Ghlonti and Others v. Georgia* filed a motion with the Tbilisi Court of Appeal requesting a revision of their conviction based on the judgment of the European Court of Human Rights and the emergence of newly discovered circumstances. They sought the annulment of the conviction and the issuance of an acquittal. According to the decision of the Court of Appeal dated May 1, 2026, the revision of a judgment is an individual measure aimed at restoring the victim to the position they were in prior to the violation (*restitutio in integrum*). The Court reasoned that, since the applicants were granted a presidential pardon in 2017, their original status had already been restored; consequently, there was no longer a need to revise the judgment. On these grounds, the applicants' aforementioned motion was denied. [122] Thus, the Court of Appeal disregarded the fact that the applicants continue to bear the burden, including the reputational damage, of the unjust judgment in relation to which the European Court established a violation.

Both cases are subject to the standard supervision procedure.

In the reports submitted to the Committee of Ministers during the execution process for both judgments, the State points to the legislative framework governing judicial impartiality, the independence of the judiciary, and the high level of public trust in the justice system. [123] Regarding the Ghlonti case, the State also refers to the legislative framework governing the reclassification of charges.

The State submitted these reports to the Committee of Ministers in October 2024 (in relation to the *Ugulava* case) [124] and in August 2025 (in relation to the *Ghlonti* case). [125] The State has received feedback on both reports from the Department for the Execution of Judgments of the European Court of Human Rights (DEJ), and the Committee of Ministers is now awaiting updated reports from Georgia. [126]

It should be noted that, notwithstanding the information provided in the state's report, the independence and impartiality of the judicial system in Georgia remain a significant problem, a fact highlighted by both domestic and international assessments. [127] For instance, according to the European Commission's 2025 report, [128] the independence and impartiality of the judiciary in Georgia are inadequate, both in courts of first instance and in higher-instance courts. [129] The

[122] Judgment of the Criminal Cases Chamber of the Tbilisi Court of Appeals dated May 1, 2026, in case No. 1AG/03-26.
[123] 1537th meeting (September 2025) (DH) - Action Report (06/08/2025) - Communication from Georgia concerning the case of Glonti and Others v. Georgia (Application No. 13708/18), Last viewed: 23.09.2026;
1514th meeting (December 2024) (DH) - Action Report (30/10/2024) - Communication from Georgia concerning the case of Ugulava v. Georgia (no. 2) (Application No. 22431/20), Last viewed: 23.09.2026.
[124] 1514th meeting (December 2024) (DH) - Action Report (30/10/2024) - Communication from Georgia concerning the case of Ugulava v. Georgia (no. 2) (Application No. 22431/20), Last viewed: 23.09.2026.
[125] 1537th meeting (September 2025) (DH) - Action Report (06/08/2025) - Communication from Georgia concerning the case of Glonti and Others v. Georgia (Application No. 13708/18), Last viewed: 23.09.2026.
[126] See information regarding the execution of judgments on the HUDOC-EXEC portal as of 23 September 2026.
[127] For example, see Freedom House reports on Georgia: https://freedomhouse.org/country/georgia/freedom-world/2026 , last accessed: 23.09.2026.
[128] For example, see the 2024 report by civil society organizations, "Status of Implementation of the '9 Steps' Towards the European Union," pp. 34–42, https://admin.gyla.ge/uploads_script/publications/pdf/1142024.pdf_01722589653.pdf, last accessed: 23.09.2026; see also the Coalition for an Independent and Transparent Judiciary, "10 Years of Judicial Reforms: Challenges and Perspectives," 2023, http://coalition.ge/files/reporma_170x240_geo_3.pdf, last accessed: 23.09.2026.
[129] European Commission, Georgia 2025 Report, Communication on EU enlargement policy, SWD(2025) 757 final,

European Commission emphasizes the need for an in-depth and comprehensive reform of the judicial system, in line with the recommendations of the Venice Commission. [130]

Furthermore, it is worth noting that the reclassification of charges has emerged as a problematic issue in recent cases involving a strong political dimension. In such instances, rather than acquitting the accused, the court of first instance effectively assumes the role of the prosecutor by altering the legal classification of the offense in its judgment. This deprives the defense of the opportunity to present arguments regarding the specific legal provision under which the individual is ultimately convicted. [131]

Merabishvili against Georgia [132]

The case concerns a violation of the applicant's right to liberty resulting from the unjustified extension of their detention, as well as their detention for an ulterior purpose, contrary to the Convention, rather than for a legitimate aim defined by the Convention.

The execution of the judgment is subject to enhanced supervision.

