

# **HUMAN RIGHTS CRISIS IN GEORGIA FOLLOWING THE 2024 PARLIAMENTARY ELECTIONS**



**28 NOVEMBER 2024 – 28 FEBRUARY 2025**



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28 November 2024 – 28 February 2025

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## ABBREVIATIONS

Crimpol	Central Criminal Police of the Ministry of Internal Affairs of Georgia
LLW	Less Lethal Weapon
MIA	Ministry of Internal Affairs of Georgia
OECD/ACN	Anti-Corruption Network for Eastern Europe and Central Asia of the Organization for Economic Co-operation and Development
OSCE	Organization for Security and Co-operation in Europe
OSCE/ODIHR	Office for Democratic Institutions and Human Rights of the OSCE
STD	Special Tasks Department of the Ministry of Internal Affairs of Georgia

## SUMMARY

### A. Context

1. Since 2023, Georgia has been on the path to establishing a semi-consolidated authoritarian regime<sup>1</sup>, which is ruled by the "Georgian Dream". The parliamentary elections of 26 October 2024<sup>2</sup> are the culmination of the anti-human rights policies and the capture of the democratic institutions. Widespread violations,<sup>3</sup> including the procedural violations, obstruction of the observers, violation of the secrecy of the ballot and the undue influence on the voters, indicate a systemic practice of electoral manipulation by the ruling party.
2. **The unconstitutional government of the "Georgian Dream" is now (as of March 2025) rapidly seeking, through its actions and the abuse of legislative powers, to reduce the remaining space for dissent and continue its rule indefinitely, thereby completely ignoring Georgia's constitutionally enshrined Euro-Atlantic foreign policy.**
3. As of March 2025, the "Georgian Dream" regime has completely ignored fundamental freedoms, including the freedom of assembly, which has been widely exercised by the Georgian people since 28 November 2024, when the "Georgian Dream" government announced the suspension of negotiations with the European Union. The regime has physically abused and **systematically tortured** hundreds of demonstrators, using force and/or unknown chemical irritants, resulting in long-term health effects, as documented by, among others, organizations such as the IRCT and OMCT<sup>4</sup> (which was later supported by 6 UN Special Rapporteurs).<sup>5</sup> The "Georgian Dream" government is suppressing dissent by passing repressive laws (86%<sup>6</sup> of recently initiated draft laws have been passed in an accelerated manner)<sup>7</sup> and has also initiated a purge<sup>8</sup> of the public servants with different positions<sup>9</sup> in the public sector. From 19 November 2024 to 28 February 2025, according to the non-governmental organizations' Legal Aid Network<sup>10</sup>, administrative proceedings have been initiated against 1084 individuals and 486 individuals have been administratively arrested.<sup>11</sup> In addition, since the April-May 2024 protests, in the context of the ongoing protests, more than 60 individuals have been arrested under criminal law, who could not/cannot enjoy the right to a fair trial.
4. A fighting civil society (including not only the non-governmental organizations but also activists and demonstrators), media actors and a certain degree of the political competition distinguish Georgia from the complete autocracies. However, these three actors are increasingly becoming the main targets of the autocracy. The following developments attest to this:
  - Despite the ongoing case in the Constitutional Court, by recognizing the authority of the new members, the Georgian Parliament has violated the Constitution and its own rules of procedure, which made its authority illegitimate.<sup>12</sup> As a result, any decision by the "Georgian Dream" Parliament, including the appointment of the new President, Mikheil Kavelashvili, on 29 December 2024, is illegitimate.
  - All state institutions in Georgia have been completely captured, and not a single independent body remains to stand up to the authoritarian rule of the "Georgian Dream". The judiciary, including the High Council of Justice,

<sup>1</sup> Freedom House, Nations in Transit 2024: A Region Reordered by Autocracy and Democracy, 2024; see, [https://freedomhouse.org/report/nations-transit/2024/region-reordered-autocracy-and-democracy?fbclid=IwAR2rtp4ohN20Fo9e1pYTE4XxflD3NZ9G6laqjknBpkudq0YJLaGjCtq-IRA\\_aem\\_AWEgWQproGnC8iijVlbsdENQ6N9LfwDnhJQKwn8DshQ0ignXiZ4z26e1W1xq1zf5SsH1n8wXTJmFHOHAd2qjzRp9](https://freedomhouse.org/report/nations-transit/2024/region-reordered-autocracy-and-democracy?fbclid=IwAR2rtp4ohN20Fo9e1pYTE4XxflD3NZ9G6laqjknBpkudq0YJLaGjCtq-IRA_aem_AWEgWQproGnC8iijVlbsdENQ6N9LfwDnhJQKwn8DshQ0ignXiZ4z26e1W1xq1zf5SsH1n8wXTJmFHOHAd2qjzRp9) [11.02.2025].

<sup>2</sup> OSCE Office for Democratic Institutions and Human Rights, Parliamentary Elections, 26.11.2024; see, <https://www.osce.org/odihr/571813> [11.02.2025].

<sup>3</sup> GYLA, Assessment of the Parliamentary Election Voting Day on 26 October 2024, 27.11.24; see, <https://gyla.ge/post/gancxadeba-27octoberi-11saati> [11.02.2025].

<sup>4</sup> OMST, Statements Georgia: Preliminary Findings on the Investigation of Torture and Ill-Treatment Against Protesters from 28 November to 20 December 2024, 24.12.2024; see, <https://www.omct.org/en/resources/statements/georgia-preliminary-findings-on-the-investigation-of-torture-and-ill-treatment-against-protesters-from-28-november-to-20-december-2024-2> [11.02.2025].

<sup>5</sup> Ohchr, Experts, Georgia must investigate use of force by police during demonstrations, 28.01.2025; see, [https://www.ohchr.org/en/press-releases/2025/01/georgia-must-investigate-use-force-police-during-demonstrations-experts?fbclid=IwY2xjawlQs7hleHRuA2FlbQJxMAABHWCrQUtUFvHK\\_gwgYzOZN8-WErCE6r8R90KCGHB6og31p1x8As0jZZupg\\_aem\\_N9gOHGcCY0UdGFxevnakdw](https://www.ohchr.org/en/press-releases/2025/01/georgia-must-investigate-use-force-police-during-demonstrations-experts?fbclid=IwY2xjawlQs7hleHRuA2FlbQJxMAABHWCrQUtUFvHK_gwgYzOZN8-WErCE6r8R90KCGHB6og31p1x8As0jZZupg_aem_N9gOHGcCY0UdGFxevnakdw) [11.02.2025].

<sup>6</sup> GYLA, The illegitimate parliament is adopting repressive laws in an accelerated manner, 20.02.2025; see, <https://www.facebook.com/photo/?fbid=1052645706907451&set=a.485094683662559> [11.02.2025].

<sup>7</sup> GYLA, The "Georgian Dream" is trying to make undemocratic and repressive amendments to the legislation, 12.12.2024; see, <https://gyla.ge/post/represiulisakanonmdeblo-cvilebebi-gyla> [11.02.2025].

<sup>8</sup> GYLA, GYLA responds to illegal and repressive changes to the rules for diplomatic service, 31.12.2024; see, <https://gyla.ge/post/diplomatiuri-samsaxuri-represiebi> [11.02.2025].

<sup>9</sup> GYLA, Civil Service Bureau liquidation is a continuation of repression in Public Service; see, <https://gyla.ge/post/sajarosamsaxurisbiuro-likvidacia> [11.02.2025].

<sup>10</sup> The Legal Aid Network of the Civil Society Organizations is a union of the following organizations: "Georgian Young Lawyers' Association", "Democracy Research Institute", "Institute for Development of Freedom of Information", "Civic Idea", "International Society for Fair Elections and Democracy", "Georgian Democracy Initiative", "Social Justice Center", "Tolerance and Diversity Institute", "Union of Human Rights Defenders - Human Rights Center", "Rights Georgia", "Partnership for Human Rights", "Women's Initiatives Supporting Group", "Georgian Center for Psychosocial and Medical Rehabilitation of Torture Victims".

<sup>11</sup> GYLA, Results of the activities of the NGO Legal Aid Network, 19 November 2024 – 28 February 2025, 18.03.2025; see, <https://www.facebook.com/photo/?fbid=1073257938179561&set=pcb.1073257994846222> [24.03.2025].

<sup>12</sup> GYLA, The recognition of the authority of new members of parliament by the Parliament of Georgia is unconstitutional, 25.11.2025; see, <https://www.gyla.ge/post/sakartvelos-parlamntis-axali-wervebis-uflebamoislebis-cnoba-arakonstituciuria> [11.02.2025].

operates in a completely opaque manner, regularly denying access to the public information in violation of the law.<sup>13</sup> The Anti-Corruption Bureau<sup>14</sup> and the Central Election Commission function as party tools that serve the interests of the ruling party rather than ensuring transparency and accountability. The Prosecutor's Office and the Special Investigation Service continue to ensure impunity for the regime officials.

- In addition to suspending negotiations with the EU, the "Georgian Dream" government has worsened relations with key international partners. In 2023, Georgia withdrew<sup>15</sup> from the OECD/ACN monitoring cycle and became the only participating country that does not support it, indicating its lack of commitment to the anti-corruption reforms and harming its EU integration prospects. In 2024, the Open Government Partnership's Monitoring Committee suspended<sup>16</sup> Georgia's membership due to the legislative actions that undermined civil liberties and fundamental rights. Similarly, the Georgian delegation to the Parliamentary Assembly of the Council of Europe (PACE) has ceased operations following a decision by the "Georgian Dream".<sup>17</sup> All of this indicates that Georgia remains increasingly isolated from the critical international platforms, further undermining its credibility and standing with the Western allies.

## **B. Freedom of assembly**

5. Disproportionate crackdowns on the public demonstrations were carried out with the use of unlawful and excessive force on three major occasions (March 2023,<sup>18</sup> April-May 2024,<sup>19</sup> and November-December 2024<sup>20</sup>), indicating a complete disregard for the public dissent by the "Georgian Dream".
6. During the process of working on the report, the following findings were identified regarding the right to assembly:
  - Since 28 November 2024, in a 10-day interval, the police forces dispersed the demonstration 7 times: on the nights of 28-29 November, 29-30 November, 30 November-1 December, 1-2 December, 2-3 December, 3-4 December, and 6-7 December.
  - None of the law enforcement officers (representatives of the Special Tasks Department, Patrol and Criminal Police) participating in the crackdown on the protests were identifiable, as they did not have any type of identification numbers. Some of the law enforcement officers were wearing medical or black masks.
  - The crackdowns were usually preceded by a large concentration of the police forces at the beginning of the streets surrounding the Parliament, during which the citizens were positioned facing the law enforcement officers. During the communication, the police representatives engaged in verbal confrontations with the citizens and provoked them.
  - The Ministry of Internal Affairs does not publish information about the special means used and the police units deployed on the specific days of the protests.
  - For four out of the seven days of the protest crackdowns, the Ministry of Internal Affairs has used three or more active special means (water cannon, pepper spray, tear gas, and in some cases, rubber bullets) on the Rustaveli Avenue.

<sup>13</sup> INTERPRESSNEWS, GYLA files lawsuits against High Council of Justice and High School of Justice due to failure to provide public information, 18.12.2025; see, <https://www.interpressnews.ge/en/article/128763-gyla-files-lawsuits-against-high-council-of-justice-and-high-school-of-justice-due-to-failure-to-provide-public-information/> [11.02.2025].

<sup>14</sup> GYLA, GYLA and ISFED consider the decision of the Anti-Corruption Bureau to be unlawful, 24.10.2024; see, <https://www.gyla.ge/post/saia-da-samartliani-archevnebi-miichneven-rom-antikoruftsiuli-biuros-gadatsyvetileba-ukanonoa> [11.02.2025].

<sup>15</sup> GYLA, Georgia is the sole country to decline participation in the OECD/ACN's 5th Monitoring Round, 27.06.2023; see, <https://gyla.ge/post/georgia-is-the-sole-country-to-decline-participation-in-the-oecdacns-5th-monitoring-round> [11.02.2025].

<sup>16</sup> OGP, Georgia Temporarily Suspended from the Open Government Partnership, 16.11.2024; see, <https://www.opengovpartnership.org/news/georgia-temporarily-suspended-from-the-open-government-partnership/> [11.02.2025].

<sup>17</sup> The Georgian Dream's decision follows the resolution of the Parliamentary Assembly of the Council of Europe, according to which the Assembly would reconsider the credentials of the Georgian delegation at its April 2025 session, in the light of the progress achieved on the following issues:

- the organisation of "new genuinely democratic parliamentary elections", held under strict international monitoring and conditions of political independence of state institutions and election administration;
- immediate and effective steps to "enable Georgia to resume the European integration process";
- an immediate end to police brutality and human rights abuses;
- the release of all political prisoners before the Assembly's 2025 April part-session.

available at: PACE President regrets decision of Georgian delegation to withdraw from the Assembly, 29.01.2024; see, <https://www.coe.int/en/web/tbilisi/-/pace-president-regrets-decision-of-georgian-delegation-to-withdraw-from-the-assembly> [11.02.2025].

<sup>18</sup> GYLA, People Against the Russian Law, 2023; see, [https://admin.gyla.ge/uploads\\_script/publications/pdf/People%20Against%20the%20Russian%20Law\\_eng-2.pdf.crdownload](https://admin.gyla.ge/uploads_script/publications/pdf/People%20Against%20the%20Russian%20Law_eng-2.pdf.crdownload) [11.02.2025].

<sup>19</sup> GYLA, Georgia: Human Rights Amidst the Russian Law - Human Rights 60 Days Following the Revival of the Foreign Influence Transparency Bill, 2024; see, [https://admin.gyla.ge/uploads\\_script/publications/pdf/rusuli%20kanoni.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/rusuli%20kanoni.pdf) [11.02.2025].

<sup>20</sup> GYLA, Civil Rights Facing Increased Police Terror, 2024; see, [https://admin.gyla.ge/uploads\\_script/publications/pdf/CIVIL%20RIGHTS%20FACING%20INCREASED%20POLICE%20TERROR.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/CIVIL%20RIGHTS%20FACING%20INCREASED%20POLICE%20TERROR.pdf) [11.02.2025].

- In six out of seven days of the protest dispersals, no prior warning was given at the protest site before the use of the active special means on the Rustaveli Avenue. In the only exceptional case (the night of 6-7 December) - when the warning preceded the dispersal, the requirement to provide a reasonable period of time (at least 30 minutes) for the protest participants following the warning was not met.
- The text of the warning broadcast on the Rustaveli Avenue via the technical means fails to meet the components established by the law, as it does not contain information about what had served as the basis for the decision to disperse the rally. The standard text of the warning also does not provide information about a reasonable time and the route for leaving the occupied territory.
- Between 28 November and 8 December 2024, several cases have been revealed (including on the night of 1-2 December) of the special forces encircling the citizens during the dispersal of the protests, which is contrary to the law and the international standards.
- The law enforcement officers used the active special means, including pepper spray, against the protesters. Beside this, violations of the rules for the use of tear gas have been identified during the protests of 2-3 and 3-4 December 2024.
- Protesters have suffered long-term health problems after the special means have being used against them. The victims complained of acute shortness of breath, pneumonia, severe coughing and throat irritation and some of them had severe dizziness and coordination problems.

### **C. Prohibition of torture**

7. Since 28 November 2024, the state has systematically used ill-treatment and other forms of police violence to suppress the protests in Tbilisi. According to the public information requested from the Public Defender's Office of Georgia, from 28 November 2024 to 28 January 2025, the Public Defender's Office has identified a total of 282 alleged ill-treatment cases.<sup>21</sup> The Office has identified 81 cases of the total number of the alleged ill-treatment cases based on the information disseminated by the media.<sup>22</sup>
8. As part of the documentation, interviews have been conducted with 117 respondents. 77.7% of the respondents (91 out of 117) have indicated that they had been subjected to violence and ill-treatment by the police during the period from 19 November to 28 January, in the context of the ongoing protests.
9. The available evidence and statements of the victims of violence demonstrate that systematic torture is taking place—the use of severe physical and psychological violence to intimidate and punish the protesters. The scale of the violence, the coordinated involvement of the various MIA units, the matching of the statements of the torture victims, identical actions taken on different dates, the lack of response to the violence by the state and, in some cases, its encouragement, indicate the systemic nature of torture and the organized nature of this crime.
10. During the process of working on the report, the following behavioral patterns have been identified in relation to torture:
  - Typically, in parallel with the dispersal of the demonstrations, the special forces would arbitrarily arrest the protestors, beat them on the spot, often in groups, and then take them behind a police cordon, away from the media cameras, where the violence would become even more intense.
  - The violence would typically continue in the punishment minibuses. Members of the special forces, wearing special gloves and using their feet and, in some cases, batons or other tools, would beat the victims in groups.
  - Physical violence, both after the arrest and in the minibus, was accompanied by the seizure of belongings, insults, humiliation and threats, including threats of rape. Typically, the special forces would deliberately hit the victims in the head and face.
  - After being beaten in a minibus, which often occurred in several episodes, the victims would be handed over to the patrol or the criminal police officers, who would take them to the police stations and draw up false arrest reports.
  - Often psychological abuse and, in some cases, physical abuse would continue during the transportation, as well as at the police station. It is noteworthy that the physical and psychological abuse would be accompanied by the anti-European and homophobic rhetoric characteristic of the government narrative.

<sup>21</sup> Letter № 25/1280 of the Public Defender's Office of Georgia of 15 February 2025.

<sup>22</sup> Ibid.



- Moreover, beside the use of direct physical force, ill-treatment would often be constituted by the practice of using the active special means by the police forces, which, instead of restoring order, was aimed at punishing or harming the protest participants.
- Victims of violence would typically be searched and have their personal belongings seized, most of which would never return to them. **According to the information provided by the respondents, the total amount of damage caused by the theft/seizure of belongings by the police forces is at least 253,470 GEL.**<sup>23</sup>
- In parallel with the physical violence, the following forms of psychological violence would actively be used against the victims:

**Threats** - threats of death, rape, rape of a family member, threat of criminal prosecution;

**Humiliation** - swearing, using homophobic and anti-European hate speech, mocking, spitting;

**Intimidation/terrorization** - locking people up in a dark minibus and turning the lights on/off, shouting from the outside the minibus, intimidating people before placing them in the minibus, saying they would now be put in the "magic bus", victims of violence often had to watch violence against the others in the minibus;

**Accusation** - Among the cases of psychological pressure, it is noteworthy to mention the fact of accusing the protest participant of actions that they had not committed, for example, during the beatings or transportation, some respondents were accused of cursing at the police officers and throwing things at them.

- **Protesters were often threatened with rape or otherwise sexually harassed** while being beaten, transported, or held at the law enforcement facilities. In some cases, this was accompanied by **homophobic and anti-European language and narratives**.

#### D. Freedom of expression

11. Violence against the media was systematically incited by the "Georgian Dream" representatives, leading to a hostile and polarized environment, as well as complete impunity for crimes committed against the media.<sup>24</sup> **108 cases have been documented in the report.**
12. The law enforcement officers<sup>25</sup> not only verbally abused the journalists, but also deliberately and severely physically assaulted them. It was the media and their equipment that became the target of aggression, as they were recording and reporting the evidence of violence against the protesters. Cases of beatings, swearing, threats, harassment, deliberate use of the special means,<sup>26</sup> damage and seizure of equipment<sup>27</sup>, arrest, detention and the imposition of administrative fines<sup>28</sup> have been identified against the journalists. A criminal case is underway against a critical online media journalist, Mzia Amaglobeli.<sup>29</sup>
13. The Titushkas,<sup>30</sup> or the individuals affiliated with the "Georgian Dream" government, are used to intimidate and attack the opposition activists, journalists and the protesters. These groups are often used to carry out violent acts that undermine the rights to free expression and assembly, without legal consequences.
14. Control over the Public Broadcaster, which the "Georgian Dream" government uses as a state media outlet to spread hate speech and disinformation, has been tightened. "Imedi", "Rustavi 2" and "POS TV", which are under the influence of the

<sup>23</sup> Of these, the total value of the belongings stolen/seized by the police forces for the surveyed respondents is at least 64,800 GEL. In addition, one respondent suffered damage equivalent to approximately 68,000 USD (approximately 188 670 GEL) due to the resetting of iCloud after the phone was seized, which was related to the loss of assets held in cryptocurrency.

<sup>24</sup> GYLA, GYLA calls on all authorized persons, both high- and low-ranking, within the Ministry of Internal Affairs and the Prosecutor's Office to protect freedom of assembly rather than unlawfully interfere with it, 02.02.2025; see, <https://gyla.ge/post/GYLA%20-calls-%20to%20-protect-%20freedom%20-of%20-assembly> [11.02.2025].

<sup>25</sup> BBC, Moment Georgian press attacked by masked men, 08.12.2024; see, <https://www.bbc.com/news/videos/c07ggrnxx45o> [11.02.2025].

<sup>26</sup> Publika, Police physically assaulted the journalists while covering a anti-Russian protest, 29.11.2024; see, [https://publika.ge/aqciis-gashuqebis-dros-policia-djurnalistebs-fizikurad-gausworda/?fbclid=IwY2xjawG2avpleHRuA2FlbQlxMQABHe3lO29xY5\\_m9FQwo7D3HUZm2Cr2y5xufBe9VsDZTHR-YQ-HfwF6dWhyuA\\_aem\\_1jmOrB1IWYM0ROT-Lbo05w](https://publika.ge/aqciis-gashuqebis-dros-policia-djurnalistebs-fizikurad-gausworda/?fbclid=IwY2xjawG2avpleHRuA2FlbQlxMQABHe3lO29xY5_m9FQwo7D3HUZm2Cr2y5xufBe9VsDZTHR-YQ-HfwF6dWhyuA_aem_1jmOrB1IWYM0ROT-Lbo05w) [11.02.2025].

<sup>27</sup> MFRR, Intimidated, attacked and barred from entering the country: press freedom organizations urge for protection of journalists' rights in Georgia; see, <https://www.mfrr.eu/intimidated-attacked-and-barred-from-entering-the-country-press-freedom-organizations-urge-for-protection-of-journalists-rights-in-georgia/> [11.02.2025].

<sup>28</sup> Civil Georgia, Georgian Charter of Journalistic Ethics Calls on MIA to Stop Fining Journalists on Duty, 21.02.2025; see, <https://civil.ge/archives/664671> [11.02.2025].

<sup>29</sup> CPJ, CPJ calls for release, investigation, after two Georgian journalists detained during protests, 17.01.2025; see, <https://cpj.org/2025/01/cpj-calls-for-release-investigation-of-two-georgian-journalists-detained-during-protests/> [11.02.2025].

<sup>30</sup> GYLA, Informal punitive groups operate with the tacit support or direct consent of state institutions and high-ranking officials, 08.12.2024; see, <https://gyla.ge/post/araformaluri-sadamsjelo-jgufebi-gyla-ganckhadaba> [11.02.2025].

"Georgian Dream", play a significant role in promoting the "Georgian Dream" narratives, bypassing critical voices and, conversely, conducting false and damaging campaigns against them.<sup>31</sup>

15. Furthermore, the "Georgian Dream" politicians have restricted journalists from working in the Georgian Parliament. The aim of these actions against the media representatives is to silence the critical media outlets and spread a "chilling effect."

#### **E. Right to liberty and a fair trial**

16. Administrative arrest and the prosecution of the protest participants for administrative offences has become a widespread practice since 2023. As of 7 February 2025, administrative proceedings have been initiated against more than 1600 individuals.
17. The civil society organizations' Legal Aid Network has received information about 1084 individuals against whom administrative proceedings had been initiated in the context of the ongoing protests between 19 November 2024 and 28 February 2025. Of these, 486 individuals had been arrested.
18. The courts typically sentence them to administrative detention or a fine. Following the accelerated legislative amendments in December and February, the sanctions for the most frequently used offences have increased. It is noteworthy that the maximum term of the administrative detention has been quadrupled - from 15 to 60 days, and fines have increased significantly - in some cases by even tenfold. According to the data at our disposal, the amount of fines imposed reaches 2 000 000 GEL (approximately 720 835 USD).<sup>32</sup>
19. Administrative arrests were almost always arbitrary and part of a mechanism of intimidation. Minors and people with disabilities were among the arrestees.
20. The expedited conduct of the court proceedings, the blanket nature of the decisions and the improper examination of evidence indicate the instrumentalization of the system against the civil society.
21. It is clear that the gross violations of the procedural rights of the administratively arrested persons, including the arbitrary extension of the arrest and the obstruction of the exercise of the right to defence, was not caused by institutional shortcomings, system overload, or incompetence, but rather represents a deliberate tool to influence the activists and serves to restrict political opinion in the country.
22. One form of repressions is the use of the criminal justice mechanisms against the demonstrators. A number of criminal cases related to the activists arrested during the November-December 2024 protests and the April-May 2024 protests are/were being actively considered in court.
23. The use of criminal arrests related to the protest activities has effectively criminalized peaceful protest and restricted free assembly.
24. As of February 2025, more than 60 people face criminal charges; of these, 10<sup>33</sup> have been charged in connection with the spring 2024 protests, 52<sup>34</sup> in connection with the November-December 2025 protests.
25. Their charges, the measures taken against them and the strict criminal justice policy indicate political persecution by the "Georgian Dream" government against the people with different opinions and positions, which serves the purpose of suppressing the public protest.

#### **F. Other forms of repression**

26. Since the end of December 2024, a large-scale process of the dismissal of the employees has begun in the public institutions. Personnel decisions have been made largely against those public servants who have publicly expressed their civic position regarding the country's European integration process after November 28. Therefore, the dismissal of these individuals clearly contains signs of persecution and discrimination against the people on political grounds.
27. The wave of dismissals has affected hundreds of public servants who were employed in the following agencies:
- Parliament of Georgia,

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<sup>31</sup> GYLA, GYLA expresses solidarity with journalist Vasil Ivanov-Chikovani and believes that the Public Broadcaster is persecuting him for his public positions., 05.02.2025; see, <https://gyla.ge/post/saia-solidarobas-ucxadebs-vasil-ivanov-chikovans> [11.02.2025].

<sup>32</sup> GYLA, Data from the NGO Legal Aid Network, 19.03.2025; see, <https://www.facebook.com/photo?fbid=1073876964784325&set=a.485094683662559> [24.03.2025].

<sup>33</sup> GYLA, The Court issued judgments of conviction for all persons detained under criminal charges during the protests against the Russian Law, 04.02.2025; see, <https://gyla.ge/post/gala-rusuli-kanonis-protestis-dros-dakavebulebs-patimroba-miesaja> [11.02.2025].

<sup>34</sup> GYLA, The Cases of Individuals Detained under Criminal Law in relation to the Protests, 09.01.2025; see, <https://gyla.ge/post/aqciebis-konteqtshi-siskhlis-samartlis-wesit-dakavebulebi> [11.02.2025].

- Tbilisi City Hall,
  - LEPL National Agency of the Public Registry,
  - Administration of the Government of Georgia,
  - Ministry of Defence of Georgia,
  - Central Election Commission,
  - Also in other central and local budgetary institutions.
28. Dismissals of the public servants are carried out without any justification or transparent procedures. Public institutions use formal grounds such as reorganization, disciplinary liability and the termination of a contract, although the real reasons clearly relate to the persecution of the public servants for sharing their political or dissenting views. In a number of cases, dismissals have also been related to the political activities of the public servants' family members.
29. The dismissal of the employees from the public institutions has been further simplified by the amendments to the Law "On Public Service", which were adopted by the "Georgian Dream" in an accelerated manner on 13 December 2024. The amendments have worsened the legislative regulation, which essentially contradicts the spirit of the Constitution of Georgia and the Law of Georgia "On Public Service" and worsens the rights of the public servants. The unlawful dismissal of the qualified and experienced public servants, along with the strengthening of political influence in the public service, will significantly harm the effective functioning of the public institutions.<sup>35</sup>
30. In November-December 2024, during the protests, cases of enforced disappearances were identified, namely, citizens were disappearing from the rallies, from their homes or cars, their whereabouts were unknown to the family members and lawyers. Later, it would be uncovered that they had been arbitrarily arrested by the criminal police. At the time of the arrest, they were not explained their rights and were not given the opportunity to contact a lawyer.
31. In the run-up to particularly significant protest mobilizations, the law enforcement agencies resorted to searching the living and working spaces of the targeted groups – the politicians, the non-governmental organizations, independent media and civic activists.<sup>36</sup> The searches would typically be conducted without the court's permission or, in cases of emergency, without presenting a decree as required by the law.

## **G. Responsibility of the state institutions**

32. The scale of the grave human rights violations, the lack of an effective response to them, the bias of the judiciary and the clear and open support/incitement of violence by the high-ranking officials, as well as the new repressive legislative initiatives, indicate that the methods of restricting human rights and violently suppressing the protests are systemic and involve all three branches of government led by the Georgian Dream.
33. Investigations into the violations are largely ineffective,<sup>37</sup> fueling institutional and individual impunity and completely destroying trust in Georgia's justice system; the "Georgian Dream" President recently awarded the Order of Honour to the head of the Special Task Force, Zviad Kharazishvili, along with the other senior MIA officials, in a clear demonstration of the state's support for torture and violent repression. Beside this, the head of the Special Investigation Service has publicly supported the award ceremony on the social media, which is directly related to the likelihood of the investigations into these violations being ineffective.
34. The capture of the judiciary by the political elites has led to a lack of judicial independence, with the courts increasingly serving the interests of the "Georgian Dream". This has led to biased decisions, especially in the cases of the activist.
35. The Foreign Influence laws introduced in 2023, which had been repealed after the widespread protests, were followed by a similar law which was passed in 2024. The Venice Commission<sup>38</sup> has called for its repeal, saying it threatens the

<sup>35</sup> ISFED, The amendments made to the Georgian Law "On Public Service" by the illegitimate parliament sharply worsen the rights of the public servants, 16.12.2024; see, <https://www.isfed.ge/geo/gantskhadebebi/aralegitimuri-parlamentis-mier-sadjaro-samsakhuris-shesakheb-saqartvelos-kanonshi-gankhortsielebuli-tsvilebebi-mkvetrad-auaresebs-sadjaro-mosamsakhureta-uflebriv-mdgomareobas> [11.02.2025].

<sup>36</sup> Radio Tavisupleba, Civil activists are being searched - several people are believed to have been arrested, 01.02.2025; see, <https://www.radiotavisupleba.ge/a/33299587.html>; [11.02.2025]. Tabula, They told me they were there to check the gas, they rushed in and started the search - Buziashvili, 24.10.2025; see, <https://tabula.ge/ge/news/724711-mitkhres-rom-gazis-shesamocmeblad-iqvnen?redir> [11.02.2025]. Also, Social Justice Center, Searches of the activists' homes are a continuation of the policy of the "Georgian Dream" of intimidation and repression, 01.02.2025; see, <https://socialjustice.org.ge/ka/products/aktivistebis-sakhlebshi-chkhreka-quot-kartuli-otsnebis-quot-mkhridan-dashinebis-da-represii-politikis-gagrdzelebaa> [11.02.2025].

Tabula, Where were the searches conducted and who were arrested?, 04.12.2025; see, <https://tabula.ge/ge/news/726873-sad-chaatarda-chkhrekebi-vinarian-dakavebulebi> [11.02.2025].

<sup>37</sup> GYLA, GYLA submitted written information within the framework of the OSCE Vienna Mechanism, 23.01.2025; see, <https://gyla.ge/post/%20GYLA-OSCE-Vienna> [11.02.2025].

<sup>38</sup> European Commission for Democracy through Law, Urgent Opinion on the Law on Transparency of Foreign Influence, CDL-PI(2024)013, 2024; see, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-PI\(2024\)013-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-PI(2024)013-e) [11.02.2025].

democratic freedoms and the civil society. Nevertheless, the civil society organizations are under constant attack<sup>39</sup>, with the constant threat of the Foreign Influence law that would impose high fines and onerous requirements on the non-governmental organizations, which will further restrict their activities and independence.

36. A purge of the public servants<sup>40</sup> with dissenting opinions is underway, centralizing power within the "Georgian Dream" and undermining the independence of the public sector.
37. The above-mentioned issues are confirmed by the findings of various international stakeholders, among them, the findings of the Council of Europe Commissioner for Human Rights<sup>41</sup> and the UN Special Rapporteurs;<sup>42</sup> as well as of Human Rights Watch<sup>43</sup> and Amnesty International<sup>44</sup>.
38. **As Georgia faces growing authoritarian tendencies, it is imperative for the international actors to address these challenges quickly to protect the future of Georgia's democracy and human rights, especially as the "Georgian Dream" officials announce new draft laws on a daily basis that severely restrict freedoms.**

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<sup>39</sup> Civil Georgia, International Reactions to Intimidation, Violence Campaign Against Civil Activists, Opposition Politicians over Foreign Agents Law, 11.05.2025; see, <https://civil.ge/archives/605261> [11.02.2025].

<sup>40</sup> GYLA, Civil Service Bureau liquidation is a continuation of repression in Public Service, 05.02.2025; see, <https://gyla.ge/post/sajarosamsaxurisbiuro-likvidacia> [11.02.2025].

<sup>41</sup> CoE, Georgia: Protect freedom of assembly and expression, ensure accountability for human rights violations and end stigmatisation of NGOs and LGBTI people, 24.01.2025; see, [https://www.coe.int/en/web/commissioner/-/georgia-protect-freedom-of-assembly-and-expression-ensure-accountability-for-human-rights-violations-and-end-stigmatisation-of-ngos-and-lgbti-people?fbclid=IwY2xjawlQxpRleHRuA2FlbQlXMQABHfnS\\_gO\\_o3R39civ-niNgGufJw7wR-FhlW\\_dtflUKiCiWoRgK9Eu-JyaJQ\\_aem\\_IH0DA1DMaIAgNn5iWUQHq](https://www.coe.int/en/web/commissioner/-/georgia-protect-freedom-of-assembly-and-expression-ensure-accountability-for-human-rights-violations-and-end-stigmatisation-of-ngos-and-lgbti-people?fbclid=IwY2xjawlQxpRleHRuA2FlbQlXMQABHfnS_gO_o3R39civ-niNgGufJw7wR-FhlW_dtflUKiCiWoRgK9Eu-JyaJQ_aem_IH0DA1DMaIAgNn5iWUQHq) [11.02.2025].

<sup>42</sup> Ohchr, Georgia must investigate use of force by police during demonstrations: Experts, 28.01.2025; see, [https://www.ohchr.org/en/press-releases/2025/01/georgia-must-investigate-use-of-force-police-during-demonstrations-experts?fbclid=IwY2xjawlQs7hleHRuA2FlbQlXMAABHWCrQUtUFvHK\\_gwgYzOZN8-WErCE6r8R90KCGHB6og31p1x8As0JjZZupg\\_aem\\_N9gOHGcCY0UdGFxevnakdw](https://www.ohchr.org/en/press-releases/2025/01/georgia-must-investigate-use-of-force-police-during-demonstrations-experts?fbclid=IwY2xjawlQs7hleHRuA2FlbQlXMAABHWCrQUtUFvHK_gwgYzOZN8-WErCE6r8R90KCGHB6og31p1x8As0JjZZupg_aem_N9gOHGcCY0UdGFxevnakdw) [11.02.2025].

<sup>43</sup> Human Rights Watch, Georgia; see, <https://www.hrw.org/europe/central-asia/georgia> [11.02.2025].

<sup>44</sup> Amnesty International, Georgia; see, <https://www.amnesty.org/en/location/europe-and-central-asia/eastern-europe-and-central-asia/georgia/> [11.02.2025].

## **I. METHODOLOGY AND THE STANDARD OF PROOF**

This report has been prepared by the Georgian civil society organizations. The report is based on the information and evidence obtained by the authors from the public sources, interviews and the case materials.

Based on the questionnaire - “Documentation and Reporting Form for the Excessive Use of Force, Ill-treatment and Torture during Protests and Arrests”, developed by IRCT, IFEG, Berekeley Public health and Omega Research Foundation, taking into account the Georgian context, a semi-structured, in-depth questionnaire has been prepared, according to which the interviews have been conducted with 117 respondents who had participated in the protests from 19 November to 28 January or had been subjected to ill-treatment or violence in the context of the ongoing protests. The findings from the interviews are supported by the evidence, among them, the photographic/video materials and the medical documentation. The report’s Annex (see Annex) lists the sex of the respondents and the types of the evidence provided by each respondent (video evidence, photographic evidence, medical documentation, court documentation).

A focus group has also been held with the lawyers. In order to request the public information, 21 letters have been sent to 10 agencies. These are, Tbilisi, Rustavi, Kutaisi, Batumi City Courts, Zugdidi District Court, the Prosecutor's Office of Georgia, the Public Defender's Office of Georgia, the Special Investigation Service, the Ministry of Internal Affairs, the Ministry of the IDPs from the Occupied Territories, Labor, Health and Social Protection. (See the letters sent and the responses received from the agencies in Annex 2)

The report is based on the verified information obtained from the reliable and trustworthy sources. Information is included in the report only if there is a reasonable basis for its credibility.

## II. THE VIOLATIONS OF THE HUMAN RIGHTS LAW

### 1. RIGHT TO ASSEMBLY

According to the case law of the European Court of Human Rights, the legitimate aims defined in the European Convention on Human Rights, on the basis of which the freedom of peaceful assembly may be restricted, should not be given a broad interpretation.<sup>45</sup> The Court sees these risks particularly in relation to the aim of “prevention of disorder”, which, in its assessment, is one of the most frequently cited grounds by the authorities for restricting the right to peaceful assembly.<sup>46</sup>

Public assembly is a widespread form of protest, therefore, any action by the state during a protest is primarily considered an interference with the right to assembly. Freedom of peaceful assembly is recognized as one of the foundations of a democratic, tolerant and pluralistic society and is considered a fundamental right by several key human rights instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the European Convention on Human Rights, the Convention on the Rights of the Child and the UN Convention on the Rights of Persons with Disabilities.<sup>47</sup>

This chapter describes the chronology of the protests in various cities of Georgia since 28 November 2024, the methods and trends of dispersals, assesses the legality of the cessation of peaceful demonstrations and also summarizes specific examples of violations of legislative requirements and international standards in the use of active special means and the accompanying effects of the use of these means.

During the process of working on the report, the following findings have been identified regarding the right to assembly:

- Starting from 28 November 2024, in a 10-day interval, police forces dispersed the demonstration 7 times on the nights of 28-29 November, 29-30 November, 30 November-1 December, 1-2 December, 2-3 December, 3-4 December, and 6-7 December.
- None of the law enforcement officers (representatives of the Special Tasks Department, Patrol and Criminal Police) participating in the crackdown on the protests were identifiable, as they did not have any type of identification numbers. Some of the law enforcement officers were wearing medical masks or black masks.
- The crackdowns were usually preceded by a large concentration of the police forces at the beginning of the streets surrounding the Parliament, during which the citizens were positioned facing the law enforcement officers. During communication, the police force representatives engaged in verbal confrontations with the citizens and provoked them.
- The Ministry of Internal Affairs does not publicize the information about the special means used and the police units deployed on the specific days of the protests.
- For four out of the seven days of the protest crackdowns, the Ministry of Internal Affairs used three or more active special means (water cannon, pepper spray, tear gas, and in some cases, rubber bullets) on the Rustaveli Avenue.
- In six out of the seven days of the protest dispersals, no prior warnings were given at the protest site prior to using the active special means on the Rustaveli Avenue. In the only exceptional case (the night of 6-7 December) - when the warning preceded the dispersal, the requirement to provide a reasonable period of time (at least 30 minutes) for the protest participants after the warning was not met.
- The text of the warning issued on the Rustaveli Avenue by the technical means fails to meet the components established by the law, as it does not contain information about what had served as the basis for the decision to disperse the rally. The standard text of the warning also does not provide the information about a reasonable time and route for leaving the occupied territory.
- Between 28 November and 8 December 2024, there were several cases (including on the night of 1-2 December) of special forces encircling the citizens during the dispersal of the protests, which violates the legislation and the international standards.
- Law enforcement officers have used active special means, including pepper spray, against the protesters. In addition, violations of the rules for the use of tear gas have been identified during the protests of 2-3 and 3-4 December 2024.
- Protesters have suffered long-term health problems following the use of the special means. The victims complained of acute shortness of breath, pneumonia, severe coughing and throat irritation, and some of them had severe dizziness and coordination problems.

<sup>45</sup> *Navalnyy v. Russia*, nos. 29580/12 and 4 others, 15.11.2018, §137.

<sup>46</sup> European Court of Human Rights, Guide on Article 11 of the European Convention on Human Rights, 2024, პარ. 61; see, [https://ks.echr.coe.int/documents/d/echr-ks/guide\\_art\\_11\\_eng](https://ks.echr.coe.int/documents/d/echr-ks/guide_art_11_eng) [11.02.2025]

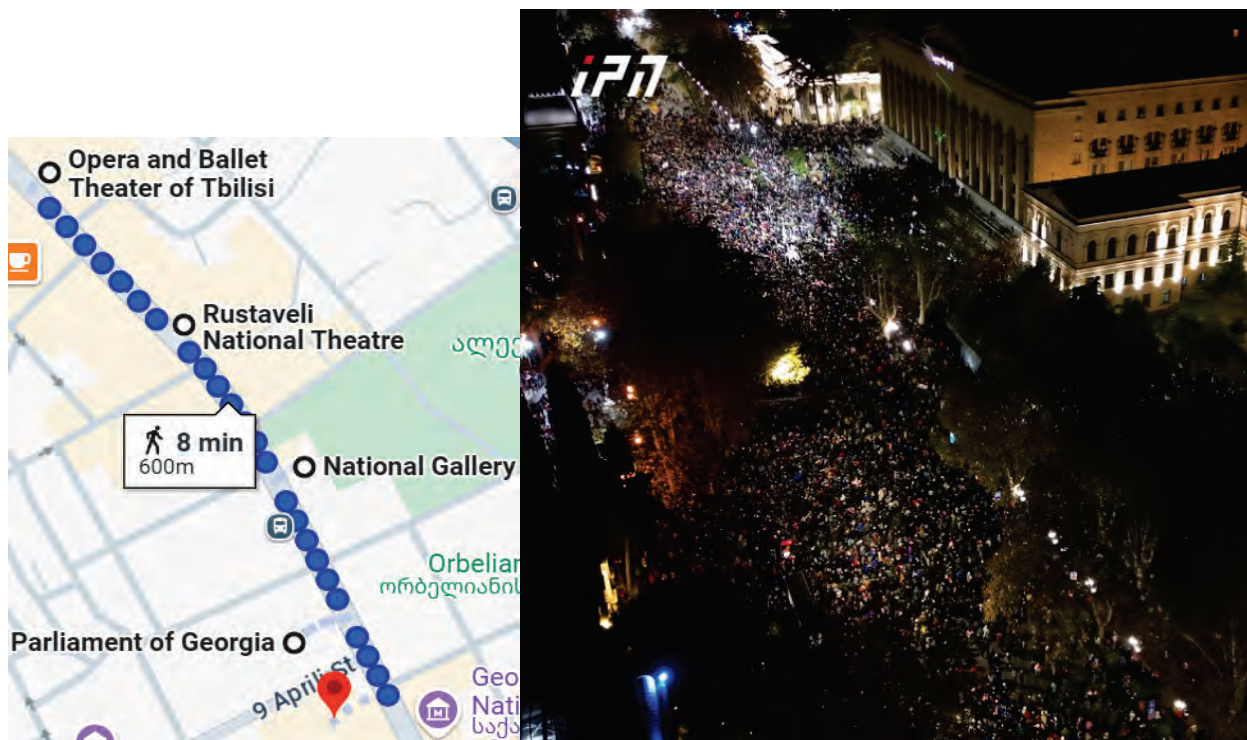
<sup>47</sup> OSCE, Office for Democratic Institutions and Human Rights, Urgent Opinion on the Amendments to the Law of Georgia on “Assemblies and Demonstrations” and the “Administrative Offences Code”, 2023, 10.

### 1.1. Protest Chronology and the main methods of dispersal

Continuous protests in Georgia began on 28 November 2024. Citizens gathered in Tbilisi and various cities in Georgia. The epicenter of the events was the Rustaveli Avenue and the area surrounding the Parliament.

Every day, the demonstrators gathered on the Rustaveli Avenue from around 19:00 (at the time of the writing of the report, continuous daily protests are still ongoing). The area occupied by the demonstrators varied depending on their numbers: from the National Youth and Children's Palace (National Palace)<sup>48</sup> to the National Gallery,<sup>49</sup> to the Rustaveli<sup>50</sup> or Opera and Ballet Theaters<sup>51</sup> (see illustrative photo 1). Except for the Rustaveli Avenue, the demonstrators occupied the area around the side entrances of the Parliament, 9 April<sup>52</sup> and Zakaria Chichinadze Streets.<sup>53</sup> On some days, a part of Zurab Zhvania (Dzmebi Zubalashvilebi)<sup>54</sup> Street, adjacent to the rear entrance of the Parliament (see illustrative photo 2).

**Illustrative photo 1: Gathering Place of the citizens on the Rustaveli Avenue**



**(Rustaveli Avenue, Interpressnews, the protest of 29.11.24, circa 22:00)<sup>55</sup>**

<sup>48</sup> Location; see,

[https://www.google.com/maps/place/National+Youth+Palace/@41.6990064,44.7919887,16z/data=!4m6!3m5!1s0x40440ce61faf45f1:0x9c6243cac0e19327!8m2!3d41.696148!4d44.7990757!16s%2Fg%2F11cnc9xfbw?entry=tts&g\\_ep=EgoyMDI1MDQyMi4wKXMDSoASAFQAw%3D%3D](https://www.google.com/maps/place/National+Youth+Palace/@41.6990064,44.7919887,16z/data=!4m6!3m5!1s0x40440ce61faf45f1:0x9c6243cac0e19327!8m2!3d41.696148!4d44.7990757!16s%2Fg%2F11cnc9xfbw?entry=tts&g_ep=EgoyMDI1MDQyMi4wKXMDSoASAFQAw%3D%3D) [11.02.2025].

<sup>49</sup> Location; see,

[https://www.google.com/maps/place/National+Gallery/@41.6990064,44.7919887,16.04z/data=!4m6!3m5!1s0x40440ce7caba82b3:0xb9d4dbb2bac3b0b3!8m2!3d41.698326!4d44.7987444!16s%2Fg%2F11hzhvzdd?entry=tts&g\\_ep=EgoyMDI1MDIwNS4xIPu8ASoASAFQAw%3D%3D](https://www.google.com/maps/place/National+Gallery/@41.6990064,44.7919887,16.04z/data=!4m6!3m5!1s0x40440ce7caba82b3:0xb9d4dbb2bac3b0b3!8m2!3d41.698326!4d44.7987444!16s%2Fg%2F11hzhvzdd?entry=tts&g_ep=EgoyMDI1MDIwNS4xIPu8ASoASAFQAw%3D%3D) [11.02.2025].

<sup>50</sup> Location; see,

[https://www.google.com/maps/place/Rustaveli+National+Theater/@41.6995399,44.7967583,19z/data=!3m1!4b1!4m6!3m5!1s0x40440ce604b3aa73:0xc37da10aa05e5d7!8m2!3d41.6995399!4d44.797402!16s%2Fm%2F02vs3kw?entry=tts&g\\_ep=EgoyMDI1MDIwNS4xIPu8ASoASAFQAw%3D%3D](https://www.google.com/maps/place/Rustaveli+National+Theater/@41.6995399,44.7967583,19z/data=!3m1!4b1!4m6!3m5!1s0x40440ce604b3aa73:0xc37da10aa05e5d7!8m2!3d41.6995399!4d44.797402!16s%2Fm%2F02vs3kw?entry=tts&g_ep=EgoyMDI1MDIwNS4xIPu8ASoASAFQAw%3D%3D) [11.02.2025].

<sup>51</sup> Location; see,

[https://www.google.com/maps/place/Opera+and+Ballet+Theater+of+Tbilisi/@41.7009135,44.7952532,19z/data=!4m6!3m5!1s0x40440cdda1d2d4d7:0xe30fd49502a2dd79!8m2!3d41.7008441!4d44.7959037!16s%2Fm%2F03ycnny?entry=tts&g\\_ep=EgoyMDI1MDQyMi4wKXMDSoASAFQAw%3D%3D](https://www.google.com/maps/place/Opera+and+Ballet+Theater+of+Tbilisi/@41.7009135,44.7952532,19z/data=!4m6!3m5!1s0x40440cdda1d2d4d7:0xe30fd49502a2dd79!8m2!3d41.7008441!4d44.7959037!16s%2Fm%2F03ycnny?entry=tts&g_ep=EgoyMDI1MDQyMi4wKXMDSoASAFQAw%3D%3D) [11.02.2025].

<sup>52</sup> Location of the street; see,

[https://www.google.com/maps/place/9+April+St,+Tbilisi/@41.6961237,44.797949,17z/data=!3m1!4b1!4m6!3m5!1s0x40440ce8c7432c83:0xb74576428ff9e74b!8m2!3d41.6961237!4d44.797949!16s%2Fg%2F11gz69006?entry=tts&g\\_ep=EgoyMDI1MDQyMi4wKXMDSoASAFQAw%3D%3D](https://www.google.com/maps/place/9+April+St,+Tbilisi/@41.6961237,44.797949,17z/data=!3m1!4b1!4m6!3m5!1s0x40440ce8c7432c83:0xb74576428ff9e74b!8m2!3d41.6961237!4d44.797949!16s%2Fg%2F11gz69006?entry=tts&g_ep=EgoyMDI1MDQyMi4wKXMDSoASAFQAw%3D%3D) [11.02.2025].

<sup>53</sup> Location of the street; see,

[https://www.google.com/maps/place/Zakaria+Chichinadze+St,+Tbilisi/@41.6971234,44.7978209,17z/data=!3m1!4b1!4m6!3m5!1s0x40440ce89cb21d15:0x839599ed1cc87c86!8m2!3d41.6971234!4d44.7978209!16s%2Fg%2F11gz6dl8s?entry=tts&g\\_ep=EgoyMDI1MDQyMi4wKXMDSoASAFQAw%3D%3D](https://www.google.com/maps/place/Zakaria+Chichinadze+St,+Tbilisi/@41.6971234,44.7978209,17z/data=!3m1!4b1!4m6!3m5!1s0x40440ce89cb21d15:0x839599ed1cc87c86!8m2!3d41.6971234!4d44.7978209!16s%2Fg%2F11gz6dl8s?entry=tts&g_ep=EgoyMDI1MDQyMi4wKXMDSoASAFQAw%3D%3D) [11.02.2025].

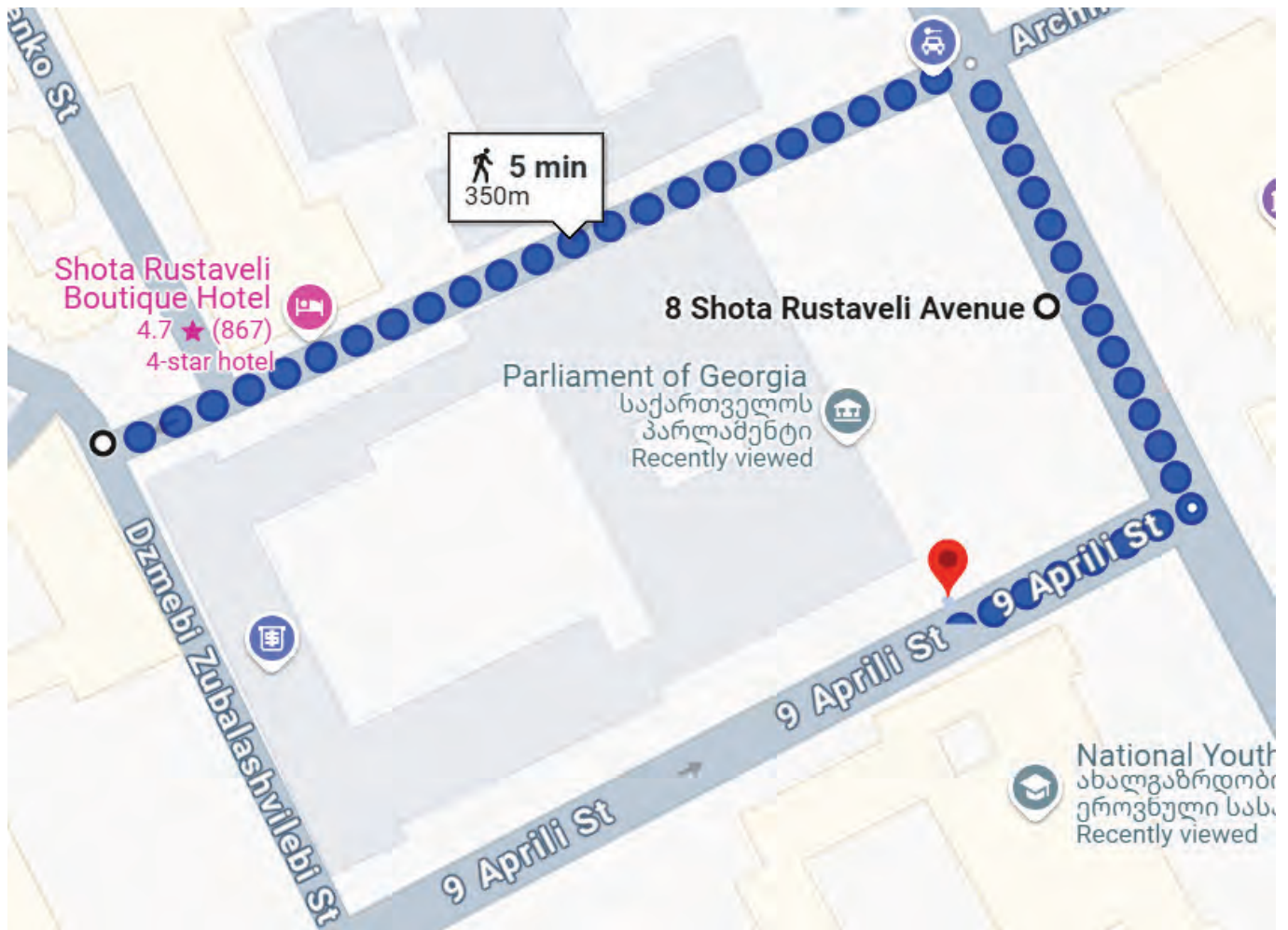
<sup>54</sup> Location of the street; see,

[https://www.google.com/maps/place/Dzmebi+Zubalashvilebi+St,+Tbilisi/@41.6995713,44.793927,19.25z/data=!4m6!3m5!1s0x40440cdd36c6d533:0xcaa43c58e04472fd!8m2!3d41.6992185!4d44.7945089!16s%2Fg%2F11h2g23s97?entry=tts&g\\_ep=EgoyMDI1MDQyMi4wKXMDSoASAFQAw%3D%3D](https://www.google.com/maps/place/Dzmebi+Zubalashvilebi+St,+Tbilisi/@41.6995713,44.793927,19.25z/data=!4m6!3m5!1s0x40440cdd36c6d533:0xcaa43c58e04472fd!8m2!3d41.6992185!4d44.7945089!16s%2Fg%2F11h2g23s97?entry=tts&g_ep=EgoyMDI1MDQyMi4wKXMDSoASAFQAw%3D%3D) [11.02.2025].

<sup>55</sup> INTERPRESSNEWS, 29.11.2024; see, <https://www.facebook.com/photo/?fbid=966743835485613&set=pb.100064500168110.-2207520000> [11.02.2025].



*Illustrative photo 2: Gathering place of the citizens on Chichinadze and April 9 streets*



In response to the protests, the police forces of the Ministry of Internal Affairs (MIA) also occupied various territories. According to the public sources, several locations have been used for their mobilization:

1. **Freedom Square, where, typically, the territory would completely be occupied by special equipment of the Ministry of Internal Affairs, vehicles and a large stream of law enforcement officers;**<sup>56</sup>
2. **The Georgian Parliament building and its inner courtyard, where forces and special equipment from various departments of the Ministry of Internal Affairs would often be stationed;**<sup>57</sup>
3. **The State Security Service building and its yard, where, typically, a part of the law enforcement agencies would also be mobilized;**<sup>58</sup>

<sup>56</sup> For example, see the 30 November 2025 video. Formula, Police forces are being mobilized on the Freedom Square, 30.11.2024; see, [https://formulanews.ge/all\\_videos/%E1%83%97%E1%83%90%E1%83%95%E1%83%98%E1%83%A1%E1%83%A3%E1%83%A4%E1%83%A9%E1%83%94%E1%83%91%E1%83%98%E1%83%A1-%E1%83%9B%E1%83%9D%E1%83%94%E1%83%93%E1%83%90%E1%83%9C%E1%83%96%E1%83%94-%E1%83%A1%E1%83%90%E1%83%9E%E1%83%9D%E1%83%9A%E1%83%98%E1%83%AA%E1%83%98%E1%83%9D-%E1%83%AB%E1%83%90%E1%83%9A%E1%83%94%E1%83%91%E1%83%98%E1%83%A1-%E1%83%9B%E1%83%9D%E1%83%91%E1%83%98%E1%83%9A%E1%83%98%E1%83%96%E1%83%94%E1%83%91%E1%83%90%E1%83%90/120809](https://formulanews.ge/all_videos/%E1%83%97%E1%83%90%E1%83%95%E1%83%98%E1%83%A1%E1%83%A3%E1%83%A4%E1%83%A9%E1%83%94%E1%83%91%E1%83%98%E1%83%A1-%E1%83%9B%E1%83%9D%E1%83%94%E1%83%93%E1%83%90%E1%83%9C%E1%83%96%E1%83%94-%E1%83%A1%E1%83%90%E1%83%9E%E1%83%9D%E1%83%9A%E1%83%98%E1%83%AA%E1%83%98%E1%83%9D-%E1%83%AB%E1%83%90%E1%83%9A%E1%83%94%E1%83%91%E1%83%98%E1%83%A1-%E1%83%9B%E1%83%9D%E1%83%91%E1%83%98%E1%83%9A%E1%83%98%E1%83%96%E1%83%94%E1%83%91%E1%83%90%E1%83%90/120809) [11.02.2025].

<sup>57</sup> For example, see the 2 December 2025 video, Formula, The Ministry of Internal Affairs used a water cannon from the inner territory of the Parliament, 02.12.2024; see, <https://www.facebook.com/watch/?v=2598820266967877> [11.02.2025].

<sup>58</sup> For example, see the 29 November 2025 video, TV Pirveli, Emergency mobilization of the law enforcement officers, 29.11.2025; see, <https://www.youtube.com/watch?v=3brghwWzvbw> [11.02.2025].



### 1.1.1. Police forces involved in the crackdown on the protests

According to the Georgian legislation, the task of maintaining public safety and order during assemblies and demonstrations is the responsibility of the Special Tasks Department (STD) of the Ministry of Internal Affairs.<sup>59</sup> Its power includes restoring order, with the use of special means, if necessary.<sup>60</sup> According to the statute, the following structural units are involved in such events:

1. Public Order and Mass Event Security Main Division;<sup>61</sup>
2. Special Operations Main Division;<sup>62</sup>
3. I, II, III and IV Divisions and their special purpose units.<sup>63</sup>

It is noteworthy that **the MIA does not provide information** about specifically which units have participated in the crackdowns on the demonstrators;<sup>64</sup> their numbers, as well as the regional or internal structural representations are unknown. However, from publicly available sources, it is possible to identify certain forces.

At least three structural units of the MIA have been allegedly involved in the crackdowns on the protests:

1. Patrol Police;
2. Central Criminal Police (“Crimpol”);
3. Special Tasks Department (STD).

Based on the footage released in the media and the law enforcement equipment, it is possible to visually distinguish some of them from each other:

- Patrol<sup>65</sup> and Criminal Police<sup>66</sup> employees would typically be wearing official uniforms prescribed for them by the law.

**Illustrative photos 3 and 4:**



<sup>59</sup> “Statute of the Special Tasks Department of the Ministry of Internal Affairs of Georgia”, established by Order N30 of the Minister of Internal Affairs of Georgia of 1 April 2019, Article 4, paragraph “d”.

<sup>60</sup> “Statute of the Special Tasks Department of the Ministry of Internal Affairs of Georgia”, established by Order N30 of the Minister of Internal Affairs of Georgia of 1 April 2019, Article 5, paragraph “b”.

<sup>61</sup> “Statute of the Special Tasks Department of the Ministry of Internal Affairs of Georgia”, established by Order N30 of the Minister of Internal Affairs of Georgia of 1 April 2019, Article 14<sup>1</sup>, paragraph “b”.

<sup>62</sup> “Statute of the Special Tasks Department of the Ministry of Internal Affairs of Georgia”, established by Order N30 of the Minister of Internal Affairs of Georgia of 1 April 2019, Article 15<sup>1</sup>, paragraph “h”.

<sup>63</sup> “Statute of the Special Tasks Department of the Ministry of Internal Affairs of Georgia”, established by Order N30 of the Minister of Internal Affairs of Georgia of 1 April 2019, Articles 16 and 17, paragraphs “b”.

<sup>64</sup> The letter № MIA 7 24 03825693 of the Ministry of Internal Affairs of Georgia of 17 December 2024.

<sup>65</sup> For example, see the photo, INTERPRESSNEWS, 06.12.2024; see, <https://www.facebook.com/photo.php?fbid=971652821661381&set=pb.100064500168110.-2207520000&type=3> [11.02.2025].

<sup>66</sup> For example, see the photo, Publika, 04.02.2025; see, <https://www.facebook.com/photo.php?fbid=1363729858359894&set=pb.100041686795244.-2207520000&type=3>, [11.02.2025].

- In the case of the STD, it is possible to divide the employees into two conditional groups - the so-called robocops<sup>67</sup> and the so-called "runner/arresting groups".<sup>68</sup> They represent the special purpose unit (special forces) and would be equipped with passive special means, including helmets, shields, gas masks and other means of defense.

**Illustrative photos 5 and 6:**



**It should be noted that none of the law enforcement officers involved in the crackdown on the protests were identifiable.** In the case of the STD, the officers did not have any type of identification numbers, while the Patrol and Criminal Police Departments used medical masks or black masks (the so-called balaclavas). They did not have any other identifying marks either. Accordingly, it was not possible to identify them at any stage.

### **1.1.2. Main trends of the behavior of the police forces**

The deployment of the law enforcement officers to the epicenter of the protest was carried out in stages. The main locations they would physically occupy were as follows:

- Zurab Zhvania street – the rear entrance of the Parliament of Georgia;<sup>69</sup>
- 9 April street – the side entrance of the Parliament of Georgia;<sup>70</sup>
- Zakaria Chichinadze street – another side entrance of the Parliament.
- Additional police forces were mobilized at the Freedom Square.<sup>71</sup>

<sup>67</sup> For example, see the photo, INTERPRESSNEWS, 04.12.2024; see, <https://www.facebook.com/photo.php?fbid=969642281862435&set=pb.100064500168110.-2207520000&type=3> [11.02.2025].

<sup>68</sup> For example, see the photo, INTERPRESSNEWS, 07.12.2024; see, <https://www.facebook.com/photo.php?fbid=971808758312454&set=pb.100064500168110.-2207520000&type=3> [11.02.2025].

<sup>69</sup> For example, see the 29 November 2024 photo. INTERPRESSNEWS, The situation at the rear perimeter of the Parliament building has become tense – special forces are warning protestors, to follow order, 29.11.2024; see, <https://www.interpressnews.ge/ka/article/822371-parlamentis-shenobis-ukana-perimetrze-vitareba-daizaba-specrazmi-akciis-monacilebs-aprtxilebs-daicvan-cesigi/> [11.02.2025].

<sup>70</sup> For example, see the 29 November 2024 video. Publika, Situation on 9 April Street. Special forces are using water cannons against the protestors, 29.11.2024; see, <https://www.facebook.com/watch/?v=548931407991845> [11.02.2025].

<sup>71</sup> For example, see the 30 November 2024 video. Formula, Police forces are being mobilized on the Freedom Square, 30.11.2024; see, [https://formulanews.ge/all\\_videos/%E1%83%97%E1%83%90%E1%83%95%E1%83%98%E1%83%A1%E1%83%A3%E1%83%A4%E1%83%9A%E1%83%94%E1%83%91%E1%83%98%E1%83%A1%E1%83%9B%E1%83%9D%E1%83%94%E1%83%93%E1%83%90%E1%83%9C%E1%83%96%E1%83%94-%E1%83%A1%E1%83%90%E1%83%9E%E1%83%9D%E1%83%9A%E1%83%98%E1%83%AA%E1%83%98%E1%83%9D-%E1%83%AB%E1%83%90%E1%83%9A%E1%83%94%E1%83%91%E1%83%98%E1%83%A1%E1%83%9B%E1%83%9D%E1%83%91%E1%83%98%E1%83%9A%E1%83%98%E1%83%96%E1%83%94%E1%83%91%E1%83%90%E1%83%90/120809](https://formulanews.ge/all_videos/%E1%83%97%E1%83%90%E1%83%95%E1%83%98%E1%83%A1%E1%83%A3%E1%83%A4%E1%83%9A%E1%83%94%E1%83%91%E1%83%98%E1%83%A1%E1%83%9B%E1%83%9D%E1%83%94%E1%83%93%E1%83%90%E1%83%9C%E1%83%96%E1%83%94-%E1%83%A1%E1%83%90%E1%83%9E%E1%83%9D%E1%83%9A%E1%83%98%E1%83%AA%E1%83%98%E1%83%9D-%E1%83%AB%E1%83%90%E1%83%9A%E1%83%94%E1%83%91%E1%83%98%E1%83%A1%E1%83%9B%E1%83%9D%E1%83%91%E1%83%98%E1%83%9A%E1%83%98%E1%83%96%E1%83%94%E1%83%91%E1%83%90%E1%83%90/120809) [11.02.2025].



They were positioned around the Parliament in such a way that it was impossible to approach the legislative body (except for its front part). The front entrance of the Parliament was fenced off with a temporary iron structure.<sup>72</sup>

**Illustrative photo 7:**



**Illustrative photo 8:**



**(9 April street, Mautskebeli, the protest of 29.11.24)<sup>73</sup>**

<sup>72</sup> For example, see the 28 November 2024 photo. EURONEWS GEORGIA, 28 November. Late Night. Protest on the Rustaveli Avenue, 28.11.2024; see, [https://www.facebook.com/photo/?fbid=971879614961176&set=a.383632900452520&locale=nn\\_NO](https://www.facebook.com/photo/?fbid=971879614961176&set=a.383632900452520&locale=nn_NO) [11.02.2025].

<sup>73</sup> Mautskebeli, 29.11.2024; see, <https://www.facebook.com/photo.php?fbid=1159242616201190&set=pb.100063463873729.-2207520000&type=3> [11.02.2025].

**Illustrative photo 9:**



**(Zakaria Chichinadze street, Mautskebeli, the protest of 28.11.24)<sup>74</sup>**

**Illustrative photo 10:**



**(Zhvania street (the rear entrance of the Parliament), Media April, the protest of 30.11.24)<sup>75</sup>**

<sup>74</sup> Mautskebeli, 28.11.2024; see, <https://www.facebook.com/photo.php?fbid=1158413816284070&set=pb.100063463873729.-2207520000&type=3> [11.02.2025].

<sup>75</sup> April, 30.11.2024; see, <https://www.facebook.com/photo.php?fbid=461470093628739&set=pb.100092972560741.-2207520000&type=3> [11.02.2025].





(Freedom Square, Interpressnews, the protest of 29.11.24)<sup>76</sup>

The mobilization of the law enforcement officers did not depend on the unfolding of the protest. From the very moment of gathering, the police forces of the MIA occupied the designated areas and restricted the demonstrators from approaching the Parliament building. Typically, the special forces would be on standby, as well as the special equipment - several water cannons and sound amplifiers.

Initially, the streets would be occupied by the patrol police and the criminal police, and when the crackdown commenced, the STD special forces would move to the front lines. The “robocops” would mostly perform static functions - they would be deployed in a row, in the first line of the cordon.

“Runner/arresting groups” were usually **equipped with tear gas canisters, pepper gas (spray)** and deployed on the flanks of the “Robocops” lines. Their main purpose was to use tear gas, pepper spray and to pursue citizens for the purpose of arresting them during the use of the active special means.<sup>77</sup> These groups have appeared in the cases of alleged beatings, torture and ill-treatment of the arrested citizens in the statements of the victims (see Chapter 2 on the facts of ill-treatment). A sound amplifier, a water ejecting machine (the so-called water cannon) and a fire truck would be deployed behind the “Robocops” line.

<sup>76</sup> INTERPRESSNEWS, 29.11.2024; see, <https://www.facebook.com/photo/?fbid=966754015484595&set=pb.100064500168110.-2207520000> [11.02.2025].

<sup>77</sup> For example, see the 2 December 2024 video. Mautskebeli, 02.12.2024; see, <https://www.facebook.com/reel/1817776162328880> [11.02.2025].



(Rustaveli Avenue (National Gallery), Mautskhebeli, the protest of 02.12.24)<sup>78</sup>

### 1.1.3. Basic chronology of the crackdown on the November-December protests

The chronology of the dispersal of the demonstrations can only be reconstructed from the openly available sources, such as the live broadcasts from different locations of the protest of various media outlets.<sup>79</sup> Statements by the MIA and the Public Defender will also be used to describe the reasons for the cessation of the demonstration, as well as interviews with the activists and the journalists on the ground, as well as immediate assessments by the civil society organizations.

From 28 November to 7 February, the Ministry of Internal Affairs dispersed demonstrations using active special means 7 times, in a 10-day interval (from 28 November to 8 December).<sup>80</sup>

1. The night of 28-29 November 2024;
2. The night of 29-30 November 2024;
3. The night of 30 November-1 December 2024;
4. The night of 1-2 December 2024;
5. The night of 2-3 December 2024;
6. The night of 3-4 December 2024;
7. The night of 6-7 December 2024.

By analyzing each day of the crackdown on the demonstration, it is possible to identify the methods that the MIA used against the participants of the demonstration. It is noteworthy that the methods repeated the same pattern of behavior in almost every episode of the crackdown, in some cases with differences in severity. Namely:

- The crackdowns would often be preceded by a large concentration of police forces at the beginning of Zakaria Chichinadze and April 9 streets adjacent to the Parliament, during which citizens would be confronted by the law enforcement officers. During the communications, the representatives of the police forces would often engage in verbal confrontations with the citizens and provoke them.

<sup>78</sup> Mautskhebeli, 03.12.2024; see, <https://www.facebook.com/photo.php?fbid=1162099559248829&set=pb.100063463873729.-2207520000&type=3> [11.02.2025].

<sup>79</sup> Note: For the purposes of the report, the continuous live broadcast footage of the TV companies - TV Pirveli, Formula and Mtavari Channel – has been analyzed. Also, photo/video materials of the online publications - Publika, Mautskhebeli, Interpressnews, April, Radio Tavisupleba, Netgazeti, Euronews – have been analyzed. It is worth noting that it is impossible to accurately restore the chronology of events through the footage of TV companies - Imedi, Rustavi 2, Public Broadcaster, POS TV, because the filming is fragmented, often not in the epicenter of events, and does not fully reflect the actions taken by the police forces.

<sup>80</sup> Police forces cracked down on the protests of 28, 29, 30 November, 1,2,3 and 6 December.



- In some cases, demonstrators were selectively and unlawfully arrested or active special means, such as pepper spray, were used against them without reason and in violation of the rules.<sup>81</sup>
- In a number of cases, the police cordon baselessly pressed on the protesters and tried to push them towards the Rustaveli Avenue, which often led to a stampede in the back rows of the protest due to the large number of the citizens.
- This tension would last for several hours in a specific area, accompanied by the forcible and targeted arrest of the citizens, as well as the active use of the special means, resulting in the injuries to both the protest participants and the media representatives.
- After around 23:00, the MIA tended to decide to disperse the rally, explaining this by the violent nature of the protest.
- Following this, the dispersal of the demonstration would begin. Typically, the use of special means would begin 1 or 2 hours **before the demonstrators had been warned** with the sound amplifiers. The MIA would later issue a statement justifying their use by the “violent actions of the fraction of the participants”.<sup>82</sup>
- On the ground, the demonstrators were being warned right when the special forces were beginning to use the water cannons and the “robocops” were beginning to move towards the protesters.
- **Despite this trend, on some days, such as 1 and 2 December, water cannons were, in fact, used right at the beginning of the demonstration without any reason or warning.**
- Furthermore, it is noteworthy that the dispersal of the rally would begin in the interval of approximately 2-5 minutes following the warning, which is extremely problematic. First of all, information about the dispersal did not reach the main mass of the protest, which occupied the Rustaveli Avenue. And the citizens who were facing the law enforcement officers could not keep up with the retreat, which is why they would become direct targets of the special means.

The police action, typically, would begin on Chichinadze Street (at the rear or side entrance of the Parliament) or on April 9 Street. Initially, the water cannon would be used. At the same time, the police force group that was stationed on the Freedom Square would begin to mobilize. After the area in front of the Parliament had been cleared of the citizens as a result of the use of the active means, various groups would join the forces and the “robocops”, “runner groups” and the special equipment would completely occupy the area in the direction of the protest participants.

The police operation would last, on average, 4-7 hours. Approximately every 45-70 minutes, MIA officers would use at least two active special means simultaneously - water cannon and tear gas.

In parallel with their use, the “arresting groups” would be separated from the main cordon, which would pursue the demonstrators with the aim of arresting them, and, frequently, physically assault them (see Chapter 2). The chase of the citizens would continue until the Rustaveli Avenue<sup>83</sup> had been completely cleared of the protesters. When leaving the area, the “runner groups” would pursue the citizens and arrest them, including in a pharmacy, a metro station, or other nearby areas. The police operation would last from approximately 6 to 8 a.m., after which the law enforcement officers and the special equipment would gradually leave the area.

Chronology of the dispersal of the demonstrations by the police forces							
Date:	28.11	29.11	30.11	01.12	02.12	03.12	07.12
Main center of the clash	Chichinadze str.	Zhvania str.	Zhvania str.	Chichinadze str./the Parliament Arches	Chichinadze str.	9 April str.	Chichinadze str.
Initial warning <sup>84</sup>	01:51	22:21	00:47	01:40 <sup>85</sup>	21:13	23:21	00:34

<sup>81</sup> For example, see the drone footage of the online media “Mautskebeli” from the 28-29 November protest. Mautskebeli; see, <https://www.facebook.com/reel/926549158958720> [11.02.2025].

<sup>82</sup> For example, see the statement of the MIA of 29 November 2024. Ministry of Internal Affairs of Georgia, the statement of the Ministry of Internal Affairs of Georgia, 29.11.2025; see, <https://police.ge/en/shinagan-saqmeta-saministros-gantskhadeba/16474> [11.02.2025].

<sup>83</sup> This refers to the area from the Freedom Square to Rustaveli Metro Station. In one case, the raid and chase continued up until the Melikishvili Avenue. In another case - to the Chavchavadze Avenue. On another separate day - to the Tamarashvili Avenue.

<sup>84</sup> Despite the warning time, the police forces would periodically use the active special means (mainly pepper spray and tear gas, but sometimes water cannons) even before the warning.

<sup>85</sup> During the dispersal of the 1 December 2024 rally, although the first warning was sounded at 01:40, the water cannons were actively used on Chichinadze Street, as well as from the inner territory of the Parliament, from 23:00.

<b>Place of the use of the special means</b>	At the beginning of Chichinadze str.	Zhvania str. (behind the Parliament)	Zhvania str. (behind the Parliament)	Chichinadze str./the Parliament Arches	Chichinadze str.	9 April str.	Chichinadze str.
<b>Time of the completion of the dispersal</b>	07:00	06:21	07:30 <sup>86</sup>	07:42 <sup>87</sup>	07:39	04:12 <sup>88</sup>	02:53 <sup>89</sup>
<b>Duration of the protest dispersal</b>	5 hours 49 minutes	8 hours	6 hours 43 minutes	6 hours 2 minutes	10 hours 26 minutes	5 hours 1 minutes	2 hours 19 minutes

## 1.2. Dispersal of the protests without grounds

### 1.2.1. Legal regulation of the termination of a demonstration

Freedom of assembly is protected by the Constitution of Georgia.<sup>90</sup> Its termination is permissible only if the assembly assumes an unlawful character.<sup>91</sup> In such a case, if the demonstration is not terminated, the law enforcement bodies will use measures provided for by the international law and the Georgian legislation to disperse the participants of the demonstration.<sup>92</sup> In the event that the unlawful actions are of a mass nature, the demonstration must be terminated immediately upon the request of an authorized representative.<sup>93</sup> If the violations are not mass, the participants are given 15 minutes to eliminate the violation, otherwise the authorized persons have the right to use measures provided for by the law to terminate the demonstration.<sup>94</sup>

According to the recommendations of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the police should always disperse the assembly as a last resort and only as a reaction to violence or an imminent threat of violence. The law enforcement officers should first consider the possibility of de-escalating the assembly. The de-escalation does not mean inaction or passivity. It means defusing tensions by establishing communication and taking differentiated actions. De-escalation is considered a positive and proactive policing tactic. De-escalation of tension can also refer to non-verbal communication that demonstrates police intentions to a wider group of people, such as removing water cannons or police vehicles from a protest site once they are no longer needed. If, given the specific circumstances, the police decide to still use coercive measures, the intervention should be as minimal as possible and necessary to stop the violence and restore public order.<sup>95</sup>

**According to the recognized human rights standards, it is unacceptable to stop an entire demonstration when there are isolated, local violent incidents and there is no immediate threat of mass violence.<sup>96</sup>**

### 1.2.2. Lawfulness of the terminations of the November-December Demonstrations

The Ministry of Internal Affairs (as mentioned in the subchapter 1.1 above) has terminated the demonstrations 7 times during November-December. During these days, the agency has used two methods for communication with the public: on the one hand, it published statements on the MIA's Facebook page and the agency's website, and on the other hand, it announced a relevant warning on the spot using the sound amplifiers. Typically, the latter would be used immediately before the start of the dispersal of the demonstration. The police operation would continue until the entire section of Rustaveli Avenue had been cleared of the last demonstrator. After freeing it up, the law enforcement officers would pursue the participants of the demonstration and arrest them by force.

<sup>86</sup> On 30 November 2024, the MIA was unable to completely disperse the rally. The participants continued the demonstration on Chavchavadze Avenue from 07:30.

<sup>87</sup> On 1 December 2024, the use of the special means, however, Crimpol continued the arrests on Tamarashvili Avenue, where the protest participants had moved.

<sup>88</sup> The protest marched towards other districts of Tbilisi.

<sup>89</sup> The protest marched towards other districts of Tbilisi.

<sup>90</sup> Constitution of Georgia, Article 21, paragraph 1.

<sup>91</sup> Constitution of Georgia, Article 21, paragraph 3.

<sup>92</sup> Law of Georgia "On Assemblies and Demonstrations", Article 13, paragraph 1.

<sup>93</sup> Law of Georgia "On Assemblies and Demonstrations", Article 13, paragraph 1.

<sup>94</sup> Law of Georgia "On Assemblies and Demonstrations", Article 13, paragraph 2.

<sup>95</sup> OSCE, Office for Democratic Institutions and Human Rights, Human Rights Handbook on Policing Assemblies, 2019, 134; see, <https://www.osce.org/files/f/documents/c/5/226981.pdf> [11.02.2025].

<sup>96</sup> *Frumkin v. Russia*, no. 74568/12, 05.01.2016, § 133-134.



The MIA issued two types of statements:

1. In the first one, it called on the demonstrators to ***“refrain from violent actions and express their protest in accordance with the norms established by the law”*** or ***“not to exceed the legally permissible limits of the freedom of assembly and expression.”***
2. In the second one, it noted that ***“the protest has repeatedly exceeded the norms established by the Law on Assemblies and Demonstrations”***, and that the MIA ***“has used special means established by the law to restore order”***. In its statements, the agency also emphasized the illegal actions perpetrated by the demonstrators: physical and verbal assault on the law enforcement officers, damage to the infrastructure, erection of barricades and more.

In many instances, the MIA's statements noted that the offences had been committed by ***“a fraction of the participants of the protest”***.

**In no cases whatsoever has the MIA specified the scale or specific location of the violent actions.** Furthermore, some of the actions, including the construction of barricades, the use of the pyrotechnics, and the damage to various objects, which the MIA indicated in its statement as the basis for the use of the special means, were carried out during the course of the police operation. Accordingly, they could not have become the initial basis for the dispersal of the entire rally.

**Typically, the MIA would try to create a formal basis for dispersing the rally by physically or verbally confronting and provoking the citizens.**

Each single day, the MIA would have had mobilized a large number of the police force, which demonstratively would occupy the protest site - the area adjacent to the Parliament of Georgia. The mobilization would also occur at the Freedom Square as well, where the special forces unit and the special equipment would be prepared at the very moment the rally would begin. The Public Defender stated on the very first day of the protest that the high concentration of the police forces near the protest site - the Parliament of Georgia - was problematic.<sup>97</sup> Expressing views at a specific location is the most effective way to reach the addressee of an opinion or a protest, therefore, unless there is a reason to impose a specific restriction, the protest participants should be given a possibility to do so.<sup>98</sup> The violation of this standard was one of the reasons that would lead to tensions between the law enforcement officers and the protest participants at specific locations. The MIA's proclamation of such situations as outright illegal and the use as the justification for dispersing the rally is extremely problematic. First of all, it should be noted that, frequently, the protest participants would react to the actions themselves of the law enforcement officers, who were aggressive towards the demonstrators. *For example, on the morning of 29 November and 7 December 2024,<sup>99</sup> when the police forces began to disperse the demonstrators, the demonstration was completely peaceful and there was no reason to stop it.<sup>100</sup> Nevertheless, according to the MIA, the demonstration had turned violent, which is why they dispersed it using the special means.*

**The grounds for dispersing the entire rally, as noted, should be assessed according to several criteria.** In particular, first of all, stopping the demonstration with active special means should be necessary and the last resort for restoring order. When making such an assessment, the law enforcement agencies should not be guided by abstract explanations, but should specifically substantiate the risks that create the grounds for the termination of the demonstration.

In its statements, the MIA often used phrases such as *“the protest went beyond”*,<sup>101</sup> *“the protest repeatedly went beyond”*,<sup>102</sup> or *“the expression of the protest completely went beyond”*<sup>103</sup> the limits set by the Georgian Law “On Assemblies and Demonstrations”. Although the MIA would often explain the nature of the alleged illegal actions, it would not mention their scale or location. The chronology of each day shows that the violations that the MIA uses as a basis for legitimizing the dispersal of the entire demonstration are local in nature. At the beginnings of the crackdowns, the vast majority of the numerous participants in the demonstrations were expressing their protest peacefully. This difference is also clearly demonstrated by the geography of the demonstrations themselves and their crackdown. The law enforcement officers used special means on the narrow streets around or behind the Parliament, where only small groups of citizens had been gathered. The main part of the demonstrators occupied a long area of the Rustaveli Avenue (from the National Youth and Children’s Palace to the area adjacent to Tbilisi Marriott).

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<sup>97</sup> Public Defender of Georgia, Statement of the Public Defender of Georgia, 28.11.2024; see, <https://www.facebook.com/photo/?fbid=1118271709667401&set=pb.100044537465147.-2207520000> [11.02.2025].

<sup>98</sup> Ibid.

<sup>99</sup> Public Defender of Georgia, Statement of the Public Defender of Georgia, 07.12.2024; see, <https://www.facebook.com/photo/?fbid=1123643635796875&set=pb.100044537465147.-2207520000> [11.02.2025].

<sup>100</sup> Public Defender of Georgia, Statement of the Public Defender of Georgia, 29.11.2024; see, <https://www.facebook.com/photo/?fbid=1118362969658275&set=pb.100044537465147.-2207520000> [11.02.2025].

<sup>101</sup> Ministry of Internal Affairs of Georgia, Statement of the Ministry of Internal Affairs of Georgia, 29.11.2024; see, <https://police.ge/en/shinagan-saqmeta-saministros-gantskhadeba/16474> [11.02.2025].

<sup>102</sup> Ministry of Internal Affairs of Georgia, Statement of the Ministry of Internal Affairs of Georgia, 30.11.2024; see, <https://police.ge/en/shinagan-saqmeta-saministros-gantskhadeba/16480> [11.02.2025].

<sup>103</sup> Ministry of Internal Affairs of Georgia, Statement of the Ministry of Internal Affairs of Georgia, 01.12.2024; see, <https://police.ge/en/shinagan-saqmeta-saministros-gantskhadeba/16485> [11.02.2025].

In many cases, the citizens gathered here were unaware of what was happening on the upper streets, as, according to the citizens, the internet connection was intermittent. They would only learn about the police's decision to disperse the rally after the demonstrators had returned from the streets surrounding the Parliament or after the special equipment with the appropriate sound amplifiers had come down to the Rustaveli Avenue area.

**Accordingly, locally emerging pockets of tension, which were often caused by the prior concentration of large numbers of the police forces, could not become a legal basis for dispersing the entire rally, as such illegal actions did not create immediate risks of the large-scale violence.**

It is unjustifiable to disperse an entire rally based on the illegal actions perpetrated by the individual citizens. As stated, their exclusion from the main protest mass should be achieved through individual, selective use of police measures, so as not to violate the right to demonstrate of those citizens who continue to protest peacefully.

In these instances, the law enforcement agencies made the decision to disperse the rally in order to respond to the individual cases of offences.<sup>104</sup> Contrary to the established standards, the law enforcement agencies responded to the individual cases of offences with generalized methods - using active special means to completely disperse the rally, when they should have eliminated individual cases of alleged offences.<sup>105</sup> The illegal actions had individual and geographically specific, local character. In the main area of the rally, where a large number of the law enforcement officers was not present, the demonstration continued peacefully. In such a situation, there was no immediate and real threat that these incidents would escalate into mass violence or disorder. Therefore, **on all 7 days, the MIA unlawfully terminated the demonstration, thereby restricting the exercise of the citizens' constitutional right and the continuous nature of these violations indicated the purpose of the police measures, to suppress the will of the people to express their protest, therefore, by its very nature, such a large-scale unlawful crackdown also had a "chilling effect" on the freedom of assembly.**

### 1.3. Use of the Special Means

#### 1.3.1. Description of the used Special Means

The active special means at the disposal of the police (tear gas, pepper gas, water cannon, armored vehicles, handcuffs/other means of restraint, etc.) are coercive measures against large masses of people, which, in addition to interfering with the fundamental rights of assembly and expression, have a direct impact on the people's lives and health. These means, typically, not only restrict the individuals from participating in an assembly, but also affect other demonstrators at the protest site and, in some cases, may pose a threat to the citizens present at/passing the assembly site who are not participating in it. Given the intensity of the intervention and the expected consequences, it is necessary that active policing means be used in extreme cases for legitimate purposes defined by the legislation.

Under the international human rights standards, mass restrictions on the right of assembly are permissible only if there are no other means to protect national security, public order/health, morals, or the rights and freedoms of others. Such threats must be real, not hypothetical, and must reach a sufficiently high level of severity for the decision to use special means and disperse the assembly to be considered appropriate.<sup>106</sup>

The principles, procedure and grounds for the use of the special means are determined by the Law of Georgia "On Police". The legislation does not establish a classification of the types of coercive measures (physical force, firearms, special means) according to the degree of severity, however, it provides for the obligation of the police officer to ensure the proportionality and the minimization of harm when using such measures.<sup>107</sup> The decision-making process, deadlines, and the authorized persons for the use of the special means are determined in more detail by the Guidelines for the Conduct of the Employees of the Ministry of Internal Affairs during Assemblies and Demonstrations, approved by Order No. 1002 of the Minister of Internal Affairs of 30 December 2015 (hereinafter: the Instructions).

The civil society organizations have requested detailed information from the Ministry of Internal Affairs about the special means used during the protests from 28 November 2024 to 28 January 2025.<sup>108</sup> The data has been requested by the statement on the special means used in Tbilisi and other cities, their sequence and the time of deployment. The statement also asked questions about the degree of the health damage caused to the police units and the law enforcement officers deployed during

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<sup>104</sup> Public Defender of Georgia, Public Defender's Briefing on Recent Developments, 10.12.2024; see, <https://ombudsman.ge/eng/akhali-ambebi/sakhalkho-damtsvelis-brifingi-mimdinare-movlenebtan-dakavshirebit> [11.02.2025].

<sup>105</sup> UN, United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement, 2020, 6.3.3.; see, <https://www.un-ilibrary.org/content/books/9789210050692/read> [11.02.2025]. Also, *Frumkin v. Russia*, §133.

<sup>106</sup> Just Security, International Standards Regarding the Handling of Demonstrations, 10.01.2020; see, <https://www.justsecurity.org/70683/international-standards-regarding-the-handling-of-demonstrations/> [11.02.2025].

<sup>107</sup> Law of Georgia "On Police", Article 31, paragraph 4.

<sup>108</sup> *The Social Justice Center also requested the Ministry of Internal Affairs to issue an individual administrative-legal act on the dispersal of the protests. In response to the statement, the Ministry of Internal Affairs has not issued the individual act, only indicating in a blanket manner that the basis for the termination of the assembly was mass violations on the Rustaveli Avenue.*

Ministry of Internal Affairs letter MIA № 4 25 00118291 of 17 January 2025.

the protests. The Ministry of Internal Affairs has refused without proper justifications to provide us with this information.<sup>109</sup> According to the letter from the Ministry of Internal Affairs, access to the security action plan developed during the assembly is restricted for the persons without a clearance to the classified data. The basis for the secrecy of this information was presumably Article 5, paragraph 2, of the Instructions approved by Order No. 1002 of the Ministry of Internal Affairs, which states that the action plan is approved by the Minister of Internal Affairs or a person authorized by him in compliance with the requirements of state secrecy. According to the recommendations of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), when using chemical agents, it should be mandatory to prepare a detailed report, where the law enforcement agency explains the basis for the use, the result, proportionality, etc.<sup>110</sup>

The Law of Georgia “On State Secrets” establishes the category of information that cannot be classified as a state secret. According to Article 7, paragraph 1 of the Law, it is prohibited to classify as a state secret the Information that may prejudice or restrict the fundamental rights and freedoms of a person, his/her legal interests, or cause harm to the health and safety of the population. The dispersal of an assembly and the use of the special means are directly related to the protection of the constitutional rights, human health and public safety. The action plan of the protest may not be a fully public document, however, there is no basis for keeping the information such as the purpose, basis, and route of the special measure confidential,<sup>111</sup> as it does not constitute a state, professional, or commercial secret,<sup>112</sup> and its dissemination is critically important, on the one hand, for the prevention of harm, and on the other hand, for the rapid implementation of the police requests by the participants of an assembly.

Despite the Ministry of Internal Affairs' unsubstantiated refusal to release public information, based on the video recordings and the public statements disseminated in the media, the information about the special means used is at least partially revealed, although, of course, no specifications are established.

The types of the special means used on the individual days and their sequence are shown in the table. The data is based on the live broadcast recordings of the media outlets.

**Table N2: Form and time of the use of the special means**

Date (2024)	Form and time of the use of the special means				Time of warning
28-29 November	Tear Gas	Pepper Spray	Water Cannon	Rubber Bullet	01:57; 02:02.
	00:15; 01:00; 02:08; 02:36; 03:13; 03:40.	00:18; 01:00; 01:32; 01:47; 02:08.	02:11; 02:28; 02:53; 05:10.	06:51	
29-30 November	Tear Gas	Pepper Spray	Water Cannon		22:27; 22:38; 00:05; 00:11; 00:38; 00:41; 00:43.
	22:24; 00:53;	23:00; 23:48;	23:06; 23:24; 23:32; 23:39; 23:45; 23:48; 23:54; 23:57; 00:43; 00:47.		
30 November - 1 December	Tear Gas	Water Cannon	Rubber Bullets		00:47-00:50; 00:56.
	00:32; 00:36; 01:46; 01:51; 02:02; 02:44; 02:56; 03:03; 03:48; 04:02; 04:38; 05:18; 05:38; 06:12.	00:42; 00:52; 00:57; 00:59; 01:10; 01:18.	05:48.		
1-2 December	Water Cannon	Tear Gas			01:40; 06:30.
	21:07; 22:25, 01:41.	01:40, 03:42; 06:24.			
2-3 December	Tear Gas	Water Cannon			21:13; 21:58; 22:09; 07:21.
	19:10; 21:48; 22:11; 22:19; 22:24; 22:40; 22:56; 23:33; 23:44,	19:20; 20:18; 21:04; 21:48; 22:19; 23:05; 02:47; 07:21.			

<sup>109</sup> Ministry of Internal Affairs letter NMIA № 7 24 03825693 17 December 2024.

<sup>110</sup> OSCE, Office for Democratic Institutions and Human Rights, Human Rights Handbook on Policing Assemblies, 2019, 105; see, <https://www.osce.org/files/f/documents/c/5/226981.pdf> [11.02.2025].

<sup>111</sup> Article 5 of the “Guidelines for the Conduct of Employees of the Ministry of Internal Affairs of Georgia during assemblies and demonstrations,” approved by Order №1002 of the Minister of Internal Affairs of 30 December 2015.

<sup>112</sup> General Administrative Code of Georgia, Article 28.

	00:34; 01:39; 02:23; 03:09; 04:09; 04:26.				
3-4 December	Water Cannon	Tear Gas			23:20; 00:11; 03:28.
	22:22; 23:07; 23:32; 03:31.	23:33; 01:11; 01:33; 02:44; 03:28; 03:43.			
6-7 December	Pepper Spray	Water Cannon	Tear Gas		00:34; 00:43; 00:45; 01:10; 01:50; 02:24.
	00:43.	01:10; 01:50.	01:50; 01:58.		

### 1.3.2. Lawfulness of the use of the Special Means

Interference with the freedom of assembly and expression is carried out through various mechanisms, including administrative/criminal arrest (*see Chapter 4 below*) and preventive police measures (request by a police officer to leave the place of assembly or denial of entry to the territory). Compared to the listed measures, assemblies are dispersed more massively and instantly when using active special means (tear gas, pepper spray, water cannons, etc.).

According to the international human rights standards, the use of less-lethal weapons (LLWs: such as tear gas, pepper spray, rubber bullets, water cannon, and other mechanical and impact devices) during protests should be a measure of last resort and should always meet the criteria of proportionality, necessity, legality, and accountability. According to the recommendations of the international organizations, the fact that the law enforcement officers have identified individual acts of violence and considered the assembly unlawful does not justify the use of LLWs to disperse it. Even more so, it is unjustified to use these means within the framework of a peaceful assembly.<sup>113</sup>

Article 33, paragraph 3 of the Law of Georgia "On Police" defines the goals of using the special means - active measures should serve the performance of the police functions and prevent resistance to a police officer.

Considering that the dispersal of an assembly is usually ensured not by passive but by active means, attention should be focused on the lawfulness of the use of these measures. In order for the dispersal of a protest by the special means to be assessed as lawful, the goals stipulated by the law must be clearly defined - ensuring the performance of the police functions and/or preventing the resistance to a police officer.

**In each episode of the dispersal of the assembly, water cannons and tear gas were used not against specific individuals, but against broad masses of people. Among those affected by the active special means, most often, were those participants of the demonstration who had no prior communication and contact with the law enforcement officers. The scale of the use of the special means and the peaceful situation at the assembly site before their use excludes the goal of neutralizing the threat of resistance to the law enforcement officers.**<sup>114</sup>

As for the purpose of performing police functions, as already noted, the use of the special means in almost all episodes of the crackdown was preceded by the sounding of a warning by the technical means about the dispersal of the protest. If the gathering of the citizens had been a circumstance that hindered the performance of the police functions, the MIA would have resorted to the verbal warning mechanism before using it, which would have been considered an attempt to perform police tasks by less intensive means. The direct dispersal of a peaceful gathering in an intensive manner, when there is no clear need for the urgent police action, makes it clear that the purpose of using the special means is to suppress the protest, and not to ensure the police activity.

When special means are used, typically, the protest is dispersed en masse. According to the standards of the European Court of Human Rights, the dispersal of an entire assembly is permissible in the event of a real and immediate risk of mass disorder or large-scale violence at the assembly, which must be supported by specific, relevant and substantiated grounds. In a situation where the overwhelming majority of the protest participants are peaceful and there are isolated incidents/violent acts at the rally, the law enforcement agencies should separate lawbreakers from the peaceful demonstrators and respond to their actions individually, using individual and proportionate measures so as not to disrupt the gathering for the peaceful demonstrators.<sup>115</sup>

**Every protest following 28 November has been essentially peaceful and the absolute majority of the protesters have expressed their protest within the scope of the law. Individual violent incidents have not been generalized, which also confirms the unlawfulness and disproportionate nature of the use of the special means and the mass dispersal of the protest.** In addition to the baseless use of the special measures, violations of the procedural requirements related to these measures were also revealed in all episodes of the crackdown, which will be analyzed in detail in the next subchapter.

<sup>113</sup> Amnesty International and Omega Research Foundation, The human rights impact of less lethal weapons and other law enforcement equipment, 2015, 5; see, <https://www.amnesty.org/en/documents/act30/1305/2015/en/> [11.02.2025].

<sup>114</sup> Law of Georgia "On Police", Article 33, paragraph 3.

<sup>115</sup> *Frumkin v. Russia*, §133.

### 1.3.3. Violation of the rules for the use of the Special Means

The basic international standards recognize the fundamental principles underlying any police action, including the use of less-lethal means (which includes active special means): lawfulness, proportionality, non-discrimination, minimization of harm and accountability. The responsibility for protecting these principles does not lie solely with the individual police officers. The system of responsibility is much broader and primarily includes the role of the state in this process and the decisions that the public officials made prior to the incidents involving the use of the special means.<sup>116</sup>

According to the legislation, coercive measures should be used only when necessary and with the intensity that ensures the achievement of a legitimate objective.<sup>117</sup> In order to prevent harm and ensure public safety, the Law on Police establishes the obligation to warn a person in advance before using the special means and prohibits the use of such means that cause severe mutilation of a person and/or are associated with an unjustifiable risk.<sup>118</sup>

Besides the Law "On Police", special requirements for the use of the special means during assemblies and demonstrations are determined by the Order of the Minister of Internal Affairs.<sup>119</sup> Article 9 of the Instructions establishes different requirements for individual measures.

**The following violations had a repetitive character in the scope of the use of the special means during the November-December 2024 protests:**

#### i. Use of the special means without prior warning

According to the recommendations of the international human rights organizations, active special means, as a measure affecting a large group of citizens, taking into account their intensity, should be used only after issuing a prior warning, except in cases where delaying the use of the special means may result in the loss of life/other serious consequences or the issuance of a warning, taking into account specific circumstances, will be clearly ineffective.<sup>120</sup> An action by the police without a warning may be followed by aggressive actions of the participants of the demonstration and the escalation of the conflict.<sup>121</sup>

**During the 10-day period from 28 November to 8 December 2024, the MIA was actively using the special means on the Rustaveli Avenue in Tbilisi for 7 days. The strategy for dispersing the protest and the sequence of using the special means were divergent on different days, however, no prior warning was given at the protest site before using the special means for six out of seven days.**

According to the Law "On Police" and the instructions approved by the order of the Minister of Internal Affairs, before the start of the special measures, the responsible person is obliged to warn the participants of the assembly and demonstration in advance about the use of physical force and the special means. The police are exempted from the obligation to provide prior warning only in exceptional cases, when the delay may result in encroachment on the life and health of a person and/or a representative of a law enforcement agency or other serious consequences.<sup>122</sup>

Every time, the Ministry of Internal Affairs has disseminated information on social media about the escalation of the situation at the protest in a templated manner and without reference to the relevant evidence. The statement, typically, would refer to the facts of damage to infrastructure by the protest participants and the throwing of unknown objects at the police officers.<sup>123</sup>

**At large-scale protests, where illegal incidents are local in nature, there is no basis for using the special means, let alone dispersing the rally without a prior warning, as law enforcement officers have the ability to respond to the local incidents and offences with less intensive measures that will not affect the freedom of assembly and expression of the peaceful participants of the rally.**

The warning by technical means after the use of the special means is only formal in nature and did not serve to reduce the damage or protect the interests of the participants of the demonstration. **The formality of the warning was especially evident on the night of 1-2 December.** The water ejecting machine (water cannon) was first used at 21:07, and the warning about the dispersal of the demonstration and the use of the police measures was sounded 3 hours and 33 minutes later, at 00:40.<sup>124</sup> Such

<sup>116</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR) - Guidance on Less-Lethal Weapons in Law Enforcement, 2020, 1; see, <https://www.ohchr.org/en/publications/policy-and-methodological-publications/united-nations-human-rights-guidance-less> [11.02.2025].

<sup>117</sup> Law of Georgia "On Police", Article 31, paragraph 1.

<sup>118</sup> Law of Georgia "On Police", Article 31, paragraph 6.

<sup>119</sup> This refers to the "Guidelines for the Conduct of Employees of the Ministry of Internal Affairs of Georgia during assemblies and demonstrations," approved by Order №1002 of the Minister of Internal Affairs of 30 December 2015.

<sup>120</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR) - Guidance on Less-Lethal Weapons in Law Enforcement, 2020, 24; see, <https://www.ohchr.org/en/publications/policy-and-methodological-publications/united-nations-human-rights-guidance-less> [11.02.2025].

<sup>121</sup> OSCE, Office for Democratic Institutions and Human Rights, Human Rights Handbook on Policing Assemblies, 2019, 105; see, <https://www.osce.org/files/f/documents/c/5/226981.pdf> [11.02.2025].

<sup>122</sup> Law of Georgia "On Police", Article 31, paragraph 3, and "Guidelines for the Conduct of Employees of the Ministry of Internal Affairs of Georgia during assemblies and demonstrations," approved by Order №1002 of the Minister of Internal Affairs of 30 December 2015, Article 7, paragraph 1.

<sup>123</sup> For example, Statement of the MIA in the social media on the 28-29 November protest.

Ministry of Internal Affairs of Georgia, Statement of the Ministry of Internal Affairs of Georgia, 29.11.2024; see, <https://www.facebook.com/photo/?fbid=872578945050940&set=a.230631755912332> [11.02.2025].

<sup>124</sup> Live footage of Mtavari Channel, 01.12.2024.

violations have also been detected on other days. For example, on 2-3 December, the first special means (tear gas) was used at 19:10, and the warning was first activated 2 hours later, at 21:13.<sup>125</sup>

## ii. Dispersal of the rally immediately after the warning

According to the international human rights standards, participants in assemblies should have adequate time to comply with the police requests after a warning. This rule applies not only to the first warning, but also to each subsequent repeated warning. Reasonable intervals should also be protected between the first warning and the second and the third warnings, so that the protesters can disperse voluntarily and leave the protest area.<sup>126</sup>

Article 31, paragraph 3 of the Law “On Police”, together with the prior warning, establishes the obligation of a police officer to give a person a reasonable period of time to comply with a lawful request. The reasonableness of the period should be assessed in each specific case, based on the circumstances, although **the order of the Minister of Internal Affairs specifies that a reasonable period of time should be determined as at least 30 minutes.**<sup>127</sup>

During the November-December 2024 protests, the special means were used not once, but periodically, and accordingly, the crackdown on the protest had several episodes each day. It is crucial to emphasize that when using the special means in several episodes, it is necessary to observe a reasonable period of time not only before the first episode, but also prior to using these means each time. The main purpose of the warning is to inform the participants of the protest and reduce the damage, therefore, the call should reach, among others, those participants of the protest who join the protest after the use of the separate police measures.

As has already been noted, the first use of the special means, in most cases, was not preceded by a warning at all, which immediately precludes compliance with the standard of a reasonable time to comply with a law enforcement officer's request. **The only exceptional case of prior warning (when a warning preceded the crackdown) was revealed during the protest on the Rustaveli Avenue on the night of 6-7 December, however, the timing was again not reasonable.** In particular, on this day, the warning was sounded at 00:34, and a special police means (pepper spray) was used against a citizen at 00:43,<sup>128</sup> which clearly does not meet even the standard set by the order of the Minister of Internal Affairs regarding a reasonable time. As for the repeated use of the special means, in most cases the requirement of a reasonable time has not been protected even at this time. For example: on the very first day of the protests (the night of 28-29 November) in Tbilisi, a police means (rubber bullet) was last used at 06:51, while on Rustaveli Avenue the warning about the dispersal of the rally was no longer heard after 02:02.<sup>129</sup>

## iii. Inappropriate form of the warning

According to the recommendations of the OSCE Office for the Democratic Institutions and Human Rights (OSCE/ODIHR), before the demonstration is dispersed using the special means, the warning should be sounded several times through the sound amplifiers. Its content should be clear and not be overlaid by other sounds. Depending on the location of the protest, it may be necessary to sound the warning from several different locations in order for it to be heard by all the participants. If people speaking different languages are participating in the assembly, its text should be available in all relevant languages. In this case, the police can also use written signs or electronic resources.<sup>130</sup>

Article 7, paragraph 2 of the Instructions approved by the order of the Minister of Internal Affairs establishes the necessary components of a warning before the use of coercive measures: the warning must include a brief description of the violation of the requirements of the law by the participants of the demonstration and a reasonable time and route for leaving the occupied territory, and in case of failure to comply with the lawful requirements of a representative of a law enforcement agency - information about the use of physical force and/or the special means.

According to the public sources, during the protests a warning was sounded using technical means with the following text: *"Citizens, please disband. Otherwise, the measures provided for by the law will be applied against you to restore order and establish civil peace! Please keep the children, women and the elderly away from the place where order is being established!"* The warning text was available only in Georgian.

<sup>125</sup> Special Broadcast of Mtavari Channel, 02.12.2024.

<sup>126</sup> OSCE, Office for Democratic Institutions and Human Rights, Human Rights Handbook on Policing Assemblies, 2019, 134; see, <https://www.osce.org/files/f/documents/c/5/226981.pdf> [11.02.2025].

<sup>127</sup> “Guidelines for the Conduct of Employees of the Ministry of Internal Affairs of Georgia during assemblies and demonstrations,” approved by Order №1002 of the Minister of Internal Affairs of 30 December 2015, Article 7, paragraph 1.

<sup>128</sup> Live Broadcast of TV Pirveli, 08.12.2024.

<sup>129</sup> Live Broadcast of Mtavari Channel, 29.11.2024.

<sup>130</sup> OSCE, Office for Democratic Institutions and Human Rights, Human Rights Handbook on Policing Assemblies, 2019, 133-134; see, <https://www.osce.org/files/f/documents/c/5/226981.pdf> [11.02.2025].

**This form of warning fails to meet the components established by the order of the Minister of Internal Affairs, as it does not contain information about what the violation of the law by the participants of the demonstration was, and therefore what became the basis for the decision to disperse the demonstration. The standard text of the warning also does not provide information about a reasonable time and route for leaving the occupied territory, which may be essential for the citizens to comply with the lawful request of law enforcement officers in a timely manner.**

Despite the inappropriate form of the warning, judges hearing the administrative offence cases automatically consider a warning issued by the technical means at a protest to be a legitimate request by the law enforcement officers in all cases, and therefore consider all persons present at the protest after the warning is issued to be violators, which is a misinterpretation of the law and a disregard for the basic principles of the use of coercive measures.<sup>131</sup>

#### **iv. Encirclement of the citizens during the use of the special means**

According to the international human rights standards, when dispersing an assembly, protesters must be provided with a safe exit from the area of the demonstration.<sup>132</sup> Encircling demonstrators, along with making it difficult for them to breathe, may cause sewing panic among them. Besides this, when the police have made a decision to disperse a protest, encircling a group of protesters and blocking their exit routes, contrary to this goal, indicates an intention to punish and intimidate the citizens.

According to the OSCE Guiding Principles, if the police resort to active forms of dispersal of a demonstration, it is necessary to take into account the following factors:

- Appropriate exits or evacuation routes must be provided to allow people to leave the area;
- After forcibly dispersing a demonstration, people should be able to leave the protest site without police intervention;
- Even the simple presence of a large number of police officers at the protest site can prevent the natural dispersal of the gathering, so it is necessary to keep the police officers out of sight of the protesters, but in a way that allows them to respond to threats if necessary;
- Police should also consider specific issues related to forcible dispersal to ensure that women, children and people with disabilities are not disproportionately affected in the process.<sup>133</sup>

According to Article 9, paragraph 1, subparagraph "l" of the Instructions approved by the order of the Minister of Internal Affairs, a representative of a law enforcement agency is prohibited from encircling the participants during the dispersal of a gathering. Despite this requirement, several cases of dispersal of a rally on the Rustaveli Avenue in Tbilisi were revealed in such a situation that the movement of the rally participants was restricted from both sides due to the deployment of the special forces. This is especially problematic in the context when the text of the warning sounded by the technical means is standard for all protests and does not contain information about a reasonable time and route for leaving the occupied territory.

**Citizens were clearly encircled by the special forces on several occasions. This was most clearly evident on 1 December at 06:40, when the special forces were mobilized in both the Republic and the Freedom Squares, and the protesters were unable to safely leave the protest site.<sup>134</sup> The fact of the protesters being encircled was also revealed on 2 December, according to the live media coverage, at 21:48, when the employees of the Special Tasks Department of the MIA were moving in three directions to clear the area from the citizens.<sup>135</sup>**

#### **v. Targeted use of the Special Means**

Given the grave dangers, international standards prohibit the targeted firing of chemical weapons, as the direct firing of such weapons using a shell can cause penetrating wounds, concussions, other injuries and even death if they directly hit a person.<sup>136</sup> Instead of being used in a targeted manner, these weapons should be fired at an angle, above the people.<sup>137</sup> Besides this, the tear gas shells should never be fired at the head or face, as this can cause death or a serious injury.<sup>138</sup>

<sup>131</sup> Decision of the Tbilisi City Court of 9 December 2024, Case №4/8789-24 (Judge Lela Tsagareishvili).

<sup>132</sup> UN, United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement, 2020, 6.3.3.; see, <https://www.un-ilibrary.org/content/books/9789210050692/read> [11.02.2025].

<sup>133</sup> OSCE, Office for Democratic Institutions and Human Rights, Human Rights Handbook on Policing Assemblies, 2019, 126; see, <https://www.osce.org/files/f/documents/c/5/226981.pdf> [11.02.2025].

<sup>134</sup> Mtavari Channel, Citizens in the encirclement of the special forces, 02.12.2024; see, <https://www.facebook.com/watch/?v=540054358902960> [11.02.2025].

<sup>135</sup> Special Broadcast of Mtavari Channel, Live Footage, 2 December, 21:48.

<sup>136</sup> Amnesty International, Chemical Irritants in Law Enforcement, 2021, 7; see, <https://www.amnesty.nl/content/uploads/2021/07/Amnesty-position-paper-chemical-irritants.pdf> [11.02.2025].

<sup>137</sup> Amnesty International, Chemical Irritants in Law Enforcement, 2021, 13; see, <https://www.amnesty.nl/content/uploads/2021/07/Amnesty-position-paper-chemical-irritants.pdf> [11.02.2025].

<sup>138</sup> UN, United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement, 2020, 7.3.6.; see, <https://www.un-ilibrary.org/content/books/9789210050692/read> [11.02.2025].

It should be noted that the manufacturer's instructions for the tear gas capsule **GL 202** identified by the TV company "Formula" also contain a similar instruction: this weapon must be fired at a 45-degree angle, as firing this weapon directly at a person can cause serious injury or death.<sup>139</sup>

**Illustrative photo 14:**



**(Story of Droeba – 9 December 2024)<sup>140</sup>**

According to Article 9, paragraph 1, subparagraph “b” of the Instructions for Conduct of the MIA Employees, a representative of a law enforcement agency is prohibited from using tear gas, pepper spray, and hand grenades directly against a lawbreaker or in a group of people, or from using them repeatedly in a place where the gas was released, except in extreme cases when the repeated use is necessary to protect a person or a group of people from violence or to prevent other serious consequences.

**Despite this request, without a clear need, the law enforcement officers used pepper spray in a targeted manner against specific people, often against the citizens who were not being arrested because their actions did not violate the law.** For example: on 29 December at 23:00, special forces used pepper spray in a targeted manner against a citizen from close range.<sup>141</sup> A similar incident was also recorded on 7 December, when special forces used pepper spray in a targeted manner against a civilian at 00:43 in the face.<sup>142</sup>

Beside the pepper spray, violations of the rules for the use of tear gas have repeatedly been revealed during the November-December protests. Video footage shows the law enforcement officers firing large numbers of tear gas canisters at citizens, aiming. During the protests on 2-3 and 3-4 December 2024, on Rustaveli Avenue, the special forces fired gas canisters from the roofs of buildings,<sup>143</sup> which is a practice that poses a threat to human health.<sup>144</sup>

<sup>139</sup> Formula, With what is the Ivanishvili's regime cracking down on us and poisoning us?!, 09.12.2024; see, <https://www.facebook.com/watch/?v=889481786601585> [11.02.2025].

<sup>140</sup> Droeba, Ivanishvili raz — Story of Rati Mujiri, 09.12.2025; see, <https://www.youtube.com/watch?v=zvxxlvkSb5E&t=428s> [11.02.2025].

<sup>141</sup> Live Broadcast of Mtavari Channel, 29.12.2024.

<sup>142</sup> Live Broadcast of TV Pirveli, 07.12.2024.

<sup>143</sup> Live Broadcast of TV Pirveli, 03.12.2024, 02:19. Live Broadcast of TV company Formula, 04.12.2024, 02:44.

<sup>144</sup> GYLA, During the night of 2-3 December, the Ministry of Internal Affairs continued suppressing the protests that began on November 28 using violent and unlawful methods, 03.12.2024; see, <https://www.facebook.com/photo.php?fbid=995404205964935&id=100064860933385&set=a.485094683662559> [11.02.2025].





**(Radio Tavisupleba - Tear gas cloud. Photo taken on 2 December 2024)<sup>145</sup>**

Beside the video footage, the demonstrators themselves have spoken of the indiscriminate and disproportionate use of tear gas by the mobilized groups of the Ministry of Internal Affairs. Tear gas was deliberately used in crowded and densely populated areas not as a last resort, but as a tool to intimidate demonstrators and suppress protests. For example:

**Victim V98 (27-year-old woman):** "Law enforcement officers used an extraordinary amount of tear gas and water cannon, probably with chemical additives, which caused skin burns and damage to the respiratory tract. My lungs were damaged and I had difficulty breathing."

**Victim V97 (25-year-old man):** "On the night of 30 November, near the Kashueti Church, tear gas was suddenly released en masse. The demonstrators felt a strong, unbearable burning sensation in their noses and throats, which caused some of them to lose consciousness."

**Victim V91 (36-year-old man):** "On the night of 30 November, the use of tear gas caused severe respiratory tract injuries, severe coughing, and tearing."

**Victim V95 (26-year-old woman):** "On the night of 1 December, tear gas and other unknown substances were used en masse. We felt a strong burning sensation in our nose and throat, we were coughing and losing control of our breathing."

**Victim V94 (36-year-old man):** "The gas capsules fired by the special forces at the demonstrators near the Kashueti Church caused acute respiratory distress."

**Victim V93 (35-year-old woman):** "In the vicinity of Biltmore, the police and the special forces fired tear gas directly at the people, preventing them from moving around."

**Victim V92 (34-year-old male):** "Tear gas was being released from the rooftops near the Kashueti Church, which created an impossible situation for the demonstrators and encircled them."

**Victim V90 (24-year-old woman):** "Next to the Kashueti Church and Biltmore, the special forces used a water cannon and tear gas simultaneously, which thickened the gas cloud and aggravated the conditions for the demonstrators."

<sup>145</sup> Radio Tavisupleba, 06.01.2025; see,

<https://www.radiotavisupleba.ge/a/%E1%83%94%E1%83%A5%E1%83%98%E1%83%9B%E1%83%94%E1%83%91%E1%83%98-%E1%83%92%E1%83%90%E1%83%96%E1%83%98%E1%83%97-%E1%83%9B%E1%83%9D%E1%83%AC%E1%83%90%E1%83%9B%E1%83%9A%E1%83%A3%E1%83%9A%E1%83%94%E1%83%91%E1%83%96%E1%83%94-%E1%83%A1%E1%83%90%E1%83%A3%E1%83%91%E1%83%A0%E1%83%9D%E1%83%91%E1%83%94%E1%83%9C/33265361.html> [11.02.2025].

**Victim V88 (34-year-old woman):** *"On 31 November (1 December), special forces threw tear gas canisters at the protesters, which caused the demonstrators to be in some kind of an encirclement, provoked a stampede, and they lost the possibility to move."*

**Victim V48 (51-year-old woman):** *"On the Rustaveli Avenue, adjacent to the First Public School, numerous witnesses saw tear gas canisters being fired from the rooftops, which was a deliberate, encircling tactic."*

There have also been the facts of the police officers deliberately spraying victims with pepper spray while escorting them through the so-called cordon. For example:

**Victim V117 (23-year-old man):** *"I was one of the first to be 'arrested' and beaten. Nothing was happening. There was no warning nor water canon. They made me walk through the entire Chichinadze police corridor. Everyone was hitting me with my hands tied, in the corridor, they were mainly hitting me on the head, mainly with hands and feet. Since my face was covered, they were angry wondering why they couldn't hit me in the face and sprayed the spray on my hands (which burned the skin on my hands very badly and this burn was visible to the eye and also bothered me periodically for 4 days), as a result of this, I lowered my hands and was hit in the face several times. I had a minor injury on my left eye socket. Also, when I was thrown to the ground, I received a laceration on the back of my head from the special forces' kicks, from which the bleeding would not stop. As a result, my jacket, pants and shoes were completely soaked with blood."*

#### vi. Simultaneous use of the special Means

The simultaneous use of the special means were typically manifested in mixing different chemicals in a water cannon (although there have also been cases of simultaneous use of tear gas, water jets, and pepper spray).<sup>146</sup> The effects of this are also referred to by the demonstrators, which caused severe health problems, including skin burns, eye irritation, and respiratory distress. It is evident from the interviews of the demonstrators that after using the water cannon, they felt a chemical burn on their skin and eyes, which is unambiguously not consistent with the mechanical effects of the water alone.<sup>147</sup> For example:

**Victim V88 (34-year-old woman):** states that the water cannon caused severe skin burning, itching, and an allergic reaction, indicating the presence of chemical agents.

**Victim V21 (36-year-old woman):** notes that during her time at the rallies, tear gas was usually not used when the water cannon was fired, although the demonstrators were already experiencing burning eyes and difficulty breathing, which suggests that the water was likely mixed with pepper spray.

**Victim V94 (36-year-old man):** indicates that the water cannon caused burning eyes and difficulty breathing, which, in his opinion, may be related to the content of chemicals mixed in the water.

According to the international human rights standards, the mixing of chemical irritants in a water cannon is extremely problematic for several reasons. First, it is unknown what the permissible concentration level of chemical irritants in water is, which poses significant risks to human health. When a person's clothing is soaked with a chemical irritant, it is impossible to escape its effects. It is also impossible to control the degree and duration of the exposure to the chemical.<sup>148</sup> If tear gas is mixed into the water and then fired at the citizens with the water cannon, people exposed to the special agents will experience symptoms caused by tear gas for a longer period of time because, as already noted, the particles remain on their clothing.<sup>149</sup>

During the ongoing protests in Tbilisi, cases of simultaneous use of the special means have been identified, which was manifested in the mixing of the chemical irritants in the water cannon. The concentration of the water cannon with chemicals and the application of pressure to the demonstrators created real risks of harm to people's health, and in the absence of information about the nature of the mixed substances, it is unknown what effect their use will have on the health of the people exposed to these special means in the future.

<sup>146</sup> GYLA, Civil Rights Facing Increased Police Terror, 2024, 15; see,

[https://admin.gyla.ge/uploads\\_script/publications/pdf/CIVIL%20RIGHTS%20FACING%20INCREASED%20POLICE%20TERROR.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/CIVIL%20RIGHTS%20FACING%20INCREASED%20POLICE%20TERROR.pdf) [11.02.2025].

<sup>147</sup> CSOs: MIA Pre-planned Brutal Methods for Crackdown on Protesters – available at: <https://civil.ge/archives/646132>

<sup>148</sup> Amnesty International, Chemical Irritants in Law Enforcement, 2021, 20; see, <https://www.amnesty.nl/content/uploads/2021/07/Amnesty-position-paper-chemical-irritants.pdf> [11.02.2025].

<sup>149</sup> OSCE, Office for Democratic Institutions and Human Rights, Human Rights Handbook on Policing Assemblies, 2019, 102; see, <https://www.osce.org/files/f/documents/c/5/226981.pdf> [11.02.2025].

On 30 November, Deputy Minister of Internal Affairs Aleksandre Darakhvelidze confirmed that the water cannon used to disperse the demonstrators contained other substances, including tear gas, although he did not specify the other substances.<sup>150</sup>

Although the Georgian legislation does not directly prohibit the simultaneous use of two or more active special means since 2021, dispersing a rally in this manner contradicts the basic principle of proportionality and reasonableness, which recognizes the performance of the police tasks as permissible only under conditions of minimizing harm.

The described circumstances clearly indicate that each assembly of citizens since 28 November 2024 has been peaceful and the absolute majority of the participants in the protest expressed their protest within the framework of the law. In all cases of dispersal by the law enforcement officers, special means were used without reason, since the grounds for dispersing the rally provided for by the legislation were not specified. Beside this, the MIA units violated the special requirements provided for by the Minister's order on the use of the special means during the protests. The scale of the violations clearly indicates that the goal of the law enforcement officers was to restrict the right of assembly and expression of the citizens and to suppress the protest. Accordingly, the use of the special means did not serve the protection of public order and public safety.

#### **vii. Violation of the principle of the proportional use of the Special Means**

Under international standards, the use of any special means as a form of interference with the right of assembly must be proportionate and necessary to protect an important interest of a democratic state. The test of proportionality and necessity requires the existence of a "pressing social need" to restrict the freedom of assembly in the specific circumstances and an assessment of the risks of harm.<sup>151</sup>

The legislation establishes the obligation to use special means proportionately in any situation. According to the Instructions, the use of physical force and/or the special means by the law enforcement officials should be carried out in compliance with the principle of proportionality, only in the cases of extreme necessity and in the minimum amount necessary for specific circumstances.<sup>152</sup> Reasonableness and proportionality are the basic principles of the use of coercive measures, which apply to all types of special means and ensure the protection of the life and health of citizens.

**Despite the legislative requirement to ensure proportionality and minimization of harm, protesters were treated daily in clinics for serious injuries caused by the use of the special means.** Publicly distributed video footage shows numerous cases where peaceful protesters suffered various serious injuries, including head injuries, requiring hospitalization. For example, on 3 December, at 03:30, according to the live media footage, citizens were bringing to an ambulance a tear gas-injured citizen whose face was bleeding from a gas grenade fired from close range, which hit him.<sup>153</sup>

It is also noteworthy that **the use of chemical agents in cramped and closed spaces**, in particular, the events that took place on the night of 30 November and the dawn of 1 December, demonstrate that the law enforcement officers deliberately created a life-threatening environment for the demonstrators near the Kashueti Church and Biltmore. According to the statements of the interviewed persons, the Ministry of Internal Affairs suddenly began to disperse the demonstration on Chichinadze Street, for which it used the mapower and water cannons. The law enforcement officers equipped with batons and shields quickly moved from Chichinadze Street to the area in front of the Parliament, in the direction of the demonstrators, which caused some of the participants of the demonstration to move to the area near the Kashueti Church in order to avoid the epicenter of the confrontation.

**At that time, unknown individuals, equipped with the gas protection equipment, threw tear gas canisters into the narrow street, over the demonstrators and in front of them, thereby cutting off a safe exit for the protesters. As a result, the citizens found themselves in a tear gas-soaked environment, facing the special forces.** This action provoked a stampede, which deprived peaceful demonstrators of the opportunity to leave the rally. They had to physically move through the narrow street, the stampede, and the tear gas-soaked space, which posed an additional threat to their health and physical safety.<sup>154</sup>

#### **1.3.4. The real threat of potentially irreversible health damage from the chemical agents**

The intensive use of tear gas, pepper spray, water cannons and other, at this stage unidentified, means has caused acute health problems among the demonstrators. In addition to the immediate damage caused by the use of the special means, the representatives of the medical field also point to the expected long-term consequences.

<sup>150</sup> Radio Tavisupleba, The Ministry of Internal Affairs says that "there may have been something mixed in the water cannon", 30.11.2024; see, <https://www.radiotavisupleba.ge/a/33221645.html> [11.02.2025].

<sup>151</sup> OSCE, Office for Democratic Institutions and Human Rights, Human Rights Handbook on Policing Assemblies, 2019, 23; see, <https://www.osce.org/files/f/documents/c/5/226981.pdf> [11.02.2025].

<sup>152</sup> "Guidelines for the Conduct of Employees of the Ministry of Internal Affairs of Georgia during assemblies and demonstrations," approved by Order №1002 of the Minister of Internal Affairs of 30 December 2015, Article 4, paragraph 4.

<sup>153</sup> Special Broadcast of Mtavari Channel, Live Footage, 02.12.2024, 03:30.

<sup>154</sup> Analysis of the Statements of the victims (V90 – 24-year-old woman, V92 – 35-year-old man, V94 – 37-year-old man, V97 – 25-year-old man) also V88 (35-year-old woman) and V48 (51-year-old woman).

On 5 December, health workers and doctors circulated a petition demanding an end to the use of the chemical agents against the demonstrators. According to the petition, from 28 November to 4 December, after the use of toxic agents by the Ministry of Internal Affairs, clinics have been visited daily by the people who have developed acute symptoms as a result of the exposure to these substances. According to the health workers, the prolonged and massive use of these chemicals is worrying, which is why they called on the Ministry of Health to disseminate information about which chemicals were used so that the doctors could treat the affected people accordingly.<sup>155</sup>

The former head of the National Center for Disease Control and Public Health has also drawn attention to the worrying dangers of the prolonged exposure to tear gas and called on the Ministry of Health to disseminate timely information on the health risks associated with the use of tear gas.<sup>156</sup> In a context where the state agencies refuse to disclose information about the means used and the people are unaware of the dangers their health may be exposed to, it becomes impossible to assess the proportionality and appropriateness of the special means used, except in cases where protesters are immediately harmed as a result of the use of the special means.

It is noteworthy that respiratory damage was one of the most common symptoms - victims complained of acute shortness of breath, inflammation of the lungs, severe coughing and throat irritation. Some of them reported losing consciousness from the lack of air, while others had severe dizziness and coordination problems.

Beside this, additional chemical irritants mixed into the water spray are believed to have caused severe skin burns, severe stinging and allergic reactions. The victims referred to burning and redness of the skin after contact with the water, which persisted for several days, and the pain became worse when washing. Some demonstrators developed allergic rashes and dry skin, which they attributed to the exposure to the chemicals. They additionally reported that the tear gas also caused vision problems, severe burning and irritation of the eyes, blurred vision, and temporary loss of vision. Some victims were unable to open their eyes fully for several days, while others developed conjunctivitis and eyelid swelling.<sup>157</sup> For example:

**Victim V95 (26-year-old woman):** indicates that she experienced eye irritation, severe itching, temporary loss of vision, and eyelid swelling.

**Victim V90 (24-year-old woman):** indicates that she experienced burning, irritation, and blurred vision in her eyes. She also developed conjunctivitis and eyelid swelling.

**Victim V91 (36-year-old man):** noted that, along with breathing problems, he developed severe burning, redness, and blurred vision in his eyes.

**Victims V25 (49-year-old woman), V28 (21-year-old woman) and V29 (54-year-old man)** developed acute respiratory and allergic reactions that progressed rapidly and caused serious lung damage as a result of the exposure to water cannon, rubber bullets, and tear gas during the November protests.

According to **victim V25 (49-year-old woman)**, during the 29 November protest, including on the street adjacent to Kashueti Church, the victim had to make their way through tear gas smoke and a tight crowd..

After the protest, the victim developed acute respiratory problems that progressed over time and caused significant medical complications. On 2 December, the victim applied to the Zhordania Clinic, where she was diagnosed with acute bronchitis, which was manifested by spasmodic coughing, vomiting, voice changes, and runny nose. X-ray examination of the lungs revealed emphysematous changes, indicating damage to the lung tissue. As a result of a computed tomography (CAT scan)

<sup>155</sup> manifest.ge, Doctors and healthcare workers' demand on the use of chemicals against the demonstrators, 05.12.2024; see, [<sup>156</sup> On.ge, Amiran Gamkrelidze responds to the facts of violence, hospitalization and gas poisoning of the protest participants, 07.12.2024; see, \[<sup>157</sup> Among other interviews, victims V90, V91, V94, V95 and V98 described severe eye burning, irritation, eyelid swelling, conjunctivitis and temporary blurred vision after coming into contact with tear gas and water cannon. Victims also reported respiratory damage, coughing, shortness of breath and lung irritation, which they attributed to the chemical effects of tear gas and water cannon.\]\(https://on.ge/story/137908-%E1%83%90%E1%83%9B%E1%83%98%E1%83%A0%E1%83%90%E1%83%9C%E1%83%92%E1%83%90%E1%83%9B%E1%83%A7%E1%83%A0%E1%83%94%E1%83%9A%E1%83%98%E1%83%AB%E1%83%94%E1%83%90%E1%83%A5%E1%83%AA%E1%83%98%E1%83%98%E1%83%A1%E1%83%9B%E1%83%9D%E1%83%9C%E1%83%90%E1%83%AC%E1%83%98%E1%83%9A%E1%83%94%E1%83%94%E1%83%91%E1%83%96%E1%83%94%E1%83%AB%E1%83%90%E1%83%9A%E1%83%90%E1%83%93%E1%83%9D%E1%83%91%E1%83%98%E1%83%A1%E1%83%B0%E1%83%9D%E1%83%A1%E1%83%9E%E1%83%98%E1%83%A2%E1%83%90%E1%83%9A%E1%83%98%E1%83%96%E1%83%90%E1%83%AA%E1%83%98%E1%83%98%E1%83%A1%E1%83%90%E1%83%93%E1%83%90%E1%83%92%E1%83%90%E1%83%96%E1%83%98%E1%83%97%E1%83%9B%E1%83%9D%E1%83%AC%E1%83%90%E1%83%9B%E1%83%95%E1%83%9A%E1%83%98%E1%83%A1%E1%83%A4%E1%83%90%E1%83%A5%E1%83%A2%E1%83%94%E1%83%91%E1%83%A1%E1%83%94%E1%83%AE%E1%83%9B%E1%83%90%E1%83%A3%E1%83%A0%E1%83%94%E1%83%91%E1%83%90 \[11.02.2025\].</a></p></div><div data-bbox=\)](https://manifest.ge/petitions/609169/%E1%83%94%E1%83%A5%E1%83%98%E1%83%9B%E1%83%94%E1%83%91%E1%83%98%E1%83%A1%E1%83%9B%E1%83%9D%E1%83%97%E1%83%AE%E1%83%9D%E1%83%95%E1%83%9C%E1%83%90%E1%83%93%E1%83%94%E1%83%9B%E1%83%9D%E1%83%9C%E1%83%A1%E1%83%A2%E1%83%A0%E1%83%90%E1%83%9C%E1%83%A2%E1%83%94%E1%83%91%E1%83%98%E1%83%A1%E1%83%9B%E1%83%98%E1%83%9B%E1%83%90%E1%83%A0%E1%83%97%E1%83%A5%E1%83%98%E1%83%9B%E1%83%98%E1%83%A3%E1%83%A0%E1%83%98%E1%83%9C%E1%83%98%E1%83%95%E1%83%97%E1%83%98%E1%83%94%E1%83%A0%E1%83%94%E1%83%91%E1%83%94%E1%83%91%E1%83%98%E1%83%A1%E1%83%92%E1%83%90%E1%83%9B%E1%83%9D%E1%83%A7%E1%83%94%E1%83%9C%E1%83%94%E1%83%91%E1%83%90%E1%83%A1%E1%83%97%E1%83%90%E1%83%9C%E1%83%93%E1%83%90%E1%83%99%E1%83%90%E1%83%95%E1%83%A8%E1%83%98%E1%83%A0%E1%83%94%E1%83%91%E1%83%98%E1%83%97?fbclid=IwY2xjawG-8hxlHruA2FbQlXMQABHe3GFueIqPW63iNq4EG9q48EW_XiwwMSZTkVm3yg3oieU3Lnmuzj46Kbzg_aem_tEafK8gm7EgzW3zJ-TzfCQ [11.02.2025].</a></p></div><div data-bbox=)

performed on 5 December, the victim was diagnosed with bilateral pulmonary edema, pneumonitis caused by inhalation of chemicals, gases, and vapors.

Due to the deterioration of the victim's condition, complex steroid and anti-inflammatory treatment was included in their treatment on 6 December. Over the following months, the victim had to undergo intensive treatment. Health problems caused by exposure to chemical substances significantly limited her ability to move, carry out daily activities, and engage in professional work during this period.

### 1.3.5. Long-term health complications due to primary, secondary or multiple exposures

The symptoms described by victim V25 is not an isolated case. In social media and the media interviews, the demonstrators have indicated that both those present at the demonstrations during the escalation episodes and those at the scene in the following days had developed acute and chronic health problems. These included the deterioration of and the temporary loss of vision, hemorrhage, nervous system damage, cataract development, and respiratory and gastrointestinal dysfunction. Many victims complained of chronic cough, difficulty breathing, dizziness, skin burns and dermatitis.

Approximately 307 people participated in the study, which was conducted by an 8-member team of doctors (allergist, cardiologist, rheumatologist, infectious disease specialist, neurologist, and ophthalmologist) to document the long-term effects from the chemical agents. The study focused on the patients who **had participated in one or more episodes of the violent dispersals of protests**. The data also included cases of demonstrators who had arrived at the scene later, had not had direct contact with the chemical agents during their active use, but later developed symptoms associated with the toxic residues remaining in the environment and the secondary exposure.

One of the authors of the study, Konstantine Chakhunashvili, a pediatrician, draws attention to the simultaneous use of pepper spray and water cannons by the law enforcement officers. According to him, the use of pepper spray in combination with water is not recommended, since water increases the penetration ability of the chemical agent by about 30 times. As a result, toxic substances penetrate deeper into the skin and the mucous membranes, which can cause severe burns and damage to the mucous membrane. According to the author, about 112 participants filled out the documentation form on the above symptoms. Among them, the most common were severe eye irritation, breathing problems, and chemical burns of the skin.

According to the study's author, it is particularly noteworthy that 113 victims still had persistent cough and respiratory irritation after a month, which is usually an unnaturally long-lasting symptom for such cases. Victims also had respiratory irritation and mucosal inflammation after six weeks, which may be a result of high concentrations of tear gas and its prolonged exposure.

Many victims had skin inflammation, ulcers, and healing problems, which may have developed as a result of deep penetration of the chemicals. Also of note is the one-month-long spontaneous nosebleeds that some patients experienced. Prolonged, spontaneous nosebleeds, which may indicate a violation of the blood clotting mechanism.

The doctor notes that the cause of such bleedings is unknown and requires further examination, possibly related to the harmful effects of tear gas and water cannon. Also, exposure to chemicals can cause long-term health problems that will manifest themselves over time. Potential complications include:

- Lung damage and chronic inflammation – Chemical particles can remain in the lungs and cause chronic inflammation, including pneumonia and bronchitis.
- Accumulation of dust and chemical particles in the lungs – Inhaling air in a specially polluted environment leads to the accumulation of harmful particles in the tissues, which contributes to the development of lung diseases in the long term.
- Cancer risk – The accumulation of chemicals in the lung tissue as a result of inhalation can increase one of the most serious potential risks – cancer.
- Long-term allergic reactions – Victims who have developed severe allergic skin reactions may develop chronic forms of allergies in the future, including asthma and contact dermatitis.
- Repeated exposure to the chemicals – The active ingredients of these agents can persist in the environment for days or weeks, especially in conditions of restricted airflow, such as urban residential areas, narrow streets, and confined spaces. This means that not only demonstrators are at risk, but also bystanders and those who later move through these areas.

Special means (water cannon, pepper spray and tear gas) used by the law enforcement officers, both individually and in combination, **also pose potential long-term risks to the health of the demonstrators**, which may include **chronic respiratory, neurological and dermatological complications**. Given the current medical data, **it is crucial to conduct additional clinical and epidemiological studies to determine the long-term effects of these means and the differential impact on specific risk groups, including people with allergies and chronic diseases.**

## 2. TORTURE, INHUMAN AND DEGRADING TREATMENT

Since 28 November 2024, the state has systematically used ill-treatment and other forms of police violence to suppress protests in Tbilisi. According to the public information requested from the Public Defender's Office of Georgia, from 28 November 2024 to 28 January 2024, the Public Defender's Office has identified a total of **282 alleged ill-treatment cases**.<sup>158</sup> The Office has identified 81 cases of the total number of the alleged ill-treatment cases based on the information disseminated by the media.<sup>159</sup>

**In the framework of the documentation, interviews have been conducted with 117 respondents. 77.7% of the respondents (91 out of 117) have indicated that they had been subjected to violence and ill-treatment by the police during the period from 19 November to 28 January, in the context of the ongoing protests.**

According to the Parliamentary Report of the Public Defender, during the illegal dispersals of peaceful protests from 28 November 2024 to the night of 3-4 December, and on the night of 6-7 December, as well as on 2 February 2025, almost all arrestees were allegedly subjected to torture, inhuman and degrading treatment by the members of the Special Tasks Department.<sup>160</sup> According to the report, **out of 343 people visited by the Public Defender's Office on these dates, 242 (70.5%) were victims of alleged ill-treatment**.<sup>161</sup> According to the Public Defender's assessment, the alleged ill-treatment, including torture and inhuman and degrading treatment, was systematic against both the spring and the winter protest participants. Several dozen victims indicate the use of similar, identical methods and techniques of ill-treatment by the special forces.<sup>162</sup>

The existing evidence and the statements of the victims of violence demonstrate that systematic torture is taking place—the use of severe physical and psychological violence to intimidate and punish the protesters. **The scale of the violence, the coordinated involvement of the various MIA units, the matching of the statements of the torture victims, identical actions taken on different dates, the lack of response to the violence by the state, and in some cases its encouragement, indicate the systematic nature of torture and the organized character of this crime.**

Cases of torture and ill-treatment were particularly intense in late November and early December 2024, in parallel with the crackdown on the large-scale protests in Tbilisi, specifically on the following dates:

1. The night of 28-29 November 2024
2. The night of 29-30 November 2024
3. The night of 30 November-1 December 2024
4. The night of 1-2 December 2024
5. The night of 2-3 December 2024
6. The night of 3-4 December 2024
7. The night of 6-7 December 2024

Moreover, the similarly violent response of the police forces to the peaceful protest on 2 February 2025, has demonstrated that the state is still actively using the same repressive mechanisms that it used in November-December 2024.

This chapter reviews the main practices and patterns of behavior used by the state in relation to torture and inhuman and degrading treatment that have been identified during the documentation and that indicate a systemic nature of the violence. To this end, this chapter draws on interviews conducted during the documentation, materials received from the victims of ill-treatment, and information available in open sources.

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<sup>158</sup> Letter № 25/1280 of the Public Defender's Office of Georgia of 15 February 2025.

<sup>159</sup> Ibid.

<sup>160</sup> 2024 Report of the Public Defender of Georgia on the Situation in Human Rights and Freedoms in Georgia, 2025, 89; see, <https://www.ombudsman.ge/res/docs/2025040121291438156.pdf> [03.04.2025].

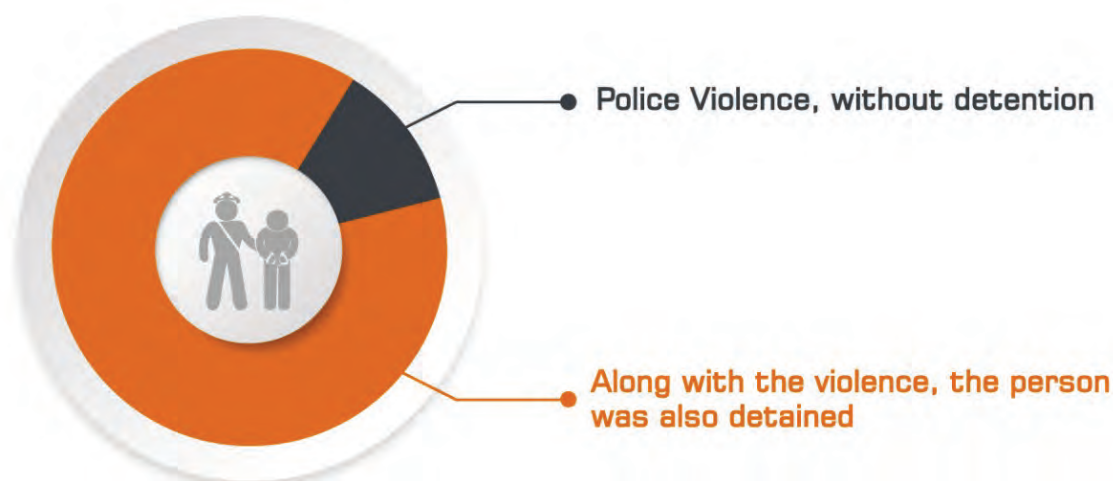
<sup>161</sup> Ibid.

<sup>162</sup> Ibid, 78.

**77.7%** of respondents have been victims of ill-treatment at the hands of the police



According to the interviews, **87.9%** of the respondents who have experienced violence, the violence by the police was accompanied by the arrest of the victim (80 respondents out of 91)





## 2.1. Overview of the main behavior models



The total amount of damage caused by the seizure/theft of the items:

at least **253 470 GEL**

- Typically, in parallel with the dispersal of the demonstrations, the special forces would groundlessly arrest the protestors, beat them on the spot, often in groups, and then take them behind the police cordon, away from the media cameras, where the violence would become even more intense.
- The violence would continue in special punishment minibuses, which had no seats or windows, where the members of the special forces, using special gloves and feet, and in some cases, batons or other tools, beat the victims in groups.
- Physical violence, both after the arrest and in the minibus, would be accompanied by the seizure of belongings, insults, humiliation, and threats, including the threats of rape. Typically, the special forces deliberately hit the victims in the head and face.
- After being beaten in the minibus, which often occurred in several episodes, the victims would be handed over to the patrol or the criminal police officers, who would take them to the police stations and draw up forged arrest report.
- Often the psychological abuse and, in some cases, physical abuse would continue both during the transportation and at the police station. It is noteworthy that the physical and the psychological abuse would be accompanied by the anti-European and homophobic rhetoric characteristic of the government narrative.
- Furthermore, beside the use of the direct physical force, ill-treatment would often be based on the practice of using the active special means by the police forces, which, instead of restoring order, was aimed at punishing or harming the protest participants.

## 2.2. Police Violence

### 2.2.1. At the place of the arrest

**According to the interviews, in the case of the 87.9% of the respondents who experienced violence, the violence by the police was accompanied by the arrest of the victim (80 respondents out of 91).**

The protestors would typically be beaten by the special forces during the dispersal of the demonstration, then they would be made to stand up and be led to the police cordon. In some cases, the arrestees would be dragged by several police officers. The beating and humiliation of the protestors would continue beyond the police cordon.

As the respondents recall, the group beatings would begin from the moment of the arrest and continue for a longer period and in a more intense way after entering the police cordon, when the journalists and the cameras would not be able to record the arrestee. The area shielded from the journalists was created by the police cordon or the MIA buses.

**Victim V110 (20-year-old man)**, who was arrested and beaten near the Republic Square on 2 December recalls: *"They have specially set up a space near the bicycle [the bicycle monument on the Republic Square] that is hidden from the media so that it is not captured in the footage. The area is completely surrounded by large vehicles and special forces/robocops - which results in you, how they treat you not being visible from the outside of the encirclement by these vehicles and the special forces."*

In some cases, a protester standing near the police cordon would be "dragged" into the police cordon before the demonstration began to disperse, after which the violence would begin.

**Victim V63 (34-year-old man)**, recalls the incident on November 29, when he was standing near the police cordon on the corner of Chichinadze Street and peacefully talking to the police about the political issues before the crackdown began, when, he was dragged into the cordon, beaten, and arrested: *"We, the protestors were as usual, peaceful. At some point, other masked men came up behind this person, saying, 'how much do you let him talk, there's no need to give so many answers' and 'let's*



grab him'. They grabbed my hand, another masked man stuck out his hand, grabbed my hood and dragged me in. There was no siren, no water cannon, and they hadn't even announced a warning about the dispersal. Then someone from the side sprayed pepper spray so that the others would not be able to help me, and they led me through the corridor of the STD."

One of the participants<sup>163</sup> of the demonstration recalls that he found himself near the first school near the journalists who were being dispersed. Two special forces officers approached him and his friend, offered to help them leave the area, and led them forward. After they had passed the journalists, one of the special forces officers turned around and started beating them.

Protesters recall that beyond the police cordon all the special forces officers close to them tried to hit the arrestees. They beat them in groups or formed a so-called corridor.

**The special forces were deliberately attempting to inflict injuries on the face.** When a victim would cover their face with their hands, they would try to remove their hands from their face, for which, in one case, they sprayed the victim's hands with pepper spray.

**Victim V117 (23-year-old man)**, recalls what happened on 28 November: "In the [police] corridor, they mostly hit me on the head, they mostly hit me with their hands and feet. As I had my face covered [with my hands], they got angry... They sprayed [pepper] spray on my hands. It burned the skin on my hands very badly and this burn was visible to the eye and also bothered me periodically for 4 days. I lowered my hands and they hit me in the face."

V11, a 36-year-old man, recalls that on the night of 28-29 November, 4-5 special forces officers kicked a man who was lying on the ground in the face and other parts of his body, while he was covering his face with his hands and clinging to the hoodie and the hats of his jacket with his hands. After the special forces officers could not make him let go of his hats, they lifted him up and knocked him down so that he would let go of the hats.

**Victim V5 (21 year-old-man)** recalls the violence by the special forces on 29 November: "I was being held down by the police and could not protect my face in any way... Everyone who met me was hitting me. In addition, 4-5 people were following me and constantly hitting me. The robo-cop tha I faced kicked me in the face. My nose had already been broken. I was completely covered in blood. Within a few seconds, I was hit by a similar kick on the right side and lost consciousness. A similar blow woke me up a short time later."

## 2.2.2. Direct involvement of the Director of the Special Tasks Department in the violence

Three respondents recall that following their arrest, before being placed in a minibus, they were taken to the head of the STD, Zviad Kharazishvili. One of these respondents (V62, 2 December) recalls being temporarily stopped near Zviad Kharazishvili's jeep. According to one of the respondents (V52, 5 December), they were taken to Zviad Kharazishvili's jeep and his phone was taken away. He also witnessed Kharazishvili taking belongings from other people. He recalls that Kharazishvili used homophobic language towards the participants of the rally.

It is noteworthy that later, on 2 February 2025, Zviad Kharazishvili was also monitoring the demonstration held near the Tbilisi Mall from his car. In the footage released, he can be heard giving instructions from his car's loudspeakers to the police officers who were beating a downed protester in front of the cameras not to beat him there ("Not there, boy").<sup>164</sup>

Furthermore, it is visible in the footage how the police officers took a protester to Zviad Kharazishvili's car, from which he gets out of and kicks a protester being held by the police officers.<sup>165</sup>

Another respondent (V112, 5 December) recalls that he was brought to Zviad Kharazishvili, Kharazishvili was filming him from his car and asking him why he was at the rally.