During the supervision of the execution process, the Committee of Ministers has repeatedly urged the State to strengthen the independence of the Prosecutor's Office and of individual prosecutors. At the same time, it noted that the legislative reforms implemented in this regard during 2017, 2018 were insufficient. [133]

In March 2025, the Committee of Ministers expressed concern regarding the lack of progress concerning the rules for the appointment of the Prosecutor General and called upon the State to implement the recommendations of the Venice Commission. [134] The Venice Commission's recommendations include: appointing the Prosecutor General by a qualified (rather than a simple) majority in Parliament; revising the composition of the Prosecutorial Council (by ensuring greater representation of civil society); and establishing specific guarantees for the independence of individual prosecutors (which entails an obligation for superior prosecutors to issue instructions in writing, as well as the creation of mechanisms to review the lawfulness of such instructions). [135]

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p. 28, https://enlargement.ec.europa.eu/document/download/b3089ad4-26be-4c6a-84cc-b9d680fe0a48_en?-filename=georgia-report-2025.pdf, last accessed: 23.09.2026.

[130] Ibid.

[131] For example, see Amnesty International, Urgent Action, *Actor Andro Chichinadze Jailed after Unfair Trial*, 15.09.2025, https://www.amnesty.org/en/wp-content/uploads/2025/09/EUR5602982025ENGLISH.pdf; furthermore, GYLA addresses the verdict delivered on May 21, 2026, in the case of Levan Khabeishvili and Murtaz Zodelava, asserting that their cases are politically motivated, 22.05.2026, https://www.gyla.ge/post/GYLA-khabeishvili-Zodelava-ganacheni; last accessed: 23.09.2026.

[132] Judgment of the European Court of Human Rights of 28 November 2017 in the case of Merabishvili v. Georgia (72508/13).

[133] 1521st meeting (4–6 March 2025) (DH) – H46-13 Merabishvili v. Georgia (Application No. 72508/13), CM/Notes/1521/H46-13.

[134] 1521st meeting (4–6 March 2025) (DH) – H46-13 Merabishvili v. Georgia (Application No. 72508/13), CM/Del/Dec(2025)1521/H46-13.

[135] 1521st meeting (4–6 March 2025) (DH) – H46-13 Merabishvili v. Georgia (Application No. 72508/13), CM/Notes/1521/H46-13, last accessed: 23.09.2026; also Venice Commission, Georgia, Opinion on the Draft Constitutional Amendments Adopted on 15 December 2017 at the Second Reading by the Parliament of Georgia, 2018, CDL-AD(2018)005, http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2018)005-e, last accessed: 23.09.2026; Venice Commission, Georgia, Opinion on the Provisions on the Prosecutorial Council in the Draft Organic Law on the Prosecutor's Office and on the Provisions on the High Council of Justice in the Existing Organic Law on General Courts, CDL-AD(2018)029, https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2018)029-e, last accessed: 23.09.2026.

Mchedlishvili v. Georgia [136]

The case concerns the examination of a matter in the Court of Appeal without an oral hearing, even though the issues to be addressed at the appellate stage could not have been properly assessed without a direct examination of the evidence.

The case is subject to standard supervision.

In its submission to the Committee of Ministers, the State notes that the violation is of an individual nature; at the same time, it refers to the legislative framework governing oral hearings in the Court of Appeal, as well as statistics regarding cases involving less serious offenses that were heard orally in the Court of Appeal during 2021–2022. [137]

Rostomashvili v. Georgia [138]

The *Rostomashvili* group of cases comprises eight cases concerning violations of the right to a fair trial; these relate to inadequate reasoning of judicial decisions, irregularities in the collection of evidence and the conduct of searches, and insufficient judicial oversight.

The case is subject to the standard supervision procedure.

In its submission, [139] the State refers to a 2020 judgment of the Constitutional Court, [140] which declared the following unconstitutional:

- The normative content of the second sentence of Article 13, Part 2 of the Criminal Procedure Code of Georgia, which permits the use of an illicit item, seized during a search, as evidence, in circumstances where the presence of said item in the accused's possession is established solely through the testimonies of law enforcement officers, and where those officers could have, but failed to, take appropriate measures to obtain neutral evidence confirming the reliability of the search;
- The normative content of the same provision, which allows for the use of a law enforcement officer's testimony as evidence for the purpose of a conviction, when that testimony is based on information provided by an operational source ("confidential source," "informant") or an anonymous individual;
- The normative content of Article 119, Parts 1 and 4, and Article 121, Part 1 of the Criminal Procedure Code, which treats the outcome of a search as a basis for establishing the "reasonable grounds" (justified presumption) required to conduct such a search.