It is noteworthy that according to some of the respondents, they had taken a photo during or after the violence, presumably with the intention of sending it to their superiors.<sup>166</sup>

Moreover, one of the respondents says that Zviad Kharazishvili directly participated in the seizure of the arrestee's belongings (see the subchapter "Search and seizure of belongings").

<sup>163</sup> Victim V5.

<sup>164</sup> Mtis Ambebi, "Not there, boy", - "Khareba" addressing the special forces officers not to beat the arrestee in front of the cameras..., 03.02.2024; see, <https://www.facebook.com/watch/?mibextid=wwXlfr&v=955007776607583&rdid=WwdlmhEGVvbSNwbx> [12.02.2025].

<sup>165</sup> TV Pirveli, Exclusive shots - "Khareba" is dealing with a protest participant directly by himself, 02.02.2024; see, <https://www.facebook.com/watch/?v=2087621514992420> [12.02.2025].

<sup>166</sup> Victim V5, Victim V34, Victim V52, Victim V54, Victim V73, Victim V83, Victim V96.

### 2.2.3. In a vehicle

In most cases, the violence would continue in the police vehicle. In individual cases, the beaten person would be handed over to the patrol or the criminal police without hindering them in the minibus. Some respondents were not arrested following the violence by the special forces.

However, in many cases, following the initial beating, the arrestees would be taken to the minibuses, where they would be subjected to continued physical and psychological violence. Respondents describe that the arrestees would typically be taken to a black minibus without seats or windows. A long bench was attached to the inside edges of the minibus. Some respondents note that the driver's seat was separated by a partition with a barred window.



*Most of the respondents mention that the minibus was black. One respondent, recalling the incident that occurred during the protest on the night of 29-30 November, notes that the minibus they had been placed in was likely white. This photo shows a minibus used by the MIA during the February 2 protest. Photo: Mzia Saganelidze (RFE/RL)*

The respondents describe that there were pools of blood in the minibus, it was covered in blood and/or smelled of blood. The group beating continued in

the minibus, mainly with fists, special gloves, and feet. Along with the beatings, they were insulted, cursed, and asked if they would come to the protest again.

**Victim V73 (39-year-old man)**, recalls being beaten in a MIA minibus on 2 December: *"People would come in one after another, beat us, insult us, take pictures of our faces, ask us our names and surnames, and send information about us somewhere. I spent most of my time in the minibus sitting. They would hit me on the head, especially in the face and on my sides. They would punch me. They got especially angry after I started praying, and at that time they were already hitting me with their hands and feet, kicking me in the head and on my body. They would ask us, 'Will you come to the protest again?' and they would beat us. They would insult us, say 'Look who is making us want Europe and becoming a faggot'."*

Some of the protest participants who were placed in the minibus were not directly subjected to violence, but witnessed violence against other people.

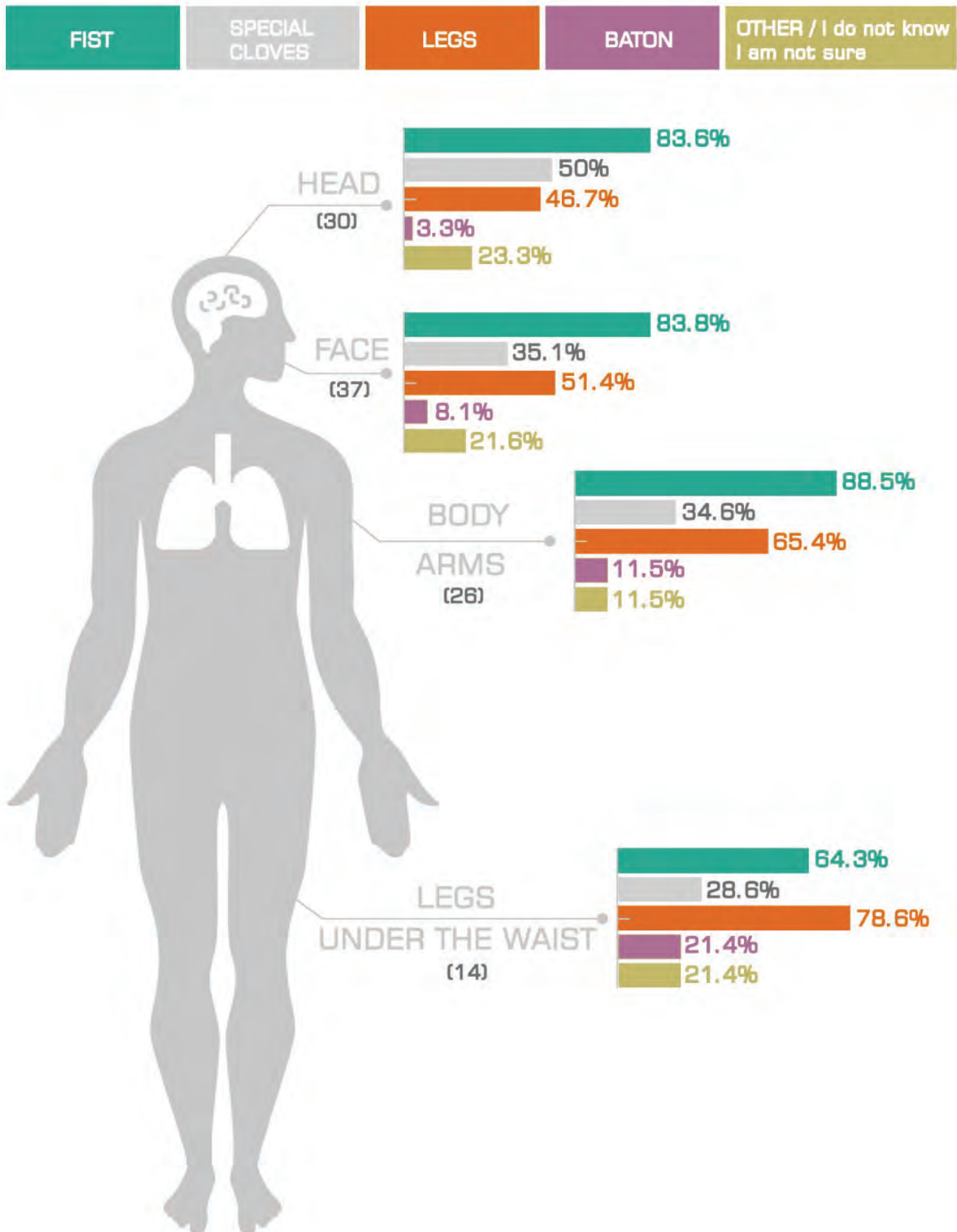
**Victim V104 (52-year-old man)**, who was arrested at the protest on 1 December, beaten and briefly held in a minibus before being taken to the police station, recalls the situation: *"There were already two people there [in the minibus]. Both were completely covered in blood and were moaning. I remember it very well... I was trying to cover my face and head with my hands. At the same time, the two people sitting next to me were moaning and there was a terrible smell, probably of blood. I could see there were puddles. One of the two was younger than me and the other was older than me. Both were completely covered in blood."*

In his opinion, he was not beaten in the minibus because he is not a citizen of Georgia.

**Victim V107, (26-year-old man)**, also a foreign citizen, recalls the violence against him on 7 December: *"When they put me in the [minibus], they were showing another boy what they were doing to me to intimidate him. They held my head and told him: 'Look at this boy, look at him'. Then they put this boy in the car too. For the next 15 minutes, all the three of us were in the [mini]bus and I'm sure they were the subjecting all to violence. I couldn't see everything. In total, 5 people were beating me. One in particular was hitting me in the back of the head and I tried to protect myself with my hands. The other special forces officers were trying to pull my hands down."*

In the minibus as well, the main target of the beating was mainly the victim's face and head. However, the beatings were also carried out in the direction of the body, mainly with the feet and fists. Respondents also recall that the special forces wore special gloves that had a hard surface.

The respondents, who spoke about the violence during the arrest process, indicated violence to the following parts of the body and by the following means (a respondent would typically be injured in different places, by more than one means):



**Victim V35 (45-year-old man)**, who suffered a broken rib as a result of the beating, recalls: *"[In the minibus] they were hitting me in the head and when they realized that because I was covering my face, it didn't hit me very well, like when they hit a ball, they swung their leg out from the side and hit me in the forehead, from which blood flowed all over my body. Then they immediately kicked me in the rib, which probably broke immediately, because the special forces beat me with their heavy and strong military boots. When my rib broke, I felt such intense pain that when they told me to sit down, I couldn't get up and in response they would hit me even harder. I wanted to get up, but I physically couldn't. They called on me, 'let him be there, [f\*ck his] mother.'"*

He also witnessed other people being beaten. *"Meanwhile, I tried to crawl to the back of the minibus and while crawling, they were hitting me at the same time. When I crawled to the back, I rolled into the fetal position and lay on my right side. I still had my hand over my head. There were other protestors on the bus, who were also beaten and bloodied. When I was laying in the back of the bus, I saw one of them through my covered hands and I remember his face and how they were mercilessly hitting him."*

Later, as he himself recalls, he asked for the help of the ambulance. A man got on the bus, who told him that he was a doctor and he had seen his condition and he went out to bring an ambulance. *"Before the ambulance arrived, someone came in. He looked down on me and when I couldn't answer him, he poured water on my face. This was done more to humiliate me than to bring me to my senses. As I understood, he didn't trust the doctor's words and he checked himself how badly I had been beaten. After that, he told me – 'You were saved by your rib breaking, you motherf\*cker', then he kicked me once."*

Two respondents recall that the special forces fired pepper spray into a minibus full of people and locked the doors. One of them was already unconscious from the beating when they put him in the minibus. Despite this, his hands were tied with plastic handcuffs, which caused severe pain, and after he regained consciousness, the special forces continued to beat him and started jumping on his tied hands. Some of the victims of violence in the minibus indicate that the plastic handcuffs were used.<sup>167</sup>

**Victim V61 (37-year-old man)**, describes what happened on 1 December, at approximately 02:00: *"When regained consciousness, it was completely dark, I could hear the desperate snoring of some people, they couldn't breathe. I myself was also brought to my senses by the lack of air. They were suffocating, I could hear the voices of several people, I couldn't see these people. Then it turned out that the arrested people were put together in a minibus, pepper spray was sprayed inside and the door closed, and there were no windows at all. From here, we were in the minibus for about an hour. My hands were tied behind my back with the plastic handcuffs, and even now my wrists are numb. During one of the coming ins in the minibus, one of the special forces officers turned me over, started jumping on my tied hands and telling me: 'Will you come to the protest again?' At that time, he hit me in the head and I don't know, I think I passed out, or blood came out of my nose, he let go of me and started beating another arrestee."*

**Victim V62 (33-year-old man)**, recalls an episode that occurred at the same time. He may have been in the same vehicle as the author of the previous quote: *"They were beating people in the minibus. I wasn't particularly beaten there anymore, because visually I especially looked beaten, I was bloody. ... I was sitting near the door, my head was down, blood was flowing, someone was standing below and hit me in the face so that I couldn't see him. Immediately after bringing us into the minibus, they intentionally sprayed the pepper spray on us. Initially, there were probably 4 of us in the minibus, then they brought in 2 or 3 more, they brought them in in two stages, as I remember, in the end there were probably about 10 people in total."*

On the night of 6-7 December, those arrested near the Republic Square recalled being threatened with being placed in a punishment minibus, but because the minibuses were full, their beatings continued outside the buses.<sup>168</sup>

**Victim V74 (27-year-old man)**, recalls the violence in the minibus on 2 December: *"When they stopped beating him [another arrestee in the minibus], one of the three [violent special forces officers] asked the special forces officer who was standing next to me if I had been dealt with or not. By being dealt with, he meant whether I had been beaten enough, to which this special force officer said yes. Those special forces officers asked him again aggressively, whether I had been dealt with? This special force officer hit me in the forehead with his gloved fist so that the special forces officer would be satisfied and leave me alone. At the same time, while swinging his hand, his weapon also hit me."*

After being beaten in the minibus, people were handed over to the patrol or the criminal police officers, who would take the person in a police car or minivan to the building of a law enforcement agency, where an arrest report would be drawn up, typically naming these police officers as the ones who had arrested them.

During the transfer of the arrestee, the special forces would try again to arrange a corridor for the arrestee. One of the respondents notes that the arrangement of the corridor was "led by a short, shriveled man" who was wearing a mask and a helmet. According to the respondent, the police later told him that this man was the "leader of the masses" (1 December Events, V37).

<sup>167</sup> Victim V22, Victim V63.

<sup>168</sup> Victim V26, Victim V76.

Several respondents indicate that in some cases, during the transfer process, the police had attempted to protect the arrestee from the violence by the special forces, however, some respondents note that the violence continued both during the transportation process and inside the law enforcement agency building.

**Victim V73 (39-year-old man)** recalls the violence in the police minivan on 2 December: *"This car [a silver police minivan with three rows of seats and the word "Police" written on the outside] started driving towards the Kakheti highway... They cursed at us, insulted us, hit me with a water bottle, and punched me in the face, although he hit me with the water bottle more often. When the policeman asked me a question, I couldn't answer, I had a spasm because they had punched me in my side. I felt like I had a lump in my throat and it was hard to breathe, I was taking small sips of air. When he realized that I couldn't breathe, the first policeman ordered me to drink water. Since my hands were tied, he made me drink it himself, but my lip was chapped, so I couldn't drink it, which got him angry, he said I couldn't drink it either, and splashed the water in my face. Then he started hitting me in the face with a half-empty bottle. He could not reach the other passenger, so the policeman sitting next to me took the bottle and started hitting [the other passenger] himself. We were on the road for about 10-15 minutes, during which time there was almost continuous hitting and insulting."*

**Victim V82 (28-year-old man)** recalls what happened on 1 December: *"In the police car, one policeman sat on each side of me and they took me to the police station. On the way, one of the policemen, the one sitting on my right, said, 'Now look, they're going to f\*ck you to death.'"*

#### 2.2.4. Search and Seizure of belongings

The arrestees were usually searched before and after being placed in the minibus and their personal belongings were seized, most of which they never got back. Among the seized items were personal technology, clothing, and money.

**According to the information provided by the respondents, the total amount of the damage caused by the theft/seizure of belongings by the police forces is at least 253 470 GEL.<sup>169</sup>**

Typically, the searches and seizures of belongings would be carried out several times, by different special forces officers.

**Victim V43 (32-year-old man)**, recalls what happened on 2 December: *"They took everything from me near the minibus. They took my bag, a wooden cross around my neck, and coins in my pocket. They were taking my wedding ring, but I told them it wasn't valuable, it was silver. Then someone from the outside told them to leave me alone and only after this they left me alone. Everyone around me also had everything stripped away. One guy had sixty GEL, he had this amount left from the first search until the second, and already on the second search they took it out and put it in their pocket. At the initial stage, they took large items, and then a more detailed search was conducted."*

In individual cases, physical violence was used for seizing belongings.

**Victim V82 (28-year-old man)**, recalls the events of 1 December: *"[The special forces officers] tried to take my phone away, but I wouldn't let go of it. During this, the special forces officer who was holding me by the jacket, cursed at me and hit me on the back of the head, after which the phone slipped away from my hand."*

One of the respondents recalls that following the arrest, before being placed in the minibus, the belongings were seized right next to **the car of the head of the STD, Zviad Kharazishvili, in front of Kharazishvili. Kharazishvili directly participated in the seizure of the belongings.**

**Victim V52 (30-year-old man)** recalls the events of 5 December: *"They gradually brought 4 more people [to Kharazishvili's car]. Khareba personally took their phones and took out a laptop from one of them's bag."*

The respondents often used the phone tracking programs to see that their phones were being tracked to various police stationing areas, but the investigative agencies have not react to this.

**Victim V82 (28-year-old man):** *"The phone's location appeared on the STD's base. Later - at the prosecutor's office, and on 16 December again at the STD parking lot. From 5 December to 15 December, I called the Special Investigation Service and the criminal police investigator every day, we informed the MIA and the prosecutor's office as well about the phone. They have not reacted."*

<sup>169</sup> Of these, the total value of items stolen/seized by the police forces for the surveyed respondents is at least 64 800 GEL. Moreover, one respondent suffered damage equivalent to approximately 68 000 USD (approximately 188 670 GEL) due to the resetting of iCloud after the phone was taken away, which was related to the loss of assets held in cryptocurrency.

### 2.2.5. Violence in the building of the law enforcement agency

Some of the respondents were subjected to ill-treatment in the buildings of the law enforcement agencies, which included psychological violence, humiliation, physical violence, and restricting access to medical care.

**Victim V57 (28-year-old man)** recalls the events of 1 December: *"In the division, they constantly asked me if I would go to the rally or not and threatened me that if I did, I would be the center of special attention and would definitely be punished accordingly."*

Not only those arrested directly at the demonstration, but also other persons detained in the context of the protests have been subjected to ill-treatment at the police station. Saba Skhvitaridze, who was arrested under criminal law on 5 December, publicly stated that he was physically and psychologically abused at the Dighomi Main Division.<sup>170</sup> According to him, during his arrest, the police did not explain the reason for his arrest and did not give him the opportunity to contact a lawyer. After being transferred to the Dighomi Division, he was beaten several times, including trying to break his hand and breaking wooden objects over his head. They were threatening to rape him.

On 12 December, a person who was administratively arrested near his home recalls being slapped twice at the police station, kicked in the shin, forced to unlock his phone, threatened to "plant" drugs on him, and asked who was the organizer of the protest.<sup>171</sup>

### 2.2.6. Stripping Naked

There have been numerous cases where not only administrative but also criminal arrestees have pointed to the practice of forcibly and completely making the arrestees undress for the purpose of personal search/examination (inspection) and forcing them to do squats.<sup>172</sup>

This degrading practice is used, among others, against women:

One of the founders of the Facebook group "Daitove" Nancy Woland (Kristina Botkoveli), recalls the degrading police actions and attitudes during a search of her home on 1 February - *"Two female police officers came in and told me I had to strip completely naked. When I asked why, they said it was the rule. They demanded me to do such movements so they could see if I had anything hidden somewhere... in the presence of my mother, who was a witness at the time"*.<sup>173</sup> Nancy says her detained friends speak about the similar experiences and procedures while in the detention center.<sup>174</sup>

On 29 March 2025, one of the leaders of the "Coalition for Change", Elene Khoshtaria, stated that she was a victim of the aforementioned degrading treatment during her arrest. Nika Gvaramia, leader of the "Coalition for Change", said, *"Elene was stripped completely naked, her hands were tied behind her back and she was made to lie on a bed for a long time, and a metal detector was held over her naked body for a long time. [...] When they brought her in, she had a blood pressure crisis and at that time the gag reflex is triggered and they told her 'not in the restroom, we will bring you a bag and throw up there'. After the vomiting, as soon as it was over, they stripped the person naked the next minute. After that, she asked to take a regulator from her medications and they didn't give it to her, she still has high blood pressure"*.<sup>175</sup>

### 2.3. Humiliation and psychological violence

In parallel with inflicting physical damage, the methods of violence used also included deliberate attempts to inflict physical pain and severe emotional harm, for example: a surprise attack on a protester; sneaking up from behind; a deliberate beating in the face or "between the legs", which is not only painful, but also dangerous and insulting; knocking them down and stepping on them. There were cases where the special forces officer allegedly tried to lift the fallen person or offered to help him leave the area and then began the physical violence. Often, when a protester was physically injured, they would involuntarily, automatically, cover the injured area, for example, automatically covering it with their hand, and the violence would become

<sup>170</sup> Formula, Saba Skhvitaridze: There was verbal abuse in the car, threats of rape, 24.12.2024; see, <https://formulanews.ge/News/123495> [11.02.2025].

<sup>171</sup> Victim V83.

<sup>172</sup> GYLA, GYLA responds to the unacceptable practice of stripping detainees, 29.03.2025; see, <https://gyla.ge/results/8565> [03.04.2025]. Social Justice Center, The unlawful arrest and degrading treatment of Luka Kintsurashvili is yet another manifestation of the police's uncontrolled arbitrariness, 01.04.2025; see, <https://socialjustice.org.ge/ka/products/luka-kintsurashviliis-ukanono-dakaveba-da-mis-mimart-damamtsirebeli-mopqroba-politsiis-ukontrolo-tvitnebobis-morigi-gamovlinebaa> [03.04.2025]. 2024 Report of the Public Defender of Georgia on the Situation in Human Rights and Freedoms in Georgia 2024, 2025, 91; see, <https://www.ombudsman.ge/res/docs/2025040121291438156.pdf> [03.04.2025].

<sup>173</sup> Social Justice Center, Misogynistic and sexist culture and language has increased in the police, 11.02.2025; see, <https://socialjustice.org.ge/ka/products/politsiashi-gazrdilia-mizoginiuri-da-seksisturi-kultura-da-ena> [12.02.2025].

<sup>174</sup> Ibid.

<sup>175</sup> Social Justice Center, The forcible stripping of arrestees by the police amounts to inhuman treatment and is intended to humiliate and punish them, 29.03.2025; see, <https://socialjustice.org.ge/ka/products/politsiis-mier-dakavebulebis-idzulebit-gashishvleba-araadamanur-mopqrobas-utoldeba-dam-damtsirebas-da-dasjas-isakhavs-miznad> [03.04.2025].

more intense in this area. Therefore, in parallel with the physical and moral damage, the protesters had to hide and manage their reactions.

Humiliation, psychological violence and pressure occurred both during the actual torture and violence, as well as during the transfer by the police crew and at the police station. In certain cases, psychological pressure continued even after the fact of torture, for example after discharge from the hospital, which was manifested in car surveillance and threats regarding the relatives.

In parallel with the physical violence, the following forms of psychological violence were actively used against the victims:

- **Threats** - threats of death, rape, rape of a family member, criminal prosecution
- **Humiliation** - swearing, using homophobic and anti-European hate speech, mocking, spitting;
- **Intimidation/terrorization** - locking people in a dark minibus and turning the lights on/off, pounding on the minibus from outside, intimidating people before placing them in the minibus, saying they would now be put in the "magic bus", victims of violence often had to watch violence against the others in the minibus;
- **Accusation** - among the cases of psychological pressure, it is noteworthy to mention the fact of accusing the protest participants of the actions that they had not committed, for example, some respondents were accused during beatings or transportation of cursing at the police officers and throwing things at them.
- **Protesters were often threatened with rape or otherwise sexually harassed** while being beaten, transported, or detained at the law enforcement facilities. The latter, in particular cases, was accompanied by **homophobic and anti-European language and narratives**.

**Victim V119 (20-year-old man)** recalls the incident on 2 December: *"The special forces that are there know what the minibuses are for, they don't move around in them, typically, they only beat people here and then distribute them to other vehicles, which is why even the special forces standing far away shouts from afar that 'the fun is about to begin, they will get you in shape, they will rape you with a baton, they will put a baton in your ass, you are faggots, are you not, and you like it'. Before they put you in the minibus, they threaten you, curse at you with the same texts."*

**Victim V57 (28-year-old man)** recalls the events of 1 December, when he was subjected to physical violence and sexual harassment: *"[At the Dighomi Main Division] when they found out about my workplace [one of the NGOs], they were asking me if my organization had registered in the so-called 'transparency registry', how much was my salary... 'Who hired you...' They asked me if I liked girls and if I had a different sexual orientation. They also asked me questions about the LGBTQ+ community. There was also a fact of sexual harassment, a policeman sat next to me and touched my leg (during the violence, my pants had torn he and touched me in this area), asked me if I shaved my legs or not. This was humiliating and degrading to me. At the same time, they constantly shouted at me and humiliated me."*

**Victim V115 (20-year-old man)** recalls that on 4 December, at dawn, as he was leaving to meet his girlfriend at the demonstration, he was chased down by the masked policemen in a white car, beaten, threatened, harassed, and arrested: *"Every second there was swearing, threats of rape, threats of death. 'Now let's take him to a dead end, film him, mutilate him', saying, 'F\*\*k him, film him, and throw him away'. I was so shocked that I couldn't even react. They were saying these and constantly hitting me. I told one of them that my heart was unwell. 'Where do you have a heart, you motherf\*cker?' and they started hitting me in the heart, on my sternum."*

*When they were threatening me with rape and beating me, one of them started caressing my leg, and when I made him pull his hand away, he punched me in the jaw and also cursed at me. He shouted at me, 'Who did you bend over for?' As he caressed my leg, he kept saying, 'Now we will deal with you, once we pull down your pants'. I gathered my last strength and made him pull his hand away, telling him to stop and who he was cursing at? And they started beating me again. There were 4-5 phases of beating, the swearing didn't stop, the threats to kill and rape me, the threats of raping my girlfriend, and one of them cursed at everyone and everything that I loved and threatened to kill them. I couldn't speak, I kept getting punched."*

**Victim V43 (32-year-old man)** recalls being threatened with rape by the police on 2 December: *"In the police car, there was a very strong threat from the police. They told me that wherever they would take me, they would strip me naked, rape me, put a torch on my naked body and rape me with it. I believed that all of this was waiting for me. ...I was thinking about how I would manage to endure this. The most painful thing I remember is that they were telling me that once we'd arrived, they would find out my address and they would do this to my family, they would do that, 'we will rape your wife and children'. This is a trauma that remained with me not only at that moment, but also afterwards."*



## 2.4. Discriminatory violence and the ill-treatment of vulnerable groups

### 2.4.1. Violence motivated by the anti-European narratives and homophobia

It is noteworthy that at all stages of the violence, the special forces, as well as other police units actively used homophobic and anti-European language and narratives. Particularly severe violence was inflicted on the people who stood out from the others in some way that the police perceived as less masculine (dyed hair, earrings, wearing hygienic lipstick (the so-called lip balm)).

The special forces often called the protesters “f\*ggots” while beating them. This insulting term was also used by the police officers involved in the transportation of the arrestees and the ones at the police station. This homophobic insult was also linked to anti-European narratives.

**Victim V37 (33-year-old man)** recalls the events of 1 December: *“Two special forces officers were standing at the doors of the minibus. One special forces officer entered the minibus and said to me, ‘You, boy, want faggots?’ and similar insulting phrases. I ‘trolled’ him, I said, ‘I’m from Plekhanovi [district] and I’ve seen you often, I recognise you by your habitus, you go to the circus, to the transgenders’. When I told him this, this special forces officer ran out and never came back. 5 special forces officers came and beat me.”*

**Victim V73 (39-year-old man)** recalls the incident on 2 December: *“They were asking us if we would come to the rally again? And they were beating us. They were insulting us, ‘Look who is making us want Europe and becoming a faggot’.”*

**Victim V109 (47-year-old man)** on the violence in the minibus on 5 December: *“[While being placed in the punishment minibus] I was met by several masked men and one of them said to me: ‘What do you want with these faggots?’ After that, they put us in the car. There were three participants of the protest in the car, all three had been beaten. One special forces officer came in, hit me in the area of my head several times and asked me: ‘Are you gonna come again?’ To which I replied - ‘Yes, I will come’. After that, 2-3 more special forces officers came in and they continued to beat me.”*

The protesters recall that the violence by special forces was more intense against the men with dyed hair, long hair, or similar distinguishing marks.

**Victim V22 (32-year-old man)** on the incident on 1 December: *“When they opened the doors [of the minibus] again, one of the masked men came in with a lip balm (hygienic lipstick), which they had seized from my friend. Because of this, they said that he would be gay, but in a much harsher way, ‘As he has lipstick, he is probably an asslicker.’ Two masked men came in and, after he had already been beaten, he was half-conscious, and they beat him even more.”*

**Victim V16 (20-year-old man)** on the incident on 4 December: *“[During our beating process in the minibus] they noticed that one of the people had dyed hair, because of which he became a victim of special retaliation. They asked him what the significance of his hair was. They told him that they would kill people like him and that the time for that would come.”*

**Victim V63 (34-year-old man)** on the incident on 29 November: *“[During the pulling in the police cordon and beating] my hood was pulled off and it was visible that I had long hair. Immediately, homophobic calls started, asking ‘who is this gay’, ‘where did you drag him from’, and ‘did you rip off his hair’. At least ten men deliberately ripped my hair off. Even now, I have no hair in some places. When I was being taken uphill, before they put me in the car, one of the masked men saw me, who was particularly cruel. He had never seen me in my life, he rushed toward me and kicked me in the stomach while doing so. I couldn’t make any motions or move for about 3-5 minutes.”*

It is noteworthy that the head of the STD, Zviad Kharazishvili, actively uses identical vocabulary in public towards the participants of the protest. In a video published on 4 December, when asked by a journalist, *“Should we hand over this homeland to the Russians?”* he replies, *“So we should hand it over to the faggots?!”*.<sup>176</sup> Footage circulated in the media also shows Kharazishvili insulting the participants of the 2 February protest, using identical vocabulary.<sup>177</sup>

### 2.4.2. Ill-treatment of women

In an interview with Radio Tavisupleba, a woman who participated in the 28 November protest anonymously recounted that the masked police officers arrested her at dawn, dragged her away from the Rustaveli Avenue, beat her on the way, cursed at her, and threatened to rape her in the police car. The threat seemed so aggressive, dangerous, and realistic that the young woman first urinated involuntarily and then lost consciousness. The police officers got scared and left her there, on the street.<sup>178</sup>

<sup>176</sup> Formula, Khareba: So we should hand it over to the f\*ggots?!, 04.12.2024; see, <https://www.facebook.com/watch/?v=888295853104374>, [12.02.2025].

<sup>177</sup> Radio Tbilisi, Zviad Kharazishvili (Khareba) is cursing at the protest participants from the walkie-talkie, 02.02.2025; see, <https://www.facebook.com/watch/?mibextid=wwXlfr&v=1140533737087479&rdid=2LJIJqzAEc9g6p1>, [12.02.2025].

<sup>178</sup> Radio Tavisupleba, “100 GEL Tinder whores”, - Police indecency and violence against the female demonstrators, 07.02.2025; see, [https://www.radiotavisupleba.ge/a/33306780.html?fbclid=IwY2xjawlW4PleHRuA2FibQlxMQABHaA-B2VKg-Pas7msrghY-KfEPe1TTgHwPEt3d\\_ofb0t5ye\\_-y39Q4xZ6aQ\\_aem\\_WSiKm3SVkRhCCXegsTzb-A](https://www.radiotavisupleba.ge/a/33306780.html?fbclid=IwY2xjawlW4PleHRuA2FibQlxMQABHaA-B2VKg-Pas7msrghY-KfEPe1TTgHwPEt3d_ofb0t5ye_-y39Q4xZ6aQ_aem_WSiKm3SVkRhCCXegsTzb-A), [12.02.2025].



**A woman arrested at the 7 December protest** recalls: *"When they took me to the police station, something very unpleasant happened. The police officers were recording me, they were wearing masks, but it was written on their clothes that they were police officers. They were telling me, 'We know about you, that you dance striptease naked'. I didn't know why they were telling me that or what I should have done. It was horrible. They probably wanted to make me nervous by blackmailing me".*<sup>179</sup>

A young woman (V1) arrested during a protest outside Tbilisi State University on the morning of 19 November recalls being held on her knees in a police van and not being allowed to sit on a seat. She was mocked and told sexually suggestive remarks. One of the police officers was pointing between his legs and told her to sit on there.

Moreover, it was particularly striking that during the searches of the activists' homes on 1 February and at the rally held near the Tbilisi Mall on 2 February, the police were particularly brutal towards women and aggressively used sexist and misogynistic language.<sup>180</sup> At the protests held near the Tbilisi Mall on 2 February, the police officers were pushing and hitting women, and addressing them with phrases such as:<sup>181</sup>

- *"Go home, it's better for you to wash the dishes than stand here";*
- *"Look how many whores there are"; "Tinder whores are standing";*
- *"Will you suck d\*ck?"*
- *"Since you get 100 GEL here, come and I'll f\*ck you for 101 GEL. I'll use your every hole."*
- *The protester recalls that she asked the policeman "Aren't you ashamed?" In response, one of the policemen punched her in the face, blood gushed out from her lip, and the policeman said, "Blood will gush out of your v\*gina like that, when I f\*ck you".*

#### 2.4.3. Ill-treatment of the journalists

It was striking that the journalists were targeted with deliberate and particularly brutal violence. Respondents recall that physical violence against them was in some cases accompanied by verbal abuse related to their journalistic work. *(for the violence against the journalists and the interference in their professional activities, see Chapter 3)*

**Victim V59 (32-year-old man) a journalist**, who was performing his professional activities on the night of 29 November and became a victim of violence by the police, recalls: *"I felt that the police were also aggressive towards journalists. They started swearing at the journalist from Mtavari [channel]..."*

*"While I was taking photos, I noticed two people from the front were taking photos of specifically me with their phones. It was a little strange to me, because I knew that they usually take photos of people they consider to be offenders, to target them."*

*"[During the group beating] I had been saying from the beginning that I was a journalist, 'what are you doing, it's a mistake, I have nothing to do with it'. I heard right away that they were reprimanding me for being a journalist, that 'because you are a journalist, you...' then additionally I heard swearing."*

**Victim V22 (32-year-old man), a journalist**, recalls the events of 1 December: *"During the arrest, they were saying to me, 'Will you be talking big now again?!', 'Now you got trouble!' At the moment of the arrest, they twisted my arms and tied them behind my back with plastic handcuffs. When we were walking down Zubalashvilebi Street, I was walking with my head down, I was not looking around much, because when we went among the special forces, they started swearing, shouting something, and hitting me in the face. There was an uproar... During this period, they were constantly kicking me and hitting me in the face and head, including, one of the masked men shouted, "F\*ck your journalist mother!" and hit me in the face, I don't remember from the front or from behind.*

<sup>179</sup> Ibid.

<sup>180</sup> Social Justice Center, Misogynistic and sexist culture and language has increased in the police, 11.02.2025; see, <https://socialjustice.org.ge/ka/products/politsiashi-gazrdilia-mizoginiuri-da-seksisturi-kultura-da-ena> [12.02.2025].

<sup>181</sup> Radio Tavisupleba, "100 GEL Tinder whores", - Police indecency and violence against the female demonstrators, 07.02.2025; see, [https://www.radiotavisupleba.ge/a/33306780.html?fbclid=IwY2xjawlW4PleHRuA2FibQlXMQABHaA-B2VKg-Pas7msrghY-KfEPe1TTgHwPEt3d\\_ofb0t5ye\\_y39Q4xZ6aQ\\_aem\\_WSIKm3SVkRhCCXegsTzb-A](https://www.radiotavisupleba.ge/a/33306780.html?fbclid=IwY2xjawlW4PleHRuA2FibQlXMQABHaA-B2VKg-Pas7msrghY-KfEPe1TTgHwPEt3d_ofb0t5ye_y39Q4xZ6aQ_aem_WSIKm3SVkRhCCXegsTzb-A), [12.02.2025].

#### 2.4.4. Ill-treatment motivated by ethnicity

One respondent recalls that they were subjected to particularly intense violence after the special forces had learned their last name and ethnic identity.

**Victim V99 (28-year-old man)**, recalls the 3 December 3 events: *"[Following the arrest, in the minibus] a special forces officer came and asked me: 'What is your surname?' I answered [with my surname] and started: 'What do you want here, you Tatar? Go and organize a revolution for Aliyev, why are you not calming down? You are organizing a revolution.' I told him that I am a citizen of Georgia and at that moment the beating started. There had been beatings before, but after all this it became more intense"; "Even after the minibus, when I was walking through the police corridor, everyone asked me what my surname was and they would hit me."*

The victim notes that, along with the threats and swearing, the use of hate speech continued during the transportation to the Dighomi Division in a police vehicle.

#### 2.4.5. Ill-treatment of children

Both during the documentation process and from the public sources,<sup>182</sup> numerous cases of violence against children have been identified. At least 5 minors have been subjected to physical and psychological violence by the police. In 4 of these cases, the violence continued in the police vehicle, during the transportation of the minor.

Minors were beaten in the face, various parts of the body, with their feet and hands, humiliated, cursed at, threatened, used homophobic language against, and had their personal belongings taken away. One of the minors, who became unwell in the police car, was forced to vomit in their own backpack, then they made them place their head close to the backpack, hit them on the head, laughed at them, and threatened to kill them.

Despite the law enforcement agency's obligation to contact the minor's legal representative at the first opportunity, the children were not given the opportunity to communicate with their families.

**Victim V80, a 17-year-old minor**, on the incident of 30 November: *"After the first hit by the special forces officer, I ran towards the stairs of the first school and jumped onto the roadway. Where I was met by several special forces officers. They threw me down and started beating me with their feet and hands. At that moment, my relatives ran to me, trying to protect me, screaming at the MIA employees that I was a minor and to stop beating me. However, they continued beating me mercilessly..."*

**Victim V81, a 17-year-old minor**, who was arrested in Kutaisi on 5 December, recalls that he became unwell during the arrest process, but the police did not allow the emergency medical team standing nearby to provide him assistance. *"I was feeling very unwell. I had a feeling of nausea, which is why I asked the police officers to stop the car and give me a few minutes to get out of the car, with their accompanance, which they refused. My condition was worsening, I asked them to at least roll down the window, because I was feeling very sick. The police officers refused to do that either and told me that if I was feeling nauseous, I should vomit in my backpack. They moved my backpack away with their own hands, which contained my personal belongings and school books. They forced me to vomit on my books. After that, they held my neck and forced my head close to my bag, where I vomited."*

*The police officers verbally abused me in the car. They cursed at me and mocked me. They also cursed at me when I was vomiting and hit me on the head. They were telling me that they would tie a stone to me and throw me into the river."*

**Victim V7, a 16-year-old minor**, who was arrested on 3 December, recalls: *"About 12 special forces officers were beating me. They were hitting me everywhere, in the head, legs, ribs. They were hitting me with their feet and hands. I could hear them saying to each other, 'There are cameras, don't hit him.' When they took me out to where there were no cameras, they threw me down next to the robo-cops and kicked me. Then they took me to a minibus."* He was then beaten several times in the minibus, verbally abused, and had his personal belongings seized. He was also beaten while being placed in a police car. *"My nose was broken because of the beating, I had difficulty breathing. I was vomiting blood all over the division, but they didn't offer me a doctor."*

#### 2.4.6. Ill-treatment of the persons with disabilities

During the documentation process, at least three cases of violence and ill-treatment of persons with disabilities by police forces have been revealed. The police attacked them when they were no longer at a protest or in crowded places. In such situations,

<sup>182</sup> Batumelebi, A minor was arrested at a protest in Kutaisi, and one was taken to a clinic, 05.12.2024; see, <https://batumelebi.netgazeti.ge/news/554898/> [06.03.2025]. Also, Mtavari Channel, 30.11.2024; see, <https://www.facebook.com/reel/1285150456044058> [06.03.2025]; Formula, They physically beat me... They robbed me, they took everything I had — Nikoloz Gvelukashvili, 03.02.2025; <https://www.youtube.com/watch?v=NnamLCRIN1I> [06.03.2025].

they found it even more difficult to ask for help or avoid violence. This tactic deliberately made it difficult to record the violence, collect evidence, and publicize what had happened.

Also, during the arrest, personal belongings were seized from the persons with disabilities, including mobile phones, in order to prevent them from establishing communication. The alleged purpose of this was to destroy possible evidence related to violence. In one case, a deaf person was also deprived of their only means of communication.

Persons with disabilities who had been injured as a result of the violence were not provided with the adequate medical care. Instead of effectively controlling the cases of ill-treatment and examining the issue of non-compliance with the special needs of the persons with disabilities, the court did not even allow the victims of violence to talk about the violence committed against them and redirected them to the Special Investigation Service.

**Victim V78 (24-year-old man)**, recalls that on 3 December, he and his friend were approached by the special forces officers while he had already left the demonstration and was drinking coffee at a cafe. His friend interpreted into sign language that the special forces officers were verbally abusing him. He was beaten and taken to the punishment minibus, where the beating continued. *"I was trying to take out the certificate issued by the Union of the Deaf from my pocket, with which I would show them that I was a disabled person. However, they snatched the certificate from my hand and threw it on the ground. Other guys in the minivan were pointing out to the special forces officers that I was a disabled person, but they were continuing to beat me anyway."*

*After this, they searched me and seized everything I had. Namely, my mobile phone, wallet, ID card, plastic cards, house keys and other personal belongings. My mobile phone is my only means of communication."*

*"I was feeling very unwell, I was losing consciousness from the pain. I asked for some water with a hand motion, but they didn't give me any."*

*"I didn't know what was happening to me. I am a disabled person. I only understand sign language. Before the interpreter had arrived, I didn't understand what was happening at all. Even after the interpreter had arrived, they didn't explain to me why I was being held or what awaited me. I was in a state of confusion."*

**Victim V77 (34-year-old man)** recalls that on 3 December, he was waiting for the public transport when masked men (presumably special forces) mistook him for a protester and beat him. *"They started talking to me, which I couldn't understand and I signaled with my hand that I didn't understand what they were saying. After that, they started beating me directly. First they hit me in the stomach, then all over my body. I fell down and dropped my phone. They continued beating me. They hit me with their hands and feet in the direction of my face and body. They beat me for about 2-3 minutes and then left. My nose was bleeding. I was so sick that I couldn't get up for about an hour. After that, I found my phone and called an acquaintance of mine, who told me to go straight to the hospital."*

## 2.5. Refusal of medical care

Victims of violence often would not receive adequate medical care in a timely manner. Only in extremely serious cases would a person be transferred from the scene of violence to a medical facility. Often, the beaten people, including those with serious injuries, would be taken to the police station, where they would spend several hours without the medical care they needed. Often, they would be transferred to a medical facility only after the police had been convinced that the temporary detention center would not accept the person due to their condition. It is noteworthy that, as some respondents recall, the police in certain cases had tried to reduce the traces of violence, presumably in order to prevent the detention center from refusing to admit the person (see subchapter 2.6. *Erasing the traces/evidence of violence*). Often, the detention center doctors would refuse to admit the people in particularly serious conditions, although there were cases when, despite the serious injuries, people were placed in detention centers without medical assistance.

**Victim V51 (32-year-old man)**, who had required nose surgery as a result of his injuries, recalls spending 2 days in the Zahesi detention center with a concussion, a broken nose, and a severely bruised rib without medical attention: *"The doctor in the detention center examined my injuries, but refused to transfer me to the hospital because, according to him, there was no need for it... Despite the fact that I had a severe headache, a broken nose, and a concussion, they told me that they would help me themselves. I spent 2 days in the Zahesi detention center with these injuries, without proper treatment or medical attention."*

**Victim V99 (28-year-old man)**, recalls that despite the visible injuries on his head, face, and body, he had been denied medical attention, placed in the detention center, and given only painkillers: *"[At the police station] I was telling them, 'You see in what a state I am, right? Call an ambulance.' And they answered, 'What ambulance? Who will call an ambulance here? It is in the detention center, once you go there.'"*

## 2.6. Erasing the traces/evidence of violence

The arrestees describe that the arrest reports at the police stations were always drawn up with false information. Typically, the a police officer would be identified as the arresting officer, to whom the special forces had handed the person over, and not the person who actually arrested them. Moreover, the time of the arrest and the factual circumstances surrounding the arrest would be incorrectly indicated.

**Victim V11 (36-year-old man)**, on the incident on 30 November: *"All hell had gotten loose on the 8th floor of the Dighomi division. There were bloodied, tortured people in every office in the corridor, and the reports were being written."*

Some respondents also emphasize that the police officers did not have their body cameras turned on.<sup>183</sup>

Some respondents also recall being forced to wash their faces at the police station, the reason for which may have been to remove the blood and traces of beatings from their faces.

**Victim V5 (21-year-old man)**, on being forced to wash his face following the violence on the night of 29-30 November at the Dighomi police station: *"The police officers forced me to wash my face in the restroom. I refused, but they started insulting me, saying, 'Aren't you a man?!' and they themselves forcefully washed my face. They told me that they had to take photos and that it was not possible while I was in such a condition."*

One more respondent (V14), who was arrested on the night of 29-30 November, recalls being taken to the bathroom to wash his bloody face. He saw that all three sinks in the bathroom were bloody, the trash can was full of bloody tissues, and there were even bloody tissues lying on the floor. He presumes that since the doctor at the temporary detention center would not see the people in very serious conditions, the police tried to embellish the detainees' condition in order to "deceive" the detention center doctor.

**Victim V110 (20-year-old man)** recalls the incident on 2 December: *"They indicated to me to wash my face several times, I didn't want to wash it, they took me to the restroom, I stopped while washing my face because the pepper spray was mixed with blood and my face was burning and there were cuts on my face. They called on me to wash it off completely - they probably didn't want the media to see the amount of blood on my face."*

## 2.7. Ineffective judicial control over ill-treatment

During the court trials, the judges would typically ignore the arrestees' stories of ill-treatment, telling them that the matter was unrelated to the administrative offence case under consideration and that the person should refer to the Special Investigation Service. The judges would often not even give the victims of violence the opportunity to tell their stories.<sup>184</sup>

**Victim V115 (20-year-old man)**, who was held in a temporary detention center without adequate medical care before the trial after severe physical violence, recalls: *"The detention center did not transfer me to a medical clinic for about 40 hours, despite my request, and they did not transfer me to the clinic until I lost consciousness in the court", he recalls. "There was a girl with the judge and she asked me if I was okay and was formally interested. I was passing out and the trial was still going on. I can't even remember who asked me if I wanted to call an ambulance. The judge lied that he had called an ambulance. Then I was passing out, I couldn't feel my hands and body anymore, I was biting my lips to regain consciousness. I only felt the pain and even that as if I couldn't feel my body. It turned out that the judge had not called an ambulance, then the lawyer himself called."*

We have requested the statistics on the crime reports sent by the courts to the Special Investigation Service in 2024 (in full) and in January 2025 from the courts of Tbilisi, Batumi, Zugdidi, Rustavi and Kutaisi. We have received a refusal from the courts of Tbilisi, Kutaisi, Rustavi and Zugdidi on the provision of information, because, as stated in the courts' responses, this information is not processed by the courts and, given its volume, they were unable to satisfy the request.<sup>185</sup> We have not received a response from the Batumi City Court.

## 2.8. Existing conditions in the temporary detention center

In some cases, the respondents speak of inadequate conditions in the temporary detention facilities, which is manifested in the low temperatures, inability to sleep due to the light, and the lack of hygienic conditions.

One of the arrestees (V8) says that in the Kutaisi temporary detention center, where he spent 7 days, there was a bright light in the room that did not go out, which made it impossible to sleep. The room was very cold, which is why he constantly wore a jacket. In addition, the toilet was not separated from the room. Also, despite the fact that he had the right to walk for an

<sup>183</sup> Victim V1, Victim V59.

<sup>184</sup> Victim V5, Victim V6, Victim V57, Victim V101.

<sup>185</sup> Tbilisi City Court Letter №1-0412/798 of 4 February 2025. Kutaisi City Court Letter №860-1 of 10 February 2025. Rustavi City Court Letter №188/3 of 7 February 2025. Zugdidi District Court Letter № 53 of 5 February 2025.

hour a day, he was only allowed to walk for 15 minutes, and even during this time, the detention center employees were talking to him about what they were doing at the “Nationals’ rally”, which is why many arrestees did not use this time either.

According to one more arrestee (V84), it was difficult to distinguish between day and night in the Baghdadi temporary detention center, which is why he had slept only twice in 7 days.

One of the arrestees (V13), who was held in the Sagarejo detention center, describes how the room was very hot. In addition, they did not have toilet paper or soap, which is why he avoided eating.

## 2.9. Physical and psychological damage

The documentation has revealed complications following the physical injuries which prevent the people from functioning normally, which in turn affects the quality of life, as well as the professional activity and the mental state. Physical injuries often result in vision problems; breathing problems (due to severe injuries to the nose); shortness of breath (due to damage to the respiratory system); tooth damage (fracture); fractures of limbs and nerve injuries sustained during the beatings, which limit movement; neurological problems (due to the head injuries).

**Victim V20 (35-year-old man):** *"I don't even have the shoe laces tied. I can't even hold my own 2-year-old child in my arms... It's psychologically very damaging when a child approaches you, wants to be held in your arms, and you can't hold them because the person you pay your salary to has broken your arm."*

*"I am not able to use my right hand normally, accordingly, it's hard for me to work with a laptop, computer, or keyboard. If I work for a long time, my shoulder hurts especially, and I don't want to damage my shoulder which is barely put together and held together with eight bolts."*

**Victim V89 (38-year-old man)** notes: *"As a result of the beating, I have received numerous injuries: multiple traumas, a fractured lumbar vertebra, a concussion, superficial trauma to the head and other parts, and 3 broken ribs. I still use a special belt to move around and still have headaches."*

**Victim V17 (35-year-old man):** *"My scapula and head were aching and I was having trouble breathing. After the beating, I had trouble putting my head on the pillow, I couldn't move it, and I had trouble chewing."*

The attempts to pressure, psychologically influence and morally break the protest participants often resulted in the psychological effects such as constant hypervigilance, tension, fear and changes in social functioning.

**Victim V57 (28-year-old man):** *"The first few days after the incident were very difficult, I thought that someone was going to break down the doors. I couldn't travel by public transport, I was afraid. When I would leave the house, I would always look to see if someone was lurking. I couldn't walk alone at night because I was afraid. I still feel scared when I see a police car. I am also very afraid of walking alone in the area adjacent to the Parliament, and I can't even go up to the place where I was physically beaten, I was not able to get over it emotionally."*

**Victim V11 (36-year-old man):** *"I don't even talk about my night terrors anymore. The worst thing and what I haven't been able to get rid of is that as soon as I relax my mind a little, the masked face of a special forces officer immediately appears in front of my eyes."*

## 2.10. Ill-treatment related to the use of the active special means

Typically, the use of the active special means was unlawful and disproportionate, against the peaceful demonstrators. In certain cases, the use of the active special means amounted to ill-treatment (*for more on these means, see Chapter 1*). This is related to the following:

a) With the use of the tear gas:

- In excess,
- Without the possibility to leave the territory,
- Using the gas capsules in ways that pose a danger to life and health;

b) With the use of the water cannons:

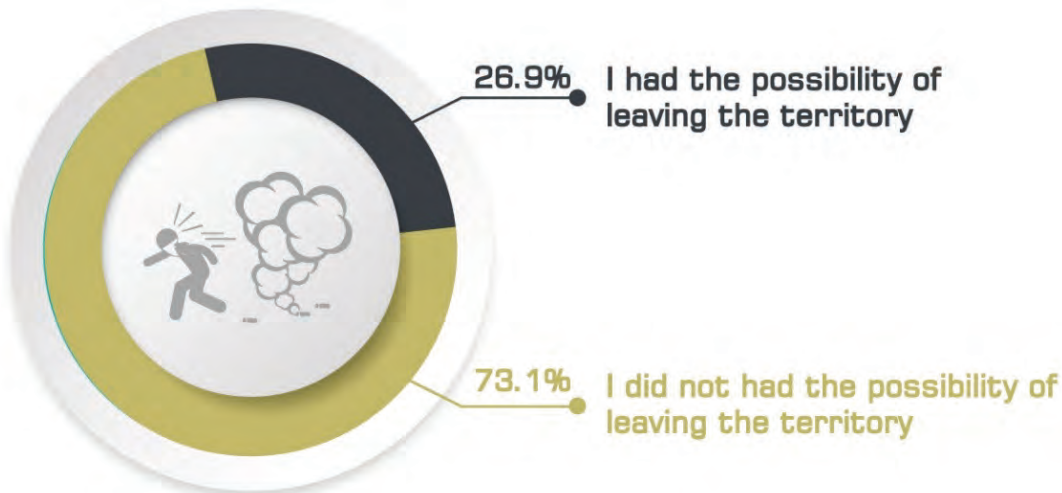
- By mixing with the chemicals that caused severe burns,
- Using cold water in the cold weather;

#### a) Tear gas

The information obtained from the interviews and the open sources shows that when the tear gas was used, protesters would often not be given the opportunity to leave the area.

73.1% of the respondents who indicate to the exposure to the tear gas report that they were not allowed to leave the area (19 out of 26 respondents).

### During the exposure to the tear gas:



The reason for this, in most cases, was the disorientation of the protest participants due to the heavy smoke, the blocking of the exits by the police forces and/or the blocking of the exits because of the number/the stampede of the people.

The gas canisters were used in large numbers and repeatedly in the areas where the gas canisters had already been used. In some cases, gas canisters were fired from the roofs of the buildings, from the above to the ground<sup>186</sup>, posing a risk of physical damage to the protestors.

**Victim V24 (48-year-old woman)**, recalls the use of large amounts of tear gas against the peaceful demonstrators in the Kashueti courtyard on the night of 30 November: *"They were throwing gas canisters from all sides. ... I started having spasms. There was a stampede at the entrance of Kashueti, which runs through the Alexandrov Garden. I have taken two videos... [One of the videos] shows how everything was engulfed in smoke and how they were throwing gas canisters from the above to the ground from the Art Museum building."*

The use of tear gas in this form and intensity was intended to create panic among the protesters. In some cases, gas canisters were used in the densely packed crowds, creating the risk of a stampede.

**Victim V90 (23-year-old woman)** recalls the use of large amounts of tear gas on Rustaveli Avenue on the night of 1 December: *"There were so many people that it caused a stampede and it was difficult to move. We were trying to leave the area for about 10 minutes... At that moment, when we were trying to leave [the area], gas canisters were falling from above near me. They were throwing them into the crowd to injure as many people as possible at once. At least three canisters, in a short interval of time, had fallen at my feet and exploded. We didn't have time to react and get out of there, they were throwing them so fast."*

<sup>186</sup> Victim V11 recalls the throwing of gas canisters from the roof of the Rustaveli Theater building at dawn on 30 November, respondent V25 witnessed and recorded on video the throwing of gas canisters from the roof of the Art Museum building on the night of 30 November. Victim V90 recalls the falling of gas canisters from the top on the corner of Chichinadze Street on the night of 1 December. The throwing of gas canisters from the roofs of buildings is also depicted in materials disseminated by the media. In a video posted on the Facebook page of TV company "Formula" on 4 December at 02:32, a journalist says that gas canisters are being thrown down from the roof of the Rustaveli Theater, after which he falls to the ground; see, <https://www.facebook.com/watch/?v=3898865273768331> [10.02.2025]. According to TV company Formula, "2 capsules fired from the roof of the Rustaveli Theater hit Formula journalist Luka Tkebuchava in the shoulder and head - he and the cameraman escaped injury". Formula, special forces fire the so-called gas capsules from the roofs, 04.12.2024; see, <https://formulanews.ge/News/121071> [10.02.2025].

In individual cases, a fired gas canister hit a protester. Five of the interviewed demonstrators indicate that they were hit by a gas canister. Of these, one of the participants was hit in the face by a gas canister, which caused significant damage to their health, as a result of which they were hospitalized from 3 December to 20 December, in an induced coma.

Furthermore, some respondents emphasized that the effects of the tear gas were more severe than the effects of the chemical agents used during the protests of the previous years. In specific cases, the long-term effects of gas exposure are severe, requiring intensive treatment, and significantly interfering with a person's daily life.<sup>187</sup>

#### b) Water Cannons

It is noteworthy that the Ministry of Internal Affairs of Georgia worsened the standard for the use of the active special means back in 2022 and allowed the simultaneous use of the water cannons and the chemical means.<sup>188</sup> Back on 21 October 2024, the Ministry of Internal Affairs issued a statement confirming that in April-May 2024, it had used the chemical irritants mixed in the water cannons to disperse the protests against the Russian law.<sup>189</sup>

Mixing the chemical irritants into the water cannons is a problematic and a dangerous practice. It is unknown what the acceptable concentration level of a chemical irritant in the water is that poses a significant risk to the human health.<sup>190</sup> The chemical irritants are intended to disperse demonstrators from a specific area. Once the clothing is soaked with a chemical irritant, a person can no longer escape its effects.<sup>191</sup> When a person's clothing is soaked, it is impossible to control the degree and duration of the exposure to a chemical irritant.<sup>192</sup> Given that the health risks increase with the increasing concentration and duration of exposure to the chemicals, mixing water and chemicals violates the law enforcement's obligation to minimize harm.<sup>193</sup> Mixing chemicals in a water cannon is also a discouraged practice according to the guidelines of the Office of the United Nations High Commissioner for Human Rights, as it carries a much higher risk of causing injury, including prolonged physical pain.<sup>194</sup>

76.9% of the participants of the protests in Tbilisi since 19 November who has indicated during the documentation process that they had had contact with the water cannons, have noted that the water jets had caused a strong burning sensation (10 out of 13 respondents).

## The water cannon hitting your body:



<sup>187</sup> Victim V25.

<sup>188</sup> GYLA, Civil Rights Facing Increased Police Terror, 2024, 16; see, [https://admin.gyla.ge/uploads\\_script/publications/pdf/CIVIL%20RIGHTS%20FACING%20INCREASED%20POLICE%20TERROR.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/CIVIL%20RIGHTS%20FACING%20INCREASED%20POLICE%20TERROR.pdf) [10.02.2025].

<sup>189</sup> Ministry of Internal Affairs, Statement of the Ministry of Internal Affairs, 21.10.2024; see, <https://police.ge/en/shinagan-saqmeta-saministros-gantskhadeba/16444> [10.02.2025].

<sup>190</sup> Amnesty International, Chemical Irritants in Law Enforcement An Amnesty International Position Paper, 2021, 20; see, <https://www.amnesty.nl/content/uploads/2021/07/Amnesty-position-paper-chemical-irritants.pdf> [10.02.2025].

<sup>191</sup> Ibid.

<sup>192</sup> Ibid.

<sup>193</sup> Ibid.

<sup>194</sup> UNODC, OHCHR, Resource book on the use of force and firearms in law enforcement, 2017, 90; see, <https://www.ohchr.org/sites/default/files/UseOfForceAndFirearms.pdf> [10.02.2025].

**Victim V98 (27-year-old woman)** recalls the effects of the water cannon used on 29 November: *“There was probably some substance in the water cannon that was burning our skin. My whole body was burned, when I took a bath I thought they were pouring acid on me. I couldn’t wash my face because of the pain. The water cannon hit my neck and my neck was completely burned for 2-3 days.”*

It is noteworthy that some of the protest participants who were not directly hit by the water cannon, recall that the release of the water cannon was accompanied by a strong odor, which could be felt even without a direct contact with the water, and that contact with the water caused a burning sensation.<sup>195</sup>

It is worth noting that, as the protest participants recall, the temperature outside was cold and a cold water cannon was used.<sup>196</sup>

### 3. FREEDOM OF EXPRESSION

Along with the strengthening of the authoritarian tendencies,<sup>197</sup> the repressive policies against the critical media and the journalists have been actively pursued in Georgia in the recent years,<sup>198</sup> and since 28 November 2024, all this has reached an unprecedented scale for the Georgian context.<sup>199</sup>

When covering the peaceful assemblies and demonstrations, the media’s role as a “watchdog” in a democratic society is of a crucial importance, as it is linked to the public’s right to receive exhaustive information.<sup>200</sup> However, in contrast, the law enforcement officers and the representatives of informal groups<sup>201</sup> not only verbally abused the journalists, but also deliberately and severely physically assaulted them. It was specifically the media and their equipment that became the target of aggression, as they were recording and reporting the evidence of violence against the protesters. Cases of beatings, swearing, threats, harassment, deliberate use of the special means,<sup>202</sup> damage and seizure<sup>203</sup> of equipment, arrests, imprisonment and the imposition of administrative fines against journalists<sup>204</sup> have been recorded. A criminal case has been initiated against the critical online media journalist Mzia Amaglobeli.<sup>205</sup>

In addition, the “Georgian Dream” politicians have restricted the journalists from working in the Georgian Parliament. The aim of these actions against the media representatives is to silence critical media outlets and spread the “chilling effect.”

#### 3.1. Incidents

Below is the information on 108 cases. For most of them (along with the identities), links are also provided to photo and video evidence available in the open sources.

<sup>195</sup> Victim V11, On the night of 29-30 November protest; Victim V90 on the 1 December protest.

<sup>196</sup> Victim V1, Victim V3, Victim V13.

<sup>197</sup> Sijfra E de Leeuw, Rachid Azrout, Roderik S B Rekker, Joost H P Van Spanje, After All This Time? The Impact of Media and Authoritarian History on Political News Coverage in Twelve Western Countries, *Journal of Communication*, Volume 70, Issue 5, October 2020.

<sup>198</sup> GYLA, Georgia in 2023 – Assessment of the Rule of Law and Human Rights, 2024; [https://admin.gyla.ge/uploads\\_script/publications/pdf/GEORGIA%20IN%202023.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/GEORGIA%20IN%202023.pdf) [11.02.2025].

<sup>199</sup> Publicly reported cases of violence against journalists in 2024 are almost 5 times higher than in 2023. Transparency Georgia, Cases of violence against the media and the state's response to them, 30.12.2024; see, <https://transparency.ge/en/post/cases-violence-against-media-and-states-response> [11.02.2025].

<sup>200</sup> *Bédat v. Switzerland* [GC], no. 56925/08, 29.03.2016, § 51; *Axel Springer AG v. Germany* [GC], no. 39954/08, 07.02.2012, § 79; *The Sunday Times v. the United Kingdom* (no. 2), no. 13166/87, 26.11.1991, § 50; *Bladet Tromsø and Stensaas v. Norway* [GC], no. 21980/93, 20.05.1999, §§ 59 and 62; *Pedersen and Baadsgaard v. Denmark* [GC], no. 49017/99, 17.12.2004, § 71; *News Verlags GmbH & Co.KG v. Austria*, no. 76918/01, 14.12.2006, § 56; *Dupuis and Others v. France*, no. 1914/02, 07.06.2007, § 35; *Campos Dâmaso v. Portugal*, no. 17107/05, 24.04.2008, § 31.

<sup>201</sup> BBC, Moment Georgian press attacked by masked men, 8.12.2024; see, <https://www.bbc.com/news/videos/c07ggrnxx45o> [11.02.2025].

<sup>202</sup> Publika, Police physically assaulted the journalists while covering the anti-Russian protest, 29.11.2024; see, [https://publika.ge/aqciis-gashuqebis-dros-policia-djurnalists-fizikurad-gausworda/?fbclid=IwY2xjawG2avpleHRuA2FlbQlxMQABHe3I029xY5\\_m9FQwo7D3HUZm2Cr2y5xufBe9VsDZTHR-YQ-HfwF6dWhyuA\\_aem\\_1jmOrB1IWM0ROT-Lbo05w](https://publika.ge/aqciis-gashuqebis-dros-policia-djurnalists-fizikurad-gausworda/?fbclid=IwY2xjawG2avpleHRuA2FlbQlxMQABHe3I029xY5_m9FQwo7D3HUZm2Cr2y5xufBe9VsDZTHR-YQ-HfwF6dWhyuA_aem_1jmOrB1IWM0ROT-Lbo05w) [11.02.2025].

<sup>203</sup> MFRR, Intimidated, attacked and barred from entering the country: press freedom organizations urge for protection of journalists’ rights in Georgia; see, <https://www.mfrr.eu/intimidated-attacked-and-barred-from-entering-the-country-press-freedom-organizations-urge-for-protection-of-journalists-rights-in-georgia/> [11.02.2025].

<sup>204</sup> Civil Georgia, Georgian Charter of Journalistic Ethics Calls on MIA to Stop Fining Journalists on Duty, 21.02.2025; see, <https://civil.ge/archives/664671> [21.02.2025].

<sup>205</sup> CPJ, CPJ calls for release, investigation, after two Georgian journalists detained during protests, 17.01.2025, see, <https://cpj.org/2025/01/cpj-calls-for-release-investigation-of-two-georgian-journalists-detained-during-protests/> [11.02.2025].



N	Date	Media	Media Representative	Sex	Description of the incident
1	The night of 28-29 November	TV Pirveli	<a href="#">Journalist Guram Rogava</a>	M	Guram Rogava with a microphone was attacked by a masked special forces officer, who hit him in the head, left him bleeding, and knocked him to the ground. The journalist was taken to the hospital and diagnosed with fractures to his facial bones and neck vertebrae.
2	The night of 28-29 November	TV Pirveli	<a href="#">Journalist Nanuka Kajaia</a>	F	A water cannon was used against the journalist and her respondent.
3	The night of 28-29 November	TV Pirveli	<a href="#">Cameraman Davit Bochikashvili</a>	M	A water cannon was used deliberately against him while covering the protest.
4	The night of 28-29 November	TV Pirveli	<a href="#">Cameraman Giorgi Shetsiruli</a>	M	According to the journalist, the special forces officer deliberately sneaked on the cameraman Giorgi Shetsiruli from behind, who was holding a camera, and physically assaulted him.
5	The night of 28-29 November	TV Pirveli	<a href="#">Journalist Anna Mdivani</a>	F	According to the journalist, he was sprayed with the water from a water cannon.
6	The night of 28-29 November	TV Pirveli	<a href="#">Cameraman Niko Kokaia</a>	M	He was covering the event live, wearing the LiveU live broadcast equipment on his back, when a chemical substance was sprayed in his face.
7	The night of 28-29 November	Formula TV	<a href="#">Journalist Giorgi Kvijinadze</a>	M	He was sprayed with pepper spray in his eyes and required medical attention.
8	The night of 28-29 November	Formula TV	<b>Cameraman Tedo Kvachakhia</b>	M	He was sprayed with a chemical substance and injured.
9	The night of 28-29 November	Formula TV	<a href="#">Journalist Khatia Samkharadze</a>	F	A chemical substance was sprayed at her and she was injured while performing her professional activities.
10	The night of 28-29 November	Mtavari Channel	<a href="#">Journalist Dea Mamiseishvili</a>	F	Pepper spray was sprayed at her.
11	The night of 28-29 November	Mtavari Channel	<a href="#">Cameraman Giorgi Goginashvili</a>	M	Pepper spray was sprayed at her.
12	The night of 28-29 November	Mtavari Channel	<a href="#">Journalist Keta Tsitskishvili</a>	F	Police representatives were cursing at her while covering the protest.

13	The night of 28-29 November	Mtavari Channel	<b>Journalist Davit Kobidze</b>	M	They interfered with his professional activities.
14	The night of 28-29 November	Mtavari Channel	<b>Cameraman Luka Bachilava</b>	M	They interfered with his professional activities.
15	The night of 28-29 November	Rustavi 2	<a href="#"><u>Unknown</u></a>	M	He was injured by the water cannon.
16	The night of 28-29 November	Public Broadcaster of Georgia	<a href="#"><u>Cameraman Davit Bejanishvili</u></a>	M	While covering the protest, the cameraman fell to the ground, had difficulty standing, and was carried away by the police officers.
17	The night of 28-29 November	Adjara TV	<a href="#"><u>Journalist Nino Lorchoshvili</u></a>	F	She lost consciousness while covering the rally.
18	The night of 28-29 November	Online Media "Radio Tavisupleba"	<a href="#"><u>Journalist Davit Tsagareli</u></a>	M	The journalist wearing a jacket with the words "Press" written on it was filming the arrests when a special forces officer approached him and punched him in the stomach.
19	The night of 28-29 November	Online Media "Radio Tavisupleba"	<b>Journalist Salome Chaduneli</b>	F	While covering the rally near the Kashveti Church, she sprained her leg.
20	The night of 28-29 November	Online Media "Radio Tavisupleba"	<b>Cameraman Ilia Ratiani</b>	M	They interfered with his professional activities.
21	The night of 28-29 November	Online Media "Radio Tavisupleba"	<b>Cameraman Zurab Khidasheli</b>	M	They interfered with his professional activities.
22	The night of 28-29 November	Online Media "Publika"	<a href="#"><u>Journalist Aleksandre Keshelashvili</u></a>	M	He was arrested, beaten, and his cameras were seized while filming the crackdown on the protest. His nose was broken.
23	The night of 28-29 November	Online Media "Publika"	<a href="#"><u>Journalist Natia Amiranashvili</u></a>	F	While filming the violence, a special forces officer approached the journalist and tried to seize her phone and obstructed her from working. The special forces officer then knocked the phone out of her hand, threw it on the ground, and tried to break the camera with his foot.
24	The night of 28-29 November	Online Media "Publika"	<a href="#"><u>Photojournalist Mindia Gabadze</u></a>	M	He was injured while performing his professional duties and required medical attention.
25	The night of 28-29 November	Online Media "Publika"	<a href="#"><u>Journalist Basti Mgaloblishvili</u></a>	M	They repeatedly obstructed him while he was working. He was also numerously punched and slapped.

26	The night of 28-29 November	Journalistic Investigation Platform "Studio Monitor"	<a href="#">Journalist Nino Tsverava</a>	F	Police representatives obstructed her with her journalistic activities at the entrance to the Kashveti Church. They did not allow her to film the police officers mobilized in the church and tried to force her out.
27	The night of 28-29 November	Journalistic Investigation Platform "Studio Monitor"	<a href="#">Journalist Nino Shubitidze</a>	F	They sprayed her with pepper spray and forcibly removed her from the entrance to the Kashveti Church.
28	The night of 28-29 November	Journalistic Investigation Platform "Studio Monitor"	<b>Journalist Giorgi Baramidze</b>	M	The police kicked him.
29	The night of 28-29 November	Online Media "OC Media"	<a href="#">Journalist and the co-founder Mariam Nikuradze</a>	F	She was injured by a water cannon, she fell down, had her camera damaged, and had her phone thrown away several times. She was also injured by pepper spray.
30	The night of 28-29 November	Online Media "Project 64"	<a href="#">Journalist and the founder Giorgi Gogua</a>	M	The police kicked him.
31	The night of 28-29 November	Online Media "ExpressNews"	<b>Journalist Irakli Managadze</b>	M	The special forces officer kicked him.
32	The night of 28-29 November	Online Media "Netgazeti"	<a href="#">Journalist Givi Avaliani</a>	M	The law enforcement officers pepper-sprayed the journalist, injuring him.
33	The night of 28-29 November	Online Media "JAMnews"	<a href="#">Photoreporter Iulia Kalabano</a>	F	While taking a photo, they sprayed the pepper spray directly at her face, knocked her down, and kicked her while she was down.
34	The night of 28-29 November		<a href="#">Photographer Tbel Abuseridze</a>	M	He was injured while performing his professional duties. He needed medical attention.
35	The night of 28-29 November	TV Russia Today	<a href="#">Journalist Dominik Reichert</a>	M	He was injured while performing his professional duties. He sustained an injury to his eye.
36	The night of 28-29 November	TV Pirveli	<b>Journalist Lizi Lasareishvili</b>	F	A large amount of chemical substances were used on the journalist and her cameraman, causing them to become intoxicated and incapacitated. In addition, their camera and microphone were damaged.
37	The night of 28-29 November	Online Media Radio Tavisupleba and "Currentime.tv"	<b>Cameraman Giorgi Chumburidze</b>	M	They violently pulled on the bottom of his pants, causing him to fall horizontally from a height of about two meters onto the police officers standing below.
38	The night of 28-29 November	Formula TV	<b>Journalist Jamlet Bakuridze</b>	M	He was equipped with a liveU camera and a microphone when he was hit in the back and

					grabbed by the throat. His camera was also damaged.
39	The night of 29-30 November	TV Pirveli	<a href="#">Journalist Mariam Gaprindashvili</a>	F	The special forces used disproportionate force against the protesters, which led to a confrontation. During the confrontation, Mariam Gaprindashvili, who was between the demonstrators and the police, fell to the ground. The journalist received a head injury.
40	The night of 29-30 November	TV Pirveli	<b>Cameraman Papuna Khachidze</b>	M	The cameraman was with the journalist Mariam Gaprindashvili, when he was also assaulted.
41	The night of 29-30 November	Formula TV	<b>Journalist Giorgi Kvijinadze</b>	M	The special forces physically assaulted him.
42	The night of 29-30 November	Formula TV	<a href="#">Unknown</a>		While covering the ongoing protest in Batumi, the film crew's equipment was damaged.
43	The night of 29-30 November	Unknown	<a href="#">Photographer</a>	Unknown	Formula TV journalist stated during a live broadcast that the police used force to arrest a photographer and forcibly put him in a police car.
44	The night of 29-30 November	Formula TV	<a href="#">Journalist Nutsa Bukhutashvili</a>	F	The police chased down the journalists. One of them was Nutsa Bukhutashvili, who was hit in the back by a law enforcement officer.
45	The night of 29-30 November	Formula TV	<a href="#">Cameraman Irakli Bartava</a>	M	The cameraman and his journalist Nutsa Bukhutashvili were chased down.
46	The night of 29-30 November	Online Media "Radio Tavisupleba"	Journalist Dato Koridze	M	He was physically abused.
47	The night of 29-30 November	Online Media "Realpolitik"	<a href="#">Journalist Aka Zarkua</a>	M	Several special forces officers surrounded a journalist wearing a press ID card, but the law enforcement officers mercilessly assaulted them.
48	The night of 29-30 November	Online Media "Publika"	<a href="#">Journalist Ana Mskhaladze</a>	F	She was hit and her phone seized while she was performing her professional duties.
49	The night of 29-30 November		<b>Photographer Giorgi Gamgebeli</b>	M	Police officers physically assaulted the photographer Giorgi Gamgebeli. He was taken to the hospital with injuries to his face and leg. The equipment he was working with was seized from Gamgebeli and broken.
50	The night of 29-30 November	Public Broadcaster of Georgia	<a href="#">Photoreporter Mirian Meladze</a>	M	While performing his professional duties, Mindia Meladze injured his leg. He was first sprayed with the water from the water cannon, and then shot. According to the doctor, Mirian's injury resembles that of a rubber bullet. According to the eyewitness

					photojournalist Vano Gorgishvili, Miriani was hit by 4 bullets.
51	The night of 29-30 November	Online Media "Interpressnews"	<a href="#">Photoreporter Vano Gorgishvili</a>	M	At 2-3, a water cannon was fired at the media gathered near the Marriott. Several people tried to flee, after which they were shot with rubber bullets. 1 rubber bullet hit Vano Gorgishvili.
52	The night of 29-30 November	Formula TV	<b>Journalist Pavle Khachidze</b>	M	The special forces officers restricted his movement, and the camera was damaged due to the use of a water cannon.
53	The night of 30 November – 1 December	TV Pirveli	<a href="#">Cameraman Giorgi Shetsiruli</a>	M	He was injured while covering the rally and taken to a medical facility with a leg injury.
54	The night of 30 November – 1 December	Formula TV	<a href="#">Cameraman</a>	M	Formula TV cameraman became unwell due to the chemical substance and required medical attention.
55	The night of 30 November – 1 December	Public Broadcaster of Georgia	<a href="#">Photoreporter Irakli Gedenidze</a>	M	The pyrotechnics hit the photoreporter in the leg. The emergency medical team provided assistance on the spot.
56	The night of 30 November – 1 December	POS TV	<a href="#">Journalist Guranda Bilikhodze</a>	F	The journalist was injured by a chemical substance fired by the special forces unit.
57	The night of 30 November – 1 December	Online Media "On.ge"	<a href="#">Photographer Nikoloz Tabukashvili</a>	M	He was administratively arrested while performing his professional duties.
58	The night of 1-2 December	Rustavi 2	<a href="#">Cameraman Giorgi Nergadze</a>	M	Due to the chemicals used adjacent to the Parliament, he became unwell and required medical attention.
59	The night of 1-2 December	Rustavi 2	<a href="#">Journalist Tamta Chitishvili</a>	F	He was injured during the protest and taken to a medical facility. He required a surgery.
60	The night of 1-2 December	TV Pirveli	<a href="#">Cameraman Niko Kokaia</a>	M	Due to the chemicals used, he required medical attention.
61	The night of 1-2 December	TV Pirveli	<a href="#">Journalist Mariam Makasarashvili</a>	F	Due to the coverage of the special forces on Besiki Street, special forces chased down the journalist Mariam Makasarashvili and her cameraman Niko Kokaia. The journalists entered a business center on Besiki Street, where the special forces used a chemical substance at the door, causing the people inside to require medical attention.
62	The night of 1-2 December	Online Media "Publika"	<a href="#">Journalist Natia Amiranashvili</a>	F	The police physically assaulted a journalist from the publication while performing her professional duties, as she was filming the arrest of protesters near the Rustaveli metro station. The journalist was pushed against a wall and made her drop her phone.



63	The night of 1-2 December	Online Media "Mautskebeli"	<b>Journalist Giorgi Chagelishvili</b>	M	Journalist Giorgi Chagelishvili was arrested during a crackdown on citizens at the Rustaveli Metro.
64	The night of 1-2 December	Online Media "OC Media"	<a href="#"><u>Journalist and the co-founder Mariam Nikuradze</u></a>	F	Mariam Nikuradze was being arrested under a cloud of tear gas, and when she declared that she was a journalist, she was let go and slammed her with her camera against the wall. The camera screen was damaged.
65	The night of 1-2 December	Online Media "April"	<a href="#"><u>Journalist Giorgi Baskhajauri</u></a>	M	The journalist was filming the arrest of protest participants on Chavchavadze Avenue when he was obstructed in one of the deadends, they tried to seize his phone and chased after him.
66	The night of 1-2 December	Formula TV	<b>Journalist Salome Bokuchava</b>	F	The police officers obstructed her with the performance of her professional duties.
67	The night of 2-3 December	Public Broadcaster of Georgia	<a href="#"><u>Journalist Teo Khubulava</u></a>	F	She was injured after the law enforcement officers used a tear gas canister during the police operations on the Rustaveli Avenue.
68	The night of 2-3 December	Public Broadcaster of Georgia	<a href="#"><u>Cameraman Levan Kartvelishvili</u></a>	M	He was injured after the law enforcement officers used a tear gas canister during the police operations on the Rustaveli Avenue.
69	The night of 2-3 December	Public Broadcaster of Georgia	<a href="#"><u>Cameraman Badri Gamreklashvili</u></a>	M	He was injured after the law enforcement officers used a tear gas canister during the police operations on the Rustaveli Avenue.
70	The night of 2-3 December	Journalistic Investigation Platform "Studio Monitor"	<a href="#"><u>Journalist Nino Ramishvili</u></a>	F	The special forces officers seized her phone while performing her professional duties.
71	The night of 2-3 December	Mtavari Channel	<a href="#"><u>Cameraman Givi Mchedlishvili</u></a>	M	During the live broadcast, the cameraman became unwell and required medical assistance.
72	The night of 3-4 December	Formula TV	<a href="#"><u>Cameraman Tedo Kvachakhia</u></a>	M	The cameraman was injured by the chemical substances, suffered head injuries and required medical assistance.
73	The night of 3-4 December	Public Broadcaster of Georgia	<a href="#"><u>Cameraman Beso Gaprindashvili</u></a>	M	The cameraman was shot with pyrotechnics by unknown individuals and he required medical attention.
74	The night of 3-4 December	Formula TV	<a href="#"><u>Journalist Salome Bokuchava</u></a>	F	A police officer pushed her while she was filming the arrest of the citizens.
75	6 December	Online Media "Publika"	<a href="#"><u>Journalist Mindia Gabadze</u></a>	M	While covering the rally, the so-called "Titushkas" attacked and physically assaulted him.
76	6 December	Online Media "Publika"	<b>Natia Amiranashvili</b>	F	First, they tried to seize the journalist's phone, and then they demanded that he leave the area and refrain from filming the arrest.

77	7 December	Online Media “Palitra News”	<b>Journalist Mariam Maziashvili</b>	F	The law enforcement officers hit her in the hand and broke the camera.
78	7 December	TV Pirveli	<a href="#"><u>Journalist Maka Chikhladze</u></a>	F	Masked individuals attacked the journalist Maka Chikhladze and her cameraman Giorgi Shetsiruli while they were covering live events. The attackers inflicted physical injuries to the head.
79	7 December	TV Pirveli	<a href="#"><u>Cameraman Giorgi Shetsiruli</u></a>	M	During a live broadcast, masked men attacked Giorgi Shetsiruli and Maka Chikhladze. The attackers inflicted physical injuries on Giorgi Shetsuri in the area of his head. They also seized the broadcasting equipment.
80	7 December		<a href="#"><u>Maka Janashia</u></a>	F	While filming the violence against the TV Pirveli employees, her phone was taken away and she were beaten.
81	7 December		<a href="#"><u>Eka Janashia</u></a>	F	While filming the violence against the TV Pirveli employees, she was dragged by the hair and her phone was taken away.
82	13 December	TV Metskhre Talgha	<a href="#"><u>The director of TV Metskhre Talgha and the co-chairperson of the Regional Broadcasters’ Alliance of Georgia Germane Salia</u></a>	M	He was fined 1,000 GEL for driving a car while filming a protest march in Zugdidi.
83	24 December	Online Media “Girchi TV”	<a href="#"><u>Photographer Giorgi Mosiashvili</u></a>	M	An unknown masked man attacked him on the street and shouted: <i>“And now take the photos of the crowd at the protest”</i> .
84	3 January 2025	International Media Corporation Euronews	<a href="#"><u>Journalist Davit Kekenadze</u></a>	M	He was fined for blocking the road while covering the rally.
85	4 January 2025	Mtavari Channel	<a href="#"><u>Journalist Aleksandre Sajaia</u></a>	M	They are accusing him of blocking the road of due to the coverage of the protest.
86	11 January 2025	Online Medias “Batumelebi” and “Netgazeti”	<a href="#"><u>The founder and journalist Mzia Amaglobeli</u></a>	F	She was arbitrarily administratively arrested while sticking a protest sticker, then released, but again arrested under criminal law on charges of attacking a police officer. Furthermore, imprisonment was unjustifiably used against her as a measure of restraint. During the arrest, Mzia was a victim of ill-treatment by a high-ranking Batumi police officer, Irakli Dgebuadze. The police officer <u>cursed at the journalist</u> , spit at her, and did not allow her to drink water, meet other basic needs, or meet with her lawyers.
87	12 January 2025	Online Media “Batumelebi”	<a href="#"><u>Cameraman Guram Murvanidze</u></a>	M	The cameraman was arrested in Batumi while performing his professional duties. His phone was also unlocked and the footage of the arrest deleted.

88	15 January 2025		<a href="#">Journalist Zviad Koridze</a>	M	In Batumi, at a hotel, members of the “Georgian Dream” Parliament attacked a journalist in a group, physically and verbally abusing him.
89	17 January 2025	Online Media “Tabula”	<a href="#">Journalist Nikoloz Chirakadze</a>	M	The journalist was performing his professional duties on the Rustaveli Avenue, wearing a press badge, covering the protest live, and during the same live broadcast, he introduced himself to the police as a journalist, however he was later informed that he would have to appear in court for blocking the road.
90	17 January 2025	Online Media “Mtis Ambebi”	<a href="#">Editor Gela Mtivlishvili</a>	M	While covering a protest on the Rustaveli Avenue, the police joined him with the other protest participants and informed him that he would be fined 5,000 GEL for blocking the road.
91	22 January 2025	Online Media “Radio Tavisupleba”	<a href="#">Journalist Eka Kevanishvili</a>	F	Kevanishvili was filming a video of one of the protest participants with a cameraman. Despite fulfilling her professional duties, the journalist is accused of artificially blocking the road.
92	26 January 2025	Online Media “April”	<a href="#">Photoreporter Vakho Kareli</a>	M	He was fined for blocking the road while covering the rally.
93	2 February 2025	TV Pirveli	<a href="#">Cameraman Niko Kokaia</a>	M	While filming a violent arrest near the Tbilisi Mall, the cameraman Niko Kokaia was <u>physically injured</u> , lost consciousness, and suffered a severe concussion.
94	2 February 2025	Mtavari Channel	<a href="#">Journalist Natia Gogsadze</a>	F	She was fined for blocking the road while covering the rally.
95	4 February 2025	Online Media “Publika”	<a href="#">Journalist Natia Leverashvili</a>	F	While performing her professional duties at the Parliament, the police officers slapped her and pulled her hair.
96	4 February 2025	Online Media “On.ge”	<a href="#">Main Editor Vantsent Khabeishvili</a>	M	The police officers attacked Vantsent Khabeishvili.
97	4 February 2025	Public Broadcaster of Georgia	<a href="#">Journalist Vasil Ivanov-Chikovani</a>	M	The TV host Vasil Ivanov-Chikovani, who openly spoke of the editorial problems of the Public Broadcaster and expressed solidarity with Mzia Amaglobeli, was removed from the program.
98	14 February 2025	Online Media “Publika”	<a href="#">Journalist Basti Mgaloblishvili</a>	M	He was fined for blocking the road while covering the rally.
99	14 February 2025	Online Media “Tabula”	<a href="#">Journalist Beka Jikurashvili</a>	M	He was fined for blocking the road while covering the rally.
100	17 February 2025	Journalistic Investigation Platform “Studio Monitor”	<a href="#">Journalist Nino Tsverava</a>	F	She is accused of “illegally blocking the road” while she performing her professional duties.

101	17 February 2025	Journalistic Investigation Platform "Studio Monitor"	<a href="#">Journalist Nino Shubitidze</a>	F	She is accused of blocking the road while the journalist was performing her professional duties and the footage she took shows her standing on the sidewalk - in front of the police officers.
102	17 February 2025	Online Media "Radio Tavisupleba"	<a href="#">Journalist Giorgi Diasamidze</a>	M	He was fined for blocking the road while covering the rally.
103	The night of 18-19 February 2025	TV Pirveli	<a href="#">Cameraman Lasha Jioshvili</a>	M	Unknown masked men in civilian clothes arrested him and forced him into a car. During the arrest, the cameraman was pinned against a wall; in the eyewitness's footage, the cameraman's voice can be heard saying: <i>"They're putting something in my pocket"</i> . The cameraman's whereabouts were unknown for several hours after his abduction, and then the <u>reason for his arrest</u> was revealed - disobedience to the demands of a police officer.
104		Formula TV	<b>Nodar Jarmelishvili</b>	M	The special forces officers restricted his movement, and the camera was damaged due to the use of a water cannon.
105		Formula TV	<b>Journalist Tornike Shavshishvili</b>	M	The special forces officers restricted his movement, and the camera was damaged due to the use of a water cannon.
106		Mtavari Channel	<b>Journalist Nino Machabeli</b>	F	The law enforcement officers verbally assaulted the journalist and obstructed her from covering the arrest footage by pushing her. Also, during the crackdown, while using a water cannon on 9 April Street, the powerful stream of water knocked the journalist's microphone out of her hand, which was lost.
107		Formula TV	<b>Journalist Nodar Jarmelishvili</b>	M	The law enforcement officers obstructed the journalist from filming, they were rushing him out of the area by shouting at him, and tried to restrict filming by covering his camera with their hands. The journalist's professional equipment was damaged.
108		TV Pirveli	<b>Cameraman and photographer Giorgi Mosiashvili</b>	M	He was fined 5,000 GEL for illegally blocking the road, despite the fact that Mosiashvili had explained to the police that he was at the rally to perform his professional duties.

### 3.2. Unlawful interference with the journalists' professional activities

An analysis of the documented cases and the materials obtained through open sources reveals that the following systematic violations against the journalists have occurred during the coverage of the November-December 2024 protests:

1. Disproportionate use of the special means, which led to mass injuries to the media representatives;
2. Targeted violence, including physical attacks, verbal abuse and the destruction and confiscation of the equipment;
3. Systematic interference in the professional activities, including the restrictions on the movement of the media representatives, unlawful arrests and imposition of fines on the grounds of blocking the roads;
4. Initiating cases against the media representatives in the courts and instrumentalizing the legal proceedings.

### 3.2.1. Disproportionate use of the special means and the general cases of injury to the journalists

The special means used by the law enforcement officers during the dispersal of the pro-European demonstrations that began on 28 November 2024 - tear gas, water cannon and rubber bullets – have caused significant harm to media representatives. The documented incidents show that, although it was possible to identify the media representatives, they were still injured when the special means were used. Therefore, the law enforcement officers showed indifference and did not take appropriate measures to ensure the protection of journalists. Beside this, the use of the special means significantly damaged the equipment of the journalists, because of which they were not able to fully fulfill their professional duties.

### 3.2.2. Cases of targeted violence against the media representatives

Serious cases of deliberate violence against the media representatives by the law enforcement officers have been revealed. Almost all of the victim media representatives state that they could have been easily identified because they were wearing press vests, badges and had cameras and microphones. Despite their status as journalists, they were verbally abused and physical force and special means were used against them. Moreover, the police were aggressive towards the journalists and specifically the media became one of the main targets of violence.

**A journalist for the online media outlet "Publika" Aleksandre Keshelashvili** is one of the journalists who was severely beaten by the law enforcement officers on 28-29 November 2024.<sup>206</sup> He says that he became a victim of police aggression precisely because of his status as a journalist: *"I had been saying from the beginning that I was a journalist and [asking them] 'what are you doing, it's a mistake, I have nothing to do with it'. I heard right there that they cruised at me as a journalist, saying 'exactly because you are a journalist, you....'"*.

**A journalist for the TV company "Formula" Guram Rogava** was also one of the victims of violence by the law enforcement officers on 28-29 November 2024. It is seen in the footage how a masked special forces officer attacked a journalist with a microphone, hit him in the head, made him bleed and threw him to the ground. The journalist was taken to the hospital, where he was diagnosed with fractures of the facial bones and cervical vertebrae.<sup>207</sup>

On the night of 29-30 November 2024, **the media representatives standing as a group on the Rustaveli Avenue were first targeted with water cannons, and then, as they tried to flee, they were shot with rubber bullets.** As a result, the Public Broadcaster photographer Mirian Meladze, who was hit by 4 bullets, and the Interpressnews photographer Vano Gorgishvili were injured.<sup>208</sup>

Beside this, cases have been revealed where special agents were deliberately sprayed into the faces of the journalists and the cameramen. The special agents, saturated with chemical substances, caused severe burning and pain, as a result of which the journalists were no longer able to perform their professional activities.

On the night of 1-2 December 2024, **the law enforcement officers chased down the media representatives**, but they took refuge in one of the business centers.<sup>209</sup> Later, **a chemical substance was released at the entrance to the business center**, as a result of which the people in the building, including the journalists, became unwell and required medical assistance. In parallel with this situation, the special forces were openly **threatening Niko Kokaia, the cameraman of TV "Pirveli", not to record footage.**<sup>210</sup>

**Considering that the journalists could easily be identified and were subjected to violence precisely because of their professional activities, the number of the victim journalists demonstrates that the media, as a transmitter and a disseminator of facts, was the main target of the law enforcement aggression.**

### 3.2.3. Attack and the seizure of or damage to the property

Attacks on the journalists during the pro-European assembly-demonstrations that began on 28 November 2024 were frequent and aimed at interfering with their work. One of the manifestations of the interference in the journalistic activities is the damage or destruction of the equipment. As a result of the study of the documented cases, it has been revealed that the majority of the journalists were either unable to prepare the desired material at all, or were only able to prepare a journalistic product to some extent. During their work, the journalists lost or damaged not only their professional equipment, but also

<sup>206</sup> Radio Tavisupleba, I kept telling him I was a journalist, but it had the opposite effect - a beaten journalist, 29.11.2024; see, <https://www.radiotavisupleba.ge/a/%E1%83%9A%E1%83%94%E1%83%A5%E1%83%A1%E1%83%9D-%E1%83%A5%E1%83%94%E1%83%A8%E1%83%94%E1%83%9A%E1%83%90%E1%83%A8%E1%83%95%E1%83%98%E1%83%9A%E1%83%98/33220001.html> [11.02.2025].

<sup>207</sup> Radio Tavisupleba, "Formula" journalist Guram Rogava beaten by special forces officers, 29.11.2024; see, <https://www.radiotavisupleba.ge/a/33219996.html> [11.02.2025].

<sup>208</sup> Netgazeti, Photographers injured at the protest were likely hit by rubber bullets, 02.12.2024; see, <https://netgazeti.ge/news/754360/> [11.02.2025].

<sup>209</sup> TV Pirveli, Special forces have begun hunting down the citizens from Besiki Street, 02.12.2024; see, <https://www.facebook.com/watch/?mibextid=WC7FNe&v=903973141863953&rdid=zdJAY2fWWXQY1eXU> [11.02.2025].

<sup>210</sup> TV Pirveli, Tear gas was released near the business center where citizens were taking shelter - protest participants are asking for help, 02.12.2024; see, <https://tvpirveli.ge/ka/siaxleebi/sazogadoeba/87654-biznestsentrtan-sadats-moqalaqeebi-tavs-aparebdnen-mkhatavi-airi-gaushves-aqtsiis> [11.02.2025].

helmets, gas masks and other safety equipment, mobile phones and other inventory that they needed to perform their professional duties. The damage caused to an individual journalist or media organization amounts to thousands of GEL.

Attacks and property seizures indicate systematic and targeted violence against the media representatives by the law enforcement officers. The law enforcement officers actively used seizure, damaging and the destruction of equipment as a mechanism for media control, thereby substantially restricting the public's right to receive the information about the ongoing events.

#### 3.2.4. Cases of restrictions on movement and free reporting

The restrictions imposed on the media representatives by the law enforcement agencies included restrictions on their freedom of movement, despite their ability to clearly professionally identify them. Journalists reported that they were obstructed in various ways at different times in their movement and the preparation of material. The hindrance was often manifested in the physical force or the accompaniment of verbal abuse. The barriers imposed by the law enforcement agencies significantly hindered the ability of the journalists to fully carry out their professional duties.

The abundance of the above-mentioned incidents demonstrates an organized practice of obstructing the journalists from carrying out their professional activities. The journalists were restricted by the law enforcement officers from moving and filming in the area adjacent to the Parliament, which significantly hindered their ability to fully prepare material and provide the public with the information about the ongoing events.

#### 3.2.5. The arrest and persecution of the journalists

The cases of the arrest and persecution of the journalists represent a growing threat in the background of the events that have unfolded since 28 November 2024. The violations of a systematic nature against the media representatives are evident, which include the unlawful arrests during the peaceful demonstrations and the systemic persecution of them for exercising their freedom of assembly. Of particular concern is the fact that these actions are carried out even when the journalists clearly identify their professional status.

On the night of 1-2 December 2024, a **journalist for the online media outlet "Mautskebeli" Giorgi Chagelishvili** was arrested during a crackdown on the citizens at the Rustaveli Metro station<sup>211</sup>. Despite the fact that he informed the police about his journalistic status, the law enforcement officers still searched his bag.<sup>212</sup>

On 12 January 2025, the law enforcement officials, specifically under the direct instruction of the Chief of Batumi Police, Irakli Dgebuadze, not only illegally arrested **the "Batumelebi" cameraman Guram Murvanidze** while performing his professional duties, but also deliberately tampered with his personal data and destroyed important legal evidence. Despite the clear identification of the journalist, the law enforcement officers not only ignored his professional status, but also illegally accessed his mobile phone after the arrest and destroyed important materials, including the footage of the arrest process itself.<sup>213</sup>

14 cases have been revealed where administrative offence proceedings were initiated against the journalists for blocking the road while performing their professional duties at the protests.

Administrative proceedings against the media representatives are used as a tool to restrict their professional activities. This practice not only violates the fundamental principles of media freedom, but also threatens one of the main pillars of a democratic society - the existence of a free media. The practices of arresting and persecuting the journalists can have a chilling effect, which can be manifested in their refusal to work.

#### 3.2.6. Other repressions against the media

Another manifestation of repressions is the violence committed publicly and openly by the "Georgian Dream" politicians. On 15 January 2025, at the "Sheraton" Hotel in Batumi, the members of the "Georgian Dream" party (Dimitri Samkharadze and Giorgi Manvelidze) attacked in a group, physically and verbally abused **the journalist and employee of the non-governmental organization Transparency International Georgia Zviad Koridze**.<sup>214</sup>

<sup>211</sup> Publika, Giorgi Chagelishvili, a journalist of "Mautskebeli", was arrested during a crack down in the metro. 02.12.2024; see, <https://publika.ge/mauwyebeli-metroshdarbevis-dros-daichires-chveni-djurnalisti-giorgi-chagelishvili/> [11.02.2025].

<sup>212</sup> Mautskebeli, 02.12.2024; see, [https://www.instagram.com/mautskebeli.ge/reel/DDD\\_KA3hnlG/](https://www.instagram.com/mautskebeli.ge/reel/DDD_KA3hnlG/) [11.02.2025].

<sup>213</sup> Batumelebi, All materials were deleted from the mobile phone of the "Batumelebi" operator after his arrest, 23.01.2024; nb., <https://batumelebi.netgazeti.ge/news/559654/> [11.02.2025].

<sup>214</sup> GYLA, GYLA calls on the Prosecutor's Office of Georgia, within the framework of effective procedural supervision, to promptly conduct criminal prosecution of the perpetrators of the crimes against Giorgi Gakharia and Zviad Koridze, 15.01.2025; see, <https://gyla.ge/post/saias-ganckhadaba-batumshi-tavdashkmaze> [11.02.2025].



**Journalist Vasil Ivanov-Chikovani**, who was dismissed from his position as the TV host of the Public Broadcaster's "Moambe", became a victim of repressions. The measures taken against him are the measures taken against his broadcasting independence as a journalist, because the steps taken against him are directly related to his public positioning, including the positions in which he expresses solidarity with the unlawfully detained founder of "Batumelebi" and "Netgazeti", Mzia Amaglobeli, and also speaks publicly about the ongoing processes at the Public Broadcaster, including the issues of opening the air of the broadcasting to the public.<sup>215</sup>

### 3.2.7. Cases of targeted violence against the media representatives by informal groups

Since 28 November 2024, the incidents of violence against journalists by informal groups have become particularly concerning. These attacks indicate a deliberate persecution of the media representatives. The latest wave of violence against journalists by informal groups is related to the large-scale protests and the political environment in Georgia. One of the most worrying footages is related to the attacks on journalists by informal groups.

On 6 December 2024, "**Publika**" journalist **Mindia Gabadze** was attacked and physically assaulted by the so-called "Titushkas" while covering a protest near the Blue Gallery. The law enforcement officers were standing very close to the scene of the incident, but they had no reactions to this fact.<sup>216</sup>

On 7 December 2024, the filming crew of "**TV Pirveli**" was attacked by masked men while they were live. The attackers physically injured the journalist **Maka Chikhladze** and the cameraman **Giorgi Shetsiruli** in the head, and also seized their broadcasting equipment. According to the disseminated information, the patrol police were present at the scene of the incident during this confrontation, but they did not react, which is also confirmed by the footage.<sup>217</sup>

On 7 December 2024, members of a gang also physically assaulted and seized the mobile phones of **Maka** and **Eka Janashia**, who were filming the violence against the "TV Pirveli" journalists on their phones.<sup>218</sup> Moreover, after committing this crime, the same punitive group also assaulted in an organized manner a member of one of the political parties.<sup>219</sup> In this case as well, the police had no reaction.

The judgment of the European Court of Human Rights establishes three criteria that are sufficient to prove a connection between the so-called Titushkas and the state. Specifically, the government acts in concert with the informal groups when:

- **The informal group receives support from the law enforcement;**
- **The government officials are systematically unable or unwilling to prevent the violence perpetrated by the informal groups;**
- **The inaction of the law enforcement agencies is evident for the purposes of the investigation.**<sup>220</sup>

Back in May 2024, **Dimitri Samkharadze**, a member of the Georgian Parliament and the "Georgian Dream", shared a video of unidentified individuals on the social media, which showed vandalism on the offices of the organizations with critical views. This fact confirms the connection between the state and the Titushkas.<sup>221</sup>

Regarding the facts of the targeted violence against the media representatives, it is noteworthy that the patrol crew not only did not investigate the crime committed by the informal groups later, but also did not prevent the cases of violence at the moment and showed complete indifference when they were at the scene of the incident. There are numerous footages confirming this.<sup>222</sup> The aforementioned evidence confirms that the informal groups, with the support of the state institutions and the high-ranking officials, acted with their alleged consent to intimidate the participants of the demonstration and the media representatives.

<sup>215</sup> GYLA, GYLA expresses solidarity with journalist Vasil Ivanov-Chikovani and believes that the Public Broadcaster is persecuting him for his public positions, 05.12.2025; see, <https://gyla.ge/post/saia-solidarobas-ucxadebs-vasil-ivanov-chikovans> [11.02.2025].

<sup>216</sup> Ibid.

<sup>217</sup> TV Pirveli, "Saturday Broadcast" journalist Maka Chikhladze was attacked by Titushkas - the cameraman was seriously injured, 07.12.2024; see, [https://tvpirveli.ge/ka/siaxleebi/politika/88430-shaabis-eteris-jurnalists-maka-chikhladzes-titushkebi-tavs-daeskhnen-mdzimed?fbclid=IwY2xjawHBdoFleHRuA2FibQIxMAABHXxEVVZ9iVWgPKUCZ9O88zGBEi2FdyK6CvfHDrfvx8wYzr2xIRnBu16wdQ\\_aem\\_MmVOIBeyY5dJXnk-gDQkhv](https://tvpirveli.ge/ka/siaxleebi/politika/88430-shaabis-eteris-jurnalists-maka-chikhladzes-titushkebi-tavs-daeskhnen-mdzimed?fbclid=IwY2xjawHBdoFleHRuA2FibQIxMAABHXxEVVZ9iVWgPKUCZ9O88zGBEi2FdyK6CvfHDrfvx8wYzr2xIRnBu16wdQ_aem_MmVOIBeyY5dJXnk-gDQkhv) [11.02.2025].

<sup>218</sup> GYLA, Informal punitive groups operate with the tacit support or direct consent of state institutions and high-ranking officials, 08.12.2024; see, <https://www.gyla.ge/results/8473> [11.02.2025].

<sup>219</sup> Radio Tavisupleba, "The same group attacked TV Pirveli journalist Maka Chikhladze and the office of the Coalition 'Changes'", 08.12.2024; see, <https://www.instagram.com/p/DDSyHky20r/> [11.02.2025].

<sup>220</sup> *Shmorgunov and Others v. Ukraine*, nos. 15367/14 and 13 others, 21.01.2021, §§92-93.

<sup>221</sup> Netgazeti, MP Samkharadze admits to being the organizer of the offensive graffiti, 31.05.2024; see, <https://netgazeti.ge/life/724973/> [11.02.2025]. Also, Video uploaded to the social media by MP Dimitri Samkharadze, 31.05.2025; see, <https://www.facebook.com/watch/?v=423357193946251> [11.02.2025].

<sup>222</sup> Ambebi, (Mautskebeli), "He is holding a baton and he is escorting him away" - how the police (do not) act against the masked gangs, 08.12.2024; see, <https://www.facebook.com/watch/?v=9179346375429910> [11.02.2025].

Formula, "You just watched as 30 men were beating me alone with batons, you watched" — Giorgi Makharadze's appeal to a police officer; see, <https://www.facebook.com/reel/500573012333067> [11.02.2025].

In terms of the legal reaction and investigation, it has already become a trend that instead of responding strictly to the crimes committed against the media representatives, the "Georgian Dream" government encourages such crimes and creates a syndrome of impunity. For example, at the end of 2024, information was reported that the convicts serving sentences for physical violence against the media representatives in the July 5 case were released early.<sup>223</sup> The investigation into this case was ineffective, and the court's decisions were unfounded. More specifically, the investigative agencies deliberately ignored the issue of the responsibility of the organizers in the case, and the court, by reducing the sentences of the convicts, further strengthened the syndrome of impunity in relation to the legal consequences of violence against the media representatives by hate groups.<sup>224</sup> This has further encouraged the perpetrators, which has been also evident after 28 November 2024.<sup>225</sup>

Thus, the state institutions operate in alliance with the informal criminal groups. The scheme involves, on the one hand, the state institutions, and, on the other hand, the informal punitive groups encouraged by the officials. Their common goal is to inflict violence on the protesters and the journalists with the motive of intimidation.<sup>226</sup>

#### 4. RIGHT TO LIBERTY AND FAIR TRIAL

##### 4.1. Administrative justice

##### 4.1.1. Administrative arrest as a mechanism for dispersing protests and punishing the participants

**From 19 November 2024 to 28 February 2025, the Legal Aid Hotline of the non-governmental organizations received information about 1084 individuals against whom the administrative proceedings had been initiated on various grounds. Of those individuals assisted by the network's lawyers, 486 individuals had been administratively arrested.**<sup>227</sup> The political decision of the "Georgian Dream" to use the threat of detention or high fines as a tool to control the protests is facilitated by the Administrative Offences Code adopted in 1984, during the Soviet Union, which leaves individuals without the right to a fair trial, however, a fundamental reform of the Code, despite the direct recommendations of numerous international institutions (including the UN<sup>228</sup>), has never taken place.

During the pro-European demonstrations that began in November 2024, the arrest of citizens was largely arbitrary. In most cases, the arrests served the purpose of preventing the exercise of the right of expression and punishing persons for participating in the protest. The arrest of the demonstrators by the law enforcement officers took on a large-scale form as early as mid-November, when the citizens participated in peaceful rallies on the Melikishvili Avenue and the area surrounding Varaziskhevi as part of the election-related protests. In the early hours of 19 November 2024, the police dispersed the demonstration without a legitimate purpose and with excessive force, during which the cases of physical assault on the demonstrators were recorded. The law enforcement officers arrested a total of 16 citizens. The participants of the demonstration pointed to an arbitrary arrest; while some of them also described facts of ill-treatment towards them.<sup>229</sup>

Following the start of the continuous protests in response to the statement made by the "Georgian Dream" Prime Minister, Irakli Kobakhidze, on 28 November 2024, the arrests of the citizens took on a systematic form. In the first 72 hours after the start of the protests, about 200 participants of the protests were arrested.<sup>230</sup> The footage of the disproportionate and illegitimate use of force against the peaceful assembly and the extensive testimonies of the arrestees demonstrate that the arrests of the citizens were a mechanism for disrupting the freedom of assembly of the demonstrators and did not serve the purpose of preventing or responding to the law offences, which calls into question even the formal legality of the arrests.

<sup>223</sup> Radio Tavisupleba, "Those who attacked Lekso Lashkarava and other media representatives were released earlier than their term was over", 16.11.2024; see, <https://www.radiotavisupleba.ge/a/33204548.html> [11.02.2025].

<sup>224</sup> GYLA, Individuals who committed violence against the journalists and the cameramen on 5 July 2021 were released early, 20.11.2024; see, <https://gyla.ge/post/Gyla-5-ivlisis-saqme> [11.02.2025].

<sup>225</sup> Public Broadcaster, protest near the house of the CEC Chairman, 16.11.2024; see, <https://1tv.ge/video/aqcia-cesko-s-tavmjdomaris-sakhltan/> [11.02.2025].

<sup>226</sup> GYLA, Georgia: Human Rights Amidst the Russian Law - Human Rights 60 Days Following the Revival of the Foreign Influence Transparency Bill, 2024, 9, see, [https://admin.gyla.ge/uploads\\_script/publications/pdf/rusuli%20kanoni.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/rusuli%20kanoni.pdf) [11.02.2025].

<sup>227</sup> GYLA, Results of the activities of the NGO Legal Aid Network, 19 November 2024 – 28 February 2025, 18.03.2025; see, <https://www.facebook.com/photo?fbid=1073257938179561&set=pcb.1073257994846222> [24.03.2025].

<sup>228</sup> CCPR, Concluding observations on the fifth periodic report of Georgia, CCPR/C/GEO/CO/5, 2022, par 29-30: "The Committee is concerned by the persisting protection gap in the Code of Administrative Offences, including insufficient safeguards guaranteed to administrative detainees, the lack of clarity about the standards of proof, which often results in the burden of proof being borne by detainees, and the absence of the meaningful right to appeal detention decisions. It is also concerned by information received that administrative detainees are, in practice, not always afforded fundamental legal safeguards, including the right to promptly access legal counsel and to be brought before the judge in a timely manner, thereby putting them at a higher risk of ill-treatment, both at the time of arrest and during detention (arts. 9–10 and 14). 30. Recalling its previous recommendation, the Committee calls upon the State party to expedite its legislative process to bring the Code of Administrative Offences into line with articles 9, 10 and 14 of the Covenant, in particular with regard to the above-mentioned shortcomings, with a view to ensuring fair and impartial proceedings. The State party should further ensure, in law and in practice, that administrative detainees are guaranteed fundamental legal safeguards from the very outset of the deprivation of their liberty, including the rights to have prompt access to a lawyer, to notify a person of their choice of their detention and to be brought promptly before a judge. It should strengthen the protection of administrative detainees against ill-treatment, investigate all allegations of ill-treatment and bring the perpetrators to justice."

<sup>229</sup> Social Justice Center, The MIA continues unlawfully restricting constitutional rights, 19.11.2024, see, <https://socialjustice.org.ge/ka/products/shss-agrdzelebs-konstitutsiuri-uflebebis-ukanonod-shezghudvas> [11.02.2025].

<sup>230</sup> GYLA, Statement of the Legal Aid Network of Non-Governmental Organizations Regarding Detainees, 01.12.2024; see, <https://gyla.ge/post/arasamtavrobo-organizaciebis-qselis-gancxadeba-dakavebulebze> [11.02.2025].

A significant portion of those arrested during the protests have received legal assistance from the network of the non-governmental organizations. Beside this, the arrestees were served by pro bono lawyers, private lawyers mobilized by various political actors and private lawyers hired by their families.

The exact total number of the people arrested during the protests is unknown, since the Ministry of Internal Affairs, unlike the experience of the previous years, neither publishes this type of information nor provides it through the public information requests. However, the information collected by the Legal Aid Network makes it possible to identify certain quantitative data. In particular, the data combines information recorded from 19 November 2024 to 28 February 2025.

Since 19 November 2024, the Legal Aid Network has received notifications regarding **1084** individuals seeking legal assistance in the administrative proceedings. This number includes both the administrative arrest and the drawing up of the administrative offence report cases without the arrest. **486 persons had been arrested**, of which 405 were arrested and transferred to a temporary detention center, 55 were hospitalized and 26 individuals were released on a written commitment after the arrest.

In certain cases, those arrested in Tbilisi were transferred to the temporary detention centers in Marneuli, Sagarejo, Gurjaani, Sighnaghi, Mtskheta, and Dusheti.<sup>231</sup>

As in other mass demonstrations, in this case as well, the formal grounds for initiating administrative offence proceedings were most often Articles 166 (disorderly conduct) and 173 (non-compliance with a lawful order or demand of a law-enforcement officer) of the Administrative Offences Code. **Of the 218 cases considered under Articles 166-173, the court:**

- Used detention - in the cases of **59 persons**;
- Fined – **103 persons**;
- Issued a verbal warning to - **54 persons**;
- Partially terminated the proceedings – in regards to **21 persons**;
- Fully terminated the proceedings – in the case of **2 persons**.

Beside the indicated offences, in December-January the MIA began to intensively fine the citizens on the basis of Article 174<sup>1</sup> of the Administrative Offences Code, which enshrines violating the rules for organizing or holding assemblies or demonstrations. In most cases, this article was imposed with the indication of partially or completely blocking the roadway. In the period from 19 November 2024 to 28 February 2025, in total, **the MIA accuses 600 individuals of committing actions provided for in Article 174<sup>1</sup> of the Administrative Offences Code.**<sup>232</sup>

**Out of 115 cases considered under Article 174<sup>1</sup>, the court:**

- Fined - **90 persons**;
- Issued a verbal warning to - **25 persons**.

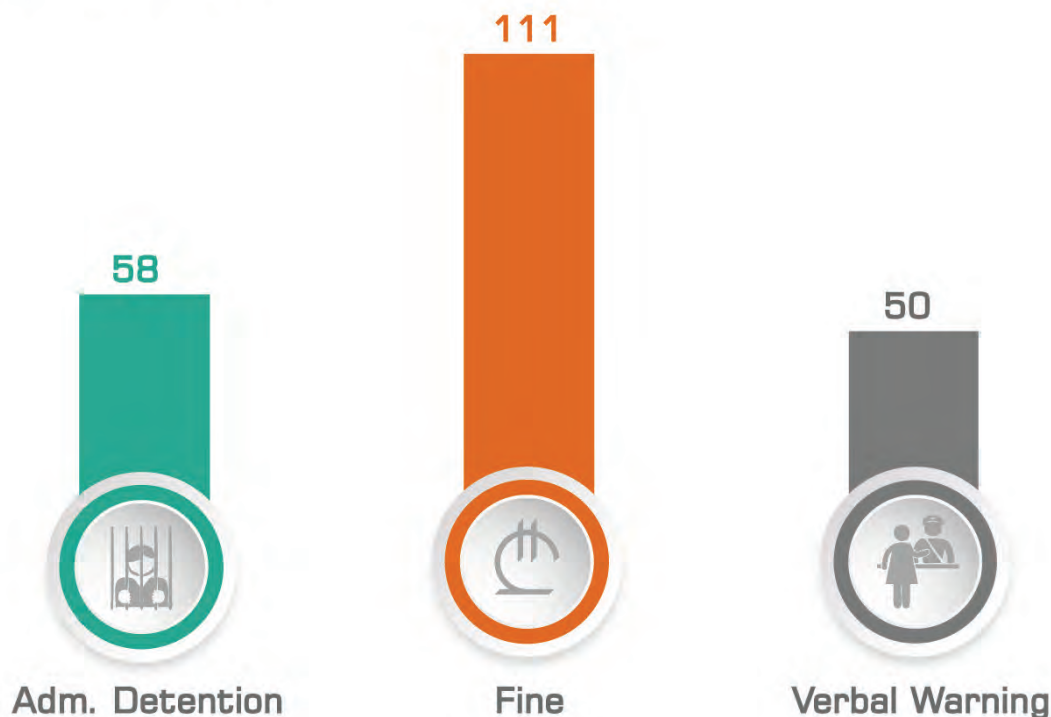
As of 31 January, out of the administrative offence cases reviewed and concluded in which the Legal Aid Network was involved, **219 persons** have been declared as offenders, and 14 administrative offence cases have been partially terminated. As for the penalties imposed, 111 individuals have been fined, 58 individuals have been sentenced to administrative detention and 50 individuals have been given verbal warnings.

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<sup>231</sup> GYLA, Statement of the NGO Legal Aid Network of 30 November 2024, 30.11.2024; see, <https://gyla.ge/post/30octobersdakavebulebi> [11.02.2025].

<sup>232</sup> GYLA, Results of the activities of the NGO Legal Aid Network, 19 November 2024 – 28 February 2025, 18.03.2025; see, <https://www.facebook.com/photo?fbid=1073257938179561&set=pcb.1073257994846222> [24.03.2025].

## ■ Used sanctions:



### 4.1.2. Main trends of the administrative arrests

The Administrative Offences Code of Georgia determines the criteria for administrative arrest. All criteria serve either to put an end to an administrative offence when the other measures of influence have been exhausted, or to consider the administrative offence case in a timely manner and ensure the litigation process.<sup>233</sup> Administrative arrest is not a follow-up procedural act that is mandatory after drawing up an administrative offence report. Accordingly, even if a citizen commits an administrative offence, a law enforcement officer must first try to identify the citizen and draw up an administrative offence report against him.

Despite this, the arbitrary arrest of the citizens by the police units during the rallies without any legal basis had a systematic character. The practice of unlawful and arbitrary arrests was most often resorted to by the employees of the Special Tasks Department and the Criminal Police Department of the MIA. In almost all cases, those arrested at the protest note that their actual arrest was carried out by the masked and unidentified employees of the Special Tasks Department, and only following the interrogations were they handed over to the employees of other structural units of the MIA, more often to the Patrol and Criminal Police.

Based on the open sources and the accounts of the arrestees, it is clear that during the arrest of the protest participants in the protest perimeter and its surrounding area, employees of the Special Tasks Department used several main methods, which will be discussed separately below.

#### i. Arrests at the protest site

Typically, in the early days of the protests, the MIA police forces would occupy the streets surrounding the Parliament in the evening hours, specifically the parts of Zakaria Chichinadze, 9 April and Dzmebi Zubalashvilebi streets adjacent to the Parliament. An intensive deployment of the police forces could also be observed on the Freedom Square, at the beginning of the Rustaveli Avenue.<sup>234</sup>

On the evening of 28 November, the police forces, including the officers from the Special Tasks Department, Criminal Police and Patrol Police, were deployed to the aforementioned perimeters from 10:00 p.m. to 11:00 p.m., and intensive arrest of citizens began at dawn on 29 November, at 2:00 a.m., after the officers from the Special Tasks Department had moved to the

<sup>233</sup> Administrative Offences Code of Georgia, Article 245.

<sup>234</sup> Formula, Special forces cracked down on the peaceful protest, Formula's special broadcast, 28-29 November, 28.11.2025; see, <https://www.youtube.com/watch?v=qnVDmJFdg-s> [11.02.2025].

front lines of the cordon. Television footage shows the officers from the Special Tasks Department encircling the citizens and driving the police forces deeper into the area.<sup>235</sup>

**It should be noted that being encircled and led into the depths of the police group was a strategy of arrest and was not an isolated, sporadic event.** This is also confirmed by the footage of the arrest of the poet, Zviad Ratiani.<sup>236</sup> The public sources confirm that he was dragged into a circle by the officers of the Special Tasks Department, then passed hand to hand, accompanied by beatings, and led into the depths of the police forces. Later, the poet told the media that he had covered another person with his hands: *"I was just standing there, I wasn't even shouting, I just made this gesture, I covered him with my hands"*.<sup>237</sup> Despite the absence of grounds for the administrative offence and, moreover, for an arrest, the poet was arrested in a particularly aggressive manner and was taken through the police punitive corridor and later the court sentenced him to 8 days of administrative detention.

The fact that encircling people was a strategy for arrest is also indicated by another victim, who was also found guilty by the court. The 31-year-old man indicates that he had arrived at the protest on 29 November, at approximately 23:00 with two friends, and shortly thereafter he was arrested without any grounds by the officers of the Special Tasks Department.'

**Victim V69 (31-year-old man):** *"We were standing in the front rows and the robocops were standing about 10 meters away. We were talking to each other. We didn't enter into a dialogue with the special forces, we didn't talk to them at all. There was no tension. Suddenly they rushed at us and dragged us in. They dragged all three of us. They dragged us in deep. [...] All through the Chichinadze uphill turn until the [police] car, people around were hitting me and cursing took place. It was mostly in my head and back."*<sup>238</sup>

One more victim, a 22-year-old man who suffered serious injuries as a result of his arrest and the subsequent beating, tells an identical story of his arrest on Chichinadze Street. He said he was dragged into a circle, allegedly by a STD officer, and then placed in a circle of about 10 people, all of whom were beating him:

**Victim V117 (23 year-old-man):** *"A masked man pulled me over, 10 masked men came, threw me to the ground and all 10 of them kicked me. I probably broke my head at that time as well. I was one of the first to be "arrested" and beaten. Nothing was going on. There was no warning or water cannon. They led me through the entire Chichinadze police corridor. I had my hands covering me, and in the corridor they mainly hit me on the head, mainly on with their hands and feet."*<sup>239</sup>

In total, out of the 80 victims interviewed who were arrested, 28 people indicate that they were encircled and beaten during their arrest, which indicates the systematic nature of this method of arrest. The absolute majority of them, 24 people, indicate that they were beaten with fists and feet while being encircled, and 10 people indicate that a special glove was used for the purpose of beating.

Based on the accounts of the arrestees and the quantitative analysis of the available data, it becomes clear that administrative arrest at the protest site **was mostly used as a mechanism to arbitrarily restrict the right of the protest participants to leave the protest site and express themselves. The beatings and ill-treatment accompanying the arrest were, in general, part of the same punitive mechanism and were aimed at forcing them to refrain from attending the rallies in the future. This was also evident in the verbal communication of the employees of the Special Tasks Department with the victims, which the interviewees systematically repeated during the interviews.**

The observation of the open sources also revealed a second trend in the arrests of the citizens, which was manifested in the sudden and sneaky arrest of the protest participants by the "runner squads". Often, people were arrested at the protest site on the banks of the Rustaveli Avenue, and, typically, it would be accompanied by the use of the special means, mainly water cannons and tear gas canisters.<sup>240</sup> Typically, the employees of the Special Tasks Department would arrest the protest participants when they had been unable to react quickly and leave the scene due to the effects of the special means or poor visibility.

This trend is confirmed by the interviews held with the victims. A 22-year-old man, who was administratively arrested, says that he was arrested in the early hours of 29 November, at approximately 05:30 in the morning, near the Tbilisi Marriott Hotel, after the intensive use of the special means, namely tear gas.

<sup>235</sup> Formula, the morning of 29 November, special forces dispersed a peaceful demonstration, Formula special broadcast, 28-29 November, 02:00, 28.11.2025; see, <https://www.youtube.com/watch?v=qnVDmJFd-g-s> [11.02.2025].

<sup>236</sup> Radio Tavisupleba, "They were punching me in the face while I was handcuffed: The story of Zviad Ratiani's beating and arrest", 02.12.2025; see, <https://www.radiotavisupleba.ge/a/33223672.html> [11.02.2025].

<sup>237</sup> Ibid.

<sup>238</sup> Victim V69.

<sup>239</sup> Victim V117.

<sup>240</sup> Mtavari Channel, situation on the Rustaveli Avenue – special broadcast of "Mtavari", 29.11.2024; see, <https://www.youtube.com/live/gSg6Sp1tJQ0?t=5460s> [11.02.2025].

**Victim V112 (33 year-old man):** *“They fired a lot of tear gas, I turned around to avoid it and was walking towards the people, not the cordon [...] Someone in a mask sneaked up on me from behind, did a wrestling move on me and knocked me down. [...] Then they lifted me up in the air and took me towards Kashueti. [...] The sidewalks are not visible well when the tear gas is fired, and they probably sneaked up on me from the sidewalks. Typically, I keep my distance and keep looking at the police to control my distance. This time, I missed that.”<sup>241</sup>*

According to another statement, which belongs to a 32-year-old man who was injured in the demonstration, in the early hours of 29 November, at approximately 3 a.m., he was with a friend opposite the “Marriott” Hotel. At that time, special means were actively being used, namely tear gas. According to the victim, he inhaled tear gas, which paralyzed him.

**Victim, V51 (32-year-old man):** *“We had difficulty breathing, we couldn’t see where we were going and we were constantly sneezing. [...] Our vision went black, we had difficulty breathing [...]. At that moment, several people came running in, wearing masks and black clothing, whom we thought were the police, however, they were not wearing any equipment typical for the unit or any other identifying data. These people arrested us.”<sup>242</sup>*

**The above-mentioned victim statements, along with the other evidence, indicate that in a number of cases, the actual reason for using the special means was to disperse the participants of the rally and their indiscriminate arrest. The arrest of the citizens did not serve the purpose of preventing individual violations of the law, but rather the purpose of dispersing the assembly, therefore, the administrative arrests did not meet the criteria of formal legality provided for by the law, and also blatantly ignored the standards established by the European Court.**

The use of the administrative arrests to disperse the protests did not end during the November-December demonstrations and had episodic continuations. In this regard, one of the largest arrests was on 2 February 2025, when the citizens gathered at the exit from Tbilisi, adjacent to the highway. In the context of the aforementioned protest, information about 26 persons arrested under administrative law was received by the legal aid network. At the same time, information was also disseminated about the ill-treatment of the arrestees, as a result of which 5 persons were placed in a medical institution.<sup>243</sup>

It is noteworthy that the 2 February arrests were very similar in content to the administrative arrests taking place in November-December. In this case as well, the administrative legislation was used not as a response to a violation of the law, but as a mechanism to suppress the peaceful protests, the main goal of which is to suppress the force of the protest and punish the participants as an example.

## **ii. Arrests on the streets surrounding the protest**

At the initial stage of the protest, beside the Rustaveli Avenue, the arrest of the citizens have also been recorded in the surrounding streets and alleys. The streets bordering the epicenter of the protest often served as temporary resting and sheltering spaces for the participants of the protests. This function was especially fulfilled by Besiki, Mitropane Laghidze and Dzmebi Zubalashvilebi streets. The statements of the victims indicate that in parallel with the dispersal of the protest, the police forces were also active on the streets surrounding the Rustaveli Avenue and administratively arrested the citizens who had spread out to rest and regain their strength without any legal basis.

According to the 28-year-old victim, he had been participating in the protest on the Rustaveli Avenue on 2 December 2024 and temporarily went to visit a friend living on Besiki Street, right when he became a victim of severe violence by the officers of the Special Tasks Department, which was followed by his arrest.

**Victim V15 (28-year-old man):** *“It was about half past one in the morning when I decided to visit my friend living nearby on Besiki Street. I knew he wasn’t sleeping. I often went to him. When I came to the yard of his house, within about 5-10 minutes, robocops rushed into the yard and knocked me to the ground. [...] They were probably chasing after one of the participants of the demonstration and I just happened to be left to them. There was no incident between me and the law enforcement officials before the violence against me. There was no argument, no swearing, nor any other type of confrontation at the demonstration.”<sup>244</sup>*

According to the 31-year-old man, he was arrested in the early hours of 1 December, when at 2 a.m., he had been walking down a narrow alley from Ingorokva Street to the Dzmebi Zubalashvilebi Street, when he and his companions ran into and got separated by about 50 masked police officers. According to him, he was quite far from the epicenter of the protest and no warning sound was audible to him about the dispersal of the rally.

<sup>241</sup> Victim V112.

<sup>242</sup> Victim V51.

<sup>243</sup> GYLA, Assessment of the NGO Network regarding the events of 2 February, 03.02.2025; see, <https://gyla.ge/post/arasamtavroboebis-shefaseba-2-tebervlis-movlenebze> [11.02.2025].

<sup>244</sup> Victim V127.



**Victim V22 (32-year-old man):** *“At first they didn’t have any complaints with me, however, when I saw that they were arresting my brother, I asked them to let me get to him. [...] At that time, there was no violation of any law on my part. I decided to go live, during which the masked individuals tried to seize my phone. At that time, someone said to arrest me and they arrested me as well. I managed to record a video in time showing where I was arrested and where I say that ‘I have not cursed at anyone so why are they arresting me’.”*<sup>245</sup>

The 22-year-old victim recalls that in the early morning hours of 2 December, at approximately 03:00-04:00 a.m., he had gone to Mitropane Lagidze Street, opposite the Opera House, to rest and was returning to the Rustaveli Avenue. According to him, at the intersection of Lagidze Street and the Rustaveli Avenue, on the pedestrian sidewalk, he was confronted by the officers of the Special Tasks Department and arrested after being physically assaulted.<sup>246</sup>

A 20-year-old man was also arrested and physically assaulted on a nearby street, who was returning from visiting a friend via the Rustaveli Avenue and, according to him, was not participating in the protest at the time. The victim recalls that:

**Victim V70 (25-year-old man):** *“I was walking home and was in the area adjacent to Kashueti. [...] I saw a lot of the special forces standing in front of me. So I took the nearest turn. Following this, a special forces officer came and asked me what I was doing there, and I replied that I was going home. After that, he verbally insulted me, specifically telling me to “get the f\*ck out of here”. Following this, I told him that there was no need for such language, and before I had finished, they punched me in the nose. Then I lost my sense of reality, I was being taken somewhere, and on the way they were still beating me and cursing at me, and they threw me into a minibus.”*<sup>247</sup>

Based on the above victim statements, it is clear that the arrest of the citizens on the streets surrounding the protest should be considered a pattern of widespread and indiscriminate arrests of the protest participants. The arrests of the protest participants on the surrounding streets had a repeated character and were used not as a response to the administrative offences, but as a tool to disperse and intimidate the assembly.

### iii. Arrests while leaving the protest area

The practice of using administrative arrests as a punishment for participating in the protests is also confirmed by the mass arrests of the people leaving the rally. Despite the fact that when the special means are used, the citizens are instructed to leave the scene, both from the footage published in the public sources and from the statements of the victims, it is clear that in a number of cases, citizens leaving the rally were not given the opportunity to leave the area safely. This trend was observed more often at dawn, after a large part of the rally had been dispersed using the special means and the participants were moving towards the intersection of the Rustaveli Avenue and the Republic Square, the Rustaveli metro station.<sup>248</sup>

The 21-year-old victim recalls that he arrived at the protest on 3 December at approximately 11:00 p.m., and between 3:00-4:00 a.m. on 4 December, after the crackdown on the protest had entered an intensive phase and the police forces had cleared the area up until the “Biltmore” Hotel, he was trying to escape to a safe place.

**Victim V71 (22-year-old man):** *“We were walking towards the Rustaveli Metro Station to get to a safe place. At that time, Robocops and the STD officers were stationed on the Rustaveli Avenue, who had reached approximately the Biltmore area. At that time, I was around the Olive Tree, near the roundabout. When I got to the roundabout, the Robocops and the STD officers already were on the Republic Square. At first, I didn’t think that they were following me, and before I realized it, the crowd had rushed to me and started beating me. There were about 5-10 people. All the police officers were coming and hitting me”.*<sup>249</sup>

As the victim recalls, he was subjected to severe physical punishment first on the Rustaveli Avenue and then in the punishment minibus, which is why it became necessary to release him from the temporary detention center based on his written commitment and transfer him to the hospital, where he underwent emergency surgery due to the fracturing of the facial bones.

A similar mechanism of the police action is described by a 25-year-old victim who was arrested at dawn on 2 December 2024, on the intersection of the Rustaveli Avenue and the Republic Square. He says that he was trying to go home between 6 and 7 in the morning, but was encircled by the officers of the Special Tasks Department and was unable to leave the Rustaveli Avenue.

<sup>245</sup> Victim V22.

<sup>246</sup> Victim V72.

<sup>247</sup> Victim V70.

<sup>248</sup> Publika, Special forces began cracking down on the rally. IDFI’s lawyer Giorgi Davituri is among the arrestees, 02.12.2024; see, <https://www.facebook.com/watch/?v=1608027670152537&t=1> [11.02.2025].

<sup>249</sup> Victim V71.

**Victim V96 (26-year-old man):** *"I was trying to go home after being injured by the gas and the water cannon, but I was encircled by the members of the STD and could not leave Rustaveli. At approximately 06:30 a.m., I was arrested near the "Café Gallery" by two people dressed in black, presumably members of the special forces. [...] When I was about to escape, they caught me and dragged me by force to the Republic Square in front of the Radisson where their cars were parked. They verbally insulted me on the way."*<sup>250</sup>

Another victim, a 20-year-old man, tells the same story, describing the details of his arrest in a similar way and recalls that, along with being encircled, a special means, namely pepper spray, was deliberately used on him, because of which, he was no longer able to see.<sup>251</sup> The nature of the arrests carried out at the location indicated by the respondents on the morning of 2 December is also confirmed by the footage of the online publication "Publika".<sup>252</sup> The footage shows that the participants of the rally heading towards the Rustaveli Avenue are being chased down and arrested by the police forces representatives, and the arrestees are being taken towards the Republic Square.

The encirclement, pursuit and arrest of the citizens while leaving the protest site once again indicates that the practice of the administrative arrest was arbitrary and did not comply with either the administrative legislation nor the principles of the human rights law.

#### iv. Arrests away from the protest site

A trend has been identified in which the people actively involved in the protest actions were arrested away from the gathering place, in some cases, near their homes. This practice can be considered the most severe form of the arbitrariness shown by the police. The abundance of the cases indicates that in these cases, administrative arrests were also used as a mechanism of intimidation due to the participation in the protests. Typically, the arresting police officers indicated that the citizen had committed an offence as the basis for the arrest, which is a gross violation of the grounds for arrest determined by the national legislation.

A pediatrician Konstantine Chakhunashvili was arrested by the criminal police officers on 9 December. His car was found empty on Nutsubidze Street. Konstantine Chakhunashvili is an active participant of the protests and a member of the "Jiuti" movement, he also shared his views via the social media. The basis for his arrest was the verbal abuse of a law enforcement official, a violation of article 173 of the Administrative Offences Code. At the administrative offence hearing, the MIA representatives indicated that Chakhunashvili was supposed to have been served with a summon of testifying in court as part of the investigation of one of the criminal cases, during which the latter verbally abused them. According to Chakhunashvili, he had already received and signed the aforementioned summon the day before, and that this was an attempt to pressure and punish him for his political stance. He also claims that he was followed both at work and at home, and finally, while driving, he was stopped for a breathalyzer test and, after being removed from the car, was arrested without any grounds.<sup>253</sup>

On 12 December, the Rondeli Foundation researcher Vato Bzhalava was arrested on Irakli Abashidze Street in the Vake district. According to the disseminated information, he was walking his dog near his home at the time. The fact of the arbitrary nature and the political motivation behind Bzhalava's arrest is reinforced by the fact that he had already been questioned by the police a day prior as part of a criminal investigation and was sworn to secrecy following the questioning.<sup>254</sup>

On 15 December, student and activist Niko Managadze was arrested while walking along Kostava Street away from the protest. Managadze was arrested by the masked police officers in civil clothing and taken to the Dighomi Main Division. Niko Managadze, like other activists, was accused of committing an administrative offence, specifically disobeying a lawful demand of a law enforcement officer. It is noteworthy that, like the cases mentioned above, the Managadze episode also features a criminal case. Like Chakhunashvili, Niko Managadze was summoned to the police station for questioning a few hours before his arrest, which, according to the law, is voluntary. Managadze refused to be questioned at the police station and requested to testify before a magistrate judge. According to the activist's lawyer, Managadze was reminded of his failure to report to the police station during his arrest, thus, hinting to the real motivation for his arrest.<sup>255</sup>

<sup>250</sup> Victim V96.

<sup>251</sup> Victim V110.

<sup>252</sup> Publika, Special forces began cracking down on the rally. IDFI's lawyer Giorgi Davituri is among the arrestees, 02.12.2024; see, <https://www.facebook.com/watch/?v=1608027670152537&t=1> [11.02.2025].

<sup>253</sup> Radio Tavisupleba, The court imposed a fine of 2,500 GEL on a pediatrician Konstantine Chakhunashvili, 11.12.2024; see, <https://www.radiotavisupleba.ge/a/33236425.html> [11.02.2025].

<sup>254</sup> Radio Tavisupleba, Police in Vake arrested Rondeli Foundation researcher Vato Bzhalava – an activist, 12.12.2024; see, <https://www.radiotavisupleba.ge/a/%E1%83%91%E1%83%9F%E1%83%90%E1%83%9A%E1%83%90%E1%83%95%E1%83%90%E1%83%93%E1%83%90%E1%83%99%E1%83%90%E1%83%95%E1%83%94%E1%83%A1/33237523.html> [11.02.2025].

<sup>255</sup> Radio Tavisupleba, Activist Niko Managadze has been arrested, 15.12.2024; see, <https://www.radiotavisupleba.ge/a/33240455.html> [11.02.2025].

Administrative arrests of the protest participants continued through the following weeks. On 1 February, information was disseminated about the administrative arrest of the activist Mirian Berulava.<sup>256</sup> According to the disseminated information, the activist was being taken to the police for questioning due to a post he had published on the social media, during which he stated that he did not trust the system, which became the basis for his arrest under Article 173 of the Administrative Offences Code. In this case as well, the arbitrary nature of the administrative arrest is obvious. Even if there had been a case of the administrative offence been committed, the state representatives did not properly justify the necessity and the need for the arrest.

The fact that the administrative arrest of all four activists was preceded or chronologically followed by their questioning or summoning as witnesses in the criminal cases strengthens the argument that these arrests should be considered in the context of politically motivated justice, since them committing an administrative offence cannot be proved by the proper standards and, therefore, the criteria for the administrative arrest are not formally met either.

#### 4.1.3. Administrative arrest of children

Children were also among the arbitrarily arrested persons during the ongoing protests. Although the arrest of minors should be a last resort, the information about the arrest of four minors during the protests has become known. All four of them alleged that they had been ill-treated simply because they were participating in the protest. None of them had been arrested in accordance with the law, none of their arresting officers had been trained in child rights and no less lenient forms of arrest had been considered before the child was arrested.

##### i. Documented cases

A 16-year-old minor (victim V80) recalls that he was arrested on 30 November 2024, when he was leaving the area surrounding the rally with his parents and friends, and that he did not commit any offences during or after the rally. He was first attacked by the officers of the Special Tasks Department and then forcibly dragged to another location, where he was handed over to the police. The aforementioned police officers officially “registered” the minor’s arrest and drew up an offence report. Although the administrative offence report indicated two police officers as the arresting officers, in reality the child was arbitrarily arrested without any legal basis by the employees of the Special Tasks Department and injured. The arresting officers did not explain to the child under which article of the law they were arresting him or what rights he had as an arrestee, which is a significant violation. He was not caught during committing the administrative offence, he had only been trying to return home from the rally when he was arbitrarily arrested (V80).

**Victim V80 (17-year-old minor):** *“I was very scared during the incident because I was suddenly attacked. I was palnning on going home with my parents. I had not committed any offences and I thought I would be safe.”*

On 5 December 2024, a 16-year-old minor (victim V114), who was at the demonstration, was administratively arrested after throwing a paper object at the police. The child suffered health problems during the arrest, in particular, he lost consciousness, but the police did not allow him to receive medical care. The child was arrested for almost 48 hours, although the necessity of the arrest was not properly justified.

**Victim V81 (17-year-old minor):** *“I was very nervous and scared. I was shocked to see so many police and special forces chasing after me.”*

On 3 December 2024, a 16-year-old minor (victim V 7) was arrested at night, when the crackdown and uncontrolled arrest of the demonstrators began. The child was tied up, injured and taken to a minibus by about 10 employees of the Special Tasks Department, where they placed him with the other arrestees and inflicted physical injuries, after which he was handed over to the police.<sup>257</sup> According to the victim, it was recorded in the case files that the police had allegedly seen the fact of an administrative offence on his part and the police themselves made a decision to arrest him. In fact, no administrative offence had occurred and the police officer who drew up the report did not even witness his arrest.

On 2 February 2025, a 16-year-old minor (victim V129) was arrested. According to him, the members of the Special Tasks Department arrested him when the situation became tense between the rally participants and the police and he himself was caught in the stampede.

**Victim V6 (17-year-old minor):** *“I was caught in a stampede, during which a rather strong man wrapped his hands around my stomach area. He was wearing a patrol police uniform”.*

<sup>256</sup> Radio Tavisupleba, “I don't trust the system!” - according to his lawyer, an activist Mirian Berulava was arrested for these words, 02.02.2025; see, <https://www.radiotavisupleba.ge/a/33299794.html> [11.02.2025].

<sup>257</sup> Victim V7.

According to the minor, the members of the Special Tasks Department robbed and injured him. He was placed in a minibus with the adults and only then handed over to the police, who drew up a report of his arrest, who, in fact, had not even been at the scene of the arrest.

## ii. Identified trends

According to the studied cases it is clear that the international standards for the protection of children's rights<sup>258</sup> had been repeatedly violated during the arrests of children, namely:

- Children were arrested arbitrarily, without necessity, even though the arrest was supposed to be a measure of last resort;
- Children were arrested using disproportionate force;
- Children were ill-treated;
- The child's arrest report was filled out by the police officers who had not witnessed the child committing a possible crime or their arrest;
- Children were treated like adults and placed in transport vehicles with the adult arrestees;
- The children were not explained the nature of the offence they had committed, nor their rights as arrestees;
- Information about the whereabouts of the arrested children was not available in a timely manner, because of which their parents and human rights defenders searched for them for several hours;
- False witnesses were presented as evidence in court by the police officers who claimed to have witnessed a minor committing an offence;
- Cases of robbery and seizure of personal belongings have been identified with children, as well as with the adult arrestees.

It is concerning that even in the case of minors, who enjoy greater guarantees of protection, the court did not show due consideration when considering the necessity of their arrest.

### 4.1.4. Administrative arrest of the persons with disabilities

Persons with disabilities were among the arrested. Although persons with disabilities were enjoying the rights to freedom of assembly and expression guaranteed by the national legislation and the international treaties, they were subjected to persecution and unlawful arrest. In addition, the practice of confiscating mobile phones has been identified.

Persons with disabilities were deprived of their liberty arbitrarily and without legal grounds, even when they had posed no threat. It was found that none of the arrestees had been informed of the reasons for their arrest. In the cases studied, the state has failed to ensure that the arrestees were properly informed, thereby violating the principles of the accessibility and reasonable adjustments as enshrined in the Convention on the Rights of Persons with Disabilities.

## i. Documented cases

A disabled person (victim V78) was arbitrarily and violently arrested while at a demonstration. He did not commit any administrative offence. During the arrest, officers of the Special Tasks Department of the MIA inflicted severe injuries on his face and head. After the arrest, he was taken to a police car, where they handcuffed him and continued to beat him. The disabled person did not understand what was happening to him. He was taken to the police station, where a sign language interpreter arrived a few hours later. Since the victim could not open his eyes due to the injuries to his eyes, he could not see the sign language interpreter's movements and they were not able to explain the reason for his arrest to him. Due to his severe injuries, the victim was transferred from the police station to a medical facility, where communication was also not provided in accordance with his needs. He was not given the administrative arrest materials.

**Victim V78 (24-year-old man):** *"First of all, I couldn't understand why they attacked me when I wasn't even at the rally and was returning home."*<sup>259</sup>

<sup>258</sup> European Convention on Human Rights (adoption date by Georgia: 27.04.1999, entry into force in Georgia: 20.05.1990), Article 5. Convention on the Rights of the Child (adoption date by Georgia: 20.11.1989, entry into force in Georgia: 02.07.1994), Article 37.

<sup>259</sup> Victim V78.

A 19-year-old boy diagnosed with epilepsy was at a protest in Tbilisi with his mother on the night of 6 December 2024. After midnight, when 7 December had already begun, he left the rally area and headed towards the metro.

**Victim V79 (19-year-old man):** *“One of the people I didn’t know cursed and ran away. Several members of the special forces came towards me. I didn’t even think about running away, because I hadn’t committed any offence. A special forces member approached me and told me that I had cursed at them. I didn’t even have time to respond, but at that moment other special forces arrived, grabbed my hands and feet and practically lifted me up in the air and took me towards the Radisson Hotel, where only special forces were present.”*<sup>260</sup>

After inflicting physical injuries, the victim was handed over to the police, who officially registered the fact of his arrest.

## ii. Identified trends

Persons with disabilities were deprived of their liberty arbitrarily, without legal grounds, when they had posed no danger. It has been found that none of the arrestees were informed of the reasons for their arrest, nor were they informed of their rights.

The cases studied show that a number of human rights guarantees were ignored when arresting the persons with disabilities, namely:

- The obligation of accessibility and reasonable adjustments under the Convention on the Rights of Persons with Disabilities was not fulfilled;
- They did not invite a sign language interpreter who could have provided them with information they could understand;
- The arrestees were subjected to torture, beatings, and insults;
- The arrested deaf person had no information about why he was attacked. He tried to inform the special forces/police officers that he could not understand them, but they did not take this into account and instead beat him up even more because of it;
- Cases of robbery and seizure of personal belongings have been identified.

During the protests that began in November 2024, it is clearly visible that the measures taken by the state contradict the international human rights principles, including the European Convention on Human Rights, as well as the Convention on the Rights of Persons with Disabilities, and the measures taken are not compatible with the principles recognized by the human rights law.

### 4.1.5. Legislative regulation and the assessment of the lawfulness of the administrative arrests

Article 13 of the Constitution of Georgia and Article 5 of the European Convention on Human Rights recognize the fundamental right to liberty and personal security of a person, which applies not only to imprisonment and the deprivation of liberty, but also to cases of the restriction of liberty for a shorter period of time, including arrest.<sup>261</sup> This means that the administrative arrest, which must meet certain criteria in order to ensure the requirements set out in Article 5, can be considered a restriction of personal liberty for the purposes of Article 5 of the European Convention, even if these requirements are not defined by the national legislation.

Under the Georgian legislation, administrative arrest is one of the measures to secure cases of offending, which means that, on the one hand, arrest does not imply the existence of a violation of the law and, on the other hand, the detection of a violation does not in all cases require the arrest of a person. Measures of security, including the administrative arrest, serve specific purposes defined by law – dealing with and the prevention of violations, drawing up an offence report, timely consideration of the case, enforcement of the adopted ruling and ensuring the appearance of the offender in court and/or the participation in the administrative process.<sup>262</sup>

Furthermore, under the legislation, administrative arrest is not applied to all offences provided for by the Administrative Offences Code, but to specific violations listed in a special article.<sup>263</sup> This list includes Articles 166, 173, and 174<sup>1</sup>, which are most often used during the protests.

During the administrative arrest an intensive interference in a person’s life is conducted, and therefore, the state authorities are obliged to assess the necessity of the arrest when arresting a person. This is also indicated by the European Court of Human Rights in its judgment against Georgia<sup>264</sup> in “Dzerkorashvili and Others v. Georgia”, where the Court found a violation of Article 5, paragraph 1 (right to liberty and security of a person). The Court indicates that the applicants’ administrative arrest was an

<sup>260</sup> Victim V79.

<sup>261</sup> *Shimovolos v. Russia*, no. 30194/09, 21.06.2011, §§48-50.

<sup>262</sup> Administrative Offences Code of Georgia, Article 244.

<sup>263</sup> Administrative Offences Code, Article 245.

<sup>264</sup> *Dzerkorashvili and others v. Georgia*, no. 70572/16, 02.03.2023.

arbitrary and unjustified measure, as the necessity of the arrest had not been assessed. In the same case, the Court noted that the authorities must take into account the context of the freedom of expression and participation in a peaceful assembly when imposing an administrative arrest.

Although the arrest of a person primarily constitutes an interference with the liberty of the person, when the arrest occurs within the framework of a protest, the restriction of liberty must also be considered in the context of the fundamental rights of assembly and expression. The European Court of Human Rights has found in a number of cases, together with Article 5 of the Convention, a violation of Article 11 of the Convention due to the arrest of a person during a protest and the imposition of administrative detention on them. In the case of *Gafgaz Mammadov v. Azerbaijan*, the European Court explained that in the context of the fact that the relevant documents and protocols did not substantiate the need for the arrest and did not describe and specify the violation committed by the applicant, it is clear that the arrest was arbitrary and in such a case it is considered a form of interference with the freedom of assembly.<sup>265</sup>

The UN Convention on the Rights of the Child provides additional legal guarantees for the procedures for the arrest of minors, according to which no child shall be deprived of his or her liberty unlawfully or arbitrarily. The detention, arrest or deprivation of liberty of a child shall be in accordance with the law and shall be used only as a measure of last resort and for the shortest possible period of time.<sup>266</sup> Moreover, the form of arrest of a child shall not be degrading or abusive and shall not be carried out by violent methods. Children shall not be placed in vehicles or cars after arrest.<sup>267</sup> The national legislation, in relation to the arrest of a minor, also establishes an obligation to notify the parent.<sup>268</sup>

International standards create additional guarantees for persons with disabilities. In this regard, the UN Convention on the Rights of Persons with Disabilities is important.<sup>269</sup> According to the Convention, in order to ensure the independent life of persons with disabilities, the state must ensure accessibility to information and communication for persons with disabilities. When an interpreter is required for an arrestee, the government body is obliged to ensure that the translation is accurate and detailed.<sup>270</sup> The obligation to provide access to information is general and applies to all persons with disabilities. Once the law enforcement agencies become aware that they have arrested persons with disabilities, the law enforcement agencies have an obligation to act in accordance with the principle of reasonable adjustments.