The State also points to amendments made to the Criminal Procedure Code in 2021, according to which, if a search or seizure was conducted based on an anonymous tip or information received from a confidential informant (as defined by the Law of Georgia "On Operative-Investigative Activities") and an illegal object, item, or substance was seized, this may serve as a

[136] Judgment of the European Court of Human Rights of 25 February 2021 in the case of Mtchedlishvili v. Georgia (894/12).
[137] 1537th meeting (September 2025) (DH) - Action report (29/07/2025) - Communication from Georgia concerning the case of Mtchedlishvili v. Georgia (Application No. 894/12), Last viewed: 23.09.2026.
[138] The judgment of the European Court of Human Rights of 8 November 2018 in the case of Rostomashvili v. Georgia (13185/07) and other cases in the same group.
[139] 1553rd meeting (March 2026) (DH) - Action Report (22/01/2026) - Communication from Georgia concerning the group of cases of Rostomashvili v. Georgia (Application No. 13185/07), Last viewed: 23.09.2026.
[140] Judgment No. 2/2/1276 of the Constitutional Court of Georgia dated December 25, 2020, in the case of "Giorgi Keburia v. the Parliament of Georgia."

basis for a conviction, provided that the individual's possession of said illegal object, item, or substance is corroborated by evidence other than the testimony of the investigator who conducted the investigative action, other investigators or operative-investigative personnel who participated in it, and the official record of the investigative action itself. This rule does not apply in cases where it is objectively impossible to obtain or present such additional evidence. [141]

It is noteworthy that, according to the Public Defender's 2025 report, the practice of delivering guilty verdicts based on evidence obtained through substantial violations of the law, as well as evidence subsequently derived from such tainted material, remains a persistent problem. Furthermore, the Public Defender notes that the practical implementation of the aforementioned Constitutional Court ruling, which concerns the requirement for law enforcement to secure "neutral evidence" during searches and seizures, continues to pose a challenge. This is particularly relevant in cases where the prosecution fails to video-record the investigative action and provides no other form of neutral evidence. [142]

The Public Defender's report also highlights a problematic trend that emerged in 2025: the practice of treating interpreters as "neutral evidence." Specifically, the report points to convictions based on the testimonies of interpreters who participated in the investigative actions, with these testimonies being classified as neutral evidence. [143] Case materials from one of these instances reveal that the interpreters and police officers had known each other for several years and maintained professional ties, a fact confirmed by their own testimonies. [144] The Public Defender notes that, under these circumstances, the credibility of an interpreter's testimony could, in certain cases, raise legitimate questions. [145] Consequently, the Public Defender suggests that in such situations, video recording should be employed or other neutral evidence obtained, to ensure that the evidence possesses a high degree of credibility. [146]

Chokhonelidze against Georgia [147]

The case concerns the incitement of a crime by a secret agent of an investigative agency during the course of an operational investigative action. The court's refusal to consider the defense's substantiated arguments regarding the incitement of the crime, combined with the inadequate regulation of such investigative actions under the law (specifically, the absence of judicial oversight over such actions), resulted in a violation of the right to a fair trial.

The case is subject to standard supervision.

In the action plan submitted in 2019, [148] the State indicated that it was in the process of analyzing the relevant legislation; however, it has not since provided the Committee of Ministers with any information regarding progress.

[141] Criminal Procedure Code, Article 13.
[142] Ibid., 139.
[143] Ibid.139-140.
[144] Ibid.
[145] Ibid..
[146] Ibid..
[147] Judgment of the European Court of Human Rights of 28 June 2018 in the case of Tchokhonelidze v. Georgia (31536/07).
[148] 1355th meeting (September 2019) (DH) - Action plan (02/09/2019) - Communication from Georgia concerning the cases of Kartvelishvili and Tchokhonelidze v. Georgia (Applications No. 17716/08, 31536/07), Last viewed: 23.09.2026.

Kartvelishvili against Georgia [149]

The cases in this group concern violations of the principles of equality of arms and the adversarial nature of proceedings, specifically regarding the refusal to examine defense witnesses and restrictions on access to case materials.

These cases are subject to the standard supervision procedure.

In its report submitted to the Committee of Ministers, the State focused on the legislation governing the examination of witnesses and the adversarial principle. The report also highlights measures taken to enhance the professional qualifications of representatives from the Prosecutor's Office and the judiciary, as well as statistics on acquittal verdicts for the period 2017–2024. [150]

In this case, as in other matters concerning challenges within the justice system, it would be particularly valuable for the Bar Association to submit communications to the Committee of Ministers, given that lawyers encounter these issues directly in their professional practice. It is advisable for the Bar Association to take advantage of this opportunity and submit such communications to the Committee of Ministers.