Based on everything stated above, when interfering with a person's right to liberty through the administrative arrest, the relevant authorities must adhere to several basic principles:

1. Use arrest only in extreme cases, so that it is not considered a form of interference in other fundamental human rights;
2. When determining the length of the arrest, be guided by the standard of necessity and fully justify the need for extending the arrest period;
3. Ensure the full protection of the procedural rights of the arrested person (explanation of rights, familiarization with the report, contact with family and lawyer, invitation of an interpreter, etc.);
4. Review complaints about the administrative arrest promptly and thoroughly.

The above summary is particularly relevant in the context of the November-December protests and the subsequent series of arrests. As the study of the practice of administrative arrests reveals, arrests almost always lacked an appropriate legal basis and were an instrument for mass dispersal of protests. This factor exactly determined the arbitrary and indiscriminate nature of the arrests. This is illustrated by the robbery from the citizens and the severe physical attacks on them following the arrests, which in some cases reached the level of torture and inhuman treatment.

Each case of interference with a person's freedom must be duly justified and administrative arrest must meet the standard of necessity. In the context of the protests under consideration, it is clear that the arrests of citizens did not have the nature of a response to an individual offence. In the context of the protests, it is also clear that the administrative arrests had the nature of retaliation for the political views and activities of the protest participants.

Cumulatively, taking into account all the circumstances, as well as the number of the arrested persons, it is revealed that the state was not establishing legal order, during which the administrative arrests of the citizens is carried out on the appropriate legal basis, taking into account the principles of necessity and proportionality, but rather, the protest was being suppressed, and then an attempt was made to bring arbitrary arrests within the legal framework through the administrative proceedings.

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<sup>265</sup> *Gafgaz Mammadov v. Azerbaijan*, no. 60259/11, 15.10.2015, §62.

<sup>266</sup> United Nations Convention on the Rights of the Child, 1989, Article 37.

<sup>267</sup> Unicef, Free and safe to protest, policing assemblies involving children, 2020, 51; see, <https://www.unicef.org/media/144876/file/%20Free%20and%20safe%20to%20protest%20%3A%20Policing%20assemblies%20involving%20children%20.pdf> [11.02.2025].

<sup>268</sup> Administrative Offences Code, Article 245, paragraph 2.

<sup>269</sup> Convention on the Rights of Persons with Disabilities (Date of adoption: 12.04.2014, entry into force: 12.04.2014).

<sup>270</sup> *Shamayev and Others v. Georgia and Russia*, no. 36378/02, 12.04.2005, §425.



This constitutes a gross violation of the human rights guarantees and procedural norms established by the international standards and the national legislation.

#### 4.1.6. Procedural rights of the arrestees

Several systemic challenges have been identified in terms of the effective implementation of the procedural rights and defense rights of those arrested at the protests.

Typically, the determination of the location of the arrestees and, consequently, the provision of legal advice to them would be delayed by several hours. This may have been partly due to the large number of the arrestees, as well as the dissemination of delayed and/or contradictory information by the Ministry of Internal Affairs officials, which may have created an artificial barrier to meeting with the arrestees. The determination of the location of one of the arrested minors (victim V61) was also made more difficult, which is even more concerning. Beside this, after bringing the minor to the police station, the lawyer standing outside was not allowed to enter the building and represent the child's interests.<sup>271</sup>

This challenge is particularly noteworthy given the fact that the arrestees indicated that they had not been informed of the real reason for their arrest at the time of their arrest. Of those interviewed who have answered the question about their arrest, only 18% said they had been informed about the grounds for their arrest. It is noteworthy that the reasons for arrest and their procedural rights had not been properly explained to the minor victims, as was evident during their interviews.<sup>272</sup>

#### ■ Have you been informed about the reason for the detention?



When asked whether they were informed about their rights as arrestees, 89% indicated that they had not been informed about their rights, and only 11% said that they had been explained their rights. This indicates that the law enforcement officials were blatantly violating the procedural rights of the arrestees and were not formally fulfilling their obligation to inform them of their rights.

#### ■ Have you been informed about your rights?



<sup>271</sup> Victim V61.

<sup>272</sup> Victim V80.

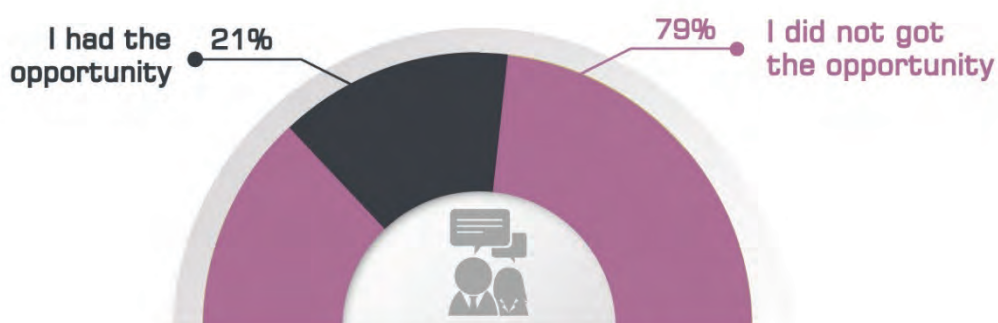
Despite the above, 34 arrestees stated that they had signed some document related to their arrest, however, only 22 of them said that they had been given the opportunity to actually familiarize themselves with the document related to their arrest.

The Administrative Offences Code of Georgia establishes the obligation of the arresting officer to inform the arrested person of their rights in an understandable manner. The explanation should include providing them with information about the committed offence and the grounds for the arrest, the right to contact relatives and a legal council.<sup>273</sup> Despite this, mass restrictions on the right of the arrestees to call their family and a lawyer have been revealed. Approximately 60% of the arrestees say that they had not been given the opportunity to contact their family, and almost 80% indicate that they had been unable to contact or had not had access to a lawyer during the arrest.

## ■ Have you been able to contact your family?



## ■ Have you been given access to a lawyer?



The indicated data demonstrates the systematic violation of the procedural rights of the arrestees. This is even more alarming in the circumstances where the majority of the arrestees were subjected to beatings and severe insults, at which time prompt access to a lawyer can be crucial for the effective protection of their rights.

The statements of the arrested persons confirm that there were other systemic problems related to the drawing up of the arrest report. As has been mentioned, the actual arrest of the protest participants was carried out, in most cases, by the employees of the Special Tasks Department. Despite this, the identities of the police officers were indicated in the

<sup>273</sup> Administrative Offences Code, Article 245, paragraph 4.

administrative arrest report who had not arrested the persons, but transported them to the police building. The arrested persons indicate that this fact led to the fact that the factual circumstances indicated in the arrest report as the basis for the arrest do not correspond to reality and were fabricated after the arrest.

One of the arrestees recalls that the report on his administrative arrest was drawn up at the police station, which indicated the time when he had not yet been arrested. The person also recalls that while compiling the case materials, the police officers would call someone else and ask which article of the Administrative Offences Code should be cited as the basis for the arrest.<sup>274</sup> The same issue is emphasized by another arrestee, who says that the police officers in their case materials were not at the scene at all at the time of their arrest.<sup>275</sup>

Another citizen recalls that the decision on who would be his arresting officer was made in the detention center, where a person, presumably a higher-ranking officer, told one of the police officers that he would be the arresting officer and the other would be a witness.<sup>276</sup> Another arrestee has a similar story:

**Victim, V21 (36-year-old woman):** *"The special forces tied me up, but they had to indicate a police officer as the arresting officer. I waited for several hours for someone to come, and finally they brought a young man and indicated him as the arresting officer."*<sup>277</sup>

It is particularly worrying that this trend was also retained in the case of the minor arrestees. During the interviews, minors indicated that they had been arrested by masked individuals, however, police officers were indicated as their arresting officers. At least three victims have spoken about this trend.<sup>278</sup> According to one of them (victim V128), it was recorded in the case files that the police had allegedly seen him commit an administrative offence and that the police themselves made the decision to arrest him. In reality, no administrative offence had occurred and the police officer who drew up the report did not even witness his arrest.

**Victim V7 (16-year-old minor):** *"No one was in a police uniform, everyone was masked. They found out at the station that I was a minor. No one believed I was 16. They didn't believe me in the car, they were saying that I was lying to them."*<sup>279</sup>

The 32-year-old man recalls that following his arrest, he was taken to a glass-enclosed police building in Varketili, near the Ministry of Internal Affairs building, where he was taken to a large common area, with about 20 tables in there:

**Victim V22 (32-year-old man):** *"Cases were being falsified here. A hooded man about my age was walking around, [...] he was the youngest and everyone was asking him how to fill out basic forms. He was de facto supervising this process. Since they were not present at the actual arrest, they couldn't fill out anything without asking this person. They were basically copying off of each other.[...] Finally, when they handed me the papers, as if nothing, I read that, it turned out that, I was standing on the Rustaveli Avenue, cursing, throwing stones, the "arresting officer" was watching this and that's why he decided to arrest me. After reading this, I ceased reading the document."*<sup>280</sup>

The witnesses' accounts are also confirmed by the studied administrative offence case materials. Typically, in the administrative arrest reports, as well as in the administrative offence reports, the factual circumstances of the case are indicated in a blanket form and in many cases, they refer to the violent or unlawful nature of the rally and the aggressive behavior of the citizen, who, despite the call to disperse, did not leave the protest area, which was a sign of non-compliance to the lawful demand of the law enforcement officer. Beside the non-compliance to the lawful demand of the police officers, it is often indicated that the citizen insulted the police officers and did not stop committing the offence, and this was the basis for their arrest.

A systemic problem of inadequate medical care provision in the police stations and the temporary detention centers has been revealed. One of the arrestees, who was brought to the Tbilisi Police Main Division, indicated that he had a serious heart problem and requested medical assistance, but was told that it was impossible to find help at the moment and that he would be provided with assistance later, but at the same time, he was asked to sign a document stating that he was refusing medical assistance.<sup>281</sup> Another arrestee, who was taken to the Kakheti Highway Police Station and despite his serious injuries, was delayed for several hours and was only able to see a doctor after numerous requests, and later had to be taken to a hospital.<sup>282</sup>

<sup>274</sup> Victim V5.

<sup>275</sup> Victim V6.

<sup>276</sup> Victim V17.

<sup>277</sup> Victim V21.

<sup>278</sup> Victim V80; Victim V128; Victim V129.

<sup>279</sup> Victim V128.

<sup>280</sup> Victim V7.

<sup>281</sup> Victim V6.

<sup>282</sup> Victim V19.

Several interviewed victims spoke about delayed medical care,<sup>283</sup> which is why this issue was also identified as a systemic challenge.

The last systemic procedural challenge identified in relation to the administrative arrests is the practice of arbitrary and unjustified extension of the term of the arrest. According to the Administrative Offences Code, a person must be released no later than 24 hours after arrest, or brought before a court for consideration of the case of offence. This term may be extended only exceptionally, for a single period of no more than 24 hours, the appropriateness of which must be substantiated by the relevant employee of the authorized body.<sup>284</sup> According to the processed data, the terms of the administrative arrest in most cases exceeded 24 hours. During the first 72 hours of the protests, the 24-hour period of the administrative arrest of almost all the arrestees was extended by an additional 24 hours without the proper justification,<sup>285</sup> which ignores the exceptional nature of the rule for extending the period of administrative arrest and grossly violates the principles established by the human rights law.

#### **4.1.7. Unlawful arrests and the right to a fair trial**

The administrative offence trials of the individuals arrested in the context of the protests are taking place in the background of substantial challenges. While working on the report, several dozen administrative offence cases have been examined, which revealed both the procedural shortcomings and the substantial restrictions on the enjoyment of the right to a fair trial. In the absence of an impartial and independent court, the consideration of the cases of the demonstrators took on a repressive character, which was manifested in expedited and night-time trials, insufficient time and resources for the defence, as well as inadequate examination and evaluation of the evidence. The court decisions failed to meet the minimum standard of justification, were often based only on the testimonies of law enforcement officers, relied on contradictory evidence, and were characterized by insufficient reasoning.

The report assesses the reasoning behind the court's decisions based on the standards established by the Constitutional Court of Georgia and the European Court of Human Rights. The reviewed decisions revealed that the court's reasoning is formal and of a blanket character, indicating a disregard for legal standards in the decision-making process. The court's approach, which is aimed at using the repressive measures against the demonstrators, fundamentally contradicts the human rights standards of a fair trial, freedom of assembly and expression, which indicates systemic problems in the judiciary.

##### **i. Procedural rights of the arrested demonstrators and the violation of the procedural standards of a fair trial**

The trials of those arrested during the protests were conducted in substantial violation of the fundamental principles of a fair trial. A particularly serious violation is the expedited administration of justice, which deprived the demonstrators of the opportunity for full legal protection. This chapter reviews the procedural violations that have been revealed during the consideration of the cases, including the restrictions on the rights of the arrestees, unequal access to evidence and the unconditional concurring with the police statements.

##### *a. Expedited justice and the violation of the principle of adversarial proceedings*

The cases of people arrested en masse during the protests were considered in court on a so-called "conveyor belt" basis - superficially and in an expedited manner. In this process, evidence was not properly examined, and the defence was not given sufficient time or the proper means to prepare its position.

The consideration of the cases of those arrested on 28-29 November 2024 was particularly problematic. Trials were held during non-working hours, including at night, which made it difficult for the defence to obtain evidence and properly prepare its position. The arrestees and their lawyers, who had previously been in the temporary detention center, did not have the proper opportunity to familiarize themselves with the case materials. In many cases, communication between the lawyer and the arrestee was possible only right before the start of the trial.

It is noteworthy that the court decisions were based mainly on the police testimonies, without the presentation of other neutral evidence. The court from then on has been making an assumption that the police officers, due to their professional obligations, had acted impartially and neutrally. Accordingly, their testimonies have been given priority even when the police officers' testimonies were contradictory or there was a video evidence proving their inaccuracy.<sup>286</sup>

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<sup>283</sup> Victim V17; Victim V71.

<sup>284</sup> Administrative Offences Code, Article 247, paragraphs 1 and 2.

<sup>285</sup> GYLA, Statement of the NGO Legal Aid Network of 30 November 2024, 30.11.2024; see, <https://gyla.ge/post/30octobersdakavebulebi> [11.02.2025].

<sup>286</sup> In the studied case, two police officers have been interviewed, whose statements were contradictory: one police officer said that the arrestee was wearing a gas mask and throwing things, while the other police officer denied this fact. The police officers were claiming that the demonstrator was arrested in front of the Parliament, when the video footage shows that the arrest took place near the Rustaveli metro station, record of the hearing of the Administrative Cases Panel of the Tbilisi City Court, №4/8616-24, 1 December 2024.

The court's approach towards those injured during the arrest was particularly worrying. The judges routinely refused to grant requests to postpone the proceedings even when the arrestees had sustained serious injuries and trauma as a result of physical abuse by the law enforcement officers.<sup>287</sup> In some cases, proceedings were postponed only after the arrestee had become incapacitated in the courtroom itself. The so-called "conveyor belt" approach to the administrative offence cases suggests that the "Georgian Dream" party was using the courts as a repressive mechanism to reduce the number of the demonstrators at protests.

#### *b. Violation of the reasoned decision standard*

The right to a fair trial includes both the procedural guarantees and the obligation for the court to give reasoned decisions. According to the case-law of the European Court of Human Rights, the principle of the proper administration of justice requires that the court decisions be based on clear reasoning.<sup>288</sup> Reasoned decisions provide the parties with a demonstration that their positions have been properly considered, which contributes to the acceptability of the decision and protects the rights of the defence.

An analysis of the cases of those arrested during the demonstrations shows significant shortcomings in the reasoning behind the court decisions. The judges are using a blanket and superficial approach, where decisions are virtually identical to each other and the individual circumstances of each case are not properly assessed.<sup>289</sup> Although decisions often contain references to the practice of the Constitutional Court and the European Court of Human Rights, these citations are only formal in nature and are not really applied to the circumstances of a specific case. In many cases, the court applies the practice of the European Court tendentiously, only to the extent that it supports its position, while the overall context and the factual circumstances of the precedent case do not correspond to the case at hand.

It is particularly problematic that important factual circumstances remain outside the review of the judicial decisions. The court does not examine the details that are crucial for confirming or denying the fact of offence. Substantial issues raised by the defence, which cast doubt on the fact of committing an offence, are often not reflected in the decision at all or are considered superficially. In particular, the decisions are not based on the recordings of the body cameras and there is no justification as to why they were not presented by the law enforcement officers; in the roadblock cases, it is not investigated when the road was blocked, when the demonstrator arrived at the scene and whether he or she directly participated in blocking the road; it is not analyzed what part of the verbal abuse is protected by the freedom of expression and what is considered disorderly conduct; and these details are of crucial importance for determining the fact of an offence.

The approach of the court in cases where the arrestees indicate that they have been subjected to violence is particularly worrying. The judges often do not give them the opportunity to speak on this issue or do not reflect this information in their decision.<sup>290</sup> When an arrestee shows signs of violence, the judge should assess the evidence presented by the police particularly critically, as in such cases the voluntariness of the confession is particularly questionable.<sup>291</sup> Furthermore, the alleged offender, who is a victim of violence, may fear the presentation or refutation of the evidence and may not be able to defend themselves fully, which violates the principle of equality of arms.

This practice points to a systemic problems: blanket decisions and the neglect of the minimal standards of reasoning clearly demonstrate that the main goal of the court was not to respond to the alleged offence, but to punish the civil activists and the society using the repressive mechanisms. This approach presents the court as an integral part of the state's punitive apparatus and once again clearly demonstrates the fundamental problems of dishonesty and impartiality of the judges.

#### *c. Gaps in the definition of sanctions and the inconsistent practices*

An analysis of the court decisions on the demonstrators' cases reveals significant shortcomings in determining the measure of liability. Although the judges had the discretion to choose an adequate and proportionate sanction for the offence - a fine or

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The police officer interviewed in the case claimed that he had arrested the citizen, when the video footage shows that the arrest was carried out by an employee of the Special Tasks Department, moreover, the police officer's statement was inaccurate regarding the place of the arrest. V104 Interview, p.26.

<sup>287</sup> The arrestee, who was severely beaten during his arrest, was suffering from swelling and bleeding. During the trial, he periodically lost consciousness, but the judge did not postpone the hearing despite his request. The judge told the defence that he had called an ambulance due to the defendant's deteriorating health, but later, upon verification by the lawyer, it was determined that no ambulance had been called, Victim V115.

<sup>288</sup> *Papon v. France*, no. 54210/00, 15.11.2001.

<sup>289</sup> For example, judges Lela Tsagareishvili, Zviad Tsekava and Nino Enukidze use an absolutely identical paragraph in their decisions regarding the European Court of Human Rights standard on the examination of evidence, in particular in two cases, with identical quotes and paragraphs. (*Barberà, Messegué, Jabardo v. Spain*, no. 10590/93, 06.12.1988, §68; *Bulychev v. Russia*, no. 24086/04, 04.10.2010, §32).

Decisions: Decision of the Administrative Cases Panel of the Tbilisi City Court of 6 December 2024 №4/8742-24, para. 7.1.; Decision of the Administrative Cases Panel of the Tbilisi City Court of 2 December 2024 №4/8638-24, para. 7.1.; Decision of the Administrative Cases Panel of the Tbilisi City Court of 5 December 2024 №4/8480-24, para. 8.

<sup>290</sup> The judge did not allow the arrested protester to speak at the hearing about the facts of the violence committed against him during the arrest and told him that the issue was beyond the scope of the case under the consideration. Record of the hearing of the Administrative Cases Panel of the Tbilisi City Court of 1 December 2024 №4/8616-24. Victim V101.

<sup>291</sup> *Ibrahim v. United Kingdom* [GC], nos. 50541/08, 50571/08, 50573/08 and 50574/08, 13.09.2016, §254.

administrative detention, or to use a verbal warning, the practice of applying sanctions is inconsistent and inadequately justified.

There is a sharp difference in the sanctions applied to the participants of the protests held in different periods. If in the spring, during the protests against the “Russian law”, the courts mainly used fines and only in special cases (minors, people with serious physical injuries) did they issue a warning, then during the protests after November 28, the number of cases of using administrative detention as a form of punishment increased disproportionately. The court decisions do not substantiate what factors led to this sharp change in the approach, especially since the analysis of the cases does not reveal any significant differences in the behavior of the demonstrators during the protests of different periods.

It is noteworthy that the fine for blocking a road, which was increased 10-fold to 5,000 GEL by the December legislative amendments, is used for the purpose of financial repression. When imposing the fines, the judges do not take into account the financial situation of the alleged offender and their apparent inability to pay a disproportionately high fine.

The court's approach to the issue of the confession of an offence is particularly problematic. The verbal warning is mostly used in cases where a person confesses to a crime and this is motioned by the body drawing up the report. This practice is problematic in two ways: on the one hand, in conditions where the majority of arrestees show signs of physical violence, the confession may be the result of coercion; on the other hand, the judge's encouragement of confession in a situation where the law enforcement body has not presented an appropriate set of evidence contradicts the principles of a fair trial.

The justification for sanctions is mostly of a blanket character and limited to the references to the standard legal norms and the general reasoning about the individualization of responsibility. It is particularly problematic that the most severe sanction - detention - is used without justification of its necessity,<sup>292</sup> including against the persons who have obvious signs of physical violence on their bodies.

This practice demonstrates that the process of imposing sanctions lacks an individual approach and proper justification, which indicates not only the systemic shortcomings of the court, but also its role in the politically motivated punitive mechanism. When cases are rushed through the court, the defence is not given a reasonable time, the standard of proof is deliberately lowered, and the sanctions are disproportionately harsh - all this together reflects the role of the court in the process of suppressing protests and clearly indicates the political nature of its actions.

#### *d. Improper allocation of the burden of proof and the violation of the presumption of innocence*

The principle of the presumption of innocence requires that the court should not begin the consideration of a case with the preliminary assumption that the accused has committed a specific offence. The burden of proof lies with the prosecution, and any doubt is resolved in favor of the accused.<sup>293</sup> However, an analysis of the cases of those arrested during the demonstrations shows that the court often violates this fundamental principle.

Although the judges emphasize in their judicial acts a high standard of fact-finding, in practice they often ignore the principles they themselves have established. The court determines that the evidence should be assessed on the basis of confrontation and an in-depth analysis,<sup>294</sup> but in reality this process is often formal in nature.

The court's approach during the evaluation of evidence is particularly problematic. Decisions are largely based on the evidence from only one source – the law enforcement agencies. The court often presents the police officers' testimonies as neutral witnesses, ignoring the fact that they are the representatives of the agency that compiled the report of the offence.

The credibility of the police testimony is further reduced by the fact that often it is not the arresting officer who gives the testimony, but another police officer. This carried a systematic character. Demonstrators were usually arrested by the officers of the Special Tasks Department, who were wearing masks and did not have identification numbers. After the demonstrators had been arrested and severely beaten, they would be handed over to the police. Later, it was the latter who would appear in the court as the arresting police officers and give a false testimony about a case in which they would not only not be the arresters but also the eyewitnesses.<sup>295</sup> As a result, the witness police officers had difficulty indicating the exact location of the arrest and naming the specific actions that allegedly constituted the offence.

It is particularly noteworthy that **in none of the cases studied has the video footage from the body cameras been presented to corroborate the police officers' testimonies**,<sup>296</sup> despite the fact that such evidence can easily be obtained with the modern technological means. According to the Constitutional Court of Georgia, when it is obvious that a police officer could have

<sup>292</sup> *Navalnyy v. Russia*, nos. 29580/12 and 4 others, 02.02.2017, §51.

<sup>293</sup> *Barberà, Messegue & Jabardo v. Spain*, no. 10590/83, 06.12.1988, §77.

<sup>294</sup> For example, Decision of the Administrative Cases Panel of the Tbilisi City Court of 6 December 2024 №4/8742-24 para. 7.1.

<sup>295</sup> For example, Record of the hearing of the Administrative Cases Panel of the Tbilisi City Court of 8 December №4/8920-24. Victim V112.

<sup>296</sup> Police officers often indicated that the batteries of the body cameras were dead, they had them in their pockets so as not to damage them, or they did not consider it necessary to use them at all. For example, the record of the hearing of the Administrative Cases Panel of the Tbilisi City Court of 5 December 2014 №4/8480-24.



obtained evidence to support the credibility of his actions and did not do so, the degree of trust in his actions is significantly reduced.<sup>297</sup>

The assessment of the video evidence presented by the court is also often formal in nature. Video recordings, typically, only reflect the general course of the rally and do not confirm the fact of a specific offence. Nevertheless, the judges indicate in their decisions that the "totality of evidence, including the video recordings" confirms the commission of an offence. At the same time, the defence's motions to include relevant video footage in the case are often rejected.<sup>298</sup>

The principle of reconciling evidence is also only formally fulfilled. The court often points to the correlation of identical testimonies of two police officers, or of a police officer and the person who compiled the report, although this does not constitute a real reconciliation of evidence, especially when these persons had the opportunity to agree on their positions in advance.

The court's approach to assessing the testimony of an arrested person is particularly problematic. The court often disregards this testimony on the grounds that it is not supported by other evidence, while not applying the same standard to the testimony of the police officers. **Such an approach effectively shifts the burden of proof to the defence, which contradicts the principle of the presumption of innocence.**

This practice creates an absurd requirement – the peaceful demonstrators are forced to continuously videotape themselves at a rally in order to collect evidence to prove their innocence. Instead, the court should require the party compiling the report to present neutral, objective evidence, such as the body camera footage or other audio-visual material that directly demonstrates the alleged offence.

Stemming from the above, it is clear that when considering cases of administrative offences during protests, the court violates the principle of due review, reconciliation and comparison of evidence, thereby harming the presumption of innocence and emphasizing the role of the court in implementing the punitive policy of the state. This tendency is not manifested only in individual cases, but is part of the overall architecture of the legal system, which deliberately acts against the protest movement.

#### **4.1.8. Administrative litigation as a legal mechanism for restricting the freedom of assembly**

The measures taken by the authorities during the wave of protests have once again demonstrated that the rights of assembly and expression in Georgia face serious challenges. An analysis of the court decisions reveals that certain articles of the Administrative Offences Code are being used as a punitive instrument in the form of a repressive mechanism against the political opponents and the civil activists. This chapter analyzes how the freedom of assembly is being restricted through the use of legal mechanisms and what the impact of this practice on the general human rights situation in the country is.

##### **i. Disorderly conduct and the freedom of expression at the protests**

The use of disorderly conduct, as defined in article 166 of the Administrative Offences Code of Georgia, during protests raises significant legal issues with respect to the freedom of expression. According to the norm, disorderly conduct includes swearing in public places, harassment of citizens and other similar actions that disrupt public order and the peace of citizens. However, the application of this norm in the context of the protests often conflicts with the freedom of expression and the permissible legal grounds for its restriction.

As noted, neutral evidence in the cases of the demonstrators is practically non-existent and the imposition of responsibility is based solely on the testimonies of the police officers. Accordingly, the discussion below is not aimed at assessing the factual circumstances, but rather at considering what legal assessment should be given to swearing and obscene language, even within the framework of the data described in the testimonies of the police officers.

An analysis of the judicial practice shows that the charge of "undirected swearing" is most often used against the demonstrators. This charge is usually based only on the testimonies of the police officers and is not supported by other evidence. When considering the cases, it is often established that the alleged swearing was directed at specific addressees, mainly against government representatives, which in itself excludes its undirected nature. Based on the content of the protest, the general spirit and the demands, it is clear that swearing, as an extremely harsh form of protest, could not be undirected and devoid of an addressee.

A significant problem is that when assessing disorderly conduct, the court does not take into account the context of the protest and the specific form of expression. A protest, as an integral part of a democratic society, by its very nature includes certain

<sup>297</sup> Decision No. 2/2/1276 of the Constitutional Court of Georgia of 25 December 2020 in the case of "Giorgi Keburia vs. the Parliament of Georgia", II-106-107.

<sup>298</sup> In one of the cases, the judge refused to admit video evidence taken from the media, believing it only showed general footage of the protest and not a specific violation. However, the video clearly showed how the protester was walking peacefully when he was suddenly rushed by 4-5 officers from the Special Tasks Department and arrested. Victim V112.

elements that go beyond the framework of everyday public order.<sup>299</sup> This may be noise, temporary disruptions to traffic, or some discomfort for people living in the surrounding area. At such times, a temporary restriction of the usual public order and peace is not an offence, but a legitimate manifestation of the democratic process.

Harsh criticism of the public institutions and the political officials, including in a crude form, requires special protection when it relates to such important issues as election fraud or endangering the country's Euro-Atlantic course. According to the case law of the European Court of Human Rights, the "limits of acceptable criticism" are much wider in relation to persons with public status.<sup>300</sup>

The European Court has repeatedly stressed the importance of the freedom of expression, which extends not only to information and ideas that are positively received or perceived as innocuous or of minor importance, but also to those that offend, shock or disturb individuals or the public.<sup>301</sup> The European Court has also found a violation of Article 11 (freedom of assembly) of the Convention when the demonstrators were arrested and fined for using obscene slogans at a protest. The European Court has noted that the vulgar form of a statement cannot be used as a basis for disregarding its content and purpose, since the context and the public interest in what is said must be decisive when restricting the freedom of expression.<sup>302</sup>

It is also problematic that the courts do not differentiate between expressions of different content. For example, epithets such as "Russians", "slaves" are considered administrative offences, while they are forms of critical expression and are protected by the freedom of expression.

A serious challenge is the approach of the courts to the criticism of the police. At protests, the police are often the secondary target of criticism, when the citizens' dissatisfaction is primarily directed against the right restricting act. When the law enforcement agencies unlawfully restrict the freedom of assembly and expression during the demonstrations, the logical dissatisfaction and criticism that arises against the police should be viewed in this context.

According to the case law of the European Court, harsh criticism of the police during a demonstration, including in an insulting manner, may still fall within the scope of the protection of the freedom of expression. The European Court has ruled that, while it is true that the state has the right to protect a law enforcement officer from the excessive and unjustified insults, this protection must be proportionate and must not disproportionately restrict the freedom of expression.<sup>303</sup>

The systematic application of the norm of disorderly conduct by the courts to the protests indicates that they fail to appreciate the specific nature of the protests and its special importance for a democratic society. The norm, which was created to protect public order from a sudden and unjustified aggression, has turned into a punitive instrument against the citizens who express harsh criticism of the government, including in an offensive manner, which violates the fundamental principles of the freedom of expression.

## **ii. Non-compliance with a lawful demand of a law enforcement officer**

Article 173 of the Administrative Offences Code provides responsibility for the non-compliance with a lawful demand of a law enforcement officer. Significant shortcomings have been identified in the practical application of this article in relation to the demonstrators arrested during the protests.

It is noteworthy that the disposition of article 173 is quite broad and requires specification of the characteristics of a lawful demand of a law enforcement officer. In order for a person to comply with a demand made by a relevant authorized person, the authority of the said person must first be perceptible.

A trend that has been revealed during the protests is worthy of attention, when the restrictive orders were issued by the individuals who were not wearing police/law enforcement uniforms. These individuals mostly wore dark blue clothing without any identifying symbols of the police, although they were performing law enforcement functions. This is a clear violation of the law, as it should always be clear to a citizen that he or she is interacting with an official law enforcement officer.<sup>304</sup>

A significant challenge is the issue of the receptibility of the issued demands, taking into account the existing environment. Cases have been identified where the demands had not been voiced to foreign citizens in a language they could understand.<sup>305</sup> Also, the special needs of a person with disabilities, specifically a person with hearing impairment, had not been taken into account and coercive measures were used against him, despite the fact that the latter was physically unable to understand the police demand.

<sup>299</sup> *Makarashvili & Others v. Georgia*, nos. 23158/20, 31365/20 and 32525/20, 01.09.2022, §85.

<sup>300</sup> *Palomo Sánchez v. Spain* [GC], nos. 28955/06, 28957/06, 28959/06 and 28964/06, 12.09.2011, §71.

<sup>301</sup> *Handyside v. United Kingdom*, no. 5493/72, 07.12.1976, §49.

<sup>302</sup> *Feradze and Others v. Georgia*, no. 5631/16, 15.12.2022, §§41–47.

<sup>303</sup> *Gaspari v. Armenia (No. 2)*, no. 67783/13, 11.07.2023, §§29–33.

<sup>304</sup> Law of Georgia "On Police", Article 18, paragraph 3.

<sup>305</sup> Record of the hearing of the Administrative Cases Panel of the Tbilisi City Court of 12 December 2024 №4/9108-24. Victim V107.

The issue of the substantive aspect of the issued demand/order itself is particularly acute. In particular, it is important to assess whether the person issuing the demand had the authority to issue such a demand granted by the law and whether the execution of the issued demand would result in a disproportionate interference with the enjoyment of any fundamental right or freedom.

During the demonstrations, a systematic tactic of the law enforcement agencies has been revealed, when, in order to disperse the rally, the entire assembly was declared unlawful on the basis of local violations. This approach creates the threat of disproportionate interference in the freedom of assembly. In a democratic society, the prevention of the offences occurring during the rally should be carried out only locally, directly against the person who committed the offence.

The court's approach, which improperly assesses the lawfulness of the law enforcement agency's demand, requires a separate discussion. In its decisions, the court, typically, unconditionally accepts the fact that the police demanded the cessation of a certain action or the departure from the territory, but does not assess the extent to which the police had the authority to make this demand and how correctly it determined the necessity of restricting the freedom of expression/assembly at a particular moment.

The above findings demonstrate that the application of article 173 significantly exceeds the objectives of the law. The identified systemic shortcomings, both in the assessment of the lawfulness of the police demands and in their executions, are aimed at suppressing the wave of the protests. The law enforcement agencies are deliberately interpreting the law in a way that allows for legal prosecution of the demonstrators based on the non-existent offences; the unconditional acceptance of such interpretations by the court makes it an accomplice in the legal repression of demonstrators.

### **iii. Blocking a roadway and the freedom of assembly**

Article 174<sup>1</sup> of the Administrative Offences Code, which provides responsibility for the violation of the rules for organizing and holding an assembly or demonstration, is mainly used during demonstrations in cases related to spontaneous blockings of roadways. It is noteworthy that before the decision of the Constitutional Court of Georgia No. 3/3/1635 of 2023, blocking a roadway without a prior warning of the relevant body made the formal aspect of using the assembly unlawful, since the Georgian legislation did not independently regulate spontaneous assemblies.

The Constitutional Court has made an important clarification and noted that the protection of the rights of a part of society from the harm that they may suffer from the disruption of transport traffic for a certain period of time cannot outweigh the right of the participants in assemblies and demonstrations to effectively exercise the freedom protected by the Constitution.<sup>306</sup> However, despite this decision, recent legislative amendments have imposed a new restriction - the organizers of spontaneous demonstrations are obliged to notify the municipality about the blocking of a roadway immediately following the gathering.<sup>307</sup> This requirement is especially problematic in the context of the fact that the recent protests are taking place on a self-organized basis, without a formal organizer, and the citizens gather daily to protest the suspension of the European integration and the repressive measures.

The European Court of Human Rights has a similar approach, ruling that the need to hold a spontaneous assembly may be given priority over the obligation to provide prior notice if it is necessary for the public to express its position on a specific issue immediately and delay may render the exercise of the right of assembly meaningless.<sup>308</sup>

When considering the offences, it was revealed that responsibility was borne not only by those who directly participated in the roadblocking process, but also by those who joined the protest on the already blocked road. When such fines take on a mass character, this is in fact tantamount to imposing a sanction for participating in the protest. The argument of the law enforcement agencies that there was enough space on the sidewalk for the protest is devoid of legal basis. When assessing the fact of blocking the road, the main thing is not whether an individual demonstrator had the opportunity to stand on the sidewalk, but whether it was possible to accommodate the entire protest on the sidewalk. In addition, when determining the density, the necessary requirements for the safety and free movement of demonstrators must be taken into account, which requires even more space.

Video evidence presented at the court hearings is often manipulative. The MIA mainly presents the footage from the beginning of the rally, when the number of the demonstrators is small, thereby trying to prove that there was no need to block the road at all. Particularly problematic is the practice when a demonstrator, who is captured in the footage with a loudspeaker, was considered the organizer of the rally and was fined 5000 GEL (according to the previous version).

The current practice of fining the demonstrators for blocking roads during the spontaneous assemblies, combined with high financial sanctions, maladministration and a biased judiciary, constitutes a grave violation of the right to freedom of assembly and expression. In these circumstances, fining effectively amounts to a sanction imposed for participating in a protest, which

<sup>306</sup> Decision of the Constitutional Court of Georgia of 14 December 2023 №3/3/1635 in the case of "Public Defender of Georgia vs. the Parliament of Georgia", II-41.

<sup>307</sup> Law of Georgia "On Assemblies and Demonstrations", Article 8, paragraph 1<sup>1</sup>.

<sup>308</sup> *Éva Molnár v. Hungary*, no. 10346/05, 07.10.2008, §§37–38.

significantly hinders the ability of the society to respond promptly to the current events and creates a strong deterrent effect on the citizens' exercise of their constitutional right to peaceful protest.

## 4.2. Criminal Justice

One form of repressions is the use of the criminal justice mechanisms against the demonstrators. A number of criminal cases related to the November-February 2024 protests and activists arrested during the April-May 2024 protests are being/have been actively considered in the court.<sup>309</sup> **Their charges, the measures taken against them and the strict criminal justice policy indicate a political persecution of the people with different opinions and positions by the “Georgian Dream” government, which serves the purpose of suppressing the public protest.**

### 4.2.1. Information about the persons arrested in the context of the November-December 2024 protests

Indictee	The charge under the article of the Criminal Code of Georgia	Judge	Measures of restraint used by the court
1. Mate Devidze	<b>Article 353<sup>1</sup>.1.</b> – Attacking a police officer, employee of the Special Penitentiary Service or other representative of authority or a public institution.	Judge <b>Davit Kurtanidze</b> considered the motion to use detention as a measure of restraint against Mate Devidze.  Judge <b>Davit Mgeliashvili</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Nino Galustashvili</b> is Adjudging the merits of the criminal case.	<b>Detention</b>
2. Anatoli Gigauri	<b>Article 353<sup>1</sup>.1.</b> – Attacking a police officer, employee of the Special Penitentiary Service or other representative of authority or a public institution.	Judge <b>Lela Maridashvili</b> considered the motion to use detention as a measure of restraint against Anatoli Gigauri.  Judge <b>Davit Mgeliashvili</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Jvebe Natchkebia</b> is adjudging the merits of the criminal case.	<b>Detention</b>
3. Giorgi Mindadze	<b>Article 353<sup>1</sup>.1.</b> – Attacking a police officer, employee of the Special Penitentiary Service or other representative of authority or a public institution.	Judge <b>Teona Epitashvili</b> considered the motion to use detention as a measure of restraint against Giorgi Mindadze.  Judge <b>Nino Tarashvili</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Nino Galustashvili</b> is adjudging the merits of the criminal case.	<b>Detention</b>
4. Archil Museliants	<b>Article 187.2.a.</b> - Damage or destruction of property by setting fire, explosion or using any other universally dangerous means.	Judge <b>Nana Shamatava</b> considered the motion to use detention as a measure of restraint against Archil Museliants.  Judge <b>Lela Kalichenko</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Giorgi Arevadze</b> is adjudging the merits of the criminal case.	<b>Detention</b>

<sup>309</sup> GYLA, The Cases of Individuals Detained under Criminal Law in relation to the Protests, 09.01.2024; see, <https://gyla.ge/post/aqciebis-konteqtshi-siskhlis-samartlis-wesit-dakavebulebi> [11.02.2025].

5. Davit Lomidze	Article 353 <sup>1.1.</sup> – Attacking a police officer, employee of the Special Penitentiary Service or other representative of authority or a public institution.	Judge <b>Nana Shamatava</b> considered the motion to use detention as a measure of restraint against Davit Lomidze and Temur Zasokhashvili.	Detention
6. Temur Zasokhashvili		Judge <b>Nato Khujadze</b> adjudged the pre-trial hearing and remanded the indictees in custody.  Judge <b>Nino Galustashvili</b> is adjudging the merits of the criminal case.	
7. Anton Chechini	Article 260.6.a. - Illegal manufacturing, production, purchase, storage, transportation, transfer or sale of drugs, their analogues, precursors or new psychoactive substances, in particularly large quantities.	Judge <b>Irakli Khuskivadze</b> considered the motion to use detention as a measure of restraint against Anton Chechini.  Judge <b>Davit Mgeliashvili</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Jvebe Natchkebia</b> is adjudging the merits of the criminal case.	Detention
8. Anzor Kvaratskhelia	Article 353 <sup>1.1.</sup> – Attacking a police officer, employee of the Special Penitentiary Service or other representative of authority or a public institution.	Judge <b>Davit Mgeliashvili</b> considered the motion to use detention as a measure of restraint against Anzor Kvaratskhelia.  Judge <b>Nino Tarashvili</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Jvebe Natchkebia</b> is adjudging the merits of the criminal case.	Detention
9. Saba Jikia	Article 353 <sup>1.1.</sup> – Attacking a police officer, employee of the Special Penitentiary Service or other representative of authority or a public institution.	Judge <b>Davit Mgeliashvili</b> considered the motion to use detention as a measure of restraint against Saba Jikia.  Judge <b>Nino Tarashvili</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Tamar Mtchedlishvili</b> is adjudging the merits of the criminal case.	Detention
10. Davit Khomeriki	Articles 18 – 229 – Preparation of an Explosion.	Judge <b>Arsen Kalatozishvili</b> considered the motion to use detention as a measure of restraint against Davit Khomeriki.  Judge <b>Nato Khujadze</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Nino Galustashvili</b> is adjudging the merits of the criminal case.	Detention
11. Nikoloz Javakhishvili 12. Tornike Goshadze 13. Irakli Miminoshvili 14. Zviad Tsetskhladze 15. Vepkhvo Kasradze 16. Vasil Kadzelashvili 17. Giorgi Giorgadze 18. Insaf Aliyev	Article 225 - Organization, management or participation in group violence	Judge <b>Irakli Khushiavdze</b> considered the motion to use detention as a measure of restraint against the mentioned persons.  The adjudgment of the pre-trial hearing was first assigned to judge <b>Nino Tarashvili</b> , however, a day before the trial the adjudgment was reassigned to judge <b>Davit Mgeliashvili</b> , who remanded the indictees in custody.  The case has moved to the stage of the adjudgment of the merits.	Detention

19. Saba Skhvitaridze	<b>Article 353<sup>1</sup>.2.</b> – Harming the health of a police officer in connection with the official activities of the police officer.	Judge <b>Lela Maridashvili</b> considered the motion to use detention as a measure of restraint against Saba Skhvitaridze.  Judge <b>Nato Khujadze</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Jvebe Natchkebia</b> is adjudging the merits of the criminal case.	<b>Detention</b>
20. Lasha Chkhaidze	<b>Article 187.1.</b> - Damage or destruction of property	Judge <b>Eka Barbakadze</b> considered the motion to use detention as a measure of restraint against Lasha Chkhaidze.  Judge <b>Lela Kalichenko</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Davit Narimanashvili</b> is adjudging the merits of the criminal case.	<b>Detention</b>
21. Andro Chichinadze 22. Onise Tskhadadze 23. Guram Mirtskhulava 24. Jano Archaia 25. Luka Jabua 26. Ruslan Sivakov 27. Revaz Kiknadze 28. Giorgi Terashvili 29. Valeri Tetrashvili 30. Sergei Kukharchuk 31. Irakli Kerashvili	<b>Article 225.2.</b> - participation in group violence.	Judge <b>Tamar Mchedlishvili</b> considered the motion to use detention as a measure of restraint against the mentioned persons.  The adjudgment of the pre-trial hearing was first assigned to judge <b>Nino Tarashvili</b> , however, a day before the trial the adjudgment was reassigned to judge <b>Irakli Shvangiradze</b> , who remanded the indictees in custody.  The case has moved to the stage of the adjudgment of the merits.	<b>Detention</b>
32. Giorgi Akhobadze	<b>Article 260.6.a.</b> - Illegal manufacturing, production, purchase, storage, transportation, transfer or sale of drugs, their analogues, precursors or new psychoactive substances, in particularly large quantities.	Judge <b>Lela Maridashvili</b> considered the motion to use detention as a measure of restraint against Giorgi Akhobadze.  Judge <b>Davit Mgeliashvili</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Mikheil Jinjolia</b> is adjudging the merits of the criminal case.	<b>Detention</b>
33. Tevdore Abramov	<b>Article 260.6.a.</b> - Illegal manufacturing, production, purchase, storage, transportation, transfer or sale of drugs, their analogues, precursors or new psychoactive substances, in particularly large quantities.	Judge <b>Irakli Khuskivadze</b> considered the motion to use detention as a measure of restraint against Tevdore Abramov.  Judge <b>Lela Kalichenko</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Tamar Mchedlishvili</b> is adjudging the merits of the criminal case.	<b>Detention</b>
34. Nikoloz Katsia	<b>Article 260.6.a.</b> - Illegal manufacturing, production, purchase, storage, transportation, transfer or sale of drugs, their analogues, precursors or new psychoactive	Judge <b>Tamar Mchedlishvili</b> considered the motion to use detention as a measure of restraint against Nikoloz Katsia.	<b>Detention</b>



	substances, in particularly large quantities.	Judge <b>Nino Tarashvili</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Tamar Mchedlishvili</b> is adjudging the merits of the criminal case.	
<b>35. Daniel Mumladze</b> <b>36. Guram Khutashvili</b>	<b>Article 187.2.c.</b> - Damage or destruction of property by a group of persons.	Judges <b>Teona Epitashvili</b> and <b>Arsen Kalatozishvili</b> considered the motion to use detention as a measure of restraint against Daniel Mumladze and Guram Khutashvili.  Judge <b>Lela Kalichenko</b> adjudged the pre-trial hearing and remanded the indictees in custody.  Judge <b>Lili Mskhiladze</b> is adjudging the merits of the criminal case.	<b>Detention</b>
<b>37. Anastasia Zinokina</b>  <b>38. Artem Gribul</b>	<b>Article 260.6.a.</b> - Illegal manufacturing, production, purchase, storage, transportation, transfer or sale of drugs, their analogues, precursors or new psychoactive substances, in particularly large quantities.	Judge <b>Nana Shamatava</b> considered the motion to use detention as a measure of restraint against Anastasia Zinokina and Artem Gribul.  Judge <b>Lela Kalichenko</b> adjudged the pre-trial hearing and remanded the indictees in custody.  Judge <b>Nino Galustashvili</b> is adjudging the merits of the criminal case.	<b>Detention</b>
<b>39. Mzia Amaglobeli</b>	<b>Article 353<sup>1</sup>.1.</b> – Attacking a police officer, employee of the Special Penitentiary Service or other representative of authority or a public institution.	Judge <b>Nino Sakhelashvili</b> considered the motion to use detention as a measure of restraint against Mzia Amaglobeli.  Judge <b>Viktor Metreveli</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Nino Sakhelashvili</b> is adjudging the merits of the criminal case.	<b>Detention</b>

#### 4.2.2. Information about persons arrested in the context of the February 2025 protests

Indictee	The charge under the article of the Criminal Code of Georgia	Judge	Measures of restraint used by the court
<b>5. Giorgi Ugulava</b> <b>6. Irakli Tsignadze</b> <b>7. Irakli Tabatadze</b> <b>8. Dimitri Bidzinashvili</b> <b>9. Aleksandre Gogoladze</b> <b>10. Nikoloz Kumsiashvili</b> <b>11. Vasil Eliava</b> <b>12. Nikoloz Kutubidze</b>	<b>Articles 19 – 222 –</b> Attempted Blockage of a facility of strategic or special importance	Judge <b>Davit Kurtanidze</b> considered and satisfied the motion to use bail as a measure of restraint against the indictees.  The case is on the pre-trial hearing stage.	<b>Bail in the amount of 5000 GEL (N40-N44)</b>  <b>Bail in the amount of 4000 GEL (N45)</b>  <b>Bail in the amount of 3500 GEL (N46-N47)</b>

**4.2.3. Criminal cases in which the detention imposed as a measure of restraint against the indictees at the initial appearance hearing was changed to a less severe measure of restraint upon the request of the prosecutor's office.**

<b>Indictee</b>	<b>The charge under the article of the Criminal Code of Georgia</b>	<b>Judge</b>	<b>Measures of restraint used by the court</b>
<b>5. M.G. (minor)</b>	<b>Article 187.2.a. -</b> Damage or destruction of property by setting fire, explosion or using any other universally dangerous means.	Judge <b>Arsen Kalatozishvili</b> considered and satisfied the motion to use detention as a measure of restraint.  Judge <b>Eka Barbakadze</b> replaced detention as a measure of restraint to the transfer for supervision to a parent on the basis of the prosecutor's motion.  Judge <b>Lasha Chkhikvadze</b> is adjudging the merits of the criminal case.  Court hearings are closed.	<b>Transfer for supervision to a parent</b>
<b>6. Aleksandre Elisashvili</b>	<b>Article 156.2.a. -</b> Persecution of a person because of their political activities committed with violence or threat of violence	Judge <b>Tamar Mchedlishvili</b> , at the initial appearance of the indictee in court, imposed detention as a measure of restraint against Aleksandre Elisashvili, which was replaced by Judge <b>Levan Gelovani</b> 10 days after the initial appearance, upon the motion of the Prosecutor's Office, with bail of 4000 GEL.  Judge <b>Nino Tarashvili</b> adjudged the pre-trial hearing.  Judge <b>Mikheil Jinjolia</b> is adjudging the merits of the criminal case.	<b>Bail in the amount of 4000 GEL</b>
<b>7. Mamuka Jorbenadze; 8. Guram Mikeladze; 9. Davit Gvianidze; 10. Giorgi Davitadze; 11. Anri Kakabadze</b>	<b>Article 126.1<sup>1</sup>.b and c. -</b> Violence by a group of persons against two or more persons.	Judge <b>Levan Kolbaia</b> considered the motion of using detention as the measure of restraint against the mentioned persons.  Judge <b>Levan Kolbaia</b> adjudged the pre-trial hearing. At the pre-trial hearing, the defence filed a motion to change the type of measure of restraint, the prosecutor's office partially agreed with the defence, namely, it was acceptable for them to replace detention with bail, except in the case of Anri Kakabadze, since he also had the status of an indictee in another criminal case.  Judge <b>Viktor Metreveli</b> is adjudging the merits of the criminal case.	<b>Anri Kakabadze – detention Mamuka Jorbenadze, Guram Mikeladze, Davit Gvianidze, Giorgi Davitadze – bail in the amount of 5000 GEL.</b>

#### 4.2.4. Criminal cases in which a judgment of conviction has been rendered

Convict	The charge under the article of the Criminal Code of Georgia	Judge	Used measure and degree of the punishment
5. Giorgi Kuchuashvili	Article 353 <sup>1.1.</sup> - Attacking a police officer (N54);	Judge <b>David Kurtanidze</b> considered the motion to use imprisonment as a measure of restraint against Giorgi Kuchuashvili and Davit Koldari.	<b>Giorgi Kuchuashvili – imprisonment with a term of 4 years.</b>
6. Davit Koldari	Article 187.1. - Damage or destruction of property (N55).	Judge <b>Giorgi Bukhrashvili</b> adjudged the pre-trial hearing and remanded the indictees in custody.  Judge <b>Mikheil Jinjolia</b> adjudged the merits of the criminal case.	<b>Davit Koldari – imprisonment with a term of 2 years and 3 months.</b>

7. Giorgi Okmelashvili	<b>Article 353<sup>1.1.</sup></b> – Attacking a police officer; <b>and Article 260</b> - Illegal manufacturing, production, purchase, storage, transportation, transfer or sale of drugs, their analogues, precursors or new psychoactive substances.	Judge <b>Gizo Ubilava</b> considered the motion to use imprisonment as a measure of restraint against Giorgi Okmelashvili.  Judge <b>Davit Mgeliashvili</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Giorgi Gelashvili</b> adjudged the merits of the criminal case.	<b>Imprisonment with a term of 5 years.</b>
8. Pridon Bubuteishvili	<b>Article 187.1.</b> - Damage or destruction of property;  <b>Article 353<sup>1.1.</sup></b> - Attacking a police officer.	Judge <b>Arsen Kalatozishvili</b> considered the motion to use imprisonment as a measure of restraint against Pridon Bubuteishvili.  Judge <b>Nato Khujadze</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Zviad Sharadze</b> adjudged the merits of the criminal case.	<b>Imprisonment with a term of 5 years.</b>
9. Omar Okribelashvili 10. Saba Meparishvili	<b>Article 187.2.c.</b> - Damage or destruction of property by a group of persons.	Judge <b>David Kurtanidze</b> considered the motion to use imprisonment as a measure of restraint against Omar Okribelashvili and Saba Meparishvili.  Judge <b>Nato Khujadze</b> adjudged the pre-trial hearing and remanded the indictees in custody.  Judge <b>Natia Gudadze</b> adjudged the merits of the criminal case.	<b>Imprisonment with a term of 2 years and 6 months, out of which a year is a conditional sentence (a plea bargain)</b>
11. Irakli Meghvinetukhutsesi	<b>Article 353<sup>1.1.</sup></b> - Attacking a police officer.	Judge <b>Aleksandre Iashvili</b> considered the motion to use imprisonment as a measure of restraint against Irakli Meghvinetukhutsesi.  Judge <b>Levan Gelovani</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Zviad Sharadze</b> adjudged the merits of the criminal case.	<b>Imprisonment with a term of 5 years, with the restriction of the rights regarding weapons.</b>
12. Giorgi Shanidze	<b>Article 187.1.</b> - Damage or destruction of property; <b>Article 265.2.</b> - Illegal sowing, growing or cultivation of plants containing narcotics .	Judge <b>Nino Tarashvili</b> considered the motion to use imprisonment as a measure of restraint against Giorgi Shanidze.  Judge <b>Giorgi Gelashvili</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Mikheil Jinjolia</b> adjudged the merits of the criminal case.	<b>Imprisonment with a term of 4 years (the President has pardoned him)</b>

13. <b>Andrei Rauthberg</b>	<b>Article 187.1.</b> - Damage or destruction of property;	Judge <b>Arsen Kalatozishvili</b> considered the motion to use imprisonment as a measure of restraint against Andrei Rautberg.  Judge <b>Nato Khujadze</b> adjudged the pre-trial hearing and remanded the indictee in custody.  Judge <b>Natia Gudadze</b> adjudged the merits of the criminal case.	<b>A fine in the amount of 3000 GEL.</b>
14. <b>Vazha Durglishvili</b>	<b>Article 187.1.</b> - Damage or destruction of property;	Judge <b>Arsen Kalatozishvili</b> considered the motion to apply a measure of restraint against Vazha Durglishvili.  Judge <b>Nato Khujadze</b> adjudged the pre-trial hearing.  Judge <b>Lili Mskhiladze</b> adjudged the merits of the criminal case.	<b>Conditional sentence.</b>

#### 4.2.5. Mostly, the most severe form of the measures of restraint – detention is used without appeal

The Georgian Prosecutor's Office has requested **motions on the use of detention** as a measure of restraint **in all criminal cases** related to the protests against the Russian law and the rallies in November-February 2024-2025, **except for 8 persons who were presented as indictees**. The Prosecutor's Office has requested the use of bail for the remaining eight persons. According to GYLA, **at the initial appearance hearing of the indictees, the court satisfied all the Prosecutor's Office's motions and imposed detention as a measure of restraint in 56 out of 64 cases of the indictees**, without taking into account the circumstances of the indictees, such as: the individual characteristics of the indictee, their personality, occupation, age, health, marital, material status and other circumstances. Moreover, among the arrestees were persons under the age of 21, students and people from socially vulnerable families. Some were the sole breadwinners or caregivers for the family members with health problems. The majority of them had no previous records of convictions and/or had not committed any administrative offences. The prosecution's justification for the use of detention was based on generalized risks, such as the risk of absconding, destruction of evidence or the commission of a new crime.

Only in two exceptional cases did the prosecutor's office later request a motion that the detention be replaced by a less severe measure of restraint, one involving a politician, Aleko Elisshvili, and the other involving an arrested activist who was a minor. In the first case, detention was replaced by **bail**, and in the case of the minor, to **the transfer for supervision to a parent**.

At the pre-trial hearing, as a result of the defence's motion, the Batumi City Court replaced detention applied to the **Dean of the Batumi University of Arts (Mamuka Jorbenadze) and three students (Guram Mikeladze, Davit Gvianidze and Giorgi Davitadze)**<sup>310</sup> by a bail of 5000-5000 GEL, while the court left the fourth student, Anri Kakabadze, in detention.<sup>311</sup> In this case, the persons recognised as the victims themselves applied to the Prosecutor's Office with a request to apply a non-custodial measure to the indictee, there was no longer a likelihood of interference with the collection of evidence in the case, since all the materials had been collected and exchanged by the parties by the time of the pre-trial hearing stage, additionally, the fact that the case concerns a less serious crime was taken into account.<sup>312</sup>

As for the criminal case against the 8 individuals arrested in connection with the events of 2 February,<sup>313</sup> in which the arrestees are accused of committing a crime provided for in Articles 19 and 222 of the Criminal Code (attempt to block a strategic or special importance object in a group), the Prosecutor's Office requested a motion to use bail, which was also satisfied by the court.

<sup>310</sup> The above-mentioned individuals are charged with group violence against two or more persons, a crime provided for in Article 126, paragraph 1<sup>1</sup>, subparagraphs "b" and "c" of the Criminal Code.

<sup>311</sup> All five individuals are charged with group violence against two or more individuals, a crime under Article 126, paragraph 1<sup>1</sup>, subparagraphs "b" and "c" of the Criminal Code.

<sup>312</sup> GYLA, Pre-trial hearing was held in the case of the dean and students of the Batumi University of Arts, 29.01.2024; see, <https://gyla.ge/post/batumi-universiteti-dekani> [11.02.2025].

<sup>313</sup> Ministry of Internal Affairs of Georgia, Police detained 8 people for attempting to block a highway of international importance, 04.02.2025; see, <https://police.ge/en/politsiam-saertashoriso-mnishvnelobis-saavtomobilo-gzis-djgufurad-blokirebis-mtsdelobis-braldebit-8-piri-daakava/16556> [11.02.2025].

#### 4.2.6. Procrastination of cases - eliminating the possibility of a pardon

Obstacles from the prosecution and the judicial authorities in the criminal cases of those arrested during the Russian law protests<sup>314</sup> have deprived the indictees of the **opportunity** to complete their cases in a timely manner and **receive a presidential pardon**. The courts and the prosecutor's offices have artificially delayed<sup>315</sup> the cases of those arrested in connection with the April-May events during the Russian law protests so that President Salome Zurbashvili would not be able to pardon them during her presidential term.

#### 4.2.7. Judgments

The court has adopted judgments of conviction in the case of all ten people arrested under criminal law during the protests against the Russian law.<sup>316</sup> The court has found all ten guilty of at least one of the charges brought against them.

It is noteworthy that only in relation to two individuals (Saba Meparishvili and Omar Okribelashvili) has an agreement been reached between the prosecution and the defence on the conclusion of a plea bargain with the indictee. The indictees changed their position at the last hearings and decided to confess the charges and conclude a plea bargain with the prosecution. This may have been due to the fact that the indictees did not have expectations of impartial justice, which forced them to confess to committing a crime in exchange for a relatively lighter sentence.

The amnesty has been extended to the article (article 187, paragraph 1 of the Criminal Code of Georgia) of which Davit Koldari, a person arrested during a protest against one of the Russian laws, was accused of committing, although with the precondition of the consent of the victim. The representative of the Ministry of Internal Affairs, who was recognised as the victim in the criminal case (the damaged item was a police car), refused to extend amnesty to Davit Koldari. In this connection, it is worth noting that the ongoing criminal cases against the activists are not devoid of the motives of the alleged political persecution. In this case, the aforementioned suspicion, along with the delay of the court proceedings on dubious grounds, is also reinforced by the refusal of the state representative to extend amnesty to Davit Koldari.

#### 4.2.8. Cases of ill-treatment in criminal cases

**Cases of ill-treatment** are identified as a significant challenge in criminal cases. Ten demonstrators arrested under criminal law reported cases of ill-treatment during their arrest, transportation, or at the police division. For example: **Aleko Elisashvili explained at the initial appearance hearing that he was put in the car and beaten during his arrest.**

**Saba Skhvitaridze** described in detail the experience of torture and inhuman treatment. According to Skhvitaridze, he was arrested by the police on the Zestaponi Road, was not informed of the grounds for his arrest, nor was he given the opportunity to contact a lawyer, was then handed over to an unknown operational group near Gori and taken to the police division in Dighomi. In Dighomi, on the fifth floor of the division building, four masked men physically assaulted and beat him, and then on the eighth floor of the same building, a person wearing a patrol uniform and wearing a mask assaulted him again, along with other individuals.

**Revaz Kiknadze** stated that he was forced to confess to the crime and blame others under psychological pressure and verbal abuse, which would lead to a loyal attitude towards him from the system. The information provided to the court by the indictees, along with the other experiences, reinforces the fact that torture, inhuman and degrading treatment of individuals is systematic and widespread.

Another indictee, **Nikoloz Katsia**,<sup>317</sup> stated that during his arrest he was treated with ridicule and insults, called him "Ryzhika" (the word that comes from the Russian language, meaning a "Ginger/redhead" in a derogatory way), used foul language against him and told him that he had to back up what they would say. Public sources also reported that Nikoloz Katsia was not provided with food in the penitentiary institution and that the other convicts were using the funds from his personal bank account. In this regard, the Public Defender's Office of Georgia also released information, according to which Nikoloz Katsia, during a meeting with the Public Defender's representatives, pointed out the facts of violation of his rights in the penitentiary institution.<sup>318</sup> At the court hearing on 21 February 2025, Nikoloz Katsia stated that his custody officers had him do "squats" before the trial. The Special Investigation Service transferred Nikoloz Katsia's case to the prosecutor's office with the argument that it was not under his jurisdiction.

<sup>314</sup> GYLA, Court Postpones Hearings on Criminal Cases of Participants in "Russian Law" Protests, 24.11.2024; see, <https://gyla.ge/post/rusuli-kanonis-saprotesto-aqciis-monawileta-sasamrtlo-chianurdeba> [11.02.2025].

<sup>315</sup> GYLA, The prosecution and judicial authorities are delaying the consideration of the case of Giorgi Okmelashvili, who was arrested during the protests against the Russian law, 12.12.2024; see, <https://gyla.ge/post/okmelashvilis-saqmis-ganxilva-chianurdeba-gyla> [11.02.2025].

<sup>316</sup> GYLA, The Court issued judgments of conviction for all persons detained under criminal charges during the protests against the Russian Law, 04.02.2025; see, <https://gyla.ge/post/gala-rusuli-kanonis-protestis-dros-dakavebulebs-patimroba-miesaja> [11.02.2025].

<sup>317</sup> He is charged with committing a crime under Article 260, paragraph 6, subparagraph "a" of the Criminal Code of Georgia, which involves the purchase and storage of drugs in particularly large quantities.

<sup>318</sup> GYLA, GYLA responds to Nikoloz Katsia's inappropriate detention conditions, 24.01.2025; see, <https://gyla.ge/post/saia-nikoloz-kacias-arasatanado-sapatimro-pirobebs-ekhmianebe> [11.02.2025].



The indictee, **Davit Khomeriki**, referred to the instances of sexual violence, psychological and physical abuse.

In the **Anatoli Gigauri** case, the defence stated at the trial that Gigauri himself had been physically injured in the face by a police officer with a punch. All of this will be confirmed by video evidence.

**Davit Lomidze** was beaten during his arrest. He had been suffering from spinal problems. As a result of the beating, his condition worsened and he required surgery.

According to **Temur Zasokhashvili**, he was also physically abused during his arrest.

**Archil Museliantsi** was threatened and offered cooperation to lay the blame on the political officials.

**Anastasia Zinovkina** has also explained that she was threatened with death, violence, including sexual violence. One of the police officers was laying his hand on his genitalia and threatening her to punish her with it if she moved. The arrest took place without a witness or a video recording. The indictee has indicated that she could identify the police officer who took her phone. The same police officer planted drugs in her jacket pocket. The indictee recalled that the “police officer” threatened to “use” her if she continued to look at the jacket. After placing the drugs in the jacket, she was forced to put them on. Only after this “operation” had been completed did an official search begin. The indictee tried to see everything, to what, they were threatening to rape her if she continued to look around.

The arrest of Mzia Amaglobeli was violent and unlawful, which was accompanied by numerous violations by the police. Following the arrest, the Chief of Batumi Police, Irakli Dgebuadze, verbally abused Mzia Amaglobeli, spat at her, allowed her needs to be ignored and prevented her from contacting her lawyers. Despite numerous appeals, she has not to this day been granted a victim status, which fundamentally limits the protection of her rights.

The ongoing investigation at the Special Investigation Service is characterized by inefficiency – only Dgebuadze’s subordinates have been interviewed, the Public Defender’s representative has not been interviewed and the standards of objectivity and adequacy of the investigation have not been met. Video recordings are incomplete and important evidence has not been reflected in the case files in a timely manner. Despite the conduct of the forensic examination, their conclusions cannot yet be found in the case files.

Especially considering that all ten of the above-mentioned individuals are still in prison, GYLA believes that it is critically important to conduct an effective investigation, quickly and thoroughly. Violations of their rights and ill-treatment cannot remain the subject of an ongoing investigation for an indefinite period of time, which further instills a sense of vulnerability in a person in a penitentiary institution, especially considering that 9 out of 10 individuals<sup>319</sup> are not even recognized as victims by the prosecutor's office.

Also, the Special Investigation Service has not to this day completed the investigation into any of the above-mentioned criminal cases, and has not identified the responsible individuals. Although the Special Investigation Service provides victims of ill-treatment with the opportunity to familiarize themselves with the criminal case materials, this cannot replace their rights as victims as defined by the law.

## 5. OTHER FORMS OF REPRESSIONS

### 5.1. Ongoing repressions in the public service

Public servants have also expressed their protest against the decision of the “Georgian Dream” to suspend the EU accession process, and regarding which they have even issued statements. Statements were published by the public servants of the Ministry of Foreign Affairs,<sup>320</sup> the Ministry of Defense,<sup>321</sup> the Ministry of Education,<sup>322</sup> the National Bank of Georgia,<sup>323</sup> the Tbilisi City Hall,<sup>324</sup> the Public Defender's Office<sup>325</sup> and other public servants.<sup>326</sup>

<sup>319</sup> According to GYLA, the above data reflects the situation at the time of publication of the report.

<sup>320</sup> Joint statement of the current employees of the Ministry of Foreign Affairs of Georgia, 28.11.2025; see, <https://www.facebook.com/keti.pruidze.3/posts/pfbid021tMoMTKxAggtuyvVBqrRU2g5eoswZ5zFsg6reCzzZpqwPfalW4CNPTLTfJy51fl> [11.02.2025].

<sup>321</sup> Joint statement of the current employees of the Ministry of Foreign Affairs of Georgia; see, [https://docs.google.com/document/d/1D6CPwF6H0-bCPWUnolsTNIQIYvcPtzA1ROOWD18niic/edit?fbclid=IwY2xjawG2ktpleHRuA2FlbQlXMQABHRQU0etGVESytlvmtmlZTFcosnv7AMPIMQ6QCEzpYP7p0PvDOJTPQrlo5g\\_aem\\_ih-HxzHNxydkbZUHJbrtQ&tab=t.hv9i7p1xrbvx](https://docs.google.com/document/d/1D6CPwF6H0-bCPWUnolsTNIQIYvcPtzA1ROOWD18niic/edit?fbclid=IwY2xjawG2ktpleHRuA2FlbQlXMQABHRQU0etGVESytlvmtmlZTFcosnv7AMPIMQ6QCEzpYP7p0PvDOJTPQrlo5g_aem_ih-HxzHNxydkbZUHJbrtQ&tab=t.hv9i7p1xrbvx) [11.02.2025].

<sup>322</sup> Civil Georgia, Education Ministry Staff Distance Themselves from GD EU-Turn, 29.11.2025; see, <https://civil.ge/archives/639324> [11.02.2025].

<sup>323</sup> Public statement of the employees of the National Bank of Georgia; see, [https://docs.google.com/document/d/1bs1vu1fiDieZHwv7uolR1w0NjdvGCq-O6e\\_qyoxMOng/edit?fbclid=IwY2xjawG34CVleHRuA2FlbQlXMQABHbR1-MowGLw8fWuQ9zSDafY0OgEfeF0fAiAZEP2NezdKpBtyFLHZzh-YQ\\_aem\\_BCuwqwz45\\_vfGgz7VKiREw&tab=t.0](https://docs.google.com/document/d/1bs1vu1fiDieZHwv7uolR1w0NjdvGCq-O6e_qyoxMOng/edit?fbclid=IwY2xjawG34CVleHRuA2FlbQlXMQABHbR1-MowGLw8fWuQ9zSDafY0OgEfeF0fAiAZEP2NezdKpBtyFLHZzh-YQ_aem_BCuwqwz45_vfGgz7VKiREw&tab=t.0) [11.02.2025].

<sup>324</sup> Publika, More than 140 employees of the Tbilisi City Hall distance themselves from the decision of the "Dream" - statement, 30.11.2024; see, <https://publika.ge/tbilisi-meris-140-ze-meti-tanamshromeli-ocnebis-gadawyvetilebas-emijneba-ganckhadeba/> [11.02.2025].

<sup>325</sup> Statement of the employees of the Public Defender's Office of Georgia, 26.11.2024; see, <https://www.facebook.com/share/p/1EzrZKjoWi/> [11.02.2025].

<sup>326</sup> Statement of the employees of the Public sector; see, [https://docs.google.com/document/u/1/d/1QqKT1yupZxvZpf68UUG\\_jakP77bs6BrrFHFgp215DgM/mobilebasic](https://docs.google.com/document/u/1/d/1QqKT1yupZxvZpf68UUG_jakP77bs6BrrFHFgp215DgM/mobilebasic) [11.02.2025].

It is important that immediately right after the public servants published their statements, Mayor of Tbilisi Kakha Kaladze responded to the statement of some of the city hall employees who oppose the suspension of the EU accession process. He stated that a reorganization of the city hall was announced and many changes were planned. And the statement published by the employees was a "good self-examination".<sup>327</sup> Such a response confirms the pressure on the public servants and the threat of dismissal.

Since the end of December 2024, a large-scale process of dismissal of the employees has begun in public institutions. The aforementioned personnel decisions were largely made against those public servants who publicly expressed their civic position regarding the country's European integration process after 28 November. Therefore, the dismissal of these individuals clearly contains signs of persecution and discrimination against people on political grounds.

A wave of dismissals has affected hundreds of public servants who were employed in the following agencies:

- Parliament of Georgia,
- Tbilisi City Hall,
- LEPL National Agency of Public Registry,
- Administration of the Government of Georgia,
- Ministry of Defence of Georgia,
- Central Election Commission,
- Also in other Central and Local Budgetary Institutions.

Dismissals of the public servants are carried out without any justification or transparent procedures. Public institutions use formal grounds such as reorganization, disciplinary liability, and termination of contract, although the real reasons clearly relate to the persecution of the public servants for sharing political or dissenting views. In particular cases, dismissals were also related to the political activities of the public servants' family members.

#### 5.1.1. Legislative amendments

The dismissal of employees from the public institutions has been further simplified by the amendments to the Law "On Public Service", which were adopted by the "Georgian Dream" in an accelerated manner on 13 December 2024. The aforementioned amendments have worsened the legislative regulation, which essentially contradicts the spirit of the Constitution of Georgia, the Law of Georgia "On Public Service", and worsens the legal status of the public servants. The illegal dismissal of the qualified and experienced public servants, along with the strengthening of political influence in the public service, will significantly harm the effective functioning of the public institutions.<sup>328</sup>

The amendments worsened the legislative regulation, which ***essentially contradicts the spirit of the Constitution of Georgia and the Law of Georgia "On Public Service"***<sup>329</sup>. Namely:

- Prior to the adoption of the amendments, public servants were appointed to the positions of head and deputy head of the primary structural unit of a public institution for an indefinite term. The goal of appointing a public servant for an indefinite term is to create a public service based on political neutrality, impartiality and accountability. According to the amendments made, a person appointed to the position of the head of a primary structural unit of a public institution and a person appointed to the position of deputy head of a primary structural unit of a public institution are **considered to be employed under administrative contracts, which gives the head of a public institution the right to dismiss an undesirable employee at any time, subject to one month's prior notice**. Beside this, the term of their contract should not exceed the term of office of the head of the relevant institution, **the termination of the powers of the head of the institution will result in the termination of the powers of the person employed under an administrative contract**. As a result of these amendments, **those public servants who have been serving the state interests and public service for years will find themselves without any legal guarantees upon the entry into force of the law**. Also, since the head of a structural unit and their deputy are now considered persons employed under an

<sup>327</sup> Radio Tavisupleba, "We announced a reorganization last week...it's a lustration," Kaladze responds to the protest of over 200 City Hall employees, 01.12.2024; see, <https://www.radiotavisupleba.ge/a/33222551.html> [11.02.2025].

<sup>328</sup> ISFED, The amendments made to the Georgian Law "On Public Service" by the illegitimate parliament sharply worsen the rights of public servants., 16.12.2024; see, <https://www.isfed.ge/geo/gantskhadebebi/aralegitimuri-parlamentis-mier-sadjaro-samsakhuris-shesakheb-saqartvelos-kanonshi-gankhortsielebuli-tsvilebebi-mkvetrad-auaresebs-sadjaro-mosamsakhureta-uflebriv-mdgomareobas> [11.02.2025].

<sup>329</sup> Draft Law on the Amendments to the Law of Georgia "On Public Service", 04.12.2024; see, <https://info.parliament.ge/?fbclid=IwAR12l5G3YNKPhzWB-J9YM7oFAsmnaU8Eiu1utQzdlzvS7K2O1sFbdiCLYo#law-drafting/29794> [11.02.2025].

administrative contract, the requirements for the public servants, including the knowledge of the state language, public servant certificate and age-related issues, will no longer apply to them;

- According to the version of the Law of Georgia “On Public Service” now in force, in the event of a reduction in staff due to the reorganization, liquidation and/or merger of a public institution with another public institution, a public servant may, with their own consent, be appointed to a position equivalent to their position in the same or another public institution, and in the absence of such a position – to a lower position, taking into account their competence; **And according to the amendments, in the event of the reorganization, persons employed in the public institutions will be deprived of the right to use a similar opportunity** and this will be possible only in the event of a reduction in staff due to the liquidation of a public institution and/or its merger with another public institution;
- **The amendments exclude the possibility of reinstating a public servant dismissed as a result of reorganization**, regardless of the cancellation of the dismissal decision and the court's recognition of the dismissal as unlawful. In this case, the civil servant will be given only the lost earnings from the official salary and compensation in the amount of three months' official salary. During the transitional period, the norms regulating the issues related to the reorganization of public institutions will apply to the legal entities under public law, which will further expand the circle of persons who may be dismissed from their jobs through the use of repressive mechanisms;
- Beside this, appealing a decision on the reorganization, liquidation and/or merger of a public institution with another public institution and **appealing decisions taken in connection with the aforementioned process do not suspend its execution**;
- **The possibility for the public servants to retain their class-based increment during reorganization has been abolished with the amendments**;
- According to the amendments, the head of a public institution will be authorized to **change the results of an employee's evaluation within one month of the evaluation and in case of receiving an unsatisfactory evaluation, 20% of the employee's salary will be deducted before the start of the next evaluation period**. This mechanism may be used to punish the public servants.

In accordance with the Constitution of Georgia, the citizens should be guaranteed the right to hold any public office.<sup>330</sup> The conditions of public service, established by the Law of Georgia “On Public Service”, should not contradict the standards established by the Constitution and the obligations assumed by the state under the international treaties. Any grounds for dismissal of public servants should be foreseeable and should not create the possibility of arbitrary dismissal of the public servants from their jobs.

The amendments to the Law of Georgia “On Public Service” also contradict the practice established by the general courts and the Constitutional Court. In the decision No. 3/5/626 of 17 October 2017 of the Constitutional Court of Georgia in the case of “Oleg Latsabidze v. Parliament of Georgia”,<sup>331</sup> the Constitutional Court<sup>332</sup> distinguished the concepts of a political and professional official in the mentioned case. According to the court's explanation, “a professional official is not directly a subject determining the domestic or foreign policy of the country. Their functions are mostly expressed in the practical realization and implementation of the policies already defined by the legislative or the executive authorities.” According to the assessment of the court, “given the fact that the professional officials do not make political decisions, they are not subject to political responsibility. The performance of the functions assigned to such an official can only be subject to legal responsibility.”<sup>333</sup>

The Constitutional Court determined that the termination of the authority of the head of a structural unit after the expiration of the term specified for them was an interference with the right provided for in Article 25 of the Constitution. The reason for this was that although the head of the structural unit was directly subordinate to the mayor, they nevertheless had functions different from those of the mayor, the qualified performance of which did not depend on the personality of the mayor. The essence of this position does not imply loyalty to a specific political team or the political views of the mayor, but rather leading the activities of their structural unit in accordance with the legislation.<sup>334</sup>

Beside this, the practice of the general courts has been more or less improved in order to protect the labor rights of the public servants dismissed as a result of reorganization. A number of decisions have been made by courts of various instances when a public servant unlawfully dismissed as a result of reorganization was reinstated in service. Although reorganization is one of the most common grounds for termination of employment in Georgia, according to the legislation, it can only become a basis for dismissal when it is accompanied by a reduction in staff. Public institutions often resorted to dismissing the employees on

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<sup>330</sup> Constitution of Georgia, Article 25.

<sup>331</sup> Decision №3/5/626 of the Constitutional Court of Georgia of 17 October 2017 in the case of “Oleg Latsabidze vs. the Parliament of Georgia”.

<sup>332</sup> The subject of the dispute in the Constitutional Court was the issue of the constitutionality of Article 59 of the Organic Law “Local Self-Government Code”. In the case in question, the plaintiff was the head of the Service of Culture, Education, Sports, Tourism, Monument Protection and Youth Affairs of one of the municipal administrations, which was the position of the head of the primary structural unit. The plaintiff, on the basis of the submitted constitutional claim, appealed the fact that his position was automatically terminated upon the election of a new mayor/head of the local administration.

<sup>333</sup> Decision №3/5/626 of the Constitutional Court of Georgia of 17 October 2017 in the case of “Oleg Latsabidze against the Parliament of Georgia”.

<sup>334</sup> Ibid, II-39.

the grounds of reorganization, regardless of whether the staff was actually supposed to be reduced or not. There were also frequent cases when only a formal change in the name of the staff unit or functions was made.

In this regard, the Supreme Court's definition was important, according to which reorganization is an internal structural and/or functional transformation of a public institution, which may be followed by a change in the status, subordination, or functional load of the institution or its structural subdivisions. According to the court's position, a mere change of the name for a staff unit did not mean the abolition of the staff. A staff would be considered abolished only when its functional load, rights and obligations, or criteria for holding a position would be substantially changed.<sup>335</sup> The made amendments worsen the existing legislative regulations and the established practice, as a result, it will be practically impossible to reinstate public servants dismissed on the basis of reorganization.

### 5.1.2. Dismissal of public servants on the basis of liquidation and reorganization

According to the decision of the "Georgian Dream", the Civil Service Bureau is abolished from 1 April 2024. According to the information released by the Administration of the Georgian Government, the aforementioned decision was justified in order to rationalize the management and optimize the expenses, after the control of the declarations of the officials and the ethics and integrity of the persons employed in the public service was transferred to the Anti-Corruption Bureau, and a third of the functions of the Civil Service Bureau were eliminated.<sup>336</sup>

The main functions of the Civil Service Bureau were perfecting the public service system, promotion of coordination of activities in the field, studying and analyzing the current situation in the field of human resources management, monitoring the implementation of the unified state policies and operational standards, enhancing professionalism, promoting the formation of accountable public institutions and implementing the principles and values stipulated in the Law of Georgia "On Public Service".

**Against the backdrop of the ongoing repressive policies and the large-scale dismissals in the public service, the abolition of the Bureau, as one of the key agencies in the process of establishing an effective, accountable and values-based environment in the public service, will contribute to the strengthening of party interests in the public service system.** This decision contradicts the fundamental principles of the public service reform and threatens the prospects for the development of a professional public service in Georgia. The abolition of the Bureau will also significantly harm the process of depoliticization of the public service and increase the risks of political influence in the public institutions.<sup>337</sup>

It is noteworthy that in 2023, the institutional reform of the Civil Service Bureau was implemented and a new structure was established, which was in line with the amendments to the Laws of Georgia "On Conflict of Interest and Corruption in Public Institutions" and "On Public Service" introduced on 30 November 2022. The updated institutional arrangement of the Bureau was oriented on the current needs of the public service reform and aimed to implement the goals of the Public Governance Strategy and the recommendations of the State Audit Office. As a result, a new structure of the Bureau was formed in the form of three main strategic and one supporting departments, which ensured the full implementation of the functions defined by the law.<sup>338</sup> In the background of these changes, the issue of the need to abolish the agency due to the duplication of the functions of the Civil Service Bureau and the Anti-Corruption Bureau was not apparent.

On 3 February 2025, the Committee on Procedural Issues and Rules of the Parliament of Georgia supported the amendments prepared by the Chairman of the Parliament of Georgia, Shalva Papuashvili, which concern the Council of Heraldry, the National Library and the Research Center of the Parliament. The draft provides for the removal of Chapter XVIII from the Rules of Procedure of the Parliament, which defines the functions of the institutions operating within the Parliament, including the Research Center of the Parliament. As a result of the amendments, the Research Center of the Parliament was liquidated, and its functions were transferred to the Parliamentary Staff.

It is noteworthy that on 21 January 2025, the head of the Research Center stated in the presence of the employees that the decision to liquidate the center was made due to the public activism of the five employees who had signed an open statement of public servants in support of the country's European integration process. The dismissed employees note that the decision is a clear example of the political discrimination and indicates a disregard for the professional standards and human rights in the public service.<sup>339</sup>

<sup>335</sup> Decision of the Supreme Court of Georgia of 8 December 2015 №ბს 449-442(3-15). Decision of the Supreme Court of Georgia of 20 September 2018 №ბს 721-721(3-18).

<sup>336</sup> Radio Tavisupleba, The "Civil Service Bureau" will be abolished from 1 April, 03.03.2025; see, <https://www.radiotavisupleba.ge/a/33301653.html> [11.02.2025].

<sup>337</sup> Ordinance №295 of the Government of Georgia of 10 September 2024, "On Approval of the Statute of the Legal Entity under Public Law – Civil Service Bureau" amending Resolution No. 290 of the Government of Georgia of August 7, 2023.

<sup>338</sup> Civil Service Bureau, 2023 Report of the Civil Service Bureau; see, [http://csb.gov.ge/media/311290/საჯარო-სამსახურის-ბიუროს-2023-წლის-აღწერა.pdf?fbclid=IwY2xjawKARcdleHRuA2FibQlxMQBicmlkETezYkIxaVJxMG9jOU43U29BAR6wfxIhvkGCW\\_e2vPLcUP5fUTrlQ7I-r9AU6lpeT6NlASmIRBowAnk9FuBag\\_aem\\_vXshxnAxUVSdZkLwyg2VsQ](http://csb.gov.ge/media/311290/საჯარო-სამსახურის-ბიუროს-2023-წლის-აღწერა.pdf?fbclid=IwY2xjawKARcdleHRuA2FibQlxMQBicmlkETezYkIxaVJxMG9jOU43U29BAR6wfxIhvkGCW_e2vPLcUP5fUTrlQ7I-r9AU6lpeT6NlASmIRBowAnk9FuBag_aem_vXshxnAxUVSdZkLwyg2VsQ) [11.02.2025].

<sup>339</sup> Radio Tavisupleba, 21 more dismissed: Date announced for the abolition of the Parliament Research Center, 06.02.2025; see, <https://www.radiotavisupleba.ge/a/%E1%83%99%E1%83%98%E1%83%93%E1%83%94%E1%83%95->

The dismissal of the public servants occurred as a result of not only the liquidation of the agency, but also the reorganization.

One of the state institutions where employees were dismissed as a result of the reorganization is the Central Election Commission. On 16 December 2024, the reorganization of the CEC began based on the order of the CEC Chairman.<sup>340</sup> Although the official reason for the reorganization was to ensure systemic and effective governance, the dismissed employees indicate political motives and the connection of their dismissal with the position supporting European integration.

Some of those dismissed believe that their dismissal is related to the political activities of their family members, while some of them still do not know the real reason for their dismissal. Among those dismissed as a result of the reorganization were those who openly supported Georgia's integration into the European Union and publicly condemned the state's unconstitutional statements.

Others link the reorganization not to real needs, but to the chairman's personal revenge for the incident that occurred at the CEC on 16 November 2024. As reported in the media, CEC member David Kirtadze from the Unity - National Movement threw black paint on the CEC chairman's face<sup>341</sup>. It is noteworthy that David Kirtadze's wife, Sopio Sichinava, was the head of one of the departments at the CEC, the Strategic Planning and Reporting Department. Sichinava resigned from her position based on a personal statement after the incident. As a result of the reorganization, exactly this department was abolished and all employees of the department were dismissed. The main function of the Strategic Planning and Reporting Department was to manage the planning and reporting process of the election administration's activities, as well as to develop an inclusive election environment. The department prepared reports on the conducted elections and the activities carried out by the administration for submission to various agencies, including the Parliament of Georgia. As a result of the reorganization, the Statute of the Strategic Planning and Reporting Department of the Central Election Commission of Georgia was declared invalid as of 20 January 2025<sup>342</sup>. As a result of the reorganization, four members of the Training Monitoring Group and one member of the Labor Safety Group of the Human Resources Management and Labor Safety Department, as well as two advisors to the Chairman, were also dismissed.

On 16 December 2024, the Chairman of the Central Election Commission issued Order №01-148 on the start of the reorganization in the CEC apparatus. The goal of the reorganization is indicated to be to ensure systematic and effective governance in the interests of the CEC. Based on the aforementioned order, the Head of the Human Resources Management and Labor Safety Department of the CEC was instructed to implement the necessary measures provided for by the current legislation regarding the reorganization. The day after the issuance of the order, at its session on 17 December 2024, the Central Election Commission adopted a decree<sup>343</sup>, based on which it determined the staff list, the amount of remuneration and the cost estimate of the heads, members and employees of the Central Election Commission of Georgia and the CEC staff. According to the new staff list, 118 staff positions in the CEC staff were reduced to 103.

The hearing record<sup>344</sup> of the 17 December 2024 meeting of the Central Election Commission of Georgia No. 46/2024 indicates that the Head of the Human Resources Management and Labor Safety Department introduced the draft decree to the members of the commission in detail. In the record of the same hearing it is explained that the members of the commission did not express any opinions/comments and that the decision on the reorganization was reached unanimously.

The hearing report of the 17 December meeting do not provide any justification for what led to the reorganization. Following the criticizing public feedback, the CEC, in a statement on 18 December,<sup>345</sup> attempted to justify the decision already made, arguing: *"This step is directly related to the next phase of institutional development and aims to ensure effective governance."*

The reorganization was carried out in a rushed and unsubstantiated manner. In the process of making a decision, the problems of the existing structure were not examined, the shortcomings were not assessed, therefore, it is not substantiated what needs, principles and goals the reorganization was based on.

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<sup>340</sup> Order №01-148 of the Chairman of the Central Election Commission of 16 December 2024; see, [https://drive.google.com/file/d/1QdTz8DZePO\\_OdPoYJQ7SxAjRjXorkSh0/view](https://drive.google.com/file/d/1QdTz8DZePO_OdPoYJQ7SxAjRjXorkSh0/view) [11.02.2025].

<sup>341</sup> INTERPRESSNEWS, There was a commotion at the CEC session - Davit Kirtadze called Giorgi Kalandarishvili a "black spot" and threw black paint at him, 16.11.2024; see, <https://www.interpressnews.ge/ka/article/820467-ceskos-sxdomaze-xmauri-iqo-davit-kirtazem-giorgi-kalandarishvils-shavi-laka-ucoda-da-shavi-sagebavi-sheasxa> [11.02.2025].

<sup>342</sup> Decree №14/2025 of the Central Election Commission of Georgia of 17 January 2025 on declaring the Statute of the Strategic Planning and Reporting Department invalid; see, <https://cesko.ge/ge/kanonmdbloba/tsekos-samartlebrivi-aqtebi/gankargulebebi/singleview/11035728-gankarguleba-142025-17012025> [11.02.2025].

<sup>343</sup> Decree №359/2024 of the Central Election Commission of Georgia of 17 December 2024 on determining the staff list, amount of remuneration and cost estimate of the heads, members and employees of the Central Election Commission of Georgia; see, <https://cesko.ge/ge/kanonmdbloba/tsekos-samartlebrivi-aqtebi/gankargulebebi/singleview/11035329-gankarguleba-3592024-17122024> [11.02.2025].

<sup>344</sup> Record of the meeting of the Central Election Commission of Georgia of 17 December 2024 №46/2024, [https://cesko.ge/static/file/202412180304-%E2%84%9646\\_2024-%E1%83%AA%E1%83%94%E1%83%A1%E1%83%99%E1%83%9D%E1%83%A1%E1%83%A1%E1%83%AE%E1%83%93%E1%83%9D%E1%83%9B%E1%83%98%E1%83%A1%E1%83%9D%E1%83%A5%E1%83%9B%E1%83%98.pdf](https://cesko.ge/static/file/202412180304-%E2%84%9646_2024-%E1%83%AA%E1%83%94%E1%83%A1%E1%83%99%E1%83%9D%E1%83%A1%E1%83%A1%E1%83%AE%E1%83%93%E1%83%9D%E1%83%9B%E1%83%98%E1%83%A1%E1%83%9D%E1%83%A5%E1%83%9B%E1%83%98.pdf) [11.02.2025].

<sup>345</sup> Central Election Commission of Georgia, statement, 18.12.2024; see, <https://www.facebook.com/share/p/1BZwv8HuAo/> [11.02.2025].

According to the practice of the Supreme Court of Georgia, the reorganization process carried out in a public structure must meet the standards established by the law and the court decisions, which were not met in this case.

The dismissed employees claim that no one explained to them why their staff unit was abolished and what necessity led to this decision. The formal nature of the reorganization is also confirmed by the fact that the changes did not serve the real substantive, structural and functional transformation of the CEC and were aimed at dismissing specific individuals.

### 5.1.3. Dismissal of public servants due to the expiration of their contracts

The Law of Georgia "On Public Service" provides for the possibility of employment in the public service on the basis of a labour and administrative contract. A person employed under a labour contract is considered a person who is granted the authority to perform auxiliary or non-permanent tasks of a public institution in order to ensure the implementation of public service. Persons employed under an administrative contract include those who assist a public-political official in the exercise of their powers by providing field/sectoral advice, providing intellectual and technical assistance, and/or performing organizational and managerial functions.<sup>346</sup>

Since December 2024, the dismissal of civil servants has actively continued, including on the grounds of contract expiration. Although the formal basis for dismissal was the expiration of the contract, the real reason is related to public statements made by the public servants in support of the EU accession process.

The contracts concluded with some of the dismissed employees were considered to be permanent employment contracts, therefore, their dismissal due to the expiration of the contract was not only discriminatory, but also unlawful. Under the current legislation, if the duration of an employment agreement is more than 30 months, or if labour relations have continued on the basis of concluding fixed-term employment agreements on two or more consecutive times and the duration of said labour relations exceeds 30 months, an open-ended labour agreement shall be deemed to have been concluded.<sup>347</sup>

A number of people have also been dismissed from the LEPL National Agency of the Public Registry due to the expiration of their contracts. At the end of December 2024, the process of dismissing employees began at the LEPL National Agency of the Public Registry. Notices of dismissal were sent to the employees of the Public Registry. According to the Public Registry, more than 90% of the work planned within the framework of the reform had already been completed and the organization was dismissing employees due to the small volume of the work remaining. The dismissed employees believe that the process is directly related to the petition created on 30 November 2024, which was joined by more than 350 employees of the Public Registry and in which they condemned the statements made by the "Georgian Dream" against the European integration process.

It is noteworthy that the decisions made by the National Agency of the Public Registry before the petition was distributed confirm completely the opposite circumstances. According to the statement of the Public Registry of 9 November 2024, the project of systematic land registration, which was supposed to be completed on 31 December 2024, was extended until 31 December 2025.<sup>348</sup> At the same time, in November, employees were notified that the existing human resources would be maintained in 2025 as well.

The dismissal process did not serve real needs, the Public Registry is constantly experiencing a shortage of staff, which is confirmed by the numerous vacancies published on the Civil Service Bureau website. The process was conducted in a completely unjustified and discriminatory manner.

### 5.2. Enforced disappearances during the protests

In November-December 2024, during the protests, there were several cases of enforced disappearances, namely, citizens disappeared from rallies, from their homes or cars, their whereabouts were unknown to the family members and lawyers. Later it would turn out that they had been arrested by the criminal police, however, at the time of the arrest they would not be explained their rights, would not be given the opportunity to contact a lawyer and would be arrested without justification.

Among the arrestees were doctors, researchers and activists who were arrested on the street or near their homes. The law enforcement officers were not explaining the reasons for their arrest and were not fulfilling their procedural obligations. For example, Konstantine Chakhunashvili<sup>349</sup> was arrested near his home, and his family members only found his abandoned car.

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<sup>346</sup> Law of Georgia "On Public Service", Article 3.

<sup>347</sup> Labour Code of Georgia, Article 12, paragraph 4.

*"Fixed-term employment agreements shall be considered to have been consecutively concluded if the current fixed-term labour agreement is prolonged upon the expiry thereof or the next fixed-term labour agreement is concluded within 60 days after the initial agreement expires."*

<sup>348</sup> National Agency of Public Registry, Land registration reform to continue until the end of 2025, 11.11.2024; see, <https://www.napr.gov.ge/ka/news/70> [11.02.2025].

<sup>349</sup> INTERPRESSNEWS, Pediatrician Kote Chakhunashvili was arrested, 09.12.2024; see, <https://www.interpressnews.ge/ka/article/824138-pediatri-kote-chakhunashvili-daakaves/> [11.02.2025].



Vakhtang Bzhalava<sup>350</sup> was taken before he entered a supermarket, they left the dog at the scene and there was no information about the arrestee for several hours. A similar case occurred with Otar Kvaratskhelia and Lasha Tkemaladze.<sup>351</sup> The arrestees claim that the police used physical and psychological pressure.

It is noteworthy that Chakhunashvili and Bzhalava had previously been summoned to the investigative bodies in cases related to the demonstrations. They had refused to appear and demanded to be questioned before a magistrate judge. The police officers' dialogue with Managadze ("Why didn't you come?", "why are you tormenting us") raises suspicions that the administrative arrest is being used against the activists who exercise their rights and express their willingness to testify before a magistrate judge.

**The arrested activists believe that their pre-planned arrests near their homes serve to intimidate the protest participants. This creates the impression that the citizens are under the police control not only at the rallies, but also in their own homes.**

### 5.3. Searches of the living/working spaces

During the reporting period, **prior to the particularly significant protest mobilizations**, the law enforcement agencies **resorted to searching the homes and workplaces of the targeted groups** - politicians, NGOs, independent media and civic activists.<sup>352</sup> These searches were typically conducted **without the court's permission or, in cases of emergency, without a legally required decree**, which is in violation of **Article 15 of the Constitution of Georgia, as well as the standards set forth in Article 8 of the European Convention on Human Rights (ECHR)**.

The searches were conducted in residential homes by the law enforcement agencies, often with the unexpected entry of a disproportionate number of the police officers. This process was often carried out in the presence of the family members, including underaged children, which is a form of targeted psychological pressure and a form of strengthening the chilling effect.

Of particular concern is the emergence of the forms of sexual and gender-based violence during the searches. There have been cases where female activists have been subjected to unnecessary stripping and body searches, without the protection of appropriate legal basis and procedural safeguards.<sup>353</sup>

The timely involvement of the lawyers in the search process was deliberately restricted. Interviewees have indicated that the law enforcement agencies deliberately hindered the ability of individuals present at the scene (in their living or working spaces) to communicate with a lawyer. This practice manifested itself in various forms, including confiscating mobile phones from the arrestees and restricting their communication with the outside world, which essentially restricted their right to timely involvement of a lawyer in the process.

Investigative bodies, typically, would resort to a unilateral and inconsistent interpretation of criminal procedural legislation, which contradicts the case law of the European Court of Human Rights. As a result, law enforcement agencies were able to conduct searches without the presence of a lawyer or with a delay of several hours, despite the fact that they were aware that the arrestee was already using the services of a lawyer.

The law enforcement officials were **sealing and, for an indefinite period of time and with a blanket legal justification, groundlessly keeping the technical devices necessary for the activities of the political parties, the civil activists and the journalists**, including laptops and mobile phones, which significantly **limited** the ability of these individuals to effectively carry out their activities.

The repeated searches of the same individuals' homes or workplaces are particularly concerning, which sometimes are carried out at intervals of several days or weeks.<sup>354</sup> This practice has become one of the forms of paralyzing the activities of the activists and causing them property damage. As a result of repeated searches, the law enforcement agencies have additionally seized newly acquired technological devices, which has posed a serious threat to the political and civil activities of the search recipients and has been clearly aimed at their technical paralysis and causing serious property damage.

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<sup>350</sup> Radio Tavisupleba, Judge sent Vato Bzhalava to a 4-day detention, 14.12.2025; see, <https://www.radiotavisupleba.ge/a/33239937.html> [11.02.2025].

<sup>351</sup> Formula, Lawyer: The police made a mistake and arrested Kvaratskhelia and Tkemaladze instead of other people, 19.01.2025; see, <https://formulanews.ge/News/122770> [11.02.2025].

<sup>352</sup> Radio Tavisupleba, Civil activists are being searched - several people are believed to have been arrested, 01.02.2025; see, <https://www.radiotavisupleba.ge/a/33299587.html> [11.02.2025]. Tabula, They told me they were there to check the gas, they rushed in and started searching - Buziashvili, 24.10.2024; see, <https://tabula.ge/ge/news/724711-mitkhres-rom-gazis-shesamocmeblad-iqvnen?redir> [11.02.2025]. Also, Social Justice Center, Searches of activists' homes are a continuation of the policy of the "Georgian Dream" of intimidation and repression, 01.02.2025; see, <https://socialjustice.org.ge/ka/products/aktivistebis-sakhlebshi-chkhreka-quot-kartuli-otsnebis-quot-mkhridan-dashinebis-da-represii-politikis-gagrdzelebaa> [11.02.2025]. Tabula, Where were the searches conducted and who have been arrested?, 04.12.2025; see, <https://tabula.ge/ge/news/726873-sad-chaatarda-chkhrekebi-vin-arian-dakavebulebi> [11.02.2025].

<sup>353</sup> Tabula, Lomjaria to female activists: Police officers have no right to order you to strip naked, 07.02.2025; see, <https://tabula.ge/en/news/729813-lomjaria-kal-aktivistebis-politsielebs-ar-akvt> [11.02.2025].

<sup>354</sup> Transparency International – Georgia, Georgia, "How activist groups are being fought in Georgia - De facto government repressions against the group "Left Behind", 09.01.2025, see., <https://transparency.ge/ge/post/rogor-ebrzvia-aktivistur-jgupebs-sakartveloshi-de-paktoxisuplebis-represiebi-jgup-daitoves> [11.02.2025]; OC MEDIA, Georgian police raid homes of three activists, detaining one, 03.02.2025, <https://ocmedia.org/georgian-police-raid-homes-of-three-activists-detaining-one/> [11.02.2025].

#### 5.4. Personal searches and the unlawful seizure of the belongings

The search of the arrested persons was carried out in gross violation of the local legislation and the international legal standards. Both criminal and administrative-legal arrest provide for the immediate drawing up of a corresponding report, which ensures the transparency of the legal process and the protection of the rights of the arrested persons. Contrary to the above, the search of the persons arrested at the rally was carried out with complete disregard for the rules established by the law. The reports were drawn up several hours following the arrest and an employee of the Ministry of Internal Affairs, who was not present at the scene was indicated as the person who carried out the arrest.

Almost all of the arrestees had their phones, wallets, expensive clothes and other personal belongings seized. Some of them were distributed amongst each other on the spot by the people mobilized by the Ministry of Internal Affairs.<sup>355</sup> In addition, the authorities not only did not prevent this illegal activity, but on the contrary, they have encouraged and incited this practice.

In one of the cases, according to an interview given by V52, after the arrest, he was taken to the car of the Director of the Special Tasks Department of the Ministry of Internal Affairs, Zviad Kharazishvili. Zviad Kharazishvili personally seized the phones, laptops and other personal belongings from him and other persons arrested with him, which was carried out in violation of the current legislation – without any proper sealing and drawing up of a corresponding report. He kept the confiscated belongings in his own car. In addition to being a gross violation of the property rights, this practice also indicates the scale of the impunity of the law enforcement officers and the non-existence of the legal responsibility.

It is noteworthy that after the transfer of persons arrested by the Ministry of Internal Affairs during the protests to the patrol police, in some cases, the patrol police officers managed to return the phones and the other personal belongings seized from the arrestees. Nevertheless, the interviewed persons indicated that the patrol police representatives, typically, did not reflect in the drawn up reports and other official documents the facts of the illegal seizure of the personal belongings carried out by the persons mobilized by the Ministry of Internal Affairs. In extreme cases, the actions of the persons compiling the documents revealed an attempt to refer to the illegally seized items as “lost” in order to cover up the misappropriation, looting and the arbitrary actions by the persons mobilized by the Ministry of Internal Affairs.

Some of the administratively arrested individuals have been subjected to threats and pressure, including physical and psychological violence, in order to obtain access to their mobile phones and other electronic devices by the law enforcement officials. In case of refusal, the law enforcement officials resorted to additional physical violence.

It is noteworthy that the above actions directly contradict both the national and the international legal norms. According to the Criminal Code of Georgia, unauthorized acquisition of computer data or electromagnetic waves carrying such data transmitted in or from a computer system during private communication constitutes a criminal offence. Such acquisition of data is permitted only in cases strictly defined by the law, namely, for the purpose of obtaining evidence in a criminal case, and only within the framework of the investigation of a serious or particularly serious crime, in compliance with the procedures established by the criminal procedural legislation.

#### 5.5. Informal criminal groups

During and outside of the protests, there have been cases of attacks by informal criminal groups, the so-called “Titushkas”, on the journalists, the protest participants and the opposition figures. This is another manifestation of the state terror.

It is noteworthy that the members of the informal criminal groups are unknown individuals, often dressed in black and/or non-identifying clothing, who are allegedly government-hired perpetrators. The involvement of such individuals in the violent actions is a state tactic aimed at violence and the intimidation of the protest participants, the supporters, and the journalists. The inaction of the police, coupled with the abundance of such facts, indicates that there is prior consent on the part of those authorized to prevent, suppress and respond to crimes to the commission of crimes by the punitive groups.<sup>356</sup>

It is noteworthy that the so-called “Titushkas” tactics have been used by the “Georgian Dream” government before. In particular, during the protests against the “Russian law” in the spring of 2024, unknown persons met the participants of the protest, the organizers and their family members near their homes or on the street, where they were severely beaten, which also did not result in any response from the law enforcement agencies,<sup>357</sup> which further incited and expanded the scope of violence. The violence by punitive groups also took place during the protests related to the elections.<sup>358</sup>

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<sup>355</sup> For example, according to interviews with the victims V16, V71, V61 and V73, during their arrests, the law enforcement officers unlawfully seized their phones, expensive clothing and wallets. According to the arrestees, the law enforcement officers were showing each other the seized items and discussed which would be kept by whom.

<sup>356</sup> GYLA, Informal punitive groups operate with the tacit support or direct consent of state institutions and high-ranking officials, 08.12.2024; see, <https://gyla.ge/post/araformaluri-sadamsjelo-jgufebi-gyla-ganckhadeba> [11.02.2025].

<sup>357</sup> GYLA, Georgia: Human Rights Amidst the Russian Law - Human Rights 60 Days Following the Revival of the Foreign Influence Transparency Bill, 2024, 9, see, [https://admin.gyla.ge/uploads\\_script/publications/pdf/rusuli%20kanoni.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/rusuli%20kanoni.pdf) [11.02.2025].

<sup>358</sup> Public Broadcaster, Protest in front of the house of the CEC Chairman, 16.11.2024; see, <https://1tv.ge/video/aqcia-cesko-s-tavmjdomaris-sakhltn/> [08.12.2024].

During the reporting period, there were a number of cases where these individuals attacked the peaceful protesters or the opposition leaders. For example:

- On 2 December, Gela Khasaia, a member of the Coalition for Change, was attacked by three so-called "Titushkas" near his home as he tried to attend a rally. He was severely beaten and verbally abused.<sup>359</sup>
- On 4 December, violators gathered outside the Marriott Hotel located on the Freedom Square and attacked the opposition leaders who had gathered there to plan the upcoming activities. Among them was Giorgi Pirvelashvili, a police officer in civilian clothes.<sup>360</sup> During the clash, the police sided with the attackers and arrested Zurab Davitashvili, an athlete and the leader of the opposition party "Akhali".<sup>361</sup>
- On 6 December, Publika journalist Mindia Gabadze was attacked and physically assaulted by unknown individuals while covering a protest near the Blue Gallery. Despite the fact that the law enforcement officers were standing very close to the scene, they did not react to this incident.<sup>362</sup>
- During the 6-7 December rally, at night, after the demonstrators moved from the Rustaveli Avenue along Tarkhnishvili Street towards the river bank, they were attacked by unknown armed men<sup>363</sup> with firearms<sup>364</sup>, which was not followed by any reactions from the police.
- On 7 December, the violence of the punitive squads reached a new level of repression, after they attacked and physically abused the protesters. Citizens reported that protesters were being chased down and beaten by the masked men armed with batons.<sup>365</sup> Actor Giorgi Makharadze was also physically assaulted, according to whom, the police did not respond appropriately to the violence.<sup>366</sup> According to the reports, the Titushkas beat up a protester, a psychologist Giorgi Chogovadze.<sup>367</sup>
- On 7 December, the same punitive group attacked TV Pirveli journalist Maka Chikhladze<sup>368</sup> and at the same time brutally dealt with the cameraman Giorgi Shetsiruli.<sup>369</sup> The members of the violent group also physically assaulted Maka Janashia and Eka Janashia and seized their phones because they were filming the violence against the TV Pirveli journalists on their phones.<sup>370</sup>
- On 7 December, Koba Khabazi, a member of the "Coalition for Changes", was physically attacked at the coalition's office on Besiki Street in Tbilisi, sustaining injuries to his head and various parts of his body. According to the coalition,

<sup>359</sup> Radio Tavisupleba, Gela Khasaia was attacked outside his own home - "Girchi - More Freedom", 02.12.2025; see <https://www.radiotavisupleba.ge/a/33224038.html> [11.02.2025].

<sup>360</sup> TV Pirveli, The Face of the Oligarch's OMON - Who are the masked Titushkas and how do they behave?, 04.12.2024; see, <https://www.youtube.com/watch?v=pW8QBvpM4dU> [11.02.2025].

<sup>361</sup> Civil Georgia, The Daily Beat: 4 December, 05.12.2024; see, <https://civil.ge/?p=641602> [11.02.2025].

<sup>362</sup> GYLA, GYLA responds to the attack on the Publika journalist Mindia Gabadze, 06.12.2024; see, <https://www.facebook.com/photo/?fbid=997707765734579&set=a.485094683662559> [11.02.2025].

<sup>363</sup> GYLA, On the 9th night of legitimate protest, the crackdown on the protest has entered a new stage of police terror, 07.12.2024; see, <https://gyla.ge/post/protesti-me9-game-darebav-gyla> [11.02.2025].

<sup>364</sup> TV Pirveli, Armed "Titushkas" were sent to the protesters on the river banks, 07.12.2024; see, <https://www.facebook.com/watch/?v=1086442272746708> [11.02.2025].

<sup>365</sup> Live Broadcast of TV Pirveli, 07.12.2024, 22:10.

<sup>366</sup> Mtavari Channel,

"In front of the patrol, 30 guys were beating me with the 'batons'... They were watching me as they were beating me, who was alone" | Giorgi Makharadze, 07.12.2024; see, <https://www.facebook.com/TvMtavari/videos/594925579675717> [11.02.2025].

<sup>367</sup> Mtavari Channel, Psychologist Giorgi Chogovadze was beaten, 08.12.2024; see, <https://www.facebook.com/TvMtavari/posts/->

%E1%83%9C%E1%83%90%E1%83%AA%E1%83%94%E1%83%9B%E1%83%98%E1%83%90-%E1%83%A4%E1%83%A1%E1%83%98%E1%83%A5%E1%83%9D%E1%83%9A%E1%83%9D%E1%83%92%E1%83%98-%E1%83%92%E1%83%98%E1%83%9D%E1%83%A0%E1%83%92%E1%83%98-%E1%83%A9%E1%83%9D%E1%83%92%E1%83%9D%E1%83%95%E1%83%90%E1%83%AB%E1%83%94-%E1%83%90%E1%83%9B%E1%83%98%E1%83%A1-%E1%83%A8%E1%83%94%E1%83%A1%E1%83%90%E1%83%AE%E1%83%94%E1%83%91-%E1%83%9B%E1%83%97%E1%83%90%E1%83%95%E1%83%90%E1%83%A0%E1%83%98-%E1%83%90%E1%83%A0%E1%83%AE%E1%83%98%E1%83%A1-%E1%83%95%E1%83%94%E1%83%91%E1%83%92%E1%83%95%E1%83%94%E1%83%A0%E1%83%93%E1%83%A1-%E1%83%9B%E1%83%98%E1%83%A1%E1%83%98-%E1%83%90%E1%83%AE%E1%83%9A/978919904290680/ [11.02.2025].

<sup>368</sup> A masked man approached the camera crew during a live broadcast and tried to take the camera away from the cameraman. At that moment, also a masked man approached Maka Chikhladze from behind and knocked her to the ground, the cameraman was physically assaulted. Public Broadcaster, TV Company "TV Pirveli" Camera Crew was Attacked Live [Video], 07.12.2024; see, [https://1tv.ge/news/telekompania-tv-pirvelis-gadamgheb-jgufts-pirdapir-etershi-daeskhnen-tavs-video/?fbclid=IwY2xjawHCaPNleHRuA2FlbQlXMQABHYD5ODzxfGKqeD9MnRMOtkrTycKWtiCTHPIJRwxv7PXIXI8JyAj3mhkw\\_aem\\_AbU71sKmvbo20XD1oEgLSw](https://1tv.ge/news/telekompania-tv-pirvelis-gadamgheb-jgufts-pirdapir-etershi-daeskhnen-tavs-video/?fbclid=IwY2xjawHCaPNleHRuA2FlbQlXMQABHYD5ODzxfGKqeD9MnRMOtkrTycKWtiCTHPIJRwxv7PXIXI8JyAj3mhkw_aem_AbU71sKmvbo20XD1oEgLSw) [11.02.2025].

<sup>369</sup> The Titushkas physically assaulted the cameraman of "TV Pirveli"; see, <https://www.facebook.com/reel/1143698633979632> [11.02.2025].

<sup>370</sup> Publika, 08.12.2024; see, <https://www.facebook.com/publika.ge/posts/-> %E1%83%9B%E1%83%90%E1%83%A0%E1%83%98%E1%83%90%E1%83%9B-%E1%83%92%E1%83%9D%E1%83%92%E1%83%98%E1%83%90%E1%83%A8%E1%83%95%E1%83%98%E1%83%9A%E1%83%98-%E1%83%A1%E1%83%9D%E1%83%AA%E1%83%98%E1%83%90%E1%83%9A%E1%83%A3%E1%83%A0-%E1%83%A5%E1%83%A1%E1%83%94%E1%83%9A%E1%83%A8%E1%83%98-%E1%83%AC%E1%83%94%E1%83%A0%E1%83%A1-%E1%83%A0%E1%83%9D%E1%83%9B-%E1%83%9B%E1%83%98%E1%83%A1%E1%83%98-%E1%83%93%E1%83%94%E1%83%93%E1%83%90-%E1%83%9B%E1%83%90%E1%83%99%E1%83%90-%E1%83%AF%E1%83%90%E1%83%9C%E1%83%90%E1%83%A8%E1%83%98%E1%83%90-%E1%83%93%E1%83%90-%E1%83%93%E1%83%94%E1%83%98%E1%83%93%E1%83%90-%E1%83%94%E1%83%99%E1%83%90-/1318112322921648/ [11.02.2025].

two other members of the coalition's youth organization were also beaten. The office's surveillance camera footage shows how several dozen people dressed in black burst into the building. According to Khabazi, when he got out of the elevator and started going down the stairs, about 50 people suddenly rushed in. They started cursing and beating him, hitting him on the head with an object, causing him to fall. Then they started kicking him. Khabazi said that they recognized him and deliberately attacked him. Khabazi's teeth were wrecked and he suffered head injuries.<sup>371</sup>

- On 7 December, Nino Kvitaishvili, a member of the "Coalition for Changes" and a deputy of the Tbilisi City Council, was injured in an attack, suffering fractures to her cheekbone and upper jaw, a fractured nasal bone and a cut on her nose. The attack occurred when she was hit in the face with a broken glass bottle thrown by the alleged hired assailants.<sup>372</sup>
- On 17 December 2024, during a protest, Giorgi Vashadze, the leader of the opposition coalition "United National Movement", reported an attempt to stab him with a sharp object by the government-sponsored assailants. Notwithstanding the fact that the police were nearby, they did not intervene. Although a passerby called an ambulance, it took the police more than an hour to respond. Vashadze was eventually contacted by an investigator who promised to arrive, but then said that he would not come to the scene.<sup>373</sup>
- On 17 December 2024, the office of the "Unity - National Movement" was attacked late at night in Gori, when no party members were present. The surveillance camera footage shows a masked man allegedly lighting a firework near the office window, shattering the glass. The police was working at the scene throughout the night and launched an investigation under Article 187 of the Criminal Code, which deals with damage or destruction of property.<sup>374</sup>

The law enforcement agencies and the state agencies know the identities of the members of the violent groups, as evidenced by the publicly available materials, where the attackers are often identifiable.<sup>375</sup> Although the patrol police could have responded in a timely manner and prevented the violent acts, according to the public sources, they were completely inactive.<sup>376</sup> The existing evidence indicates that these informal violent groups operate with the support of the high-ranking officials and state structures to intimidate the protesters and the journalists.

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<sup>371</sup> Radio Tavisupleba, Koba Khabazi was physically assaulted at the Coalition for Change office, 07.12.2024; see, <https://www.radiotavisupleba.ge/a/33230586.html> [11.02.2025].

<sup>372</sup> INTERPRESSNEWS, Nino Kvitaishvili - I received the "Form 100", where it is written - fracture of the uvula and upper jaw bones, fracture of the nasal bone and a wound - the physical pain will recede, I will bear the scars, I will continue the fight - but the investigation - silent, 10.12.2024; see, <https://www.interpressnews.ge/ka/article/824232-nino-kvitaishvili-mivige-porma-100-sadac-ceria-qvrimalisa-da-zeda-qbis-zvlebis-motexiloba-cxviris-zvlis-motexiloba-da-chiloba-pizikuri-ktivili-ukan-daixevs-avitan-naiarevs-gavagrzeleb-brzolas-gamozieba-ki-dums/> [11.02.2025].

<sup>373</sup> Publika, Giorgi Vashadze: Yesterday's attack on me can be assessed as an attempted murder, 18.12.2025; see, <https://publika.ge/giorgi-vashadze-chemze-gushindeli-tavdaskhma-sheidzleba-mkvlelobis-mcdelobad-shefasdes/> [11.02.2025].

<sup>374</sup> Mtavari Channel, A masked individual allegedly set off fireworks and shattered glass | Investigation launched into the attack on the UNM's Gori office, 18.12.2024; see, <https://mtavari.tv/news/172950-shenighbulma-pirma-savaraudod-piroteknika-aapetka> [11.02.2025].

<sup>375</sup> GYLA, On the 9th night of legitimate protest, the crackdown on the protest has entered a new stage of police terror; see, <https://gyla.ge/post/protestime9-game-darebav-gyla> [11.02.2025].

<sup>376</sup> Mautskebeli, "He is holding a baton and he is escorting him away" - how the police (do not) act against the masked gangs; see, <https://www.facebook.com/reel/964512905732781> [01.03.2025]. Formula, "You just watched as 30 men beat me alone with batons, you watched" — Giorgi Makharadze's appeal to a police officer, <https://www.facebook.com/reel/500573012333067> [01.03.2025].

### III. RESPONSIBILITY OF THE STATE INSTITUTIONS

The Constitution of Georgia is based on the Parliamentary model of the separation of powers. According to the Constitution, judicial control is exercised through the judiciary, which consists of the common courts and the Constitutional Court. At the same time, the Constitution and the legislation of Georgia are saturated with the so-called independent institutions, some of which, among others, are created in the field of justice.

#### 6. OLIGARCHIC INFLUENCE: CAPTURE OF THE STATE INSTITUTIONS

The independence and impartiality of the democratic institutions in Georgia, especially the judiciary, are facing serious problems, according to the assessments of a number of the authoritative international organizations, as well as the local observers. Over the years, a number of cases have been identified that confirm the facts of informally influencing the state institutions.

With the European Commission report of 17 June 2022,<sup>377</sup> it was for the first time noted in relation to Georgia that there is a problem of oligarchic influence on the state institutions in Georgia and that a “de-oligarchization” reform is needed. Subsequently, with the accompanying conclusions of the Venice Commission,<sup>378</sup> the essence of the problem of oligarchization in Georgia and the ways to eliminate it were explained.

According to the Venice Commission, the opaque influence of the individuals with special political, economic and social influence - the oligarchs, is a serious problem in Georgia.<sup>379</sup> This refers to the oligarchs’ disregard for the state jurisdiction, the undermining of the mechanisms for the distribution and separation of powers between the branches of government, and the exercise of undue pressure on the judiciary for personal gain.<sup>380</sup> In Georgia, there are signs of de facto control of all three branches of government, which, according to various assessments, has been referred to as state capture.<sup>381</sup>

According to the latest 2024 report of the European Commission, Georgia has not made significant progress towards the “de-oligarchization”, addressing the key problems should still be on the agenda and systemic reforms are needed to strengthen democratic institutions and the independence of the judiciary.<sup>382</sup>

In Georgia, the main source of the oligarchic influence is considered to be the founder of the ruling party, Bidzina Ivanishvili. The “Georgian Dream” and its coalition founded by Ivanishvili won the parliamentary elections in 2012 and formed a government, which was led by Bidzina Ivanishvili, who served as Prime Minister in 2012-2013.<sup>383</sup> After 2013, Bidzina Ivanishvili made several statements about leaving politics, but he “returned” every time and currently holds the position of the honorary chairman of the Georgian Dream.<sup>384</sup>

In 2020, assessments by the domestic observers indicated for the first time that the scale of the informal influence on the government had reached the point of state capture.<sup>385</sup> In a resolution of 9 June 2022, the European Parliament expressed its concern “over the destructive role played by the sole oligarch, Bidzina Ivanishvili, in Georgia’s politics and economy, and the level of control he exerts over the government”.<sup>386</sup> The resolution of 14 December 2022, mentioned for the first time the concept of the continued state capture,<sup>387</sup> and named Ivanishvili as the person responsible for the decline of democracy in Georgia.<sup>388</sup>

<sup>377</sup> European Commission, Commission Opinion on Georgia's application for membership of the European Union, 17.6.2022, 16-17, see, [https://enlargement.ec.europa.eu/document/download/a95905d5-9783-4a1b-aef2-1740a79eda49\\_en?filename=Georgia%20opinion%20and%20Annex.pdf](https://enlargement.ec.europa.eu/document/download/a95905d5-9783-4a1b-aef2-1740a79eda49_en?filename=Georgia%20opinion%20and%20Annex.pdf) [11.02.2025].

<sup>378</sup> European Commission for Democracy Through Law (Venice Commission), Interim Opinion on the Draft Law “on De-oligarchisation”, 13.03.2023; see, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2023\)009-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2023)009-e) [11.02.2025]. European Commission for Democracy Through Law (Venice Commission), Final Opinion on the Draft Law “on De-oligarchisation”, 12.06.2023; see, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2023\)017-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2023)017-e) [11.02.2025].

<sup>379</sup> European Commission for Democracy Through Law (Venice Commission), Final Opinion on the Draft Law “on De-oligarchisation”, para. 8, 12.06.2023; see, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2023\)017-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2023)017-e) [11.02.2025].

<sup>380</sup> Ibid, para. 9.

<sup>381</sup> Ibid, para. 10.

<sup>382</sup> European Commission, Commission Staff Working Document, 30.10.2024. 25; see, [https://enlargement.ec.europa.eu/document/download/7b6ed47c-ecde-41a2-99ea-41683dc2d1bd\\_en?filename=Georgia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/7b6ed47c-ecde-41a2-99ea-41683dc2d1bd_en?filename=Georgia%20Report%202024.pdf) [11.02.2025].

<sup>383</sup> Radio Tavisupleba, Chronicle of a third coming and two departures - Ivanishvili's chalk circle, 05.01.2025; see, <https://www.radiotavisupleba.ge/a/%E1%83%91%E1%83%98%E1%83%AB%E1%83%98%E1%83%9C%E1%83%90-%E1%83%98%E1%83%95%E1%83%90%E1%83%9C%E1%83%98%E1%83%A8%E1%83%95%E1%83%98%E1%83%9A%E1%83%98-%E1%83%9B%E1%83%94%E1%83%A1%E1%83%90%E1%83%9B%E1%83%94%E1%83%93-%E1%83%9B%E1%83%9D%E1%83%95%E1%83%98%E1%83%93%E1%83%90/32760925.html> [11.02.2025].

<sup>384</sup> Ibid.

<sup>385</sup> Transparency International Georgia, Is Georgia a Captured State?, 11.12.2020; see, <https://transparency.ge/en/blog/georgia-captured-state> [11.02.2025].

<sup>386</sup> European Parliament resolution of 9 June 2022, para. 16; see, [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0239\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0239_EN.html) [11.02.2025].

<sup>387</sup> European Parliament resolution of 14 December 2022. Para. 19; see, [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0442\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0442_EN.pdf) [11.02.2025].

<sup>388</sup> Ibid, para. 14.

Due to his detrimental impact on the Georgian statehood and democracy, following the 2024 parliamentary elections, the European Parliament adopted a resolution calling for the imposition of financial sanctions on Bidzina Ivanishvili,<sup>389</sup> and on 27 December 2024, the United States State Department sanctioned<sup>390</sup> Bidzina Ivanishvili for his role in the erosion of the democratic institutions, human rights violations and undermining of the democratic process in Georgia.

Local and international assessments indicate that following 2012, Bidzina Ivanishvili has managed to consolidate political power and currently has the ability to effectively influence the existing democratic institutions in Georgia, including by abusing them to suppress democracy in the country.

## **7. MINISTRY OF INTERNAL AFFAIRS: TORTURE, PERSECUTION AND VIOLENCE AGAINST THE PARTICIPANTS OF THE DEMONSTRATIONS**

The Ministry of Internal Affairs of Georgia (MIA) is a political body - a ministry, which has the primary responsibility for maintaining public order during assemblies and demonstrations, as well as responding to the offences and crimes. It is under the MIA that the main system of the law enforcement agencies is gathered, which implements preventive and reactive measures.<sup>391</sup> According to the Statute of the Ministry of Internal Affairs of Georgia,<sup>392</sup> the Ministry unites 40 different structural units (departments), territorial bodies, subordinate institutions and legal entities of public law. The political leadership of the MIA is carried out by the Minister, who, according to the Statute, may have 6 deputies.

According to article 17, paragraph 1, subparagraph “d” and paragraph 2, subparagraph “i” of the same article of the Law of Georgia “On Police”, the Ministry of Internal Affairs of Georgia is the decision-maker on the protection of the safety of demonstrators during a protest, as well as on the cessation of the demonstration and the dispersal of the participants. The legislation does not consider the adoption and implementation of this decision as the exclusive authority of any institution within the MIA system, however, the Special Tasks Department of the MIA (STD) has a leading role in the implementation of the decision of the cessation of the demonstration/dispersal of the participants.

According to articles 2 and 4 of the STD Statute,<sup>393</sup> the management of mass demonstrations is not the only or even the main task of the department. The STD is a semi-paramilitary institution, the priority task of which is to provide the operational activities of the Ministry of Internal Affairs with combat force. During the Martial Law, the STD is transferred to the defense forces, and in peacetime it ensures the protection of the dividing line (occupation line) of the territories occupied by Russia. The legislation considers the protection of public safety and order during assemblies, demonstrations and other mass events as the fifth objective of the STD.<sup>394</sup>

Order N1002 of the Minister of Internal Affairs of 30 December 2015 “On the Approval of the Guidelines for the Conduct of the Employees of the Ministry of Internal Affairs of Georgia during assemblies and demonstrations”<sup>395</sup> regulates the issues related to the management of the mass events. According to the order, the action plan for managing the rallies is drawn up by the Special Tasks Department in coordination with the relevant divisions of the Ministry of Internal Affairs. According to the order, this plan determines the tasks related to the management of the demonstration, special means, as well as the persons responsible for the implementation of these measures.<sup>396</sup> The action plan is approved by the Minister of Internal Affairs or a person authorized by him. The action plan is considered a state secret and the public does not have access to it.

### **7.1. The official and the shadow action plan of the police forces**

The operational planning department of the STD is responsible for developing the action plan.<sup>397</sup> The currently former head of the department, Irakli Shaishmelashvili, released a personal statement (report) on the social media on 3 December 2024,

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<sup>389</sup> European Parliament resolution of 28 November 2024, para. 11; see, [https://www.europarl.europa.eu/doceo/document/TA-10-2024-0054\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-10-2024-0054_EN.html) [11.02.2025].

<sup>390</sup> U.S. Embassy in Georgia, Sanctioning “Georgian Dream” Founder Bidzina Ivanishvili, 27.12.2024; see <https://ge.usembassy.gov/sanctioning-georgian-dream-founder-bidzina-ivanishvili/> [11.02.2025].

<sup>391</sup> Law of Georgia “On Police”, Article 3.

<sup>392</sup> Order of the Minister of Internal Affairs of Georgia N337 of 13 December 2013 “On Approval of the Statute of the Ministry of Internal Affairs of Georgia”, Articles 7-9.

<sup>393</sup> Order of the Minister of Internal Affairs of Georgia N30 of 1 April 2019 “On Approval of the Statute of the Special Tasks Department of the Ministry of Internal Affairs of Georgia”.

<sup>394</sup> Order N30 of the Minister of Internal Affairs of Georgia of 1 April 2019 “On Approval of the Regulations of the Special Tasks Department of the Ministry of Internal Affairs of Georgia”, Article 4, subparagraph “d”.

<sup>395</sup> The order and any amendments to it are not published proactively. The 5 April 2023 version of the order is available to us.

<sup>396</sup> Order N1002 of the Minister of Internal Affairs of 30 December 2015, “On Approval of the Guidelines for the Conduct of Employees of the Ministry of Internal Affairs of Georgia during assemblies and demonstrations”, Article 5.

<sup>397</sup> Order N30 of the Minister of Internal Affairs of Georgia of 1 April 2019 “On Approval of the Statute of the Special Tasks Department of the Ministry of Internal Affairs of Georgia”, Article 9.



informing the public about his resignation. On 26 December, it was reported that he had left Georgia.<sup>398</sup> In an interview released following him leaving the country,<sup>399</sup> he spoke at length about the threats against him and his family.

Following his resignation, Irakli Shaishmelashvili partially covered the interrelationship between the dispersal of the demonstrations and the previously approved action plan in several interviews. According to his assessment, the police actions were incompatible with the action plan, in the preparation of which he had personally participated.<sup>400</sup> Considering that the actions of obvious criminal nature committed with premeditation (torture, inhuman treatment) are unlikely to be reflected in writing in the action plan, the information voiced by Irakli Shaishmelashvili is credible. Against this background, it is worth considering the facts that the crimes committed during the dispersal of the demonstrations were not individual misconduct. In particular, the operations of encirclement, the minibuses specially prepared for the torture of the people, the identical handwriting used for intimidation and the physical violence indicate that there was a previously prepared shadowy action plan, as well as the personnel necessary to implement this plan. Furthermore, the appropriate conditions for the implementation of this plan had been prepared in advance, in particular, accordingly trained personnel and the logistical and organizational issues.

Moreover, nothing has been revealed that would cast doubt on the fact that a large part of the police actions during the days of the demonstrations completely deviated from the action plan. Therefore, the information contained in the action plan is important evidence in terms of identifying those responsible for the crimes committed by the police forces during the demonstrations. In particular, those sections of the action plan that reflect the information about the senior officials present at the site of the special means and the person(s) responsible for the conduct of the special measures. However, despite the unavailability of the action plan to the public, it is possible to conclude that the Ministry of Internal Affairs did not fully follow the official action plan and that shady tactics were clearly evident.

## **7.2. Agencies responsible for the disproportionate and punitive use of the special means during the demonstrations**

The legislation recognizes passive and active special means of maintaining law and order.<sup>401</sup> Passive special means are the means of physical protection of a police officer (e.g. helmet, body armor, shield). While the legislation defines active special means as those tactics and weapons at the disposal of a police officer, with which it is possible to influence an individual person and/or a group of people. (e.g. baton, water cannon, tear gas, so-called rubber bullets, etc.).

Some of the active special means can be used by any person, due to their ease of use, however, there are certain types of the special means, the use of which requires specific knowledge and therefore the specific special means used provides the opportunity to connect to the relevant structural unit of the Ministry of Internal Affairs. Additionally, several categories of persons can theoretically be involved in making a decision on the use of the special means.

- Head officer; (specified in the action plan)
- Responsible officer; (specified in the action plan)
- Head of the division;
- Law enforcement officer individually.<sup>402</sup>

The relevant orders of the Minister of Internal Affairs of Georgia have approved the uniform/camouflage standards for various structural units of the Ministry of Internal Affairs, according to the legislation, "the identification of the representatives of the law enforcement agencies during assemblies/demonstrations must be possible by wearing the appropriate uniforms and/or by the appropriate distinctive signs".<sup>403</sup> The law enforcement officers responsible for managing the demonstration did not only not have any individual identification marks, but not even the structural unit/subunit marks. The personnel, who particularly stood out in brutality in front of the cameras, typically, did not have any identification marks of the subunit. Moreover, in many cases, the only way of identifying them as the law enforcement officers was for them to be located right next to the police forces - the so-called robocops.

### **7.2.1. Responsibility for the clearly disproportionate and illegal use of the active special means**

The use of the special means for crowd control requires specially trained personnel. In particular, the movement of a water cannon vehicle, as well as its use with the police personnel, requires special knowledge and should be served by a dedicated

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<sup>398</sup> Radio Tavisupleba, "I am not going to take responsibility according to the laws of wolves" - former STD employee Irakli Shaishmelashvili, 05.01.2025; see, <https://www.youtube.com/watch?v=Y4OMh70EEVU&t=3332s> [11.02.2025].

<sup>399</sup> Ibid.

<sup>400</sup> Ibid.

<sup>401</sup> Law of Georgia "On Police", Article 33.

<sup>402</sup> Order N1002 of the Minister of Internal Affairs of 30 December 2015 "On Approval of the Guidelines for the Conduct of Employees of the Ministry of Internal Affairs of Georgia during assemblies and demonstrations", Article 8. (Version of 5 April 2023).

<sup>403</sup> Order N1002 of the Minister of Internal Affairs of 30 December 2015 "On Approval of the Guidelines for the Conduct of Employees of the Ministry of Internal Affairs of Georgia during assemblies and demonstrations", Article 4, paragraph 5. (Version of 5 April 2023).

group of operators who are well acquainted with the tactics of the moving units. Only the STD has this capability as well. The same should be said about the use of tear gas shells and the so-called rubber bullets (non-lethal shells).

Responsibility for mixing a certain substance (presumably tear gas powder) into the water cannon tank, the disproportionate use of tear gas shells, as well as their use in ways that are dangerous to life and health, lies with the persons issuing the relevant orders and/or those performing the special police actions.

### **7.2.2. Responsibility for the physical violence, beatings, inhuman treatment and torture against the demonstrators at the time of arrest**

The arrests of the participants of the demonstration by the police forces did not have the nature of a police response to the law offences, but rather of hunting down the participants of the demonstration. This is clearly indicated by the operations of the police forces to pursue and arrest the participants and the alleged participants of the demonstration shortly before/after the beginning of the demonstrations, as well as the random arrests during the demonstrations. Overall, the tactics of the police forces indicated that the goal of the police force was to sow general fear, and not to respond to any violations.

#### **i. Responsibility for the violence and inhuman treatment of the arrested/apprehended individuals during the demonstrations**

**At the time of arrest:** The arrest of a person was carried out with the use of force, including even when the arrestee did not resist. The footage indicates that the violence often escalated into beatings on the spot, including of the people who were already tied up and lying on the ground.

**Police corridor:** Arrested demonstrators often had to pass through the so-called cordon set up by the police forces, during which people were verbally and physically abused.

**Near the place of arrest:** The intensity of the police violence against the arrestees, as well as the diversity of forms of violence, increased after the arrestees were transferred to the rear of the line of contact. The subchapters 2.2.1 and 2.2.2. indicate that the places were used for the perpetration of violence where the deployment of the police forces and the existing urban infrastructure created sufficient conditions for isolating the act of violence and protecting it from being recorded on video by the journalists and/or the demonstrators. Where the environmental conditions did not allow for this to be achieved, temporary visual barriers were created using the police vehicles.

**Mobile violence-torture stations:** Some of the interviewees indicated that after their arrest, they were placed in a cargo van-type minibus that had no seats, and the driver's compartment was separated from the main compartment by an internal wall with a small barred window (Cargo van Bulkhead partition). All persons who appeared in this type of a transport describe severe and brutal forms of physical and psychological violence.

**Control and recording of torture and violence:** The victim statements indicate that the perpetrators of the violent acts recorded acts of violence and torture using mobile phones, as well as photographed the tortured people and sent them, presumably to their superiors. The victim statements also indicate that the perpetrators often had to give verbal confirmation as to whether the violence against the person in question had been completed or not. This further indicates that the criminal acts were a direct order/command, the execution of which was controlled.

**Direct involvement of the head of the institution:** Based on the statements of the victims of violence as well as the publicly available information, in at least three cases the direct participation of the head of the STD in the criminal acts committed by the police forces has been revealed. In two cases, it was physical violence and beating of an arrestee, and in one case, the seizure of belongings from a demonstrator. This indicates that the head of the STD, through his personal actions, set an example for the subordinates and sent a signal that beating and torturing people was the standard by which his subordinates should have acted.

On the Rustaveli Avenue, the dividing line between the police forces and the demonstrators was occupied by the STD personnel equipped with passive defence means - the so-called Robocops. In the vicinity of the Robocops line, the arrest of the demonstrators was carried out by a kind of mobile groups consisting of at least 5 people. Judging by the publicly available video footage, the so-called rubber bullet gun operator (a 12-gauge gun) and a person using pepper spray were attached to each mobile group, the degree of whose coordination clearly indicated that these groups had undergone appropriate training. An analysis of the courses of the Police Academy of the Ministry of Internal Affairs shows that such training is not included in the tactical training programs of other police units.<sup>404</sup> Furthermore, the visual barriers created by buses, the personal involvement of the head of the STD in the violence against the people, the mechanisms for controlling the use of violence and torture indicate that systematic violations of the basic human rights, including torture, were carried out by the Special Tasks

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<sup>404</sup> LEPL Academy of the Ministry of Internal Affairs of Georgia, Detailed training programs for various police units; see, <http://policeacademy.gov.ge/en/professional-education/basic-training-courses> [11.02.2025].

Department of the MIA and various groups-individuals under its control at the place of assembly and demonstrations and in the surrounding areas.

Unlike the Rustaveli Avenue (the main core of the protest), in the surrounding areas, other police units, who were moving in cars, were hunting for the protesters. Most likely, these individuals were not the employees of the STD, since this form of action is unfamiliar to the STD personnel. The analysis of the administrative offences indicates that mainly the Tbilisi Police Department and the Criminal Police Department were involved in this task.

#### **ii. Responsibility for the enforced disappearance of people during the demonstrations**

Police forces pursued the demonstrators and the alleged participants of the demonstrations before the demonstrations began, following its dispersal. Police forces hunted for the people at the demonstrations and/or on their way home from the demonstrations, using vehicles. A number of cases have been revealed when the participants of the demonstrations were administratively arrested in their homes and/or were caught driving a car during a special operation. Unlike the Rustaveli Avenue (the main core of the protest), in the areas surrounding it, other police units were hunting for the participants of the demonstration, who were traveling in cars that did not match the description of the patrol police cars. It is highly likely that the individuals in question were not the employees of the STD, since this form of the actions is unfamiliar to the STD personnel. Analysis of the administrative offences and the factual data indicates that mainly the Tbilisi Police Department and the Criminal Police Department were involved in this task.

#### **iii. Aggravated robbery/robbery of the arrested demonstrators by the police forces**

The victim statements indicate that some of the people arrested during the demonstrations had their personal belongings seized by the police. The personal belongings had been seized before they were taken to the police buildings, and the seized items were not properly documented, nor were they returned to their owners after their release. According to the victim statements, the forcible seizure of items and money was carried out directly by the groups carrying out the violence. One of the interviewees indicates that the head of the Special Tasks Department was directly involved in the seizure of belongings.<sup>405</sup> In several cases, the victims managed to determine the location of the phone using the location-finding programs. Beside the STD base, these phones appeared several times near the pawn shops as well as in residential houses.

Considering that the seizure of items was visible and accompanied by threats and violence, such actions of the police forces can be assessed as a threat, not a robbery. Considering the degree of threat/violence and the circumstances. No one has indicated in the victim statements that anyone's personal belongings had been taken away on the way to the police building, in the building or after being taken to the temporary detention center. Victims of robbery/aggravated robbery incidents speak of them in parallel with the violence and torture by the perpetrators of violence and/or by the persons present at the scene.

#### **iv. Responsibility for erasing traces of violence/destroying evidence and compiling false reports**

It is revealed that the perpetrators of violence did not directly participate in the "registration" of the victims who were beaten, tortured and inhumanely treated and, in some cases, robbed/robbed in an aggravated way, and in the drawing up of the arrest reports. The Patrol Police Department had a special role in registering the arrestees and preparing them for the conveyor belt litigation, although the Criminal Police Department and the Tbilisi Police Department also participated in this process.

At this stage, the main goal was to erase the traces of the crime and draw up false reports. Removing blood from the victims of violence, indicating intentionally incorrect information in the reports, for example, blanket entries about swearing and the resistance by the protest participants. The police officers tried not to record cases of robbery/aggravated robbery and were motivated to register such criminal acts as lost property. At this stage, the arrestees were refused medical assistance and this opportunity was given only to those people who were clearly not going to be admitted in a temporary detention center.

The main responsibility for the arrangements for covering up the tracks lies with the Patrol Police Department of the Ministry of Internal Affairs, the Criminal Police Department and the Tbilisi Police Department.

### **7.3. Involvement of the informal groups in violence against the participants in demonstrations**

The participation of the informal groups in violence against the demonstrators should be divided into two parts. It can be said with confidence that the individuals close to the "Georgian Dream" have attacked the journalists and the participants of the demonstrations several times. Several circumstances indicate coordination between the informal groups and the law enforcement agencies, especially the incidents captured on camera, where it is clear that the police do not react to the attacks against the journalists. For example, the cases described in subchapter 3.2.7. where the journalists became victims of the

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<sup>405</sup> See section 2.2.4. and 5.4.

attacks by the so-called “Titushkas” in the presence/nearby of a police crew, which the police forces left without any reactions. Additional evidence of the cooperation between the law enforcement agencies and the informal groups is the impunity of those involved in the attacks. Notwithstanding the fact that in several cases, based on the open sources, the media was able to identify those involved in the attacks on the protesters and the journalists, there has been no information about any of them being arrested or detained.

#### **7.4. The practice of fining the protesters after the demonstrations and identifying them with the facial recognition systems**

In December 2024, the "Georgian Dream"-led single-party Parliament significantly tightened the penalties provided for in the Administrative Offences Code. One of the most widely used repressive offences has turned out to be blocking the roadway, for which the fine is 5000 GEL, which is approximately 19 times higher than the subsistence minimum determined by the National Statistics Office.<sup>406</sup>

The Patrol Police Department of the Ministry of Internal Affairs, in coordination with the LEPL “Public Safety Command Center 112”, has actively begun further fining of the demonstrators, for which the state-wide video surveillance system is used. Using the video surveillance system and, with a high probability, processing the biometric data of the participants of the demonstration (facial recognition system), the Patrol Police Department employees are massively drawing up offence reports, on the basis of which the participants of the continuous protests taking place after 28 November 2024 are fined 5000 GEL.

### **8. SPECIAL INVESTIGATIVE SERVICE**

The Special Investigative Mechanism for Responding to the crimes committed by the law enforcement agency representatives was established in Georgia in 2018 and its mandate came into force on 1 January 2019.<sup>407</sup> This function was performed by the State Inspector’s Service until 2022, headed by a State Inspector elected by the Parliament of Georgia for a 6-year term. On 3 July 2019, Londa Toloria, elected by the Parliament of Georgia to the position of State Inspector, began her term.<sup>408</sup> Since 2021, the "Georgian Dream" has launched an active political attack on the State Inspector. And at the end of 2021, the "Georgian Dream" initiated the so-called reform of the State Inspectorate. The functions of the service were divided into two parts, the name of the service was changed and Londa Toloria’s authority was terminated 3 years before her term expired.<sup>409</sup> The Prosecutor of the General Prosecutor’s Office, Karlo Katsitadze, was elected as the head of the newly created investigative service, who up to this day holds the position.<sup>410</sup> From 2019 to February 2022, he held the position of the Head of the Department of Procedural Management of Investigations at the State Inspector’s Service at the General Prosecutor’s Office of Georgia.<sup>411</sup>

Special Investigation Service was established on the basis of the State Inspector’s Service, which was tasked with investigating crimes committed by the law enforcement officers and, at the same time, its mandate was expanded and several articles related to other categories of crimes were added, including some crimes the object of protection of which is the freedom of expression, freedom of the media.

The OSCE Office for Democratic Institutions and Human Rights (ODIHR) soon issued an urgent opinion criticizing the rushed process of adopting the amendments.<sup>412</sup> It noted that the process lacked openness, transparency, and could be perceived as politically biased and designed to undermine the independence and effectiveness of the institution.<sup>413</sup>

In this context, the European Commission, in its opinion of 17 June 2022, indicated that the newly established Special Investigation Service still needed to prove its effectiveness and independence,<sup>414</sup> and its reform has become an integral part of Georgia’s integration process into the European Union. The Venice Commission, in its opinion of 18 December 2023, identified key challenges facing the service. Among them, the excessive role of the Prosecutor’s Office in the investigation

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<sup>406</sup> Subsistence Minimum for a working age male was 260.3 GEL according to the December 2024 data from the National Statistics Office of Georgia; see, <https://www.geostat.ge/en/modules/categories/791/subsistence-minimum> [11.02.2025].

<sup>407</sup> Georgian Law “On Special Investigation Service” without amendments and additions; see, <https://matsne.gov.ge/ka/document/view/4276790?publication=0> [11.02.2025].

<sup>408</sup> Civil Georgia, Parliament Confirms Londa Toloria as State Inspector, 11.06.20219; see, <https://civil.ge/archives/308090> [11.02.2025].

<sup>409</sup> Amendments of 30 December 2021 to the Georgian Law “On State Inspector”; see, <https://matsne.gov.ge/ka/document/view/5337579?publication=0> [11.02.2025].

<sup>410</sup> It is noteworthy that the early termination of Londa Toloria's powers was declared unconstitutional by the Constitutional Court on 17 November 2022. However, although the Constitutional Court refused to use the necessary instruments to ensure the effectiveness of its decision, Londa Toloria's rights could not be restored despite the unconstitutionality of her dismissal; see, <https://constcourt.ge/ka/judicial-acts?legal=14452> [11.02.2025].

<sup>411</sup> Special Investigation Service, Karlo Katsitadze; see, [https://sis.gov.ge/head-team?team\\_id=6&lng=eng](https://sis.gov.ge/head-team?team_id=6&lng=eng) [09.04.2025].

<sup>412</sup> OSCE Office for Democratic Institutions and Human Rights, Opinion on the Legislative Amendments on the State Inspector’s Service of Georgia, 18.02.2022, see, <https://www.osce.org/files/f/documents/d/1/512728.pdf> [11.02.2025].

<sup>413</sup> Ibid, para. 32.

<sup>414</sup> European Commission, Commission Opinion on Georgia's application for membership of the European Union, 17.6.2022, 10; see, [https://enlargement.ec.europa.eu/document/download/a95905d5-9783-4a1b-aef2-1740a79eda49\\_en?filename=Georgia%20opinion%20and%20Annex.pdf](https://enlargement.ec.europa.eu/document/download/a95905d5-9783-4a1b-aef2-1740a79eda49_en?filename=Georgia%20opinion%20and%20Annex.pdf) [11.02.2025].

process and the exclusion of the senior officials (the Minister of Internal Affairs, the Prosecutor General and the Head of the State Security Service) from the investigative competence of the institution are of paramount importance.<sup>415</sup> According to the latest report of the European Commission, these challenges remain unresolved.<sup>416</sup>

### 8.1. Mandate of the Special Investigation Service

The mandate of the Special Investigation Service is focused on investigating the most serious human rights violations committed by the law enforcement agencies. In the law enforcement agencies are included, among them,<sup>417</sup> the Prosecutor's Office,<sup>418</sup> the Ministry of Internal Affairs,<sup>419</sup> the State Security Service,<sup>420</sup> the Special Law Enforcement Structural Division of the Defence Forces, the Investigation Division of the Ministry of Justice, the Special Penitentiary Service, and the Investigation Service of the Ministry of Finance.

The Special Investigation Service must investigate official misconduct committed by these individuals with violence or the use of weapons, as well as insulting the personal dignity of the victim (abuse of authority and excess of authority), coercion to testify, as well as torture, threat of torture, and degrading and inhuman treatment.<sup>421</sup> It is noteworthy that with regard to these crimes, the mandate of the Service extends to the law enforcement agencies, as well as to all the officials and persons equated with the officials<sup>422</sup> (except for those officials who are excluded from the competence of the Service).

Beside these special crimes, the nature of which is directly related to serious violations of human rights and fundamental freedoms in the course of the activities of the law enforcement agencies, the competence of the Special Investigation Service also extends to certain crimes against fundamental rights, if committed by a representative of a law enforcement agency<sup>423</sup> (regardless of whether this crime is related to the exercise of the official authority and/or is committed against a person under the effective state control). Such crimes include, among them, violence (including domestic violence), unlawful imprisonment, threats and coercion.<sup>424</sup>

In addition, the service has a general mandate to investigate certain crimes against human rights regardless of who is the perpetrator or the victim.<sup>425</sup> In the context of the freedom of assembly and expression, the following crimes are noteworthy, encroachment upon freedom of speech, unlawful interference with the journalist's professional activities, persecution (persecution of a person due to speech, opinion, conscience, confession, faith or creed, or in connection with their political, social, professional, religious or scientific activities). Based on the components of these crimes, it is clear that these crimes cover acts of violence committed by the so-called Titushkas against the participants of the demonstrations.