It should be noted that, following amendments adopted in Georgia in 2025, new rules restricting the identification of witnesses have come into effect. These rules allow for the complete concealment of the identity of an individual participating in operational-search or covert investigative activities through various technical or procedural means. With the consent of the Prosecutor General or their deputy, a prosecutor is granted the discretion to make such a decision if disclosing the individual's identity would pose a risk to their safety or the interests of justice. Furthermore, while relevant evidence is provided to the defense, the identification of the individual is restricted to the greatest extent possible; specifically, any data that could identify the person is omitted from investigative documents and interrogation records. [151]

Under these new regulations, the defense is deprived of the opportunity to thoroughly examine the testimony of such a witness or to challenge their credibility and reliability. Consequently, this eliminates any adequate and realistic possibility for the defense to effectively rebut the prosecution's evidence. [152] Particularly in a situation where the testimony of an anonymous witness against the accused constitutes the sole or decisive evidence, the defense is left with no effective opportunity to challenge its authenticity or contest its use.[153]

[149] See the judgment of the European Court of Human Rights of 7 June 2018 in the case of Kartvelishvili v. Georgia (17716/08) and other cases in the same group.
[150] 1553rd meeting (March 2026) (DH) - Action Report (22/01/2026) - Communication from Georgia concerning the group of cases of Kartvelishvili v. Georgia (Application No. 17716/08), Last viewed: 23.09.2026.
[151] GYLA: By completely concealing the identity of a person participating in an operative-search measure or a covert investigative action, "Georgian Dream" worsens the legal position of the defense, 03.07.2025, https://gyla.ge/post/sagamodziebo-moqmedebashi-piris-vinaobis-daparva-saia-gancxadeba, last accessed: 23.09.2026.
[152] Report of the Public Defender of Georgia on the State of Human Rights in 2025, 2026, pp. 140-141, https://ombudsman.ge/res/docs/2026040108450417707.pdf, last accessed: 23.09.2026.
[153] Ibid.

3.10. Civil Justice

Tsulukidze and Rusulashvili v. Georgia [154]

The case concerns a violation of the applicants' right to a fair trial in 2021, resulting from the Supreme Court's refusal to recuse a judge. The request for recusal was based on a familial relationship between the judge's assistant and a lawyer representing the defendant company in the civil proceedings.

The case is subject to standard supervision.

In the action plan submitted in September 2025, the State highlighted the amendments made in 2021 to the Organic Law "On Common Courts," which expedited the timelines for disciplinary proceedings against judges and strengthened accountability mechanisms. Furthermore, judicial practice has evolved; judges now directly rely on the precedent established in this case and recuse themselves when the family or personal ties of their assistants cast doubt on their impartiality. [155] Regarding future steps, the State does not indicate any further work to be undertaken; on the contrary, based on the statistical data and training programs presented, the government maintains that the violation has been fully remedied and requests that the Committee of Ministers conclude its supervision of the case. [156]

It is noteworthy that, in Georgia, there are still no rules or established practices governing conflicts of interest for judicial assistants. According to the Consultative Council of European Judges, it is essential to have regulations regarding conflicts of interest for court assistants; furthermore, states should consider introducing rules that would extend the same criteria applied to the recusal of judges to judicial assistants as well. [157]

Schrade v. Georgia [158]

The *Schrade* group comprises seven cases concerning protracted judicial proceedings in civil and criminal matters between 2005 and 2022, and the consequent lack of an effective legal remedy.

Cases in this group are subject to standard supervision.

According to the 2025 action plan, the State has paid the awarded compensation, translated and published the judgments, and implemented systemic reforms. The number of judges has been increased, and approaches developed by the European Commission for the Efficiency of Justice (CEPEJ) have been adopted. The statistics provided indicate a positive trend: by 2024, the case clearance rate in the Supreme Court and the Courts of Appeal exceeded 100%. Furthermore, the average duration of civil case proceedings in the Supreme Court was nearly halved between 2020 and 2024 (dropping from 297 to 153 days), a development which, the government asserts, serves to prevent the protraction of legal proceedings. [159]

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[154] See the judgment of the European Court of Human Rights of 29 August 2024 in the case of Tsulukidze and Rusulashvili v. Georgia (44681/21).

[155] 1545th meeting (December 2025) (DH) - Action Report (17/09/2025) - Communication from Georgia concerning the case of Tsulukidze and Rusulashvili v. Georgia (Application No. 44681/21), Last viewed: 23.09.2026.

[156] Ibid..

[157] GYLA, Decisions of the European Court Regarding Georgia in the Context of Justice, 2025, p. 73, https://www.gyla.ge/post/strasburgis-saqmeebi-saia, last accessed: 23.09.2026.

[158] See the judgment of the European Court of Human Rights of 11 March 2021 in the case of Schrade v. Georgia (15016/07) and other cases in the relevant group.

[159] 1537th meeting (September 2025) (DH) - Action Plan (13/06/2025) - Communication from Georgia concerning the group of cases of Schrade v. Georgia (Application No. 15016/07), Last viewed: 23.09.2026.