### 8.2. Hundreds of crimes committed by the law enforcement officers and a single case

During the study of the case, one of the main shortcomings can be considered the fact that the investigation into the facts of ill-treatment by the MIA representatives in Tbilisi from 28 November 2024 to 10 December 2024 was conducted within the framework of a single criminal case (N 199291124001).<sup>426</sup> An exception is the violence committed against the TV Pirveli journalists Maka Chikhladze and Giorgi Shetsiruli by the unidentified persons (the so-called "Titushkas"), which is being investigated within the framework of a separate criminal case.

Investigation on this case is ongoing regarding the alleged ill-treatment cases of at least 297 individuals. According to the letter SIS 3 24 00022211 dated 4 December 2024, the investigator of the case addressed the head of the Temporary Detention

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<sup>415</sup> European Commission for Democracy Through Law (Venice Commission), Opinion on the Law on the Special Investigation Service and on the Provisions of the Law on Personal Data Protection Concerning the Personal Data Protection Service, 18.12.2023; see, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2023\)044-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2023)044-e) [11.02.2025].

<sup>416</sup> European Commission, Communication From the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions 2024 - Communication on EU enlargement policy, 30.10.2024, 24-25; see, [https://enlargement.ec.europa.eu/document/download/7b6ed47c-ecde-41a2-99ea-41683dc2d1bd\\_en?filename=Georgia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/7b6ed47c-ecde-41a2-99ea-41683dc2d1bd_en?filename=Georgia%20Report%202024.pdf) [11.02.2025].

<sup>417</sup> Law of Georgia "On Special Investigation Service", Article 3, paragraph "h".

<sup>418</sup> Except the General Prosecutor of Georgia and the prosecutor of the structural unit implementing procedural supervision of the investigation in the investigative unit of the Special Investigation Service of the Prosecutor General's Office of Georgia.

<sup>419</sup> Except the Minister of Internal Affairs of Georgia.

<sup>420</sup> Except the head of the State Security Service of Georgia.

<sup>421</sup> Law of Georgia "On Special Investigation Service", Article 19, paragraph 1, subparagraph "a".

<sup>422</sup> This includes the employees of legal entities of public law (except for political and religious associations) who exercise public law authority, members of the temporary commissions of the Parliament of Georgia, electoral subjects, private bailiffs, as well as any other person who exercises public law authority on the basis of the legislation of Georgia. (See note to Article 332 of the Criminal Code).

<sup>423</sup> Law of Georgia "On Special Investigation Service", Article 19, paragraph 1, subparagraph "a".

<sup>424</sup> Interference in the use of will in an election, referendum or plebiscite; violence or threat of violence in a polling station, at the location of an election commission or in the surrounding area, or during pre-election agitation or campaign events; obstruction of the work of an election or referendum commission; influencing the will of a voter and/or violating the secrecy of the ballot.

<sup>425</sup> Law of Georgia "On Special Investigation Service", Article 19, paragraph 1, subparagraph "d".

<sup>426</sup> The investigation into the criminal case of ill-treatment by the police officers during or in connection with the protests in November-December 2024 began on 29 November 2024.

Department and requested information about 297 individuals. Considering the fact that during the dispersal of the rallies, individuals who were not arrested were also subjected to ill-treatment, and also that the reports received on the actions committed up to and including 10 December were added to the case, there is a presumption that the case may concern crimes committed against even more victims. In connection with the case, the non-governmental organization network has requested detailed public information, including the number of the alleged victims, however, the agency did not respond to most of the questions requested in the letters, despite the fact that it systematically records this information for the purposes of the annual report.<sup>427</sup>

The study of the case materials reveals that the incidents concern the ill-treatment committed by the police officers over a period of approximately two weeks. Moreover, the actions are not limited to a specific location. The actions committed in the vicinity of the Rustaveli Avenue and, for example, in the vicinity of the Sports Palace are included in a single case. Such an approach creates for an outside observer the impression of a large number of investigative actions and **imaginary efficiency** within the framework of one criminal case, however, in reality, by artificially investigating the cases within the framework of a single case, there is a danger that due time and attention will not be devoted to specific crimes.

The large number of victims in itself causes the large number of investigative actions, although this does not mean that the investigation is being carried out effectively. The presence of a large number of victims within the framework of a single criminal case (when the only common feature of the cases is the victims' connection to the protests) creates the impression of an artificial combination of incidents. Additionally, there is a danger that due to the chaotic processing of a large volume of materials, it will be impossible to study each action independently and impose individual responsibility on the perpetrators.

It is noteworthy that the author organizations of the report did not have the opportunity to fully study the case materials, as the case materials were provided in a limited amount, only in the part of the evidence related to individual victims. However, in the 2024 report, the Public Defender notes that the representatives of his office exceptionally familiarized themselves with the criminal case materials. The report's findings coincide with the assessments of the non-governmental organizations' network regarding the ineffectiveness of the investigation and the violations identified at various stages. It also identifies several new findings, on which the non-governmental organizations' network was not provided with the information due to the inferiority and fragmentary nature of the materials provided.

### **8.3. Incorrect and incomplete classification of the crime**

The investigation into the case No. 199291124001 was initially commenced under article 333, paragraph 3, subparagraph "b" of the Criminal Code (exceeding official powers by using violence), and after cases of attacks on the journalists were also identified, the classification of the investigation was changed and the investigation is being conducted under a combination of Articles 333 and 154 (Unlawful interference with the journalist's professional activities by violence, threat of violence, or abuse of official position).

Despite the clarification of the classifications, it should be noted that the investigation into the facts of ill-treatment is still ongoing under the inadequate classifications. Based on the statements of the victims of ill-treatment by the police officers provided by the non-governmental organizations' network, as well as the information disseminated in the media and letters sent to the Special Investigation Service by the Public Defender's Office and the Media Ombudsman, there are unambiguous signs of such serious crimes as torture and threats of torture, degrading and inhuman treatment. Victims of ill-treatment also point to the facts of the seizure of personal belongings by the police officers, which, taking into account the circumstances, can be considered as one of the methods of torture, degrading and inhuman treatment, encroachment on the information representing private life and personal data or robbery. Accordingly, even if the investigative service initially commenced the investigation with a relatively light article, it had the opportunity, based on the information received later, to change the classification, or to separate from the existing case (N199291124001) those cases in which the commission of crimes much more serious than violent abuse of authority was evident.

Beside this, similar patterns of police behavior can be identified from the letters of the Public Defender's Office. The use of homophobic and anti-European hate speech, group violence, violence against handcuffed persons, threats of rape and death, and similar phrases used during threats and violence are common. Given the systematic and large-scale nature of the violence, after receiving the first reports, the authorized persons of the investigative body should have assumed that the actions were not an individual excess of the perpetrator, an isolated act of violence, but were carried out on the basis of an issued order. For example, one of the clear indicators of the systemic nature of the violence for the investigating authority should have been the presence of minibuses mobilized for ill-treatment, which were also indicated by the victims of the violence and which were arranged in such a way that violence could have easily been carried out on the persons housed inside. Accordingly, based on this information, an objective person should have formed the assumption that the systematic and large-scale violence was carried out according to a pre-established plan.

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<sup>427</sup> Special Investigation Service letter SIS 0 25 00002598 dated 2 February 2025. Also, the Special Investigation Service report for 2024, in which most of the requested data is recorded and summarized in aggregate, without differentiation of individual cases.

The systemic nature of the crime is also indicated by the Public Defender's 2024 report, according to which the scale of violence against the participants during the dispersal of rallies is increasing every year. In particular, "from 28 November 2024 to 1 March 2025, 60% of the persons visited by the Public Defender's representatives indicated ill-treatment; furthermore, in the first days of the dispersal of the winter rallies – in the period from 29 November 2024 – 2 December, 79.5% of the persons visited reported ill-treatment, and during the meetings on 2-3 February 2025, 22 out of 25 persons, i.e. 88%, stated that they had been subjected to ill-treatment."<sup>428</sup>

In the same report, the Public Defender points to the ill-treatment committed by the representatives of the MIA, especially the STD, and explains that the systemic nature of the ill-treatment is evidenced by similar circumstances of ill-treatment, including torture and inhuman and degrading treatment: "The systemic nature of the ill-treatment, which includes torture, threats of torture, inhuman and degrading treatment, is evidenced by several circumstances: several dozen victims who indicate similar methods, means and forms of ill-treatment committed against them. Their accounts reveal a uniform handwriting characteristic of the STD's actions. In particular, the arrestees reported being pushed to the ground during the arrest (including by hitting), encircling the knocked down person by pushing/hitting, and being led through corridors, where they were repeatedly hit in groups with their hands and feet, and being taken to the minibuses, where brutal violence continued, with deliberate injuries to the face and head, which, in many cases, were also visually noticeable on the victims. These circumstances may indicate that similar methods of ill-treatment had been developed in advance."<sup>429</sup>

Naturally, a further change in classifications cannot be ruled out, however, at this stage, the investigation is being conducted with clearly inadequate classification, which makes it difficult to perceive the scale and intensity of the systemic crime.

#### **8.4. Creating the illusion of conducting a large number of investigative and procedural actions**

Presumably, at the end of March 2025, the Special Investigation Service published a report on its activities for 2024 on its website.<sup>430</sup> Aggregate data is presented in this report. The cases of ill-treatment by the police officers in November-December 2024 were assessed in the format of a statement previously published on the service's Facebook page, which informed the public of the interim results of the investigation into the violence committed by the police officers in November and December 2024.<sup>431</sup>

According to the report, 476 people have been interviewed, including 51 journalists and 130 law enforcement officers.<sup>432</sup> Considering that according to the letter SIS 3 24 00022211 of 4 December the investigative service had identified 297 alleged victims and that this number was likely increased, as the investigation covers actions taken up to and including 10 December, it is likely that the majority of those interviewed are the alleged victims.

As for the 130 law enforcement officers, the non-governmental network did not have the opportunity to study the interview protocols of the law enforcement officers, however, the Public Defender's report is noteworthy in this regard, which states: "The official arresting officers of the protest participants are not the actual arresting officers, which may indicate falsification of evidence by the police officers. The interviewed police officers who were registered as the arresting officers, typically, would indicate that they saw an offence being committed by a specific person, however, at the same time, referring to the crowd and noise, that they were not able to see the ill-treatment of the same citizens."<sup>433</sup>

In the report, the Special Investigation Service explains that 85 individuals had been granted victim status. It is noteworthy that the cases studied show that the victims of ill-treatment were granted the victim status based on their own or their lawyer's application, while those individuals who did not apply to the Prosecutor's Office with a request to be granted the victim status have not been granted the status by the Prosecutor's Office so far.<sup>434</sup>

According to the same report, the Special Investigation Service explains that the service is reviewing over 2000 hours of video footage. However, the Special Investigation Service does not indicate in its report or the public statements that, despite the requests, the video recordings were not provided to the investigative service by various services due to "repairs," "damage," or "technical malfunctions," or other reasons. Moreover, according to the case materials, it took the investigative service almost two months to receive the video recordings from the Public Safety Command Center - 112, although each letter regarding the provision of the provided video recording contains a reservation that the recording is not complete. Furthermore,

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<sup>428</sup> 2024 Report of the Public Defender of Georgia on the Situation in Human Rights and Freedoms in Georgia, 2025, 77; see, <https://www.ombudsman.ge/res/docs/2025040121291438156.pdf> [03.04.2025].

<sup>429</sup> Ibid, 90.

<sup>430</sup> According to Article 12, paragraph 1 of the Law of Georgia "On Special Investigation Service", the report must be submitted to the Parliament of Georgia no later than 31 March. It is noteworthy that the report is available only on the service's website, in the reports section. There is no information on the publication of the report either on the social media or in the news section of the service's website, which constitutes an attempt by the service to avoid public feedback.

<sup>431</sup> Special Investigation Service, Special Investigation Service statement regarding the criminal cases initiated in November and December 2024, 17.01.2024; see, <https://www.facebook.com/photo?fbid=586832767309689&set=a.107516725241298> [11.02.2025].

<sup>432</sup> Special Investigation Service, 2024 Annual Report, 66; see, [https://sis.gov.ge/Statistics-and-reports?rec\\_id=99](https://sis.gov.ge/Statistics-and-reports?rec_id=99) [30.04.2025].

<sup>433</sup> 2024 Report of the Public Defender of Georgia on the Situation in Human Rights and Freedoms in Georgia, 79.

<sup>434</sup> Special Investigation Service, 2024 Annual Report, 66; see, [https://sis.gov.ge/Statistics-and-reports?rec\\_id=99](https://sis.gov.ge/Statistics-and-reports?rec_id=99) [30.04.2025].



the investigation service had requested only the video recordings of the time interval when the use of the special means by the law enforcement agencies was in progress. The time period left out includes the movement of the law enforcement agencies, the deployment in positions, as well as the areas allocated for breaks, which may be of critical importance for identifying specific individuals who almost constantly wore masks while using the special means.

Although the investigation was unable to obtain recordings from the the body cameras and the police buildings, the Special Investigation Service only mentions the challenges related to the body cameras in a general context in its 2024 report.<sup>435</sup> The same report shows that the Special Investigation Service records the volume of the video recordings provided by the 112 for the purposes of the report, although it did not respond to the non-governmental organizations' Network's request for the public information on this issue. The Public Defender's 2024 report also points to the actual non-existence of the body cameras and the other video recordings: "The investigation was almost unable to obtain the relevant video recordings from various state agencies or private facilities, as well as recordings from the police officers' body cameras and the audio recordings of the so-called walkie-talkies, among them, due to unsubstantiated or mutually exclusive explanations."<sup>436</sup>

It is noteworthy that the Special Investigation Service has provided different data in different sources.<sup>437</sup> The statement of 17 January 2025 referred to 343 interviewed persons, 52 victims and more than 1400 hours of video recordings. In the report, which, typically, should reflect only the activities of 2024, the number of the interviewed persons, victims and hours of the video recordings is much higher compared to the data of 17 January. In the communication of 21 March 2025 to the Committee of Ministers of the Council of Europe, the data provided by the Prosecutor's Office exceeds the data indicated in both the report and the statement, and, similarly to the report, the date of registration of the investigative actions is not indicated. This approach raises questions about the number of investigative actions carried out within the framework of the current investigation and once again creates the impression of manipulation of numbers by the investigative service.

### **8.5. Inaction on the possible cases of damage or destruction of key evidence**

Despite the request by the Special Investigation Service, the video recordings from the State Security Service, Special State Protection Service, City Hall Security Service and the Georgian Parliament have not been provided to them.

- According to the letter N SSG 1 24 00299602 of the State Security Service dated 18 December 2024, due to the ongoing renovations in the administrative building of the State Security Service located at 9 April str. N:4 [adjacent to the protest location] in Tbilisi, the surveillance cameras located on the external facade are not recording/monitoring the external perimeter;
- According to the letter No. 7193/2-1/24 of 16 December 2024, of the Head of the Office of the Parliament of Georgia, the Office of the Parliament does not have recordings from the cameras located on the outer facade of the Parliament;
- According to the letter N SSPS 7 24 000 53545 of the State Special Protection Service of Georgia dated 24 December 2024, the video cameras located on the facade of the Special Protection Service building, facing 9 April Street, are not recording due to a damage in the video surveillance system;
- According to the letter No. 22-01243623386 of the Tbilisi Municipality City Hall Security Service dated 27 December, there had been a defect in one of the locations relevant to the investigation since 27 November and video recording was not being performed; in the letter No. 22-012436 of 27 December, the same service explained that the video cameras in another relevant location had been damaged and the recordings were no longer being stored. However, the date of the damage to the cameras and the condition of the recordings prior to the damage has not been specified;
- According to the letter N MIA 5 24 03928174 of the Director of the Tbilisi City Police Department dated 26 December, which concerns the arrest of more than 60 people by the representatives of the Police Department, the authorized person indicates that during the arrest, the police officers were not equipped with body cameras, nor did they use any mechanism to audio fixate the evidence.

Beside this, as noted above, no body camera recordings have actually been obtained in the case whatsoever, and the Special Investigation Service did not include this information in its 2024 report, and despite the request, it did not provide public information to the non-governmental organizations' Network. Considering that the body camera recordings are stored by the Public Safety Command Center "112" for 30 days,<sup>438</sup> the investigative body should have already obtained the information about

<sup>435</sup> Special Investigation Service, 2024 Annual Report, 77; see, [https://sis.gov.ge/Statistics-and-reports?rec\\_id=99](https://sis.gov.ge/Statistics-and-reports?rec_id=99) [30.04.2025].

<sup>436</sup> 2024 Report of the Public Defender of Georgia on the Situation in Human Rights and Freedoms in Georgia; see, <https://www.ombudsman.ge/res/docs/2025040121291438156.pdf> [11.02.2025].

<sup>437</sup> Special Investigation Service, Statement of the Special Investigation Service regarding the criminal cases initiated in November and December 2024, 17.01.2025; see, <https://www.facebook.com/photo?fbid=586832767309689&set=a.107516725241298> [11.02.2025].

Special Investigation Service, 2024 Annual Report, 66; see, [https://sis.gov.ge/Statistics-and-reports?rec\\_id=99](https://sis.gov.ge/Statistics-and-reports?rec_id=99) [11.02.2025]. Report submitted by the State of Georgia to the Committee of Ministers of the Council of Europe on 21 March 2025, 4 (1); see, <https://rm.coe.int/comments-of-the-authorities-of-georgia-on-the-commissioner-s-memorandu/1680b4fc1d> [30.03.2025].

<sup>438</sup> Letter N MIA 0 24 03789589 of the Head of the Patrol Police Department of the Ministry of Internal Affairs dated 13 December 2024.

all the recordings relevant to the case by this stage, or should have applied to the relevant authorized body with a request to archive them. It was not possible to verify this issue during the study of the case materials.

It is noteworthy that the joint malfunctioning/stopping the functioning of the video cameras of several agencies raises suspicions of their deliberate damage or intentional failure to provide evidence to the investigative body. It is not clear from the provided case materials whether the investigative body has obtained additional evidence regarding the absence of the video recordings. Also, in a number of cases, when receiving general answers, whether they addressed the addressee state bodies with clarifying questions.

The communication of the Special Investigation Service with the Operational-Technical Agency deserves a separate special mention. According to the letter N SSG 0 24 00299610 of the Head of the Operational-Technical Agency of the State Security Service of Georgia dated 18 December 2024, the records of messages transmitted using the handheld radios [walkie-talkies] were not stored in the Operational-Technical Agency in the period from 28 November to 8 December 2024. During the mentioned period, the system worked with a glitch and did not record messages transmitted using the handheld radios.

The recordings of the handheld radios were, with a high probability, the key evidence for establishing the individual responsibility of both the high-ranking officials and the direct perpetrators of the violent acts, since it was through the handheld radios that the communication and the issuing and giving-receiving of orders between the MIA units took place.

In this case as well, it is not clear from the submitted case materials whether the Special Investigation Service has taken measures to verify the information provided, whether it summoned relevant authorized persons for questioning, whether it addressed the prosecutor's office regarding the possible destruction of evidence, or whether a computer forensics examination was conducted. Also, the case does not include any reports of the authorized persons regarding the malfunctioning of the system. During the period relevant to the investigation, the malfunctioning of the handheld radios coincides in time with the malfunctioning or cessation of operation of the video systems of other agencies, which creates doubts about the authenticity of the information provided by the agencies and further strengthens the doubts about the coordinated systemic crimes of the law enforcement sector.

Although the destruction or damage of evidence is not within the investigative jurisdiction of the Special Investigation Service, it is not clear from the case materials whether the investigative body has applied to the Prosecutor's Office to initiate an investigation into the possible destruction of evidence. Moreover, it is also not clear from the case materials whether the Special Investigation Service has exercised the possibility granted by Article 19 paragraphs 3-5 of the Law of Georgia "On Special Investigation Service" to allocate a case within its jurisdiction, which does not initially fall within its jurisdiction.

#### **8.6. Some investigative actions improperly performed/not performed by the Special Investigation Service**

In this section, we will review several additional circumstances that indicate that the goal of the law enforcement agencies is for the systemic crimes committed by the law enforcement agencies not to be investigated.

##### **8.6.1. Destruction of evidence at the crime scene**

The shortcomings of the investigation are indicated by the facts of inadequate examinations and responses to individual cases, such as the failure to inspect the crime scene, delayed seizure of evidence important to the case, and the failure to initiate an investigation into the publicly disseminated information containing signs of a crime without a direct request from the victim.

Furthermore, in individual cases, only a small number of the initial investigative actions have been carried out, and a number of actions that should have been carried out immediately, have not been done so even after 2 months from the start of the investigation. Moreover, the MIA agencies, together with the City Hall cleaning service, cleaned the crime scene using special means and destroyed the evidence of essential importance for the investigation of the case. For example, taking blood samples from the places of beatings and violence against the victims, collecting tear gas shells and cartridges fired and conducting an examination on them, including taking fingerprints. The investigative service has not appeared at the scene of the crime to collect this evidence even once, moreover, they have not even called on the MIA to preserve the crime scenes following the demonstrations' dispersals.

##### **8.6.2. Security Action Plan and Responsible Persons**

By the letter N MIA 8 24 03804291 dated 16 December 2024, the Ministry of Internal Affairs provided the Investigative Service with the Order of the Minister of Internal Affairs No. 1006 dated 31 December 2013 "On Rules for the Storage, Carrying and Use of the Special Means in the Police Armament" and the Orders of the Minister of Internal Affairs No. 1002 dated 30 December 2015 "On Approval of the Guidelines for the Conduct of Employees of the Ministry of Internal Affairs during assemblies and demonstrations". The aforementioned act was transferred to the Special Investigative Service in response to their request.

Order 1002 provides for the development of a security action plan.<sup>439</sup> One of the components of this plan is the persons responsible for managing the demonstration and the relevant positions. As it is clear from the case materials, the investigative service did not even request this action plan.

The letter of the Ministry of Internal Affairs dated 31 December MIA 8 24 03973672 is also worth noting, which incompletely answers the questions of the Special Investigation Service. According to the letter, the Ministry of Internal Affairs used only the following special means: water cannon, tear gas and hand-held pepper spray. The Ministry denies the use of rubber bullets, when there is a numerous evidence regarding the use of rubber bullets. Information about the use of rubber bullets was also disseminated in the media.<sup>440</sup>

Beside this, the Ministry of Internal Affairs' response does not indicate on whose orders a particular means was being used, or whether several means were used simultaneously. The Special Investigation Service did not address the Ministry with additional questions on this issue, and the case materials do not indicate whether the Director of the Special Tasks Department was summoned for an interview.

The Public Defender's 2024 report also focuses on this issue, where the following is indicated: "The Public Defender's Office addressed the Ministry of Internal Affairs to obtain detailed information on the use of special means. Among them, the Office was interested in what type and quantity of special means (tear gas, the so-called pepper spray, non-lethal weapons, the so-called rubber bullets, etc.) were envisaged in the security action plan; how many employees, at what time, at what location, used what type and quantity of special means; whether a specific special means was inspected/examined regarding what impact it has on human health; what kind and type of chemical substances were used and in what proportion, etc. The Office has not received this information to date."<sup>441</sup>

### **8.6.3. No investigative action to identify the personnel involved in managing the demonstrations**

By letter No. MIA 6 24 03973670 of 31 December 2024, the Ministry of Internal Affairs clarifies that by the order No. 3348201 of the Special Tasks Department of 13 December 2019, Annex No. 14 "Book of Registration and Attachment of Special Means, Equipment, and Personal Property" was approved, in which a set of special equipment attached to an employee is recorded once, without indicating the number. The transfer of the special means to the Special Tasks Department is carried out quantitatively. The above-mentioned response confirms that a special rule has been established for the transfer of equipment to the employees in such a way as to make it difficult (or in some cases impossible) to identify them. The above-mentioned information, as well as the investigation launched by the Special Investigation Service into the spring 2024 protests, was a clear indicator that the MIA would try to cover up the perpetrators of the crime to the end.

The Special Investigation Service has not taken any effective measures aimed at identifying the personnel involved in managing the demonstrations, the relevant groups and units, specialists, as well as their commanders. For example, it has not requested the names and surnames, positions of the personnel.

It is unknown whether any high-ranking officials with official responsibility for managing the demonstrations have been interviewed/questioned.

It is also noteworthy that the Special Investigation Service has not taken measures to hold individuals accountable for obstructing the investigation. Among other shortcomings, the 2024 report of the Public Defender of Georgia states that "the Ministry of Internal Affairs, in certain cases, refuses to cooperate with the Special Investigation Service in identifying specific individuals. This hinders the investigation in identifying those responsible for the human rights violations."

### **8.6.4. Publicly identified alleged perpetrator and the complete ignoring of these facts**

On 2 February 2024, during the dispersal of a protest, the head of the Special Tasks Department physically assaulted one of the arrestees in front of the video cameras.<sup>442</sup> Beyond the camera footage, this fact is also confirmed by the victim's own public interview.<sup>443</sup> Zviad Kharazhishvili has not been interviewed and/or charged in this case to date. It is noteworthy that a similar incident occurred during the spring 2024 protests. In particular, a law enforcement officer without a mask was punching a

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<sup>439</sup> See, paragraph B.1.

<sup>440</sup> Netgazeti, Photographers injured at the protest were likely hit by rubber bullets, 02.12.2024; see, <https://netgazeti.ge/news/754360/> [11.02.2025].

<sup>441</sup> 2024 Report of the Public Defender of Georgia on the Situation in Human Rights and Freedoms in Georgia, 92; see, <https://www.ombudsman.ge/res/docs/2025040121291438156.pdf> [11.02.2025].

<sup>442</sup> Netgazeti, (TV Pirveli) Zviad Kharazhishvili (Khareba) kicks a citizen at the moment of his arrest, 02.02.2025; see, [https://www.facebook.com/watch/?ref=search&v=1021389913360020&external\\_log\\_id=4437867b-5a1f-49da-a54c-4bcbf2f631da&q=%E1%83%AE%E1%83%90%E1%83%A0%E1%83%94%E1%83%91%E1%83%90%E1%83%AB%E1%83%90%E1%83%9A%E1%83%90%E1%83%93%E1%83%9D%E1%83%91%E1%83%A1](https://www.facebook.com/watch/?ref=search&v=1021389913360020&external_log_id=4437867b-5a1f-49da-a54c-4bcbf2f631da&q=%E1%83%AE%E1%83%90%E1%83%A0%E1%83%94%E1%83%91%E1%83%90%E1%83%AB%E1%83%90%E1%83%9A%E1%83%90%E1%83%93%E1%83%9D%E1%83%91%E1%83%A1) [11.02.2025].

<sup>443</sup> Radio Tavisupleba, A man was fined 2000 GEL, who says that "Khareba" kicked him, 04.02.2025; see, <https://www.radiotavisupleba.ge/a/33303099.html> [11.02.2025].

citizen in the face for about half a minute.<sup>444</sup> This incident was recorded and disseminated through the social media, and the investigative service even dedicated a special statement to this incident, although the incident has not yet been investigated to this day.<sup>445</sup>

The Public Defender's 2024 report also refers to this problem: "Unfortunately, to date, in the context of the protests held during the year, no criminal prosecution has been initiated against any law enforcement officer, while in two episodes of violence, which were captured on different video recordings, the violent law enforcement officers were unmasked and could be identified. In contrast, the number of people arrested during the protests has reached several hundred."<sup>446</sup>

#### **8.6.5. Failure to conduct investigative actions on personal equipment and technologies**

As is evident from the provided materials, the Special Investigation Service did not conduct any investigative actions to identify the equipment and technologies of the law enforcement agencies, as well as the criminal facts committed with the help of this equipment. For example, according to the victims, minibuses that did not have seats and windows and were specially mobilized for the physical violence and torture were used to torture participants of the demonstrations.

#### **8.7. Improper investigative supervision by the Prosecutor's Office of Georgia**

The investigation of any crime committed throughout the state, regardless of which state body is competent to investigate the relevant crime, is supervised by the Prosecutor's Office of Georgia.<sup>447</sup> Investigations conducted in the Special Investigation Service are led by a special department established in the Prosecutor General's Office of Georgia.<sup>448</sup> After the investigation is initiated by an investigator of the Special Investigation Service, the prosecutor of the said department is notified in accordance with Article 100 of the Criminal Procedure Code, whose superior prosecutor becomes the head of the same department.<sup>449</sup>

According to Article 33, paragraph 6 of the Criminal Procedure Code, the prosecutor is authorized to participate in conducting an investigative action or conduct personally a preliminary investigation in full, including giving a binding instruction to an employee of a law enforcement body, annulling the investigator's decree. According to Article 37 of the same Code, the investigator is obliged to conduct the investigation thoroughly, fully and objectively, and at the same time, the investigator is obliged to follow the prosecutor's instructions regarding the investigation of a criminal case.

It is clear from the legislation that although the investigation is conducted by the Special Investigation Service, the Prosecutor's Office can effectively influence the course of this investigation, both positively and negatively. Based on the case materials, there is no evidence that the Prosecutor's Office of Georgia has used any of its powers to correct the identified shortcomings in the investigation. As for influencing the investigation in a negative way, the prosecutor's office has a number of procedural mechanisms that it can abuse to intentionally obstruct the investigator. For example, the mandatory instruction provided for in Article 37, paragraph 3 of the Criminal Procedure Code, the authority to annul the investigator's decree, as well as the refusal to conduct an investigative action that requires prior or subsequent permission from the court. To exclude the above cases, the investigator of the case is authorized to appeal the mandatory instruction of the prosecutor's office to a superior prosecutor. Moreover, the head of the Special Investigation Service and/or his authorized deputy are granted the possibility to directly address the General Prosecutor's Office with a proposal on certain issues related to the course of the investigation/prosecution.<sup>450</sup>

There is nothing in the case materials that would indicate a disagreement between the Investigation Service and the Prosecutor's Office regarding the progress of the investigation. Furthermore, on 28 November 2025, we requested data in the form of public information about the reasoned proposal sent by the Head/Deputy Head of the Investigation Service to the Prosecutor's Office. We have not received information on this issue to date.

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<sup>444</sup> Batumelebi, In Tbilisi, on Leonidze Street, individuals in military uniforms and masks who came down from a police bus pulled a citizen out of his car and beat him, 11.05.2024; see, [https://www.facebook.com/watch/?ref=search&v=2417960281747901&external\\_log\\_id=ddc81785-93e6-4893-bfef-54f295d60dac&q=%E1%83%9A%E1%83%94%E1%83%9D%E1%83%9C%E1%83%98%E1%83%AB%E1%83%98%E1%83%A1](https://www.facebook.com/watch/?ref=search&v=2417960281747901&external_log_id=ddc81785-93e6-4893-bfef-54f295d60dac&q=%E1%83%9A%E1%83%94%E1%83%9D%E1%83%9C%E1%83%98%E1%83%AB%E1%83%98%E1%83%A1) [11.02.2025].

<sup>445</sup> No one has been punished or even charged for the use of excessive force by the law enforcement agencies during the May protests.

<sup>446</sup> 2024 Report of the Public Defender of Georgia on the Situation in Human Rights and Freedoms in Georgia, 78; see, <https://www.ombudsman.ge/res/docs/2025040121291438156.pdf> [11.02.2025].

<sup>447</sup> Criminal Procedure Code, Article 33.

<sup>448</sup> According to Article 5, subparagraph "d" of Order N4 of the General Prosecutor of Georgia dated 29 October 2019 "On Approval of the Statute of the General Prosecutor's Office of Georgia", the Department of Procedural Management of Investigations has been created within the Special Investigation Service of the General Prosecutor's Office.

<sup>449</sup> The case materials indicate that the prosecutor of the ongoing investigation in the Investigative Service is Anri Arsenishvili, and the supervising prosecutor of this investigation was, until 31 January 2025, the head of the same department - Amiran Guluashvili. On 31 January 2025, Amiran Guluashvili was promoted and appointed Deputy General Prosecutor. Prosecutor's Office of Georgia, Amiran Guluashvili; nb., [https://pog.gov.ge/employee?team\\_id=76&lng=eng](https://pog.gov.ge/employee?team_id=76&lng=eng) [11.02.2025].

<sup>450</sup> Law of Georgia "On Special Investigation Service", Article 19, paragraph 7.

Even a fragmentary examination of the case materials in the aggregate confirms once again the assessment made by the UN Group of Independent Human Rights Experts on 28 January 2025, according to which the investigation had not achieved any results and that the incidents of ill-treatment were not isolated and this indicates action under orders.<sup>451</sup>

The case materials establish that a large volume of incidents are artificially joined into one case, the investigation is being conducted with incorrect classification, only a small part of the investigative and procedural actions have been carried out, and the investigative body is creating the illusion of the effectiveness of the investigation.

An examination of the correspondence between the agencies reveals that some of the key evidence has not been obtained and/or this evidence has been destroyed. All actions or inactions of the investigation service indicate that the agency's goal is not to investigate crimes, but to create the illusion of an investigation process. The creation of this illusion is led by the General Prosecutor's Office of Georgia, together with the Special Investigation Service. Overall, the aforementioned agencies bear the key responsibility for creating guarantees of impunity for the planners and perpetrators of systemic crimes.

## **9. PASSIVE AND ACTIVE SUPPORT OF THE PROSECUTOR'S OFFICE OF GEORGIA FOR SYSTEMIC CRIME**

The Prosecutor's Office of Georgia is a constitutional body. According to Article 65 of the Fundamental Law of the land, the Prosecutor's Office of Georgia is required to be independent. According to paragraph 3 of the said article, a collegial body consisting of 15 members - the Prosecutors' Council - is established to ensure the independence of the Prosecutor's Office. The Prosecutor's Office is headed by the General Prosecutor, who is elected to the position upon the nomination of the Prosecutors' Council by the Parliament. Despite the constitutional provision, there have always been factually based questions about the independence and impartiality of the Georgian Prosecutor's Office. It is worth noting that ensuring the independence of the Prosecutor's Office is one of the key requirements of the European Commission for the start of the accession negotiations.<sup>452</sup>

The Constitution of Georgia does not define the competence of the Prosecutor's Office, however, under the current legislation, the Prosecutor's Office of Georgia has effective control over both investigation and criminal prosecution, including those crimes the investigation of which do not fall within the competence of the Prosecutor's Office. In particular, the Prosecutor's Office of Georgia is a centralized institution that exercises procedural supervision over all investigations conducted throughout the state. This authority implies the discretionary authority of the Prosecutor's Office to initiate and terminate investigations and criminal prosecutions, and to conduct specific investigative actions. It is noteworthy that investigative actions that require the court's permission cannot be conducted without the involvement of the Prosecutor.<sup>453</sup>

### **9.1. Crimes within the investigative competence of the Prosecutor's Office**

The investigative jurisdiction of the Prosecutor's Office includes crimes committed by the high-ranking state and political officials, including the Minister of Internal Affairs and the other members of the government, the President and the members of Parliament. As well as the crimes committed by the prosecutors, judges, police officers and employees of the State Security Service, among them, the senior officials. The Prosecutor's Office investigates these cases only if they do not fall within the competence of the Special Investigation Service.<sup>454</sup> However, the law establishes an exception and does not extend the competence of the service to the General Prosecutor, the Minister of Internal Affairs and the Head of the State Security Service. Accordingly, the investigation of crimes committed by these officials falls within the competence of the Prosecutor's Office. Furthermore, it is noteworthy that the Prosecutor's Office also has jurisdiction over the crimes that, although committed by the law enforcement officials, do not fall under the category of the classic official crimes, and/or were not committed directly within the scope of the effective control and did not have a violent nature, but are related to the organization of violence, the issuance of unlawful orders and other unlawful instructions without official authority.

### **9.2. Inappropriate response of the Prosecutor's Office**

The systematic and organized nature of the violent crimes committed against the peaceful protest participants and the degree of coordination within the MIA system could not have been achieved without the political officials of the MIA - the deputy curators and the Minister of MIA himself.

<sup>451</sup> UN Human Rights Experts, "Georgia must investigate use of force by police during demonstrations", 28 იანვარი, 2025, see, <https://georgia.un.org/en/288324-georgia-must-investigate-use-force-police-during-demonstrations-experts> [11.02.2025].

<sup>452</sup> European Commission, Communication From the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2023 Communication on EU Enlargement Policy, 11.2023, 25; see, [https://enlargement.ec.europa.eu/system/files/2023-11/COM\\_2023\\_690%20Communication%20on%20EU%20Enlargement%20Policy\\_and\\_Annex.pdf](https://enlargement.ec.europa.eu/system/files/2023-11/COM_2023_690%20Communication%20on%20EU%20Enlargement%20Policy_and_Annex.pdf) [11.02.2025].

<sup>453</sup> Criminal Procedure Code of Georgia, Article 33, Article 37, Article 100, Article 106, Article 112.

<sup>454</sup> Paragraph 2 of Annex №3 to the Order of the General Prosecutor of Georgia of 23 August 2019 "On Determining the Investigative and Territorial Investigative Subordination of Criminal Cases".

Specifically, this may relate to the issuance of unlawful orders, abuse of power and the organization of violence. Moreover, it is impossible to ensure the systemic nature of the crimes committed by the police forces if they are not reinforced by the guarantees of impunity. These signs point to the alleged crimes of the named officials.

Beside this, there are a number of facts that highlight the organization and leadership of certain episodes of reprisals against the peaceful demonstrators by the high-ranking police officials.<sup>455</sup> The nature of these crimes may go beyond the scope of official crimes and take on the characteristics of the organization of group violence or other actions.

The response to the named crimes falls within the competence of the Prosecutor's Office. However, serious questions arise as to how effectively the Prosecutor's Office is investigating them. The Prosecutor's Office has not disseminated information on whether an investigation has been initiated into the involvement of the high-ranking officials, as well as the organization of various systemic crimes. The Prosecutor's Office has not provided the public with the information on whether it has carried out any investigative actions in connection with the disseminated facts. The Prosecutor's Office has not provided information on this issue in the form of public information either.<sup>456</sup>

The fact that the Prosecutor's Office has not announced anything regarding the ongoing investigations, neither through the proactively disseminated information nor in response to the public information request, raises reasonable suspicion that systemic violent crimes remain unaddressed and the state is not focused on identifying and punishing the perpetrators.

### **9.3. Active complicity of the Georgian Prosecutor's Office in repressions**

Politically motivated criminal cases are an integral part of the repressions related to the demonstrations. Since 28 November 2024, criminal prosecutions have been initiated against more than 50 individuals in connection with the demonstrations taking place in the country.<sup>457</sup> All of them are participants in the demonstration and none are representatives of the law enforcement agencies.

Of particular concern is the high rate of unfounded requests for pre-trial detention. The Prosecutor's Office of Georgia has requested detention as a measure of restraint for almost all the persons arrested in the context of the demonstrations, and the requests for detention were satisfied by the courts in all cases.<sup>458</sup>

The Prosecutor's Office has a key role in the politically motivated criminal cases in the context of demonstrations. The following types of challenges emerge from the Prosecutor's Office's actions in politically motivated criminal cases initiated in 2024:

- a) Selective use of criminal law to prosecute and the abuse of the discretionary powers of the criminal prosecution;
- b) Complete disregard of the circumstances excluding criminality in criminal law, in a situation where it was impossible to distinguish the police officer from other persons;
- c) Using detention as a measure of restraint without the proper preconditions, thereby encouraging political propaganda that undermines the innocence of the indictee;
- d) Artificially prolonging the court proceedings so that the Fifth President of Georgia would not be able to pardon the repressed people;<sup>459</sup>
- e) Failure to investigate criminal acts committed by the law enforcement agencies/informal groups and improper procedural supervision of the investigation;
- f) Ignoring the facts of torture and inhuman treatment, as well as the alleged facts of planting drugs, in the cases of the indictee victims of the political repressions;<sup>460</sup>
- g) Since 2025, there have been clear signs of bargaining with plea bargains to achieve political/party goals, including psychological pressure on the arrestees in prisons.<sup>461</sup>

Overall, the Georgian Prosecutor's Office plays a key role in supporting the ongoing repressions and creating guarantees of impunity for the guilty law enforcement officers.

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<sup>455</sup> Kavkasia TV, See the video, which most likely confirms that the protesters are being physically abused by the police in the minivans; see, 04.02.2025; see, <https://www.facebook.com/watch/?v=2380173802317553&rdid=Kg2X2YHrT7elgzAi> [11.02.2025].

<sup>456</sup> The public information request was sent on 28 January. According to Article 37 of the General Administrative Code of Georgia, a response to the public information request must be provided within 10 days.

<sup>457</sup> See, section 4.2.1, 4.2.2.

<sup>458</sup> See, section 4.2.1, 4.2.2, 4.2.5

<sup>459</sup> See, section 4.2.6.

<sup>460</sup> Prosecutors in political cases completely disregard the absence of neutral evidence in the search cases of political prisoners charged with drug crimes. Transparency International Georgia, Repressions against Civil Protesters with Fabricated Drug Crime Charges, 10.02.2025; see, <https://transparency.ge/en/post/repressions-against-civil-protesters-fabricated-drug-crime-charges> [11.02.2025].

<sup>461</sup> On 10 February 2025, the family of one of the political prisoners spread information that a person with the status of a lawyer, Davit Gamkrelidze, had entered Nikoloz Javakhishvili's office and offered to conclude a plea bargain in exchange for accusing third parties.

## 10. JUDICIAL CONTROL: JUSTICE IN THE SERVICE OF THE SYSTEM

### 10.1. State of the Judicial System and the Informal Influences

The justice system in Georgia faces critical challenges. Despite numerous reforms implemented over the past decade, the Georgian judiciary faces fundamental challenges and is experiencing a significant crisis of confidence.

The judicial “waves of reforms” carried out since 2013 were a sham attempt of creating institutions and legislative order. The ruling party did not find the political will to make the system independent. The main challenge to the system is corporatism and an influential group that has been occupying important managerial positions in the system for years, periodically replacing each other. The main administrative body of the justice system - the High Council of Justice - uses its broad powers to control the system. The Council is responsible for staffing the judicial system, the influx of new personnel. Against the backdrop of overloaded courts, incomplete implementation of the electronic case allocation system, and uneven workload of judges, secondments, arbitrary transfers to panels/chambers, and disciplinary mechanisms, it fully controls the system.<sup>462</sup>

In view of the above, the European Commission for Democracy through Law (hereinafter referred to as – the “Venice Commission”) has indicated the need for a temporary mechanism to verify the integrity of the judges.<sup>463</sup> The recommendation to verify the integrity of the judges was also reflected in the European Commission’s document.<sup>464</sup> It is noteworthy that on 5 April 2023, the United States Department of State imposed personal restrictions on the entry into the country against the influential judges due to their involvement in significant corruption.<sup>465</sup> The European Commission also confirmed the need to verify the integrity of the judges in its 2024 report.<sup>466</sup>

According to the local and international assessments, the key challenge facing the judicial system is the informal influences within the justice system, which have been referred to as the clan governance,<sup>467</sup> corporatism,<sup>468</sup> or cronyism.<sup>469</sup> The key challenges facing the judicial system have had a severe impact on the victims of the repressions that began in the context of the demonstrations.

### 10.2. The role of the court in the administrative law repressions and the responsibility of the judges

The role of the court is the conveyor belt processing of the cases of people unlawfully arrested, detained, victims of torture, violence and inhuman treatment, and the judicial support of political repressions. This was clearly demonstrated in the administrative cases concluded against the arrested demonstrators, where out of the ongoing cases, the court confirmed the fact of committing an administrative offence in all of them. In criminal cases, the court in all cases shares the positions of the prosecutor's office regarding the use of detention, and in a number of cases, close coordination between the court and the prosecutor's office was revealed in order to artificially prolong the case, for preventing the President, whose term in office was expiring, from pardoning the indicted.

Each judge hearing the case had the full legal opportunity and obligation to give an appropriate assessment to the brutal forms of violations of the fundamental human rights and freedoms by the police forces. Instead, the court became a continuation of the repressions initiated by the police forces. Even if we assume that the law by which the judges are guided was unjust and incompatible with the fundamental human rights, this cannot exclude the guilt of the judges, since “the Constitution of Georgia grants the judge the power of constitutional submission, on the basis of which the judge is obliged to refuse to apply a law incompatible with the fundamental human rights and apply to the Constitutional Court. No judge has used this opportunity.

Stemming from this, each judge involved in the consideration of the cases of the arrested demonstrators is personally responsible for the systemic violations of the fundamental human rights. Furthermore, the coordination of the discussed scale between the court and the prosecutor's office, as well as the police forces, would not have been possible without the involvement of the body for the administration of justice (the High Council of Justice) and an influential group of judges.

<sup>462</sup> Coalition for Independent and Transparent Justice, 10 Years of Justice Reforms: Challenges and Prospects, Tbilisi, 2023, see, [http://www.coalition.ge/files/reporma\\_170x240\\_geo\\_3.pdf](http://www.coalition.ge/files/reporma_170x240_geo_3.pdf) [11.02.2025].

<sup>463</sup> European Commission for Democracy Through Law (Venice Commission), Follow-up Opinion to Four Previous Opinions Concerning the Organic Law on Common Courts, 09.10.2023, para. 11; see, [https://www.coe.int/en/web/venice-commission/-/CDL-AD\(2023\)006-e](https://www.coe.int/en/web/venice-commission/-/CDL-AD(2023)006-e) [11.02.2025].

<sup>464</sup> Commission Staff Working Document Georgia 2023 Report Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2023 Communication on EU Enlargement policy, 20-21.

<sup>465</sup> Public Designations of Mikheil Chinchaladze, Levan Murusidze, Irakli Shengelia, and Valerian Tsertsvadze, Due to Involvement in Significant Corruption, Press Statement, U.S. Department of State, 05.04.2023; see, <https://2021-2025.state.gov/public-designations-of-mikheil-chinchaladze-levan-murusidze-irakli-shengelia-and-valerian-tsertsvadze-due-to-involvement-in-significant-corruption/> [11.02.2025].

<sup>466</sup> European Commission, Communication From the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions, 2024 Communication on EU enlargement policy, 30.10.2024, 24; see, [https://enlargement.ec.europa.eu/document/download/7b6ed47c-ecde-41a2-99ea-41683dc2d1bd\\_en?filename=Georgia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/7b6ed47c-ecde-41a2-99ea-41683dc2d1bd_en?filename=Georgia%20Report%202024.pdf) [11.02.2025].

<sup>467</sup> U.S Department of State, Georgia 2023 Human Rights Report; see, <https://www.state.gov/wp-content/uploads/2024/03/528267-GEORGIA-2023-HUMAN-RIGHTS-REPORT.pdf> [11.02.2025].

<sup>468</sup> European Commission for Democracy Through Law (Venice Commission), on the December 2021 Amendments to the Organic Law on Common Courts, 20.06.2022, para. 60; see, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2022\)010-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2022)010-e) [11.02.2025].

<sup>469</sup> Ibid.



## 11. LEGISLATIVE/POLITICAL SUPPORT FOR THE STATE TERROR: FURTHER WORSENING OF THE REPRESSIVE LEGISLATION

In parallel with the state terror and the mass violent crimes against the peaceful demonstrators, the one-party Parliament and cabinet, staffed with the members of the Georgian Dream, constantly support and encourage the crimes of the police forces through public statements, as well as their active actions.

### 11.1. Public encouragement of violence of the law enforcement agencies and the failure to exercise control powers

In November and December 2024, following virtually every violent crackdown on the protests, the "Georgian Dream" Prime Minister specifically thanked the Minister of Internal Affairs and the police forces at briefings and constantly noted that the police operate at "higher standards than the American and European ones", while describing the actions of the demonstrators as an attack on the state.<sup>470</sup> Similar statements have been made by other "Georgian Dream" officials.<sup>471</sup> On 12 January 2025, after the arrest of the journalist Mzia Amaglobeli on the charges of attacking a police officer, the de facto ruling party's public statements further intensified its rhetoric of portraying the violent police officers as the heroes and of intolerance toward their "attackers".<sup>472</sup>

On 19 December 2024, the United States Treasury Department announced the sanctioning and inclusion of the Minister of Internal Affairs, Vakhtang Gomelauri, and the Deputy Head of the Special Tasks Department, Mirza Kezevadze, in the Magnitsky List for their massive human rights violations and undermining of democracy.<sup>473</sup> On the same day, the United Kingdom government sanctioned five officials of the Ministry of Internal Affairs.<sup>474</sup> The very next day after the release of this information, the de facto Prime Minister announced the initiative to present 11 senior officials of the Ministry of Internal Affairs, including all those sanctioned by the US and the UK on 19 December 2024, as well as the police officers on the lists of those sanctioned by other states, for the Order of Honor.<sup>475</sup> And on 30 January 2025, the "Georgian Dream" President awarded all 11 individuals with the Orders of Honor.<sup>476</sup>

<sup>470</sup> Statements of Irakli Kobakhidze: INTERPRESSNEWS, Irakli Kobakhidze - As a result of the violence of the protesters, 32 police officers were injured, 13 of whom required surgical intervention, the result of this violence was the injury of peaceful protesters, among them, the journalists, which is extremely regrettable, 29.11.2024; see, <https://www.interpressnews.ge/ka/article/822269-irakli-kobakhidze-momitingeebis-zaladobis-shedegad-dashavda-32-policieli-saidanac-13-s-kirurgiuli-chareva-daschirda-am-zaladobis-shedegi-iqo-mshvidobiani-momitingeebis-mat-shoris-zhurnaliste-bis-daziane-bac-rac-ukiduresad-samcuxaroa> [11.02.2025]. INTERPRESSNEWS, Prime Minister - I don't even want to imagine how this rally would have ended, if Vano Merabishvili or Giorgi Gakharia had been the Minister of Internal Affairs yesterday - murder or gouging out someone's eyes would have been the minimum result, 30.11.2024; see, <https://www.interpressnews.ge/ka/article/822468-premieri-arc-ki-minda-carmovidgino-rit-dasuldeboda-es-mitingi-gushin-shinagan-sakmeta-ministri-vano-merabishvili-an-giorgi-gaxaria-rom-qopiliqo-mkvleloba-an-adamianistvis-tvalebis-datxra-ikneboda-minimaluri-shedegi> [11.02.2025].

INTERPRESSNEWS, Prime Minister - Despite the severe systematic violence that the violent groups and their foreign instructors used yesterday, the police acted with a standard higher than American and European standards, 01.12.2024; see, <https://www.interpressnews.ge/ka/article/822669-premieri-miuxedavad-umzimesi-sistemuri-zaladobisa-romelsac-gushin-zaladobrivi-dajgupebebi-da-mati-ucxoeli-instruktorbi-mimartavdnen-policiam-amerikula-da-evropulze-magali-standartit-imokmeda> [11.02.2025]. INTERPRESSNEWS, Irakli Kobakhidze - I would like to thank the Ministry of Internal Affairs, the Minister and each police officer, they were operating at a higher standard than American and European standards and will continue to operate at such standards in the future as well, 08.12.2024; see, <https://www.interpressnews.ge/ka/article/823951-irakli-kobakhidze-minda-madloba-gadavuxado-shinagan-sakmeta-saministros-ministrs-titeul-policiels-isini-mokmedebden-amerikulze-da-evropulze-magali-standartit-da-momavalshic-aseti-standartit-gagrzeldeba-mokmedeba> [11.02.2025].

<sup>471</sup> Shalva Papuashvili. INTERPRESSNEWS, Shalva Papuashvili - We have seen that some European politicians call violence peace - they should have such peaceful protests every day in their capitals, if this is peace, 06.12.2024; see, <https://www.interpressnews.ge/ka/article/823634-shalva-papuashvili-vixile-rom-zogierti-evropeli-politikosi-zaladobas-mshvidobas-ezaxis-aseti-mshvidobiani-akcia-hkondet-qovel-dge-sakutar-dedakalakebshi-tuki-es-aris-mshvidoba> [11.02.2025]. INTERPRESSNEWS, Kakha Kaladze - When you go to a police officer who is standing up for himself, throw stones, heavy objects, the so-called Molotov cocktails, do you understand what kind of reaction will follow? I have not seen a calm and measured reaction, 06.12.2024; see, <https://www.interpressnews.ge/ka/article/823705-kaxa-kalaze-roca-tavistvis-mdgar-policieltan-midixar-esvri-kvebs-mzime-sagnebs-ec-molotovis-kokteilebs-amas-xom-xvdebit-ra-reagireba-mohqveba-reagireba-mokneuli-da-mozomili-ar-minaxavs> [11.02.2025].

<sup>472</sup> Rustavi 2, Irakli Kobakhidze - When a person insults a police officer, the strictest measures must be applied to protect the state, 30.01.2025; *nb.*, <https://rustavi2.ge/ka/news/304842> [11.02.2025].

INTERPRESSNEWS, Kakha Kaladze on Mzia Amaglobeli - It is a crime to hit a police officer, right? I don't remember, I haven't heard, and I'm sure no one has even heard her express remorse, come out and say humanly: "I made a mistake and forgive me", 29.01.2025; see, <https://www.interpressnews.ge/ka/article/828854-kaxa-kalaze-mzia-amaglobelze-xom-danashaulia-roca-policiels-urtqam-xels-ar-maxsovs-ar-momismenia-da-darcmunebuli-var-aravis-mousmenia-tundac-sinanuli-rom-gamosuliqo-da-etkva-adamianurad-shecdoma-davushvi-da-mapatiet> [11.02.2025]. Imedi, Mamuka Mdinaradze on Mzia Amaglobeli: If a person does not stop being on a hunger strike, unfortunately, in the end it will be fatal. They want this and call for this - they cut out all this and [left] hunger ends with death. This is speculation, 04.02.2025; see, <https://imedinews.ge/ge/politika/372460/mamuka-mdinaradze-mzia-amaglobelze-shimshils-tu-ar-daanebebs-adamiani-tavs-samtsukharod-bolos-pataluri-shedegi-dgeba-es-undat-da-amisken-moutsodeben-metqi-es-kvelaperi-amochres-da-datoves-shimshili-mtavreba-sikvdilit-es-aris-spekulatsia> [11.02.2025].

<sup>473</sup> U.S. Department of the Treasury, Treasury Sanctions Georgian Ministry of Internal Affairs Officials for Brutality Against Protesters, Journalists, and Politicians, 19.12.2024; see, <https://home.treasury.gov/news/press-releases/jy2759> [11.02.2025].

<sup>474</sup> UK Government, UK sanctions Georgian officials responsible for brutal crackdown on media and protestors, 19.12.2024; see, <https://www.gov.uk/government/news/uk-sanctions-georgian-officials-responsible-for-brutal-crackdown-on-media-and-protestors> [11.02.2025].

<sup>475</sup> INTERPRESSNEWS, The government will nominate 11 senior officials of the Ministry of Internal Affairs, including Vakhtang Gomelauri, Zviad Kharazishvili, Miler Lagazauri and Mirza Kezevadze, for the Order of Honor, 20.12.2024; see, <https://www.interpressnews.ge/ka/article/825512-mtavroba-shinagan-sakmeta-saministros-11-xelmzgvanel-pirs-mat-shoris-vaxtang-gomelaurs-zviad-xarazishvils-mileri-lagazauri-da-mirza-kezevazes-girsebis-ordenze-caradgens> [11.02.2025].

<sup>476</sup> Formula, A person put as a President Kavelashvili awards sanctioned senior officials of the Ministry of Internal Affairs, 30.01.2025; see, [https://formulanews.ge/News/123125?fbclid=IwZXh0bGhZWCMTAAAR0VgbnYVULxRRt2aqnEZumLY8nK\\_yBjVx\\_pNpln13a-j2Wuykh7pgL7Z8\\_aem\\_wFTDs9uWXOSR8n88XuF2pg](https://formulanews.ge/News/123125?fbclid=IwZXh0bGhZWCMTAAAR0VgbnYVULxRRt2aqnEZumLY8nK_yBjVx_pNpln13a-j2Wuykh7pgL7Z8_aem_wFTDs9uWXOSR8n88XuF2pg) [11.02.2025].

It is noteworthy that despite the complete failure of the law enforcement agencies and the justice system and the public violence of the law enforcement agencies, the one-party Parliament has not taken a single step to activate the control mechanisms provided for in the Rules of Procedure of the Parliament of Georgia (for example, an investigative commission, interpellation). Moreover, not a single "Georgian Dream" MP with the authority of a member of Parliament has even used their authority to ask questions to obtain information on the actions taken by the law enforcement agencies during the demonstrations.<sup>477</sup>

### 11.2. Repressive legislative packages

Since December 2024, the "Georgian Dream" Parliament has been actively promoting the rapid deterioration of the existing legislation and the creation of repressive tools through the legislative amendments that were directed against assembly and expression and completely ignored both the international and national standards for the protection of human rights, as well as important elements characteristic of the democratic legislative process.

It is noteworthy that the "Georgian Dream" began to deteriorate the legislative space with legislative initiatives characteristic of authoritarian regimes even before the 2024 parliamentary elections, the most striking example of which is the Russian-style "Law on Transparency of Foreign Influence" (Russian Law),<sup>478</sup> the homo/transphobic, censorship-imposing law ("On Family Values and Protection of Minors") and its accompanying amendments.<sup>479</sup> It is noteworthy that even during this period, the legislative process related to the Russian law was taking place against the backdrop of serious human rights violations.<sup>480</sup>

However, since December 2024, the authoritarian legislative process has been ongoing more intensively and on a larger scale. Amendments to the legislation are introduced in an accelerated manner, usually simultaneously in different legislative acts, enter into force upon publication, and the state, typically, immediately begins to use them against the protest participants or supporters. It is clear that the "Georgian Dream" is abusing its legislative power, through an undemocratic legislative process, to create/consolidate the normative foundations for an authoritarian regime and the police terror.

The repressive amendments have been mainly implemented in two waves: **the first wave of amendments** was adopted by the "Georgian Dream" Parliament in its third reading on 13 December and concerned, among other things, the Administrative Offences Code, the Law on Assemblies and Demonstrations, and the Law on Public Service.<sup>481</sup> **The second wave of amendments** was adopted by the "Georgian Dream" Parliament in its third reading on 6 February and concerned, among other things, all three laws listed above, as well as the Criminal Code.<sup>482</sup> Moreover, amendments were adopted for the bylaws that concern the procedure for conducting diplomatic service<sup>483</sup> and the extension of criminal liability for blocking motorways of international importance.<sup>484</sup> Beside this, on 5 February, the "Georgian Dream" announced the adoption of a law on media.<sup>485</sup> This draft law has not yet been initiated and its text is not known, although the statements made by the "Georgian Dream" about the content of the law clearly indicate the threat of censorship and unjustified restrictions on access to the sources of funding.

This chapter reviews the repressive legislative amendments implemented and the abuse of the legislative powers by the "Georgian Dream" to consolidate the regime of terror.

#### 11.2.1. Legislative process

Following the parliamentary elections, the "Georgian Dream" met in the Parliament on 26 November 2024 and voted on the recognition of the authority of the Parliament of the Eleventh Convocation.<sup>486</sup> On 4 December 2024, in the self-proclaimed

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<sup>477</sup> The information is the version of 5 February 2025. Portal for using the Member of Parliament's Question Control Tool; see, <https://www.parliament.ge/supervision/deputy-question> [11.02.2025].

<sup>478</sup> GYLA, Georgia: Human Rights Amidst the Russian Law - Human Rights 60 Days Following the Revival of the Foreign Influence Transparency Bill, 2024, 9, see, [https://admin.gyla.ge/uploads\\_script/publications/pdf/rusuli%20kanoni.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/rusuli%20kanoni.pdf) [14.02.2024].

<sup>479</sup> GYLA, The Georgian Young Lawyers' Association responds to the legislative changes that undermine human rights, democracy, and protections against discrimination, 20.09.2024; see, <https://gyla.ge/post/saqartvelos-akhalgazrda-iuristta-asociacia-diskriminaciul-adamianis-uflebebis-da-demokratiis-tsinaaghmdag-mimartul-sakanonmdablo-cvilebebs-ekhmaureba> [14.02.2024].

<sup>480</sup> GYLA, Georgia: Human Rights Amidst the Russian Law - Human Rights 60 Days Following the Revival of the Foreign Influence Transparency Bill, 2024, 9, see, [https://admin.gyla.ge/uploads\\_script/publications/pdf/rusuli%20kanoni.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/rusuli%20kanoni.pdf) [14.02.2024].

<sup>481</sup> Legislative package and the documents related to it; see, <https://info.parliament.ge/#law-drafting/29794> [14.03.2025].

<sup>482</sup> Legislative package and the documents related to it; see, <https://info.parliament.ge/#law-drafting/30044>, [14.03.2025].

<sup>483</sup> GYLA, GYLA responds to illegal and repressive changes to the rules for diplomatic service, 31.01.2024; see, <https://gyla.ge/post/diplomatiuri-samsaxuri-represiebi> [14.02.2024].

<sup>484</sup> Ordinance №28 of the Government of Georgia of 31 January 2025 "On Approval of the List of Objects of Strategic and/or Special Importance" on Amendments to Ordinance №361 of the Government of Georgia of 23 October 2024.

<sup>485</sup> Radio Tavisupleba, "Georgian Dream" announces new restrictive laws against the media and NGOs, 05.02.2024; see, <https://www.radiotavisupleba.ge/a/33304338.html> [14.02.2025].

<sup>486</sup> Parliament of Georgia, The Powers of 150 MPs recognized by the legislative body, 25.11.2025; see, <https://www.parliament.ge/en/media/news/sakanonmdablo-organom-parlamentis-150-tsevriss-uflebamosileba-tsno> [21.02.2025].

Parliament, the "Georgian Dream" initiated undemocratic and repressive amendments to several laws at once.<sup>487</sup> The authors requested their discussion and adoption in an accelerated manner. Typically, the explanatory note to the draft law should explain and substantiate the reasons for the accelerated consideration of the draft law by the initiator and the grounds for the request. It should contain information on why the initiator requests its accelerated consideration.<sup>488</sup> The explanatory notes to the draft laws provide information in only a few sentences, which does not meet the standard for justifying a request for accelerated consideration.<sup>489</sup> The justification is general and blanket in nature. It does not substantiate the necessity of reviewing the initiative in an accelerated manner. It does not present what harm could be caused to the legal order or human rights if the initiated projects were reviewed in an ordinary manner. The initiators had to prove what was the compelling interest, which could be achieved only by adopting the draft law in an accelerated manner, and irreparable harm would be caused to it if it were reviewed in an ordinary manner. According to the Rules of Procedure, during the accelerated consideration of a draft law, all three readings can be held in one session week.<sup>490</sup> Accordingly, the reading of the draft laws in the self-proclaimed Parliament began on 11 December and ended with their adoption on 13 December 2024.<sup>491</sup> It is noteworthy that only the members of the "Georgian Dream" attended the committees and the plenary sessions in the Parliament. Most of the deputies did not raise any questions or opinions regarding the draft laws, and the speakers did not even use the opportunity to make their final speeches.<sup>492</sup>

The repressive laws adopted by the self-proclaimed Parliament in the third reading were signed on 29 December by Mikheil Kavelashvili, elected as the President by the same Parliament, whose inauguration was held on 29 December 2024. The laws signed by Kavelashvili were uploaded to the official website of the Herald of Georgia after 10 pm on the same day. According to the Law on Normative Acts, a normative act enters into force upon publication, which means that a normative act enters into force at midnight on the day of publication.<sup>493</sup>

Similarly, the "Georgian Dream" Parliament unanimously adopted a package of amendments on 6 February. The first plenary reading of the package was held the previous day, on 5 February, and Mikheil Kavelashvili signed the amendments on 7 February.<sup>494</sup>

The process described above indicates that the mechanisms that might work in democratic states are being used in Georgia to consolidate power and persecute political opponents. This contradicts the very essence of these mechanisms and undermines both the proper implementation of the law-making process and the principle of a democratic state.

### 11.2.2. Amendments to the legislation

#### v. Amendments to the Criminal Law

Along with other repressive laws, the "Georgian Dream" introduced amendments to the criminal legislation in February 2024,<sup>495</sup> which is actually a continuation of the use of the criminal law mechanisms as a political tool.

<sup>487</sup> GYLA, The "Georgian Dream" is trying to make undemocratic and repressive amendments to the legislation, 12.12.2024; see, <https://www.gyla.ge/post/represuli-sakanonmdeblo-cvilebebi-gyla>, [21.02.2025].

<sup>488</sup> Subparagraph "a.f" of paragraph 1 of Article 17 of the Organic Law "On Normative Acts".

<sup>489</sup> Justification for accelerated consideration of the draft law on amendments to the "Code of Administrative Offences": *"The main draft law of the legislative amendments package should be considered in an accelerated manner, so that the amendments ensure timely regulation of the import, export, production and/or sale of pyrotechnic products in Georgia. Accordingly, the present draft law should also be considered in an accelerated manner."*; Justification for accelerated consideration of the draft law on amendments to the Law of Georgia "On Police": *"The main draft law of the legislative amendments package should be considered in an accelerated manner, accordingly, the present draft law should also be considered in an accelerated manner."*; Justification for accelerated consideration of the draft law on amendments to the Law "On Assemblies and Demonstrations": *"The draft law should be considered in an accelerated manner, since the purpose of its adoption is to ensure compliance of the norms of the Criminal Code with the changes envisaged by the draft law of Georgia "On Amendments to the Product Safety and Free Movement Code", which should be considered in an accelerated manner."*; Justification for accelerated consideration in the draft law on amendments to the "Election Code of Georgia": *"In order for the adoption of the submitted draft law to be in time for the end of the 2024 autumn session, it is necessary to consider it in an accelerated manner. Accordingly, the initiators have requested an accelerated consideration of the submitted draft law."*; Justification for the accelerated consideration of the draft law on amendments to the Law of Georgia "On Public Service": *"It is appropriate that the submitted draft law be reviewed in an accelerated manner so that its adoption and enactment can be made in time for the autumn session of the current year, which, in turn, will ensure the timely and unwavering implementation of the goals set out in the 2025-2028 Government Program."*

<sup>490</sup> Rules of Procedure of the Parliament of Georgia, Article 117.

<sup>491</sup> "On Amendments to the Administrative Offences Code of Georgia", 04.12.2025; see, <https://parliament.ge/legislation/29789> [11.02.2025]. On Amendments to the Law of Georgia "On Police", 04.12.2025; see, <https://parliament.ge/legislation/29790> [11.02.2025]. On Amendments to the Law "On Assemblies and Demonstrations", 04.12.2025; see, <https://parliament.ge/legislation/29793>. On Amendments to the Organic Law of Georgia "Election Code of Georgia", 04.12.2025; see, <https://parliament.ge/legislation/29784> [11.02.2025]. "On Amendments to the Law of Georgia 'On Public Service'", 04.12.2025; see, <https://parliament.ge/legislation/29794> [11.02.2025].

<sup>492</sup> Ibid. Audio recordings of the project discussion.

<sup>493</sup> Paragraph 2 of Article 22 of the Law of Georgia "On Normative Acts".

<sup>494</sup> Voice of America, Mikheil Kavelashvili signed amendments restricting the freedom of protest and expression, 07.02.2025; see, <https://www.amerikishkma.com/a/signed-amendments-restricting-freedom-of-protest-and-expression/7966506.html>, [13.02.2025].

<sup>495</sup> GYLA, Even stricter criminal legislation, 10.02.2025; see, <https://gyla.ge/post/kidev-uprogamkacrebuli-sisxliskanonmdebloba> [14.02.2025].

### 11.3. Increased sanctions and new aggravating circumstances

Punishments have been tightened for a number of crimes and aggravating circumstances have been added to them:

- **The type and amount of punishment for Article 239<sup>1</sup>, paragraph 1 of the Criminal Code, which involves public incitement to acts of violence, has been tightened** and in addition to community service, it is possible to use imprisonment for a term of up to 3 years.
- **The punishment for Article 353, paragraph 1 of the Criminal Code (which refers to Resistance, threat or violence against a protector of public order or other representative of the authorities) has been tightened** and instead of two to five years of imprisonment, a term of imprisonment is two to six years. Repeated commission of this crime is considered an aggravating circumstance and the punishment is determined by imprisonment of five to eight years. According to the note, a crime is considered to have been committed repeatedly if it was preceded by the commission of a crime provided for in the same article (353 of the Criminal Code) or in Article 353<sup>1</sup> of the Criminal Code. It is noteworthy that **the aforementioned amendment changes the category of the crime in relation to the first part and turns it from a less serious crime into a serious crime.**
- **Article 353<sup>1</sup> - Attacking a police officer, employee of the Special Penitentiary Service or other representative of authority or a public institution, has been supplemented with a number of aggravating circumstances:** by a group of persons, repeatedly, in the presence of a minor, with explosion, by starting a fire or by a globally dangerous means. In this paragraph, the legislator expanded and made it unforeseeable what other generally dangerous means could be.

### 11.4. New Crime

A completely new crime has been added to the Criminal Code in the form of Article 353<sup>2</sup> of the Criminal Code, which refers to **- Threat of violence or assault or commission of another similar act against a Georgian public political official, a public official, a state servant and an equal-status person and/or a public servant and/or his/her family member**, for which substantial penalties are provided.<sup>496</sup>

### 11.5. Criminalization of the blocking of motorways

It is also noteworthy that as a result of the amendments, a note was added to Article 222 (Seizure or blockage of a broadcasting or communications organisation and/or of a facility of strategic or special importance) and Article 330 (Taking possession of or blocking strategic or other facilities of special importance for terrorist purposes) of the Criminal Code of Georgia, stipulating that for the purposes of these articles, the list of the facilities of strategic and/or special importance shall be approved by an ordinance of the Government of Georgia.

Prior to the adoption of the aforementioned amendment, one day before the large-scale demonstration planned for 2 February 2025 in Tbilisi, near Tbilisi Mall, in order to suppress the protest, an amendment was made to the ordinance №361 of the Government of Georgia of 23 October 2024 "On Approval of the List of Objects of Strategic and/or Special Importance", according to which a list of roads of international and domestic importance was determined for the purposes of the aforementioned article. The aforementioned amendments criminalized the elements of the action provided for in Article 222 of the Criminal Code of Georgia. Moreover, the absence of a note in Article 222 of the Criminal Code, which, within the framework of the Criminal Code, would have specified a reference to the list of objects of strategic and/or special importance for the purposes of the article, did not hinder the Prosecutor's Office of Georgia, which, based on the amendment determined by the government ordinance, charged 8 persons arrested at the rally held near Tbilisi Mall under Articles 19-222 of the Criminal Code.<sup>497</sup>

The post-facto criminalization after the announcement of the assembly for 2 February by amending the government ordinance contradicts the principles of accessibility, foreseeability and generality of the law.<sup>498</sup> Moreover, the government did not have the authority to establish a new element of the crime.<sup>499</sup> The mentioned amendment also contradicts the essence of the

<sup>496</sup> For example, the threat of violence against the above-mentioned persons is punishable by up to 3 years of imprisonment. If this threat of violence is made repeatedly, in a group, in the presence of a minor or with explosion, by starting fire or by a globally dangerous means, then the punishment is imprisonment for two to six years. The legislator prescribes a sentence of four to seven years for assaulting the above-mentioned persons, and if any aggravating circumstances are present (repeatedly, in a group, in the presence of a minor or by explosion, with explosion, or by a globally dangerous means), then the punishment is even more severe and is punishable by imprisonment for five to twelve years.

<sup>497</sup> Publika, Court grants bail to 8 people arrested near "Tbilisi Mall", 05.02.2025; see, <https://publika.ge/tbilisi-moltan-dakavebul-8-pirs-sasamartlom-sapatimro-girao-sheufarda/> [14.02.2025].

<sup>498</sup> Social Justice Center, The Decision of "Georgian Dream" to Criminalize Highway Blocking is Unconstitutional, 05.02.2024; see, <https://socialjustice.org.ge/en/products/avtomagistralebis-gadaketvis-kriminalizebis-shesakheb-kartuli-otsnebis-gadatsqvetileba-arakonstitutsiuria> [14.02.2025].

<sup>499</sup> Ibid.

freedom of assembly and, among other things, the case law of the European Court of Human Rights (see subchapter 2.3., “v. Prohibition of blocking of facilities”).

## vi. Amendments to the Administrative Offences Code

The Administrative Offences Code is being actively used against the protest participants. Since December 2024, amendments have been made to the law,<sup>500</sup> which have led to a disproportionate increase in sanctions for violations related to protest expression, the introduction of new offences, and the deterioration of the grounds for arrest and the rules for personal searches.

### a. Increase in sanctions

The February 2025 amendments increased the maximum term of administrative detention fourfold to 60 days (previously, this term was 15 days).

The increase in sanctions, including the aforementioned 60-day detention term, affected a number of offences related to the protest expression.

Back in December 2024, the amount of fines for the **defacement of the appearance of a territory within the administrative boundaries of a municipality (Article 150)** was significantly increased.<sup>501</sup> The sanction for the violation provided for in the first part of this article was 50 GEL, and with the amendments of December 2024, the amount of the fine increased to 1000 GEL (by 20 times). This offence includes making various types of inscriptions, drawings or symbols on building facades, shop windows, fences, columns, trees or other plantings without authorisation, also putting up placards, slogans, banners at places not allocated for this purpose, or leaving fences and buildings unpainted, and, accordingly, may be used to financially punish people for protest expression.

A new sanction has been added to the sanction provided for **blocking a road with vehicles in an organised way in town or another populated area, during which the roadway is fully occupied (Article 125, Part 6<sup>1</sup>)**: suspension of the right to drive a vehicle for 1 year.