The European Court's judgment of April 7, 2026, in the case of *Omarov v. Georgia* confirms that, contrary to the authorities' assertions, the protraction of judicial proceedings remains a systemic problem. Although the government frequently points to progress, the Strasbourg Court noted in this case that an eight-year-long legal process concerning a labor dispute (2016–2024) was excessive and failed to meet the requirement of a "reasonable time." [160] The European Court emphasized that there is still no effective domestic legal remedy in Georgia that would allow a party to expedite a protracted proceeding or obtain adequate compensation. [161] Consequently, the Court found a violation not only of the right to a fair trial (Article 6) but also of the right to an effective legal remedy (Article 13). [162]

On June 1, 2026, the Georgian Young Lawyers' Association (GYLA) initiated a dispute at the Constitutional Court concerning the protracted legal proceedings by the judiciary in a civil case involving children's rights. Acting on behalf of a minor, GYLA filed a claim with the Constitutional Court challenging a provision of the Civil Procedure Code; this provision ties the commencement of the 14-day period, [163] allotted for appealing a case to a higher instance or for a judgment to enter into legal force, to the delivery of the reasoned judgment to the party. The minor, whose interests GYLA represents, has not received the court's reasoned judgment for 2.5 years, despite the fact that the judge was granted a 14-day timeframe to prepare it. [164] Consequently, the plaintiff is prevented from defending their rights in a higher instance, even though the case concerns a rare disease: phenylketonuria.`

Furthermore, protracted justice remains a challenge in criminal cases as well. GYLA's monitoring of criminal proceedings highlights several high-profile cases that have been pending in courts of first instance for years without reaching a definitive resolution. [165] Notably, on March 31, 2026, the Strasbourg Court began reviewing the case of *Zurab Lobzhanidze v. Georgia*, which concerns a 20-year-long criminal prosecution against the applicant, spanning from 2004 to 2024. [166]

3.11. Administrative Justice

Makarashvili and Others v. Georgia [167]

The cases in this group concern the lack of justification for imposing administrative liability on protest participants during court proceedings, as well as the granting of greater credibility to

[160] See the judgment of the European Court of Human Rights of 7 April 2026 in the case of Omarov v. Georgia (25967/23).
[161] Ibid.
[162] Ibid.
[163] Ibid.
[164] Ibid.
[165] GYLA, *Decisions of the European Court Regarding Georgia in the Context of Justice*, 2025, p. 68, see https://www.gyla.ge/post/strasburgis-saqmeebi-saia, last accessed: 23.09.2026; see also GYLA, *Report on the Monitoring of Criminal Proceedings No. 18*, 2024, p. 54, https://admin.gyla.ge/uploads_script/publications/pdf/18_geo.pdf_01722590039.pdf, last accessed: 23.09.2026; See also: GYLA, Report on the Monitoring of Criminal Proceedings No. 17, 2024, 51–53, https://admin.gyla.ge/uploads_script/publications/pdf/%E1%83%A1%E1%83%90%E1%83%A1%E1%83%90%E1%83%9B%E1%83%90%E1%83%A0%E1%83%97%E1%83%9A%E1%83%9D%E1%83%A1%20%E1%83%9B%E1%83%9D%E1%83%9C%E1%83%98%E1%83%A2%E1%83%9D%E1%83%A0%E1%83%98%E1%83%9C%E1%83%92%E1%83%98%2017.pdf_01722587844.pdf, last accessed: 23.09.2026.
[166] Application no. 28596/24, Zurab LOBZHANIDZE against Georgia lodged on 30 September 2024 communicated on 31 March 2026, Last viewed: 23.09.2026.
[167] Judgment of the European Court of Human Rights of 1 September 2022 in the case of Makarashvili and Others v. Georgia (23158/20).

the testimonies of police officers, practices that have resulted in violations of the freedoms of expression and assembly, as well as the right to a fair trial.

Given the significance of the issues raised, the Committee of Ministers placed these cases under enhanced supervision in June 2025.

The execution process for these judgments, specifically regarding general measures, is characterized by a lack of real progress and a deterioration of the situation. In its reports, the State fails to acknowledge the existence of a systemic problem. [168]

According to the 2025 assessment by the Secretariat of the Committee of Ministers, the information provided by the State does not allow for the conclusion that the violations identified by the European Court are isolated incidents, or that the current practice regarding the handling of administrative offense cases addresses the problems revealed in the judgment. [169]

The Secretariat drew attention to assessments by the Council of Europe Commissioner for Human Rights and civil society, as well as publicly available information, which point to the disproportionate use of administrative liability to restrict freedom of assembly, particularly during the 2024–2025 period. [170] The Secretariat emphasized that, according to this information, administrative offense cases brought against hundreds of individuals in 2024–2025 revealed the same issues previously identified by the European Court in its judgments. Specifically, these include: the groundless and automatic application of administrative detention and custody; the shifting of the burden of proof onto the alleged offender; the reliance of court decisions solely on police testimony; a lack of proper reasoning in such decisions; and the disproportionate nature of the sanctions imposed. [171]

Furthermore, in 2025, the Secretariat drew attention to shortcomings in the legislative framework, specifically the absence of sufficient safeguards for the protection of rights within the Code of Administrative Offenses, as well as to legislative amendments enacted in 2024–2025 that expand the grounds for detention, which the Venice Commission deemed incompatible with the principles of legality, necessity, and proportionality. [172]

According to the Secretariat, the steps to be taken by the State during the enforcement process may include:

- A thorough review of legislation to address the root causes of violations identified in European Court rulings and to respond to the recommendations of the Venice Commission, particularly regarding administrative detention and custody;
- Rigorous assessment of the necessity of administrative detention and custody within the framework of proceedings concerning administrative offenses, and ensuring access to effective legal remedies;
- Proper assessment and justification by national courts regarding the necessity and proportionality of any interference with the freedom of assembly; ensuring a fair trial, including through the appropriate evaluation of evidence and the allocation of the burden of proof in accordance with the requirements of the Convention.

[168] 1563rd meeting (June 2026) (DH) - Action plan (26/03/2026) - Communication from Georgia concerning the case of Makarashvili and Others v. Georgia (Application No. 23158/20), last viewed: 23.09.2026.
[169] 1531st meeting (10-12 June 2025) (DH) - H46-45 Makarashvili and Others v. Georgia (Application No. 23158/20), CM/Notes/1531/H46-45, Last viewed: 23.09.2026.
[170] Ibid.
[171] Ibid.
[172] Ibid.

In a decision from June 2025, the Committee of Ministers called upon the authorities to provide information on measures taken or planned to bring legislation and practice into line with the standards of the Convention, as well as statistical data and an analysis regarding the relevant practices. [173]

On April 26, 2026, the Social Justice Center and the Georgian Young Lawyers' Association submitted updated information to the Committee of Ministers of the Council of Europe concerning the execution of the "Makharashvili group" of cases. [174] The document presents data on developments in Georgia during 2025–2026 related to the freedoms of assembly and expression. In particular, it highlights the human rights crisis in Georgia and the alarming deterioration of standards concerning civil and political freedoms. [175]

A document issued by civil society organizations highlights that successive waves of legislative amendments, regulating freedom of assembly and expression, effectively criminalize peaceful assembly, significantly narrow the scope for permissible criticism, and run counter to the requirements of the European Convention. [176] These authoritarian laws serve as a potent instrument for the ruling power to carry out repression against peaceful protest, including the persecution and harassment of civil activists, human rights defenders, journalists, and civil society organizations. Furthermore, the authorities actively employ AI-based facial recognition technology to automatically identify participants in peaceful protests, facilitate repression, and impose unjust administrative and criminal penalties, a practice that stands in stark violation of international standards governing the use of such technologies. [177] Additionally, there is evidence of attacks on protesters by unidentified individuals linked to the authorities, aimed at suppressing dissent. The situation is further exacerbated by the lack of effective judicial oversight over police activities and the arbitrary application of administrative legislation by law enforcement agencies. The position of human rights defenders and non-governmental organizations has deteriorated significantly. Human rights defenders who speak to international media about rights violations or cooperate with foreign organizations are summoned for questioning by the State Security Service, an indication that the authorities view human rights work as a matter of state security. [178]

The resolution of the Committee of Ministers of the Council of Europe from June 2026 reiterates the calls made in the previous year's resolution. Furthermore, it urges the State to thoroughly review relevant legislation and practices and bring them into line with the requirements of the Convention. [179] This is intended to prevent disproportionate and arbitrary administrative detentions, as well as excessive sanctions, including criminal convictions and penalties, and to ensure the fairness of legal proceedings. [180] The resolution also highlights the importance of civil society organizations and calls upon the State to create an environment conducive to their effective functioning. [181]

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[173] 1531st meeting (10-12 June 2025) (DH) - H46-45 Makarashvili and Others v. Georgia (Application No. 23158/20), CM/Del/Dec(2025)1531/H46-45, Last viewed: 23.09.2026.

[174] GYLA and civil society organizations submitted updated information to the Committee of Ministers of the Council of Europe regarding the state of freedom of assembly, in the context of the cases of the Makarashvili group, 29.04.2026, https://www.gyla.ge/post/%20mikashvilissaqmeebi-evrisabcho, last accessed: 23.09.2026.

[175] Ibid..

[176] Ibid.

[177] Ibid.

[178] Ibid.

[179] 1563rd Meeting (9-11 June 2026) (DH) - H46-14 Makarashvili Group and Others v. Georgia (Application No. 23158/20), CM/Notes/1563/H46-14, Last viewed: 23.09.2026.

[180] Ibid.

[181] Ibid.

According to the Secretariat's 2026 assessment, there has been no positive progress regarding the implementation of general measures, and the problems identified by the European Court persist. [182] The Secretariat also notes a further deterioration of legislation since the June 2025 assessment, including the intensification of sanctions and the introduction of criminal liability.[183]

3.12. Issues related to extradition

Shamayev and 12 Others v. Georgia [184]

This case concerns the 2002 detention and extradition to Russia of 13 individuals of Chechen origin, despite the risk of ill-treatment there, as well as the treatment of the detainees, the lack of medical assistance, and the disregard for an interim measure issued by the European Court regarding the suspension of the extradition procedure.

The case is subject to standard supervision.

In this regard, the expulsion of Afgan Sadigov to Azerbaijan, which took place in disregard of an interim measure issued by the European Court of Human Rights, is particularly concerning, especially given the risks of political persecution and ill-treatment he faces there. [185]

This incident serves not only as a clear example of a failure to adhere to Convention standards concerning extradition but also as an alarming precedent involving a blatant violation of an interim measure issued by the European Court.

3.13. Right to Property

Bekanasa LLC v. Georgia [186]

The case concerns the confiscation of a company's tractor, used as an instrument of an administrative offense (utilization of subsoil resources without the appropriate license, pursuant to Article 57^1 of the Code of Administrative Offenses), which resulted in a disproportionate interference with the right to property.

The case is subject to standard supervision.

In its action plan submitted to the Committee of Ministers, [187] the State highlights a ruling by the Constitutional Court[188] and subsequent amendments to Article 57^1 of the Code of Adminis-

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[182] 1563rd meeting (9-11 June 2026) (DH) - H46-14 Makarashvili and Others group v. Georgia (Application No. 23158/20), CM/Notes/1563/H46-14, Last viewed: 23.09.2026.

[183] Ibid.

[184] Judgment of the European Court of Human Rights of 12 April 2005 in the case of Shamayev and 12 Others v. Georgia (36378/02).

[185] GYLA's assessment regarding the expulsion of journalist Afgan Sadigov to Azerbaijan, 06.04.2026, https://gyla.ge/post/sadigovi-GYLA-azerbaijanshigadzevebastan-dakavshirebit?fbclid=IwY2xjawRATphleHRuA2FlbQIxMABic-mlkETFDQjhCaXV6S2FndThZVWNGc3J0YwZhcHBfaWQQMjIyMDM5MTc4ODIwMDg5MgABHos6Tni1xkjqm1GQ-QoJTGLRMt2zZBhJPGNxAQsJNsEn1B5jKh3o1zf6Ub2-f_aem_wMsPKKqM8NK5NeKip5z-OA,
last accessed: 23.09.2026.

[186] Judgment of the European Court of Human Rights of 11 July 2024 in the case of Ltd Beqanasi v. Georgia (28407/19).

[187] 1521st meeting (March 2025) (DH) - Action Plan (31/01/2025) - Communication from Georgia concerning the case of Ltd Beqanasi v. Georgia (Application No. 28407/19), Last viewed: 23.09.2026.

[188] Judgment No. 1/2/1475 of the Constitutional Court of Georgia, dated November 12, 2020, in the case of "Bekanas LLC v. the Parliament of Georgia."

trative Offenses, [189] which replaced the automatic confiscation of the instrument of an offense with a discretionary approach.

Mikeladze and Others v. Georgia [190]

The cases concern unsubstantiated and inconsistent decisions—made in the context of land reform between 2008 and 2012—to revoke the applicants' property rights.

This group of cases is subject to standard supervision.

In its report, the State pointed to the subsequent practice of administrative bodies and courts in similar cases, as well as to analogous complaints lodged against Georgia with the European Court; the latter were declared inadmissible by the European Court on the grounds that effective domestic remedies existed and that the applicants' property rights had been restored. [191]

Khizanishvili and Kandelaki v. Georgia [192]

The case concerns shortcomings in the granting of compensation for the deconstruction of a building, as well as the court's failure to assess the validity of the methodology used to calculate said compensation.

The case is subject to standard supervision.

In August 2022, the State submitted a report to the Committee of Ministers, citing national court decisions in similar cases and asserting that both national legislation and judicial practice are in line with European standards; consequently, it requested that the Committee close its supervision of the case. [193] In October 2022, the State received feedback regarding this report from the Department for the Execution of Judgments of the European Court of Human Rights (DEJ); the Committee of Ministers is now awaiting an updated report from Georgia. [194]

3.14. Appointment of a Judge and Disciplinary Liability

Sturua v. Georgia [195]

The cases in this group concern a lack of impartiality within the framework of disciplinary proceedings against judges in 2005 and 2006.

The case is subject to standard supervision.

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[189] Law of Georgia on Making Amendments to the Code of Administrative Offences of Georgia, 3668-XIIIმს-Xმპ, https://matsne.gov.ge/ka/document/view/5965407?publication=0#DOCUMENT:1, last accessed: 23.09.2026.
[190] See the judgment of the European Court of Human Rights of 25 November 2021 in the case of Eka Mikeladze and Others v. Georgia (29385/11) and other cases in the same group.
[191] 1553rd meeting (March 2026) (DH) - Action report (10/12/2025) - Communication from Georgia concerning the group of cases of Eka Mikeladze and Others v. Georgia (Application No. 29385/11), Last viewed: 23.09.2026.
[192] See the judgment of the European Court of Human Rights of 17 December 2019 in the case of Khizanishvili and Kandelaki v. Georgia (25601/12).
[193] 1443rd meeting (September 2022) (DH) - Action report (02/08/2022) - Communication from Georgia concerning the case of Khizanishvili and Kandelaki v. Georgia (Application No. 25601/12), Last viewed: 23.09.2026.
[194] See information regarding the execution of the judgment on the HUDOC-EXEC portal as of 23 September 2026.
[195] See the judgment of the European Court of Human Rights of 28 March 2017 in the case of Sturua v. Georgia (45729/05), as well as other cases in the same group.

In a report submitted in 2020, the State refers to legislative amendments from 2018, under which the preliminary examination of a case is conducted by an independent inspector; the decision to initiate disciplinary proceedings is taken by the High Council of Justice by a two-thirds majority, after which the case is referred to the Disciplinary Board; and the Board's decision may be appealed to the Disciplinary Chamber of the Supreme Court. [196]

It is noteworthy that the rules governing disciplinary proceedings have changed significantly since the state submitted its report to the Committee of Ministers; as of today, the situation has deteriorated substantially. Following the 2025 amendments, disciplinary proceedings have come entirely under the control of the High Council of Justice and have become even more closed to the public. T[197]he provision regarding "improper performance of duties," [198] a notably vague and problematic standard, has been reintroduced into the legislation as a form of disciplinary misconduct. Furthermore, disciplinary proceedings against judges have been rendered entirely confidential: a previous, positive provision, which allowed a judge, upon request, to have the proceedings of the Council (excluding deliberations and decision-making phases), as well as those of the Disciplinary Collegium and the Chamber, opened to the public, has been abolished. [199] The Office of the Independent Inspector has also been eliminated. [200]

These changes undermine the progress that, despite numerous challenges, had been achieved over the years regarding the system of disciplinary proceedings, and instead transform it into a tool for exerting pressure on judges.

Bakradze Against Georgia [201]

This case concerns the discrimination against a former judge by the High Council of Justice during the judicial appointment process—stemming from the judge's critical views—as well as the inadequate judicial oversight in this instance.

The case is subject to standard supervision.

The State submitted information to the Committee of Ministers regarding the process for the selection and appointment of judges in Georgia, which was established within the framework of the 2017 reforms to ensure a transparent, objective, and merit-based system. Furthermore, the authorities provided four examples of national case law from 2021–2025 concerning the distribution of the burden of proof in discrimination cases.

It is noteworthy that the system for appointing judges is characterized by significant flaws, manifested in the excessively broad powers of the High Council of Justice, as well as in internal corporatism and informal influences within the system. [202] The excessive influence exerted by the High Council of Justice over the High School of Justice and matters determining judicial

[196] 1383rd meeting (29 September-1 October 2020) (DH) - Action report (28/07/2020) - Communication from Georgia concerning the case of Sturua v. Georgia (Application No. 45729/05), See the judgment of the European Court of Human Rights of 28 March 2017 in the case of Sturua v. Georgia (45729/05), as well as other cases in the same group.

[197] GYLA, 2025 Amendments to the Organic Law on Common Courts, 2025, pp. 10-11, https://admin.gyla.ge/uploads_script/publications/pdf/saerto-sasamart_geo11.pdf, last accessed: 23.09.2026.

[198] Ibid.

[199] Ibid.

[200] Ibid.

[201] Judgment of the European Court of Human Rights of 7 November 2024 in the case of Bakradze v. Georgia (20592/21)

[202] Coalition for an Independent and Transparent Judiciary, 10 Years of Judicial Reforms: Challenges and Perspectives, 2023, p. 10, http://coalition.ge/files/reporma_170x240_geo_3.pdf, last accessed: 23.09.2026.

careers hinders the influx of new personnel into the system.[203] There are serious questions regarding the integrity of individuals appointed or elected to high-ranking positions within the judicial system. However, both the political authorities and representatives of the judiciary categorically oppose the introduction of an appropriate vetting mechanism, declaring the matter closed. [204]

[203] Ibid p. 7.

[204] GYLA, Decisions of the European Court Regarding Georgia in the Context of Justice, 2025, pp. 70-71, https://www.gyla.ge/post/strasburgis-saqmeebi-saia, last accessed: 23.09.2026.