In December 2024, the amount of fines was also increased several times for **vandalism (Article 166<sup>2</sup>)**, and in February 2025, the maximum term of administrative detention for a person subjected to an administrative penalty for vandalism for repeated commission of this offence was increased by 12 times to 60 days. With the February 2025 amendments also increased the **sanctions for disorderly conduct (Article 166)**,<sup>502</sup> **non-compliance with a lawful demand of the police**<sup>503</sup> and the **verbal abuse of a law enforcement officer**<sup>504</sup> (Article 173).

The amendments **touched upon the violations of the rules for organizing and holding an assembly or demonstration (Article 174<sup>1</sup>)**. According to the amendments of December 2024, the sanctions for violating the norms provided for in Articles 9, 11 and 11<sup>1</sup> of the Law of Georgia “On Assemblies and Demonstrations” have been significantly increased.<sup>505</sup> The mentioned norms concern holding assemblies and demonstrations in the prohibited places, making prohibited calls, possessing prohibited items and blocking the road despite a small number of participants. Also, with the amendments of February 2025, a note was added to Article 174<sup>1</sup> of the Administrative Offences Code, according to which, in the event of a person, already having been subjected

<sup>500</sup> GYLA, What amendments will be made to the Administrative Offences Code to further restrict the freedom of assembly? 16.12.2024; see, <https://gyla.ge/post/ra-tsvilebebi-shedis-administraciul-samartaldargvevata-kodeqsshi> [14.02.2024]. Social Justice Center, Systematic Analysis of Legislative Amendments Adopted Against Protests, 27.12.2024; see, <https://socialjustice.org.ge/en/products/protestebis-tsinaaghmddeg-mighebuli-sakanonmdeblo-tsvilebebis-sistemuri-analizi> [14.02.2025]. GYLA, The “Georgian Dream” Declares Many Aspects of the Right to Protest as Offences - the Amendments Made in an Expedited Manner to the Administrative Offences Code of Georgia, 05.02.2025; see, <https://gyla.ge/post/qartuli-ocneba-protestis-uflebis-bevr-aspeqts-zgudavs>, [14.02.2025]. Social Justice Center, Critical Analysis of the Legislative Amendments Adopted by “Georgian Dream” in an Expedited Manner, 13.02.2025; see, [https://socialjustice.org.ge/en/products/kartuli-otsnebis-mier-dachkarebuli-tsesisit-mighebuli-sakanonmdeblo-tsvilebebis-kritikuli-analizi-17fbclid=IwZXh0bgNhZW0CMTEAAR30ziZ2OtCEOUaaa3\\_9cKSbu7Qci-NMm3TO5ojG-uW72sk2g1lGEGdj81g\\_aem\\_\\_3RJfLjNxiQyLLgKWkepoQ](https://socialjustice.org.ge/en/products/kartuli-otsnebis-mier-dachkarebuli-tsesisit-mighebuli-sakanonmdeblo-tsvilebebis-kritikuli-analizi-17fbclid=IwZXh0bgNhZW0CMTEAAR30ziZ2OtCEOUaaa3_9cKSbu7Qci-NMm3TO5ojG-uW72sk2g1lGEGdj81g_aem__3RJfLjNxiQyLLgKWkepoQ) [14.02.2025].

<sup>502</sup> Following the February 2025 amendments, the aforementioned sanction is a fine of 500 to 3000 GEL or administrative detention for a term of up to 20 days. Under the old regulations, the sanction for the aforementioned offence was a fine of 500 to 1000 GEL or administrative detention for a term of up to 15 days.

<sup>503</sup> Following the amendments of February 2025, the sanction for non-compliance (Article 173, paragraph 1) is a fine of 2000 to 5000 GEL or **administrative detention for a term of up to 60 days**. In the old version, the aforementioned offence provided for a fine of 2000 to 3000 GEL or administrative detention for a term of up to 15 days.

<sup>504</sup> The sanction for the above-mentioned offence (Article 173) was a fine of 2000 to 5000 GEL or administrative detention for a term of up to 60 days. Under the regulations in force before the February 2025 amendments, verbal abuse and/or other offensive actions against a law enforcement officer (except for cases provided for by the Criminal Code of Georgia) were provided for in paragraph 1 of Article 173 and, accordingly, included the same sanction as provided for in footnote 22.

<sup>505</sup> Prior to the December 2024 amendments, the sanctions provided for a fine of 500 GEL or administrative detention for up to 15 days, and if the violator is an organizer, a fine of 5000 GEL or administrative detention for up to 15 days. As a result of the amendments made in December 2024 and February 2025, the amount of the fines is 5000 GEL and 15 000 GEL in the case of the organizer. The sanction for committing this offence by a person subject to this article was a fine of 5000 to 10 000 GEL or administrative detention for a term of up to 20 days (in the case of the organizer - a fine of 15 000 to 20 000 GEL or administrative detention for a term of 5 to 60 days).

to an administrative penalty for committing an administrative offence provided for in this article, committing an action specified in this article, the effect of Article 22 of this Code does not apply, according to which, if a minor administrative offence has been committed, the body (official) authorized to decide the case may release the offender from administrative responsibility and issue a verbal warning.

The amendments established **high sanctions for violating the obligation to provide prior notice to the municipal executive body (Article 174<sup>1</sup>, paragraph 1)** if the assembly or demonstration is held on a transport route or obstructs the movement of transport, except for the cases when the movement of transport is blocked for a reason not dependent on the assembly or demonstration.<sup>506</sup> It is noteworthy that **the amendments to the Law on Assemblies and Demonstrations expanded the concept of the organizer of an assembly**, defining it as “the initiator of an assembly or demonstration, as well as a person who leads and/or otherwise organizes the holding of an assembly or demonstration”. Accordingly, an active participant of the protest may also be considered an organizer “due to their leadership or other organizational activities” and the norms of the Administrative Offences Code that concern the organizer's responsibility may be extended to them.

#### *b. New Offences*

According to the amendments made in two stages to the law On Assemblies and Demonstrations, as well as the Administrative Offences Code (Article 174<sup>1</sup>), **covering the face with a mask or other means at an assembly, using a laser or/and sharp radiation device, the use of which may interfere with the activities of the representatives of the state agencies, and participating in an assembly that had to be stopped at the request of the Ministry of Internal Affairs, have been determined as offences and high sanctions have been introduced.**

In December 2024, non-compliance by a parent or another legal representative of a child with the duty to raise and educate a minor (Article 172) was supplemented by the commission of an act provided for in Article 173 of the same Code (**non-compliance with a lawful demand of a law enforcement officer**). It is noteworthy that the police, typically, use Article 173 when it unfoundedly arrests the demonstrators. This means that the parents may be held responsible for the actions of a minor.

According to the amendments of February 2025, a new offence (Article 173<sup>16</sup>) was added to the Code - verbal abuse, cursing, insulting and/or committing other offensive actions against a Georgian state-political official, political official, state servant, person equated with a state servant and/or public servant during the performance of official duties or in connection with the performance of official duties or activities (except for the cases provided for by the Criminal Code of Georgia). The aforementioned offence provides for high sanctions,<sup>507</sup> including administrative detention for up to 60 days in case of repeated commission by a person convicted of an offence.<sup>508</sup>

The above-mentioned offence is contrary to the Constitution, because freedom of expression protects not only ideas that are acceptable to others, but also such expression that is offensive and shocking.<sup>509</sup> State representatives should demonstrate a high degree of tolerance towards offensive language, except in cases where such language poses an immediate risk of violence.<sup>510</sup> It is clear that the above-mentioned amendment serves to punish forms of political expression and criticism of the representatives of the “Georgian Dream” and various forms of peaceful protest against them.

#### *c. Preventive arrest*

Moreover, the grounds for arresting a person have been expanded, including the addition of the grounds for preventive arrest, which implies the possibility of arresting a person to prevent the person who has already committed the offence from committing the offence repeatedly (Article 244).

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<sup>506</sup> A fine of 2000 GEL, and in the case of the organizer - 5000 GEL.

<sup>507</sup> The sanction for the above-mentioned offence is a fine of 1500 to 4000 GEL or administrative detention for a term of up to 45 days. In the event that a person already subjected to administrative penalty before commits the same offence, a fine of 2500 to 6000 GEL or administrative detention for a term of 5 to 60 days will be imposed. For committing an administrative offence under this article, a person will be deprived of the right to carry weapons for a term of up to 3 years. Article 22 of the Code, which allows for the release of the offender from administrative responsibility in the event of a minor administrative offence in exchange for a verbal warning, will not apply to this article.

<sup>508</sup> shall entail a fine of 1500 to 4000 GEL or administrative detention for a term of up to 45 days. The commission of any administrative offences specified in the same article by a person already subject to administrative penalty for this offence shall entail a fine of 2500 to 6000 GEL or administrative detention for a term of 5 to 60 days. Moreover, for the commission of an administrative offence provided for in this article, a person shall be deprived of the right to carry weapons for a term of up to 3 years. The operation of Article 22 of the Code, which allows for the release of the offender from administrative responsibility in the case of a minor administrative offence in exchange for a verbal warning, shall not apply to the aforementioned offence.

<sup>509</sup> *Savva Terentyev v. Russia*, no. 10692/09, 28.08.2018, §61.

<sup>510</sup> *Ibid*, §77.

#### *d. Aggravating circumstances*

The list of the aggravating circumstances has been expanded and the following aggravating circumstances have been added to the existing list:

- Committing an offence by a person who has already been issued a verbal warning in accordance with this Code;
- Committing an offence against or in the presence of a minor;
- Insulting the personal dignity of the victim;
- Committing an offence in connection with the victim's official or public activities.

This expansion of the aggravating circumstances for administrative offences further demonstrates the essentially criminal nature of the liability regime provided for by this Code, which is completely inappropriate for minor offences.<sup>511</sup>

#### *e. Periods*

**The February 2025 amendments increased the periods for imposing administrative penalties.**<sup>512</sup>

**Regarding certain offences that specifically concern protest expressions, the rule for calculating the period during which a person is considered liable to pay a fine is changing.** In the event of a fine being imposed as an administrative penalty for the aforementioned offences, the person will be deemed not to have been subjected to an administrative penalty a year after the fine has been paid in full. **Under the old version, the one-year period is calculated not from the date of full payment of the fine, but from the date of the imposition of the fine.** The aforementioned amendment affected the following articles: 150 (defacement of the appearance of a territory within the administrative boundaries of a municipality), 150<sup>2</sup> (defacement of the appearance of the Tbilisi city municipality), 166 (disorderly conduct), 166<sup>2</sup> (vandalism), 173 (non-compliance with a lawful demand of a police officer), 174<sup>1</sup> (violating the rules for organising or holding assemblies or demonstrations). The aforementioned rule will also apply to Article 173<sup>16</sup>, which was added to the Code as a result of the aforementioned amendments and provides for verbal abuse or other offensive actions against a state-political official or a public servant of Georgia during the performance of official duties or in connection with the performance of official duties.

#### *f. Worsening of the rules on personal searches*

The rules for personal searches have worsened, leaving a person without guarantees of protection (Article 248, paragraph 2). According to the new rules for personal searches, “a personal search may be conducted by a person authorized to do so, who is of the same sex as the person being examined. A personal examination may be conducted in the presence of an attendant.” Accordingly, the person being searched is no longer authorized to invite an attendant. Under the old wording, this right could be restricted only in an emergency, when there is a real risk of damage, destruction or concealment of evidence.

This amendment tries to create formal basis for lawfulness to the previously unlawful practice of police officers meeting protesters at metro stations and unlawfully searching them.<sup>513</sup>

#### *g. Burden of proof and jurisdiction*

**Article 174<sup>1</sup> (Violating the rules for assemblies or demonstrations) was entirely subject to judicial jurisdiction before the February 2025 amendments. With the new regulations, it is alarming that some of the offence provided for in this article will be subject to judicial review, while others will be subject only to the MIA jurisdiction.**

The MIA will have jurisdiction for prosecuting offences under Article 174<sup>1</sup>, paragraphs 1, 2, 5 and 7. These offences include violating the rules for the notice about the assemblies and demonstrations, assemblies in prohibited places, making prohibited calls at the assemblies, covering the face and possessing a laser at a rally.

The courts will have jurisdiction under Article 174<sup>1</sup>, paragraphs 3, 4, 6, 8 and 9, which refer to the repeated commission of offences provided for in this article by a person subject to this article, blocking the entrance to the court/assembling-

<sup>511</sup> Social Justice Center, Critical Analysis of the Legislative Amendments Adopted by “Georgian Dream” in an Expedited Manner, 13.02.2025; see, [https://socialjustice.org.ge/en/products/kartuli-otsnebis-mier-dachkarebuli-tsesit-mighebuli-sakanonmdeblo-tsvilebebis-kritikuli-analizi-1?fbclid=IwZXh0bgNhZWQCMTEAR30ziZ2OtCEOUaaa3\\_9cKSbu7Qci-NMm3TO5ojG-uW72sk2g1lGEGdj81g\\_aem\\_\\_3RJfLjNxiQyLLgKWkepoQ](https://socialjustice.org.ge/en/products/kartuli-otsnebis-mier-dachkarebuli-tsesit-mighebuli-sakanonmdeblo-tsvilebebis-kritikuli-analizi-1?fbclid=IwZXh0bgNhZWQCMTEAR30ziZ2OtCEOUaaa3_9cKSbu7Qci-NMm3TO5ojG-uW72sk2g1lGEGdj81g_aem__3RJfLjNxiQyLLgKWkepoQ) [14.02.2025].

<sup>512</sup> An administrative penalty determined for the commission of an administrative offence, the case of which is subject to adjudication by a district (city) court, may be imposed no later than 6 months from the date of the commission of the said administrative offence, and when the administrative offence is of a continuing nature - no later than 6 months from the date of its detection. Under the old version, this period was 4 months.

<sup>513</sup> GYLA, At this time, police officers are reportedly stopping citizens at metro stations and confiscating gas masks, masks, and other items, 05.12.2024; see, <https://gyla.ge/post/chkhrekebi-metrosadgurebtan> [05.12.2025].



demonstrating in the court or at the judge's residence and participating in such an assembly that had to be stopped as a result of the request of the MIA.

Given that the MIA unfoundedly applies administrative offences to the people at the demonstrations, solely on the grounds that they were participating in the protest, regardless of whether there is evidence indicating individual responsibility, **the aforementioned norms will further worsen the situation of the participants in the demonstration. In the absence of effective appeal mechanisms, the aforementioned norms will be used to justify an even higher degree of arbitrariness of the MIA towards the participants of the demonstration.**

**A norm has also been added to the Code according to which the burden of proving the unlawfulness and/or unfoundedness of the decision/fine receipt in an administrative offence case lies with the appellant. This, in conjunction with the above-mentioned amendment, will result in the burden of proof in court being placed on the potential offender.**

## **vii. Amendments in the Law on Assemblies and Demonstrations**

The amendments to the Law on Assemblies and Demonstrations<sup>514</sup> in December 2024 and February 2025 blanketly prohibit face coverings by the participants in assemblies, as well as overly expand the concept of the organizer and impose new restrictions on the exercise of the right of assembly.

### *a. Usage of Masks and face covering*

According to the amendments to the Law on Assemblies and Demonstrations made in December 2024, it was prohibited to have at an assembly any means with laser and/or sharp radiation, the use of which may obstruct the activities of the representatives of the state bodies. The prohibition for the participants in the rally to cover their faces with masks or other means has also been established (Article 11).

The aforementioned prohibition contradicts the standards of protection of the freedoms of assembly and expression.

According to the Venice Commission and the OSCE/ODIHR, wearing a mask during a demonstration may also be considered a form of expression and a blanket restriction violates human rights.<sup>515</sup> Wearing a mask may serve another legitimate purpose, for example, to protect against further retaliation.<sup>516</sup> Wearing a mask during a demonstration should not be prohibited unless there is clear evidence of imminent violence.<sup>517</sup> A person should not be required to remove the mask unless their behavior constitutes a probable cause for arrest.<sup>518</sup> Such a blanket prohibition is also incompatible with the case law of the **European Court of Human Rights**.<sup>519</sup>

### *b. The concept of an organizer of an assembly/demonstration*

The February 2024 amendments define the *“organizer” of an assembly or a demonstration not only as the initiator, but also as any person who “leads and/or otherwise organizes” the assembly, while the “responsible person” may be any person who engages in any kind of organizational activity during the assembly.* This definition may be used against active participants of the protest who are not actually the organizers.

### *c. Notice in case of spontaneous assemblies/demonstrations*

An obligation has been added to the law **to notify the administrative body within a reasonable time in the event of a spontaneous assembly/demonstration if the assembly/demonstration causes disruption to traffic.** In the event of a

<sup>514</sup> GYLA, hrough banning the wearing of masks during the assemblies, the “Georgian Dream” attempts to make people further vulnerable to the very terror it aims to establish, in order to suppress legitimate and peaceful protest, 17.12.2024; see, <https://gyla.ge/post/nigbis-akrdzalva> [14.02.2025]. Social Justice Center, Critical Analysis of the Legislative Amendments Adopted by “Georgian Dream” in an Expedited Manner, 27.12.2024; see, [https://socialjustice.org.ge/en/products/kartuli-otsnebis-mier-dachkarebuli-tsesit-mighebuli-sakanonmdeblo-tsvilebebis-kritikuli-analizi-1?fbclid=IwZXh0bgNhZW0CMTEAAR30zIZ2OtCEOUaaa3\\_9cKSbu7Qci-NMm3TO5ojG-uW72sk2g1lGEGdj81g\\_aem\\_3RjflJNxiQyLLgKWkepoQ](https://socialjustice.org.ge/en/products/kartuli-otsnebis-mier-dachkarebuli-tsesit-mighebuli-sakanonmdeblo-tsvilebebis-kritikuli-analizi-1?fbclid=IwZXh0bgNhZW0CMTEAAR30zIZ2OtCEOUaaa3_9cKSbu7Qci-NMm3TO5ojG-uW72sk2g1lGEGdj81g_aem_3RjflJNxiQyLLgKWkepoQ) [14.02.2025]. GYLA, Repressive legislative amendments to the Law on Assembly and Manifestation passed in third reading, 07.02.2025; see, <https://gyla.ge/post/represuli-sakanonmdeblo-cvilebebi-saias-shefaseba> [14.02.2025]. Social Justice Center, Critical Analysis of the Legislative Amendments Adopted by “Georgian Dream” in an Expedited Manner, 13.02.2025; see, [https://socialjustice.org.ge/en/products/kartuli-otsnebis-mier-dachkarebuli-tsesit-mighebuli-sakanonmdeblo-tsvilebebis-kritikuli-analizi-1?fbclid=IwZXh0bgNhZW0CMTEAAR30zIZ2OtCEOUaaa3\\_9cKSbu7Qci-NMm3TO5ojG-uW72sk2g1lGEGdj81g\\_aem\\_3RjflJNxiQyLLgKWkepoQ](https://socialjustice.org.ge/en/products/kartuli-otsnebis-mier-dachkarebuli-tsesit-mighebuli-sakanonmdeblo-tsvilebebis-kritikuli-analizi-1?fbclid=IwZXh0bgNhZW0CMTEAAR30zIZ2OtCEOUaaa3_9cKSbu7Qci-NMm3TO5ojG-uW72sk2g1lGEGdj81g_aem_3RjflJNxiQyLLgKWkepoQ) [14.02.2025].

<sup>515</sup> European Commission for Democracy Through Law (Venice Commission) Osce Office for Democratic Institutions and Human Rights (OSCE/ODIHR) Guidelines on Freedom of Peaceful Assembly (3rd Edition), 15.07.2020, para. 153. see, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2019\)017rev-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2019)017rev-e) [11.02.2025].

<sup>516</sup> Ibid.

<sup>517</sup> Ibid.

<sup>518</sup> Ibid.

<sup>519</sup> *Ibragimova v. Russia*, no. 68537/13, 30.08.2022.

spontaneous protest, the statement must be submitted immediately, within a reasonable time, after the person responsible for organizing and holding the assembly or demonstration becomes aware of the information about the organization/holding of the spontaneous assembly/demonstration. Furthermore, the new wording allows the representatives of the administrative body to arbitrarily determine the form and procedure for the notification.

**Holding an assembly or demonstration in a closed space/building without the prior written consent of the owner.**

With the February 2025 amendments **holding an assembly or demonstration was prohibited in an enclosed space or building without the owner's prior consent, and this consent must be given in writing.**

First of all, **this is a reactionary response to the ongoing protests at the universities, which the “Georgian Dream” wants to prevent with this prohibition.** It is priorly foreseeable for them that the majority of the public universities, especially Tbilisi State University, which is often the main hub of such assemblies, will not allow the students to gather. The same can be said about Batumi State University, which was one of the hubs of protests in the region in 2024.

*d. Prohibition on blocking facilities*

The old version **prohibited only the blocking of building entrances, motorways and railways during an assembly or demonstration, however, now this list has been expanded to include the blocking of bridges, tunnels, overpasses and other transport hubs designated by the municipality,** the disruption of which would cause significant damage to the normal functioning of enterprises, institutions and organizations and/or significantly impede the movement of traffic flows.

The explanatory note bases the prohibition on the European Court of Human Rights case of *Kudrevičius and Others v. Lithuania*, where farmers blocked three of the country's main highways for more than 48 hours,<sup>520</sup> disrupting economic activity. The explanatory note states that “deliberate obstruction of traffic and the ordinary course of life and significant disruption of other activities are not a substantial part of the freedom of assembly protected by the European Convention”. **We consider this definition to be manipulative, since, according to the case-law of the European Court, any demonstration in a public place may cause a certain level of disruption to ordinary life, including disruption of traffic.** Moreover, the European Court has nowhere stated in this case that such an action should automatically be punishable by criminal law or that such a rally is automatically subject to dispersal. It also drew attention to the fact that for 48 hours the Lithuanian authorities respected the freedom of assembly and did not disperse the demonstrators by force.<sup>521</sup> As a parallel, we can cite another case, which is *Geylani and Others v. Turkey*.<sup>522</sup> **The judgment in this case was made after the Kudrevičius case and dates back to 2023.** In this case, the European Court of Human Rights found a violation of freedom of assembly and compared it exactly with the standard in the *Kudrevičius* case. **In the Turkish case, the demonstrators were holding a protest on one of the main roads and the police began to disperse the demonstration immediately, a few minutes after the demonstration had begun and less than 20 minutes after the traffic was disrupted. Although the demonstrators had been warned by the police several times beforehand, the European Court considered that the disruption to daily life was not of such a degree as to justify a rapid intervention by the police.**

According to the international human rights standards, including those set out in the *Kudrevičius* case:

- Any demonstration held in a public space may cause some level of disruption to the ordinary course of life, including disruption of traffic;
- It should be analyzed whether blocking the road, disrupting ordinary life and traffic is a side effect of the demonstration;
- Law enforcement officers should demonstrate a certain level of tolerance regarding this issue, which cannot be defined in the abstract and the specific circumstances of the case should be analyzed, especially the extent of the “disruption to the ordinary course of life” (e.g., how much traffic is being disrupted, whether there is a bypass, etc.).

*e. Holding an assembly or demonstration adjacent to the administrative building*

In the old version, the restriction only applied to the area surrounding the administrative building, while in the new version it applies to the building itself. The 20-meter distance restriction remains, although now this regulation also applies to the building.

<sup>520</sup> *Kudrevičius and Others v. Lithuania* [GC], no. 37553/05, 15.10.2015.

<sup>521</sup> *Ibid.*, §§176-177.

<sup>522</sup> *Geylani and Others v. Türkiye*, no. 10443/12, 12.09.2023, §§124-126.

*f. Obstruction to movement*

While the old version only prohibited the obstruction of the movement of transport, the new version also includes the movement of people. This change gives the “Georgian Dream” more leeway to restrict rallies, as “obstruction of the movement of people” is a vague formulation and can be interpreted broadly.

*g. Prohibition of setting up temporary structures*

A new prohibitive regulation has been added regarding the setting up of temporary structures. Specifically, this is prohibited if it creates a threat, hinders the work of the police, harms the functioning of organizations, or is crucial for holding an assembly.

This amendment includes many subjective criteria, which gives the “Georgian Dream” more room to maneuver in controlling and restricting protests. “Not related to holding an assembly” is a vague formulation and could become the basis for banning any temporary infrastructure.

*h. Prohibition of participation in the protest that was terminated at the demand of the Ministry of Internal Affairs*

Participants in assemblies and demonstrations are prohibited from participating in the assemblies that have been terminated at the demand of the Ministry of Internal Affairs of Georgia. And this will happen if the participants massively violate the requirements set forth by the law, including the possession of laser devices and the wearing of face masks or other means of covering their faces.

*i. Increasing the powers of the Ministry of Internal Affairs*

*With the legislative amendments the powers of the Ministry of Internal Affairs have been expanded.*

***Accordingly, under the new regulations, the Ministry of Internal Affairs (instead of the municipality) is authorized to not enable the holding of an assembly or demonstration if there is clear data verified by the police that the assembly or demonstration poses a direct threat to the constitutional order, the life and health of citizens, or if the assembly or demonstration violates the requirements of the homophobic law adopted on 17 17, 2024 (the Law on Family Values and the Protection of Minors).***

***If the above-mentioned powers previously belonged to the local authorities, namely the executive bodies of the municipalities, now this function is fully transferred to the Ministry of Internal Affairs.***

**viii. Amendments related to the public service**

The amendments to the law on Public Service from December 2024,<sup>523</sup> leave the public servants without protection guarantees and constitute a tool for the politicization of the public service (see Chapter 5 for details).

## **12. SUMMARY**

An analysis of the repressions that began after 28 November 2024 indicates that the systemic violation of the fundamental human rights in Georgia is political in nature. In particular, the law enforcement, investigative, criminal prosecution, as well as justice agencies are trying to suppress the ongoing protests in the country through coordinated actions.

Repressions are carried out by the agencies within the system of the Ministry of Internal Affairs of Georgia. In this regard, the Special Tasks Department, the Criminal Police Department, the Tbilisi Police Department, the Adjara Police Department and the Patrol Police Department should be distinguished. Meanwhile, the LEPL “Public Safety Control Center 112” of the MIA abuses its video-analytical capabilities to support the repressions.

The investigation and criminal prosecution of the cases of torture, inhuman treatment and physical violence are being conducted ineffectively, for which the Special Investigation Service and the Prosecutor's Office of Georgia are responsible. The ineffectiveness of these agencies is the main guarantee of impunity for the law enforcement officials.

The judiciary fails to ensure the protection of the basic human rights, moreover, it is complicit in the ongoing repressions. In the context of the demonstrations, there is virtually no fair trial for the repressed people.

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<sup>523</sup> GYLA, The amendments made in an expedited manner to the Law “On Public Service” are designed to increase pressure on public servants and further politicize the public service, 16.12.2024; see, <https://gyla.ge/post/sajaro-samsaxuris-sheaxebkanoni-cvilebebi> [14.02.2025].

The political and legal responsibility for the ongoing repressions lies with the “Georgian Dream - Democratic Georgia” party, led by the oligarch Bidzina Ivanishvili. The party has been in full control of the single-party parliament since the 26 October 2024 parliamentary elections, not recognized by the international organizations and civilized states.

## ANNEX 1: THE INTERVIEWS OF THE VICTIMS

Interview Number	Sex		Age
	Female	Male	
V1	X		28
V2		X	24
V3	X		38
V4		X	33
V5		X	21
V6		X	17
V7		X	16
V8		X	34
V9		X	
V10		X	25
V11		X	36
V12		X	33
V13		X	22
V14		X	33
V15		X	28
V16		X	20
V17		X	35
V18		X	31
V19		X	27
V20		X	35
V21	X		36
V22		X	32
V23		X	31
V24	X		48
V25	X		49
V26		X	25
V27	X		31
V28	X		21
V29		X	54
V30		X	22
V31		X	34
V32		X	25
V33		X	34
V34		X	29
V35		X	45
V36		X	28
V37		X	33

V38		X	22
V39		X	42
V40	X		37
V41		X	20
V42		X	30
V43		X	32
V44		X	37
V45		X	29
V46	X		23
V47	X		43
V48	X		51
V49		X	37
V50	X		26
V51		X	32
V52		X	30
V53		X	25
V54		X	29
V55	X		25
V56		X	22
V57		X	28
V58		X	25
V59		X	32
V60		X	25
V61		X	37
V62		X	33
V63		X	34
V64		X	21
V65		X	35
V66		X	33
V67		X	47
V68		X	33
V69		X	31
V70		X	25
V71		X	22
V72		X	24
V73		X	39
V74		X	27
V75		X	24
V76		X	24
V77		X	34
V78		X	24
V79		X	19
V80		X	17
V81		X	17
V82		X	28
V83		X	34

V84		X	34
V85		X	44
V86		X	23
V87		X	33
V88	X		34
V89		X	38
V90	X		23
V91		X	36
V92		X	34
V93	X		35
V94		X	36
V95	X		26
V96		X	26
V97		X	25
V98	X		27
V99		X	28
V100		X	34
V101		X	28
V102		X	26
V103		X	48
V104		X	52
V105		X	33
V106		X	33
V107		X	26
V108		X	49
V109		X	47
V110		X	20
V111		X	29
V112		X	33
V113		X	44
V114		X	33
V115		X	20
V116		X	32
V117		X	23





## საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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№ გ-04/10-25

28.01. 2025 წ.

თბილისის საქალაქო სასამართლოს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვანდოთ სასამართლოს მიერ 2024 წელს (სრულად) და 2025 წლის იანვარში სპეციალურ საგამოძიებო სამსახურში დანაშაულის შესახებ გაგზავნილი შეტყობინებების სტატისტიკა (ჩამოთვლილი თვეებისა და სისხლის სამართლის კოდექსის მუხლების მიხედვით).

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვანდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge)

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).

შ-04/02-25

07.02.25



## თბილისის საქალაქო სასამართლო

№1-0412/798

04.02.2025 წელი

ქალბატონ თამარ ონიანს,  
საქართველოს ახალგაზრდა იურისტთა ასოციაცია

თბილისი, ჯ. კახიძეს N15

ქალბატონო თამარ,

2025 წლის 30 იანვრის განცხადების (რეგ.№გ-04/10-25) პასუხად გაცნობებთ, რომ მოთხოვნილი სახით/სახის ინფორმაციის სტატისტიკური დამუშავება და საჯარო მონაცემთა ბაზაში განთავსება თბილისის საქალაქო სასამართლოში არ ხორციელდება. ამასთან, ინფორმაციის მოცულობის გამო, მოთხოვნილი სახით მათი მოძიება/დამუშავება საჭიროებს საკმაოდ დიდ დროსა და სასამართლოს რესურსს, რის გამოც მოკლებული ვართ თქვენი თხოვნის დაკმაყოფილების შესაძლებლობას.

საქართველოს ზოგადი ადმინისტრაციული კოდექსის თანახმად, საჯარო ინფორმაციის გაცემაზე უარის თქმის შესახებ გადაწყვეტილება შეგიძლიათ გაასაჩივროთ მისი ოფიციალური წესით გაცნობის დღიდან ერთი თვის ვადაში, თბილისის საქალაქო სასამართლოში (მისამართი: თბილისი, დავით აღმაშენებლის ხეივანი №64).

პატივისცემით,  
ავთანდილ წამალაშვილი

უფროსი კონსულტანტი  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელი პირი





# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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15, J. Kakhidze str. 0102, Tbilisi, Georgia. Tel: (995 32) 295 23 53;  
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№ 8-04/11-25

28.01.

2025 წ.

რუსთავის საქალაქო სასამართლოს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ სასამართლოს მიერ 2024 წელს (სრულად) და 2025 წლის იანვარში სპეციალურ საგამოძიებო სამსახურში დანაშაულის შესახებ გაგზავნილი შეტყობინებების სტატისტიკა (ჩამოილი თვეებისა და სისხლის სამართლის კოდექსის მუხლების მიხედვით).

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა



<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).



გ-04/05-25

14.02.25



## რუსთავის საქალაქო სასამართლო

სამართლებლო, ქ.რუსთავი, ბოსტანძალაძის ძ. № 6; ტელ: კანცელარიის მისაღები: 0341 24 08 07;

№ 188/გ

07 თებერვალი 2025 წ.

ქ. თბილისი, ჯ. კახიძის ქN15;

საქართველოს ახალგაზრდა იურისტთა ასოციაციის  
ადამიანის უფლებების პროგრამის დირექტორს,  
ქალბატონ თამარ ონიანს

ქალბატონო თამარ,

2025 წლის 30 იანვარს რუსთავის საქალაქო სასამართლოში შემოსული თქვენი განცხადების (რეგისტრაციის N1537) პასუხად განგიმარტავთ, რომ მოთხოვნილი ინფორმაცია თქვენს მიერ მითითებული კრიტერიუმებით რუსთავის საქალაქო სასამართლოში არ მუშავდება. ამ მონაცემების დამუშავება და მოწოდება მიგვაჩნია შეუძლებლად ვინაიდან, აღნიშნული ინფორმაციის გაცემა მოითხოვს როგორც მოსამართლეთა წარმოებაში არსებული და დასრულებული, ასევე სასამართლოს არქივში არსებული საქმეების დამუშავებას, რაც თავის მხრივ მოითხოვს საკმაოდ დიდ დროს და სასამართლოს რესურსს, მით უფრო იმ პირობებში, როდესაც რუსთავის საქალაქო სასამართლოში არსებული მწირი საკადრო რესურსებით (კერძოდ საყურადღებოა აღინიშნოს, რომ რუსთავის საქალაქო სასამართლოში სხდომის მდივნის 2 საშტატო ერთეული არის ვაკანტური, ხოლო მართლმსაჯულების განხორციელების შეფერხებისა და მოსამართლის სხდომის მდივნით უზრუნველყოფის მიზნით კანცელარიისა და მოქალაქეთა მისაღები განყოფილების სპეციალისტს დავალებული აქვს სხდომის მდივნის ფუნქციები) შეუძლებელია თქვენს მიერ მოთხოვნილი ინფორმაციის მოწოდება, ვინაიდან, აღნიშნულის მოძიება როგორც ზემოთ განგიმარტეთ, მოითხოვს დიდ დროს და სასამართლოს რესურსს, რაც გამოიწვევს სასამართლოს პარალიზებას.

ამდენად, რუსთავის საქალაქო სასამართლო მოკლებულია შესაძლებლობას დააკმაყოფილოს თქვენი მოთხოვნა.



საქართველოს ზოგადი ადმინისტრაციული კოდექსის 41-ე მუხლის მე-2 ნაწილის  
თანახმად, საჯარო ინფორმაციის გაცემაზე უარის თქმის შესახებ გადაწყვეტილება  
შეგიძლიათ გაასაჩივროთ მისი ოფიციალური წესით გაცნობის დღიდან ერთი თვის  
ვადაში ზემდგომ თანამდებობის პირთან.

პატივისცემით,  
მაია იასეშვილი

*მ. იასეშვილი*

რუსთავის საქალაქო სასამართლოს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელი პირი



# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

ჯ. კახიძის ქ. #15, თბილისი, საქართველო, 0102; ტელ: (995 32) 295 23 53;  
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№ გ-04/12-25

28.01.

2025 წ.

ზუგდიდის რაიონული სასამართლოს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ სასამართლოს მიერ **2024 წელს (სრულად) და 2025 წლის იანვარში** სპეციალურ საგამოძიებო სამსახურში დანაშაულის შესახებ გაგზავნილი შეტყობინებების სტატისტიკა (ჩაშლილი თვეებისა და სისხლის სამართლის კოდექსის მუხლების მიხედვით).

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა



<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).



შ-04/06-25

14.02.25



ზუგდიდის რაიონული სასამართლო  
Zugdidi District Court

ქ. ზუგდიდი, რ. ლალიძის ქ. №12, ☎: 22-36-62

№ 53

5 თებერვალი, 2025 წელი

საქართველოს ახალგაზრდა იურისტთა ასოციაცია  
ადამიანის უფლებათა დაცვის პროგრამის დირექტორს  
ქალბატონ თამარ ონიანს  
ქ. თბილისი, ჯ. კახიძის ქ. N15

30.01.2025 წლის Nგ-04/12-25 განცხადების პასუხად, სადაც მოთხოვნილია სტატისტიკური ინფორმაცია 2024 წლის (სრულად) და 2025 წლის იანვარში (ჩაშლილად თვეებისა და სისხლის სამართლის მუხლების მიხედვით) გაცნობებით, რომ მოთხოვნილი სახით ინფორმაციის დამუშავებას ზუგდიდის რაიონული სასამართლო არ ახორციელებს. აღნიშნულიდან გამომდინარე, მოკლებული ვართ თქვენი განცხადების დაკმაყოფილების შესაძლებლობას.

საქართველოს ზოგადი ადმინისტრაციული კოდექსის თანახმად, საჯარო ინფორმაციის გაცემაზე უარის თქმის შესახებ გადაწყვეტილება შეგიძლიათ, გაასაჩივროთ მისი ოფიციალური წესით გაცნობის დღიდან ერთი თვის ვადაში, ზემდგომ თანამდებობის პირთან, ზუგდიდის რაიონულ სასამართლოში (მისამართი: ქ. ზუგდიდი, რ. ლალიძის ქ. №12).

პატივისცემით,

ნინო ჩემინავა

საჯარო ინფორმაციის ხელმისაწვდომობის  
უზრუნველყოფაზე პასუხისმგებელი პირი



# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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E-mail: gyla@gyla.ge; www.gyla.ge

№ გ-04/13-25

28.01. 2025 წ.

ბათუმის საქალაქო სასამართლოს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ სასამართლოს მიერ 2024 წელს (სრულად) და 2025 წლის იანვარში სპეციალურ საგამოძიებო სამსახურში დანაშაულის შესახებ გაგზავნილი შეტყობინებების სტატისტიკა (ჩაშლილი თვეებისა და სისხლის სამართლის კოდექსის მუხლების მიხედვით).

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge)

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).





# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

ჯ. კახიძის ქ. #15, თბილისი, საქართველო, 0102; ტელ: (995 32) 295 23 53;  
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№ 8-04/14-25

28.01.

2025 წ.

ქუთაისის საქალაქო სასამართლოს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ სასამართლოს მიერ 2024 წელს (სრულად) და 2025 წლის იანვარში სპეციალურ საგამოძიებო სამსახურში დანაშაულის შესახებ გაგზავნილი შეტყობინებების სტატისტიკა (ჩაშლილი თვეებისა და სისხლის სამართლის კოდექსის მუხლების მიხედვით).

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა



<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).

7-04/03-25  
12.02.25.



## ქუთაისის საქალაქო სასამართლო

ქ. ქუთაისი, კუპრაძის ქ. №11, ☎: 23 46 02 ფაქსი: (0431) 23 46 05 e-mail: [kutaisicity@court.ge](mailto:kutaisicity@court.ge)

N 260-1.

10 თებერვალი, 2025 წელი

ქალბატონ თამარ ონიანს  
საქართველოს ახალგაზრდა იურისტთა ასოციაციის  
ადამიანის უფლებების პროგრამის დირექტორს  
მის: ქ.თბილისი, ჯ.კახიძის ქუჩა N15

ქალბატონო თამარ,

(თქვენი 28.01.2025 წლის №გ-04/14-25 (შემოსვლის თარიღი 30.01.2025 წლის №1534) განცხადების  
საფუძველზე)

გაცნობებთ, რომ ქუთაისის საქალაქო სასამართლოს მიერ მონაცემების დამუშავება  
ხდება დადგენილ სტატისტიკურ ფორმებში, რომლებშიც ცალკე არ აღირიცხება  
სპეციალურ საგამომიებო სამსახურში დანაშაულის შესახებ გაგზავნილი  
შეტყობინებების სტატისტიკა. შესაბამისად, მოკლებულნი ვართ შესაძლებლობას  
დავაკმაყოფილოთ თქვენი მოთხოვნა, ვინაიდან, სტატისტიკური მონაცემების  
არარსებობის პირობებში, მოთხოვნილი ინფორმაციის მოძიება, საქმეთა სიმრავლიდან  
გამომდინარე, საჭიროებს დროისა და სასამართლოს რესურსის საგანგებოდ ამ მიზნით  
მოხილზებას.

საქართველოს ზოგადი ადმინისტრაციული კოდექსის 41-ე მუხლის მე-2 ნაწილის  
თანახმად განგიმარტავთ, რომ საჯარო ინფორმაციის გაცემაზე უარის თქმის შესახებ  
გადაწყვეტილება შეგიძლიათ გაასაჩივროთ მისი ოფიციალური წესით გაცნობის დღიდან  
ერთი თვის ვადაში ქუთაისის საქალაქო სასამართლოში (ქ. ქუთაისი, გ. კუპრაძის ქ. # 11)

პატივისცემით,

ეკატერინე აბესაძე

საჯარო ინფორმაციის ხელმისაწვდომობის  
უზრუნველყოფაზე პასუხისმგებელი პირი



№ 8-04/15 - 25

28.01. 2025 წ.

საქართველოს პროკურატურის  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ შემდეგი ინფორმაცია:

1. საქართველოს პროკურატურის მიერ **2024 წელს (სრულად) და 2025 წლის იანვარში** სპეციალურ საგამოძიებო სამსახურში დანაშაულის შესახებ გაგზავნილი შეტყობინებების სტატისტიკა (ჩამოთვლილი თვებისა და სისხლის სამართლის კოდექსის მუხლების მიხედვით)

2024 წლის 28 ნოემბრის შემდგომ ქ. თბილისსა და საქართველოს სხვა ქალაქებში მიმდინარე საპროტესტო აქციების მონაწილეთა მიმართ ძალადობის ფაქტებთან დაკავშირებით, გთხოვთ მოგვაწოდოთ შემდეგი ინფორმაცია, რომელიც მოიცავს **2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით** პერიოდს:

2. დაიწყო თუ არა გამოძიება ჯგუფური ძალადობის ორგანიზების ან/და სხვა მუხლით, საქმეზე, რომელიც სისხლის სამართლის კოდექსის მუხლის ან/და დანაშაულის ჩამდენი პირის თანამდებობის გამო ექცევა საქართველოს პროკურატურის საგამოძიებო

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).

ქვემდებარებაში? ასეთის არსებობის შემთხვევაში, გთხოვთ მიუთითოს გამოძიების ეტაპი;

3. აქედან, რამდენი პირის მიმართ იქნა წარდგენილი ბრალი (გთხოვთ, მიუთითოთ სისხლის სამართლის კოდექსის შესაბამისი მუხლი და ბრალდებული პირის თანამდებობა);
4. გთხოვთ მოგვანოდოთ მიმდინარე გამოძიების ფარგლებში გამოკითხული/დაკითხული სახელმწიფო-პოლიტიკური თანამდებობის პირების ჩამონათვალი;
5. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით მიღებულ შეტყობინებებთან დაკავშირებით დაწყებული სისხლის სამართლის საქმეების ფარგლებში რამდენ პირს მიენიჭა დაზარალებულის სტატუსი?
6. დაზარალებულად ცნობა მოხდა პროკურატურის ინიციატივით, თუ სავარაუდო მსხვერპლის/მისი წარმომადგენლის მომართვის საფუძველზე?
7. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით მიღებულ შეტყობინებებთან დაკავშირებით დაწყებული სისხლის სამართლის საქმეების ფარგლებში რამდენი დასაბუთებული წინადადებით მოგმართათ სპეციალური საგამოძიებო სამსახურის უფლებამოსილმა პირმა და რა საკითხთან დაკავშირებით?
8. მიღებული დასაბუთებული წინადადებებიდან რამდენი დაკმაყოფილდა სრულად, ნაწილობრივ, არ დაკმაყოფილდა?
9. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით მიღებულ შეტყობინებებთან დაკავშირებით დაწყებულ სისხლის სამართლის რამდენ საქმეზე შეცვალეთ კვალიფიკაცია? გთხოვთ, მიუთითოთ საწყისი და საბოლოო კვალიფიკაცია.
10. 2024 წლის 28 ნოემბრიდან 28 იანვრის ჩათვლით მიღებულ შეტყობინებებთან დაკავშირებით დაწყებულ სისხლის სამართლის საქმეებზე რამდენჯერ მიმართეთ სასამართლოს შუამდგომლობით, რა საკითხებთან დაკავშირებით და რამდენი შუამდგომლობა დაკმაყოფილდა?
11. რამდენი განცხადება მიიღეთ 2024 წლის 28 ნოემბრიდან 28 იანვრის ჩათვლით უკანონო დაკავების ფაქტებზე, რაც დაკავშირებულია მოქალაქეების მხრიდან შეკრების (მანიფესტაციის) და გამოსატვის თავისუფლებით სარგებლობასთან და როგორი იყო პროკურატურის რეაგირება?

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვანოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyl.aae](mailto:Evidence@gyl.aae);

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა





9-04/10-25  
25.02.25



საქართველოს პროკურატურა  
საქართველოს გენერალური პროკურატურა  
Prosecution Service of Georgia  
Office of the Prosecutor General of Georgia



0114 ქ.თბილისი, გორგასლის ქუჩა №24 ტელ: 2 405 344; 2 405 345  
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№13/10883

21 / თებერვალი / 2025 წ.

„საქართველოს ახალგაზრდა იურისტთა  
ასოციაციის“ ადამიანის უფლებების  
პროგრამის დირექტორს  
ქალბატონ თამარ ონიანს

ქ. თბილისი, ჯ. კახიძის ქ. N15

ქალბატონო თამარ,

თქვენი 2025 წლის 28 იანვარის №გ-04/15-25 (რეგისტრაციის №01/13-7507) განცხადების პასუხად გაცნობებთ შემდეგს:

2024 წელს და 2025 წლის იანვარში, საქართველოს პროკურატურის სხვადასხვა სტრუქტურული ერთეულიდან სპეციალურ საგამოძიებო სამსახურში სულ გადაიგზავნა 136 შეტყობინება, კერძოდ, 2024 წლის იანვარში - 11; თებერვალში - 10; მარტში - 15; აპრილში - 13; მაისში - 9; ივნისში - 5; ივლისში - 7; აგვისტოში - 8; სექტემბერში - 11; ოქტომბერში - 11; ნოემბერში - 11; დეკემბერში - 13, ხოლო 2025 წლის იანვარში - 12.

2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით დროის პერიოდში, საპროტესტო აქციების მონაწილეთა და ჟურნალისტების მიმართ ჩადენილ შესაძლო დანაშაულებრივ ქმედებებთან დაკავშირებით, სპეციალურ საგამოძიებო სამსახურის წარმოებაში არსებულ სისხლის სამართლის საქმეებზე, შესაბამისი მომართვების საფუძველზე, დაზარალებულად ცნობილია 84 პირი.

2024 წლის 29 ნოემბერს, სპეციალური საგამოძიებო სამსახურში დაიწყო გამოძიება სისხლის სამართლის № 199291124001 საქმეზე, საქართველოს შინაგან საქმეთა სამინისტროს ცალკეული თანამშრომლების მხრიდან, ქ. თბილისში, შოთა რუსთაველის გამზირზე, საპროტესტო აქციის მონაწილეთა მიმართ განხორციელებული სამსახურებრივი უფლებამოსილების ძალადობით გადამეტების შესაძლო ფაქტზე, საქართველოს სისხლის სამართლის კოდექსის 333-ე მუხლის მესამე ნაწილის „ბ“ ქვეპუნქტით გათვალისწინებული დანაშაულის ნიშნებით. 2024 წლის 04 დეკემბერს, მოცემულ საქმეზე შეიცვალა კვალიფიკაცია და დღეის მდგომარეობით საქმეზე გამოძიება გრძელდება ძალადობის მუქარით, ჟურნალისტებისათვის პროფესიულ საქმიანობაში უკანონოდ ხელის შეშლის და შინაგან საქმეთა სამინისტროს ცალკეული თანამშრომლების მხრიდან, ქ. თბილისში, შოთა რუსთაველის გამზირზე გამართულ საპროტესტო აქციის მონაწილეთა მიმართ განხორციელებული სამსახურებრივი უფლებამოსილების ძალადობით გადამეტების შესაძლო ფაქტებზე, დანაშაულები გათვალისწინებული საქართველოს სისხლის სამართლის კოდექსის 333-ე მუხლის მე-3 ნაწილის „ბ“ ქვეპუნქტითა და ამავე კოდექსის 154-ე მუხლის მე-2 ნაწილით.

ასევე, 2024 წლის 7 დეკემბერს, სპეციალური საგამოძიებო სამსახურში დაიწყო გამოძიება სისხლის სამართლის № 199071224001 საქმეზე, ტელეკომპანია „ტვ პირველის“ ჟურნალისტის - მაკა ჩიხლაძისა და ამავე ტელეკომპანიის ოპერატორის - გიორგი შეწირულისათვის პროფესიულ საქმიანობაში უკანონოდ ხელის შეშლის ფაქტზე, ჩადენილი ძალადობის მუქარით, საქართველოს სისხლის სამართლის კოდექსის 154-ე მუხლის მეორე ნაწილით გათვალისწინებული დანაშაულის ნიშნებით. 2024 წლის 13 დეკემბერს, მოცემულ საქმეზე შეიცვალა კვალიფიკაცია და დღეის მდგომარეობით საქმეზე გამოძიება გრძელდება ჟურნალისტებისთვის პროფესიულ საქმიანობაში უკანონოდ ხელის შეშლის ფაქტებზე, ჩადენილი ძალადობის მუქარით, ასევე ჯანმრთელობის განზრახ ნაკლებად



მძიმე დაზიანებისა და სხვისი ნივთის მართლსაწინააღმდეგო მისაკუთრების მიზნით აშკარად და ჯგუფურად დაუფლების ფაქტებზე, საქართველოს სისხლის სამართლის კოდექსის 154-ე მუხლის მეორე ნაწილით, ამავე კოდექსის 118-ე მუხლის მეორე ნაწილითა და 178-ე მუხლის მესამე ნაწილის „ა“ ქვეპუნქტით გათვალისწინებული დანაშაულის ნიშნებით.

2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით დროის პერიოდში, საპროტესტო აქციების მონაწილეთა და ჟურნალისტების მიმართ ჩადენილ შესაძლო დანაშაულებრივ ქმედებებთან დაკავშირებით დაწყებულ სისხლის სამართლის საქმეებზე სასამართლოს წინაშე დაყენებულ იქნა 239 შუამდგომლობა. აღნიშნული შუამდგომლობები შეეხებოდა ცალკეული საგამოძიებო მოქმედებების (ჩხრეკა, ამოღება, ინფორმაციის გამოთხოვა, მოწმის სახით გამოკითხვა) ჩასატარებლად ნებართვების მიღებასა და გადაუდებელი აუცილებლობის გამო ჩატარებული საგამოძიებო მოქმედებების (ჩხრეკა, ამოღება, ინფორმაციის გამოთხოვა) კანონიერად ცნობას. ყველა შუამდგომლობა დაკმაყოფილდა.

ამავე პერიოდში, საქართველოს გენერალური პროკურატურის სპეციალურ საგამოძიებო სამსახურში გამოძიების საპროცესო ხელმძღვანელობის დეპარტამენტში შემოვიდა 13 განცხადება საგარეუდოდ უკანონო დაკავების ფაქტებზე მითითებით. ყველა განცხადება დაერთო სისხლის სამართლის № 199291124001 საქმეს, ასევე მოხდა 12 პირის დაზარალებულად ცნობა.

პატივისცემით,

საერთაშორისო ურთიერთობებისა და  
სამართლებრივი უზრუნველყოფის  
დეპარტამენტის უფროსი

ხელმოწერილია/  
შტამგდამსმულია/  
ელექტრონულად



საერთაშორისო ურთიერთობებისა და სამართლებრივი უზრუნველყოფის დეპარტამენტის უფროსი





# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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№ გ-04/16-25

28.01. 2025 წ.

საქართველოს პროკურატურის

საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ **2023 წლის 7-9 მარტს**, ქ. თბილისში რუსთაველის გამზირსა და საქართველოს პარლამენტის შენობის მიმდებარე ტერიტორიაზე მიმდინარე საპროტესტო აქციებთან, **აგრეთვე 2024 წელს აპრილსა და მაისში** ქ. თბილისსა და საქართველოს სხვა ქალაქებში მიმდინარე აქციებთან დაკავშირებით აღძრული სისხლის სამართლის საქმეების შესახებ შემდეგი ინფორმაცია:

1. რამდენი პირის მიმართ მიმდინარეობდა ან მიმდინარეობს სისხლისსამართლებრივი დევნა (სისხლის სამართლის კოდექსის შესაბამისი მუხლების მითითებით)? გთხოვთ, ინფორმაცია მოგვაწოდოთ ჩამოთვლილ ცალ-ცალკე 2023 წლის საპროტესტო აქციებისა

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).



და 2024 წლის საპროტესტო აქციების შესახებ წარმოებულ სისხლის სამართლის საქმეებზე. გთხოვთ მიუთითოთ თითოეული საქმის მიმდინარეობის ეტაპი;

2. რამდენი პირის მიმართ იქნა გამოყენებული აღკვეთის ღონისძიება? (აღკვეთის ღონისძიების სახეებისა და სისხლის სამართლის კოდექსის შესაბამისი მუხლების მითითებით);
3. რამდენი პირის მიმართ შეწყდა სისხლისსამართლებრივი დევნა? (სისხლის სამართლის კოდექსის შესაბამისი მუხლების მითითებით);
4. რამდენი პირის მიმართ მიმდინარეობს სასამართლოში საქმის არსებითი განხილვა? (სისხლის სამართლის კოდექსის შესაბამისი მუხლების მითითებით);
5. რამდენი პირის მიმართ დადგა გამამტყუნებელი ან/და გამამართლებელი განაჩენი? (სისხლის სამართლის კოდექსის შესაბამისი მუხლების მითითებით).

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyula.ge](mailto:Evidence@gyula.ge).

თამარ ონიანი



ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა



7-04/09-25

25.02.25



საქართველოს პროკურატურა  
საქართველოს გენერალური პროკურატურა  
Prosecution Service of Georgia  
Office of the Prosecutor General of Georgia



0114 ქ.თბილისი, გორგასლის ქუჩა №24 ტელ: 2 405 344; 2 405 345  
ელ.ფოსტა: kancelaria@pog.gov.ge; www.pog.gov.ge

KARR1321562906725

№13/10882

21 / თებერვალი / 2025 წ.

„საქართველოს ახალგაზრდა იურისტთა  
ასოციაციის“ ადამიანის უფლებების  
პროგრამის დირექტორს  
ქალბატონ თამარ ონიანს

ქ. თბილისი, ჯ. კახიძის ქ. N15

ქალბატონო თამარ,

თქვენი 2025 წლის 28 იანვრის №გ-04/16-25 (რეგისტრაციის №01/13-7522) განცხადების პასუხად გაცნობებთ შემდეგს:

2023 წლის 7-9 მარტს, ქ. თბილისში მიმდინარე საპროტესტო აქციებთან დაკავშირებით, სისხლისსამართლებრივი დევნა მიმდინარეობდა 6 პირის მიმართ. აღნიშნულთაგან 1 პირს ბრალად ედებოდა საქართველოს სისხლის სამართლის კოდექსის 353<sup>1</sup> მეორე ნაწილით, ასევე, 187-ე მუხლის მეორე ნაწილის „ა“ ქვეპუნქტით გათვალისწინებული დანაშაულების ჩადენა და აღკვეთის ღონისძიების სახით შეფარდებული ჰქონდა პატიმრობა, ხოლო დანარჩენ 5 პირს ბრალად ედებოდათ საქართველოს სისხლის სამართლის კოდექსის 187-ე მუხლის პირველი ნაწილით, 177-ე მუხლის მე-2 ნაწილის „ა“ ქვეპუნქტით, ასევე, 353<sup>1</sup> მუხლის პირველი ნაწილით გათვალისწინებული დანაშაულების ჩადენა და მათ მიმართ აღკვეთის ღონისძიების სახით გამოყენებული იყო გირაო. სისხლისსამართლებრივი დევნა არცერთი მათგანის მიმართ არ შეწყვეტილა და ამ ეტაპზე ყველა მათგანის მიმართ დამდგარია გამამტყუნებელი განაჩენი.

რაც შეეხება 2024 წლის აპრილსა და მაისში მიმდინარე აქციებს, სისხლისსამართლებრივი დევნა დაიწყო 10 პირის მიმართ საქართველოს სისხლის სამართლის კოდექსის 353<sup>1</sup> მუხლის პირველი ნაწილით, 187-ე მუხლის პირველი და მეორე ნაწილის „გ“ ქვეპუნქტით გათვალისწინებული დანაშაულის ნიშნებით და ყველა მათგანს აღკვეთის ღონისძიების სახით შეფარდებული ჰქონდა პატიმრობა. ამ ეტაპზე ყველა შემთხვევაში გამოტანილია გამამტყუნებელი განაჩენი.

ამასთან, გამოძიება მიმდინარეობს საქართველოს სისხლის სამართლის კოდექსის 225-ე მუხლის პირველი და მე-2 ნაწილებით, 222-ე მუხლის მე-2 ნაწილის „ა“ ქვეპუნქტით და 226-ე მუხლით გათვალისწინებული დანაშაულის ნიშნებით და მითითებულ საქმეზე სისხლისსამართლებრივი დევნა ამ ეტაპზე დაწყებული არ არის.

პატივისცემით,

საერთაშორისო ურთიერთობებისა და  
სამართლებრივი უზრუნველყოფის  
დეპარტამენტის უფროსი

ხელმოწერის ადგილი  
შტამბის მოწოდება  
მომხმარებლისათვის



საქართველოს პროკურატურის  
გენერალური პროკურორის  
ადგილი ჩილინგარაშვილი



# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

ჯ. კახიძის ქ. #15, თბილისი, საქართველო, 0102; ტელ: (995 32) 295 23 53;  
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№ გ-04/17-25

28.01. 2025 წ.

საქართველოს სახალხო დამცველის აპარატის  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

აღნიშნული დოკუმენტირების მიზნებისთვის, საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ:

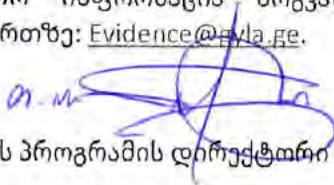
1. საქართველოს სახალხო დამცველის მიერ 2024 წელს (სრულად) და 2025 წლის იანვარში სპეციალურ საგამოძიებო სამსახურში დანაშაულის შესახებ გაგზავნილი შეტყობინებების სტატისტიკა (ჩაშლილი თვეებისა და სისხლის სამართლის კოდექსის მუხლების მიხედვით).
2. აქედან, რამდენი შეტყობინება უკავშირდებოდა 2024 წლის 28 ნოემბრიდან მიმდინარე პროტესტს? (გთხოვთ ინფორმაცია მოგვაწოდოთ ჩაშლილად, სისხლის სამართლის კოდექსის მუხლების მიხედვით).

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).



გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@pyda.ge](mailto:Evidence@pyda.ge).

თამარ ონიანი



ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა





**. აქართველოს  
სახალხო დამცველის აპარატი  
OFFICE OF PUBLIC DEFENDER  
OF GEORGIA**

ირაკლი ფალავას N6  
0144 თბილისი, საქართველო  
ცხელი ხაზი: 1481(24/7)  
[www.ombudsman.ge](http://www.ombudsman.ge)  
ელ-ფოსტა: [info@ombudsman.ge](mailto:info@ombudsman.ge)

13 თებერვალი 2025 წ.



KA00003403303325

№ 25/1280

ა (აიპ) საქართველოს ახალგაზრდა იურისტთა ასოციაცია  
ქალბატონ თამარ ონიანს  
ტელ.: 591 400 009  
ელ-ფოსტა: [evidence@gyla.ge](mailto:evidence@gyla.ge)

ქალბატონო თამარ,

საქართველოს სახალხო დამცველის აპარატში 2025 წლის 30 იანვარს შემოსული თქვენი N1014/25 (აპარატში რეგისტრაციის ნომერი) წერილის პასუხად გაცნობებთ რომ, თქვენს მიერ წერილის პირველი პუნქტით მოთხოვნილი ინფორმაცია შესაბამისი ფორმით არ მუშავდება აპარატში. მცდელობის მიუხედავად, თქვენი მოთხოვნის საფუძველზე დამუშავებაც რთული აღმოჩნდა, შესაბამისად მოკლებულები ვართ შესაძლებლობას მოგანოდოთ ეს ინფორმაცია.

რაც შეეხება მეორე საკითხს, გაცნობებთ, რომ 2024 წლის 28 ნოემბრიდან დღემდე სახალხო დამცველის აპარატს ჯამში იდენტიფიცირებული აქვს 282 სავარაუდო არასათანადო მოპყრობის ფაქტი, რაზეც ჯამში 35 წერილი გაიგზავნა სპეციალური საგამოძიებო სამსახურში (თითოეული გაგზავნილი წერილი შეიცავს მრავალი ფაქტის აღწერას). სავარაუდო არასათანადო მოპყრობის ფაქტების საერთო რაოდენობიდან 81 შემთხვევა მედიით გავრცელებული ინფორმაციის საფუძველზე დაიდენტიფიცირდა.

პატივისცემით,

საქართველოს სახალხო დამცველის  
აპარატის საჯარო ინფორმაციისა და  
პერსონალურ მონაცემების გაცემაზე  
პასუხისმგებელი პირი

ხელმოწერილია/  
შტამგდამსმულია  
ელემენტრონულად



დავით მანაგაძე

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



ჯ. კახიძის ქ. #15, თბილისი, საქართველო, 0102; ტელ: (995 32) 295 23 53;  
ელ-ფოსტა: gyla@gyla.ge; www.gyla.ge

15, J. Kakhidze str. 0102, Tbilisi, Georgia. Tel: (995 32) 295 23 53;  
E-mail: gyla@gyla.ge; www.gyla.ge

№ 8-04/18-25

28.01. 2025 წ.

სპეციალური საგამოძიებო სამსახურის

საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ შემდეგი ინფორმაცია:

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).



1. 2024 წელს (სრულად) და 2025 წლის იანვარში სპეციალურ საგამოძიებო სამსახურში დანაშაულის შესახებ შემოსული შეტყობინებების სტატისტიკა (ჩაშლილი თვეების მიხედვით). მათგან, რამდენი შეტყობინება შემოვიდა სახელმწიფო უწყებების მხრიდან (გთხოვთ, ჩაშალოთ სახელმწიფო უწყებების სტატისტიკა)?

**2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით პერიოდისთვის მოგვანოლოთ შემდეგი ინფორმაცია:**

2. მიღებული შეტყობინებების რაოდენობა, რაც დაკავშირებულია შეკრების (მანიფესტაციის) ან/და გამოხატვის თავისუფლებით სარგებლობასთან - გთხოვთ, ინფორმაციის მოწოდებისას მონაცემები დაყოთ შემდეგი კრიტერიუმებით:
  - შეტყობინების მიღების წყარო და რაოდენობა;
  - მიღებული შეტყობინებების საერთო რაოდენობა;
  - სავარაუდო მსხვერპლების რაოდენობა;
  - ქმედების განხორციელების ადგილი (რაოდენობა).
3. შეკრების (მანიფესტაციის) ან/და გამოხატვის თავისუფლებით სარგებლობასთან დაკავშირებული შეტყობინებებიდან რამდენი დაერთო 28 ნოემბრამდე დაწყებულ სისხლის სამართლის საქმეს (ასეთის არსებობის შემთხვევაში) და რა მიზეზით?
4. აღნიშნულ პერიოდში მიღებული, შეკრების (მანიფესტაციის) ან/და გამოხატვის თავისუფლებით სარგებლობასთან დაკავშირებული შეტყობინებების ფარგლებში დაწყებული სისხლის სამართლის საქმიდან მოხდა თუ არა სხვა საქმის გამოყოფა? მოხდა თუ არა საქმეების გაერთიანება? გთხოვთ, დადებითი პასუხის შემთხვევაში, მიუთითოთ სისხლის სამართლის საქმის საწყისი და საბოლოო მუხლები, ასევე გამოყოფის/გაერთიანების მიზეზები.
5. მიღებულ შეტყობინებებთან დაკავშირებით რამდენ ხანში შედგა პირველი კომუნიკაცია სავარაუდო მსხვერპლსა და სპეციალური საგამოძიებო სამსახურის უფლებამოსილ პირს შორის?
6. ამავე პერიოდში რამდენი პირი მოინახულეთ დროებითი მოთავსების იზოლატორში? (მიუთითეთ როგორც ჯამური რაოდენობა, ისე - რაოდენობა იზოლატორების მიხედვით). ერთ პირთან დაკავშირებით იზოლატორიდან რამდენიმე შეტყობინების მიღების შემთხვევაში, გთხოვთ, დააკონკრეტოთ, მოხდა პირის რამდენჯერმე დაკავება, თუ მეორე შეტყობინება გამოგეგზავნათ ადმინისტრაციული პატიმრობით დროებითი მოთავსების იზოლატორში შესახლებისას.
7. რამდენ პირს დაენიშნა სამედიცინო ექსპერტიზა პირადი წარდგენით? რამდენ პირთან დაკავშირებით ჩატარდა სამედიცინო ექსპერტიზა მხოლოდ სამედიცინო დოკუმენტაციაზე დაყრდნობით და რა მიზეზით? შეტყობინების მიღებიდან რა ვადაში ჩატარდა სამედიცინო ექსპერტიზა?

8. შეკრება-მანიფესტაციებთან ან/და გამოხატვის თავისუფლებით სარგებლობასთან დაკავშირებულ საქმეებზე, რამდენი პირი გამოიკითხა სპეციალური საგამოძიებო სამსახურის მიერ?
9. სამართალდამცავი ორგანოების რამდენი წარმომადგენელი გამოიკითხა ნებაყოფლობით, სისხლის სამართლის საპროცესო კოდექსის 113-ე მუხლის შესაბამისად. მათგან, რამდენი იყო საქართველოს შინაგან საქმეთა სამინისტროს განსაკუთრებულ დავალებათა დეპარტამენტის თანამშრომელი?
10. აღნიშნულ პერიოდში, შეკრება-მანიფესტაციებთან ან/და გამოხატვის თავისუფლებით სარგებლობასთან დაკავშირებულ საქმეებზე, სამართალდამცავი ორგანოების რამდენი წარმომადგენელი დაიკითხა მაგისტრატი მოსამართლის წინაშე სისხლის სამართლის საპროცესო კოდექსის 114-ე მუხლის შესაბამისად. მათგან, რამდენი იყო საქართველოს შინაგან საქმეთა სამინისტროს განსაკუთრებულ დავალებათა დეპარტამენტის თანამშრომელი?
11. გამოიკითხა თუ არა ამ დროისთვის შინაგან საქმეთა სამინისტროს რომელიმე სტრუქტურული ერთეულის ხელმძღვანელი ან მისი მოადგილე საპროტესტო აქციებთან დაკავშირებული, სამართალდამცავების მიერ განხორციელებულ ძალადობის გამო? დადებითი პასუხის შემთხვევაში, გთხოვთ მოგვაწოდოთ ინფორმაცია, რომელი სტრუქტურული ხელმძღვანელები/მოადგილეები გამოიკითხა.
12. პროტესტის მონაწილეთა/მხარდამჭერთა მიმართ შესაძლო ძალადობაში მონაწილე რამდენი პოლიციელის უფლებამოსილების შეჩერება მოხდა ამ დროისთვის?
13. რამდენ პირს მიენიჭა დაზარალებულის სტატუსი, 2024 წლის 28 ნოემბრიდან 2024 წლის 28 იანვრის ჩათვლით, საპროტესტო აქციებთან/გამოხატვასთან დაკავშირებით საქმეებზე და რა მუხლით?
14. რამდენ საქმეზე მიმდინარეობს ამჟამად გამოძიება, რომელიც უკავშირდება 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით საპროტესტო აქციებში მონაწილე პირთა მიმართ ძალადობას? (გთხოვთ, ინფორმაცია მოგვაწოდოთ ჩაშლილად, სისხლის სამართლის კოდექსის შესაბამისი მუხლების მიხედვით, რომელთა საფუძველზეც მიმდინარეობს გამოძიება თითოეული საქმისა და პირის მიმართ); გთხოვთ, მიუთითოთ თითოეულ საქმეზე გამოძიების საპროცესო ხელმძღვანელი პროკურორის (ზედამხედველი პროკურორის) სახლი, გვარი და თანამდებობა.
15. საპროტესტო აქციებში მონაწილე პირთა მიმართ ძალადობასთან დაკავშირებით, რამდენ საქმეზე და რამდენი პირის მიმართ მიმდინარეობს გამოძიება წამების ან/და წამების შექარის მუხლით (სისხლის სამართლის კოდექსის 144<sup>1</sup> და 144<sup>2</sup> მუხლები)? მათგან, რამდენ პირს წარედგინა ბრალი ამ მუხლებით?
16. რამდენ საქმეზე შეიცვალა კვალიფიკაცია? გთხოვთ, მიუთითოთ სისხლის სამართლის საქმეზე გამოძიების დაწყების და შეცვლის შემდგომი კვალიფიკაციები. ასევე, გთხოვთ, მიუთითოთ კვალიფიკაციის შეცვლა მოხდა სავარაუდო მსხვერპლის/მისი წარმომადგენლის შუამდგომლობის, სპეციალური საგამოძიებო სამსახურის

უფლებამოსილი პირის, თუ ზედამხედველი პროკურორის გადაწყვეტილების საფუძველზე.

17. გთხოვთ, მოგვაწოდეთ ინფორმაცია, თითოეული საქმის ფარგლებში რამდენი მსხვერპლის მიმართ ჩადენილ ქმედებაზე მიმდინარეობს გამოძიება?
18. გთხოვთ მოგვაწოდოთ ინფორმაცია, რამდენ საქმეზე დაიწყო გამოძიება სპეციალური საგამოძიებო სამსახურის უფლებამოსილი პირის ინიციატივით, მედიაში გავრცელებულ ინფორმაციაზე დაყრდნობით?
19. რა ეტაპზეა მიმდინარე გამოძიებები, მათ შორის, რამდენი პირის მიმართ არის აღძრული სისხლისსამართლებრივი დევნა (სისხლის სამართლის კოდექსის შესაბამისი მუხლების მითითებით); მათგან, სამართალდამცავი უწყების რამდენ წარმომადგენელს წარედგინა ბრალი (სისხლის სამართლის კოდექსის შესაბამისი მუხლების მითითებით)?
20. რამდენი პირის მიმართ იქნა გამოყენებული აღკვეთის ღონისძიება (აღკვეთის ღონისძიების სახეების და თარიღების მითითებით)?
21. რამდენი პირის მიმართ დასრულდა ან/და შეწყდა სისხლისსამართლებრივი დევნა (საბოლოო შედეგის მითითებით).
22. დემონსტრანტებისა და ჟურნალისტების მიმართ ჩადენილი სავარაუდო ძალადობის ფაქტებთან დაკავშირებით მიმართა თუ არა სამსახურის უფლებამოსილმა პირმა ზედამხედველ პროკურორს დასაბუთებული წინადადებით? დადებითი პასუხის შემთხვევაში, გთხოვთ დააკონკრეტოთ წინადადებების რაოდენობა, საკითხი და შედეგი?
23. სავარაუდო ძალადობის (მათ შორის ფსიქოლოგიური ძალადობის) ფაქტებზე მიღებული შეტყობინებებიდან რამდენი გადაუგზავნეთ სხვა უწყებას. გთხოვთ მიუთითოთ უწყებები და შეტყობინებების სხვა უწყებებისთვის გადაგზავნის მიზეზი.
24. მიღებულ შეტყობინებებთან დაკავშირებით რამდენჯერ და შეტყობინების მიღებიდან რა ვადაში მიმართა სპეციალურმა საგამოძიებო სამსახურმა შინაგან საქმეთა სამინისტროს (მათ შორის „112“-ს სამხრე კამერების, გარე განათების ბოძებზე არსებული სამეთვალყურეო კამერების, პოლიციის განყოფილებების შიდა და გარე პერიმეტრის, იზოლატორის) ვიდეო ჩანაწერების დაარქივების ან/და ამოღების მოთხოვნით. რამდენი მოთხოვნა დაკმაყოფილდა სრულად, ნაწილობრივ ან არ დაკმაყოფილდა?
25. რომელ სხვა (სახელმწიფო, კერძო) უწყებებს მიმართეთ აქციის მიმდებარე ტერიტორიაზე ვიდეოკამერების ჩანაწერების გამოთხოვის მიზნით? მათგან რომელმა უწყებებმა მოგაწოდეს აღნიშნული მასალები? იმ შემთხვევაში თუ რომელიმე უწყებამ არ მოგაწოდათ ვიდეო მასალები - რა მიზეზით?
26. გამოითხოვეთ თუ არა საქართველოს შინაგან საქმეთა მინისტრის N1002 ბრძანებით განსაზღვრული შეკრების/მანიფესტაციის უსაფრთხოების სამოქმედო გეგმები?

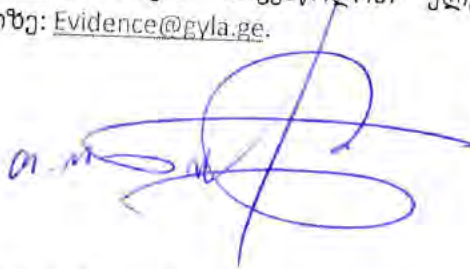
27. ზემოაღნიშნული სამოქმედო გეგმის საფუძველზე, დააიდენტიფიცირეთ თუ არა სპეციალური ღონისძიების განხორციელების ადგილზე მყოფი ხელმძღვანელი პირი/პირები და სპეციალური ღონისძიების ჩატარებაზე შესაბამისი პასუხისმგებელი პირი/პირები?
28. მოითხოვეთ თუ არა, რომ ცალკეულმა სამართალდამცავებმა წარმოადგინონ ოფიციალური ანგარიშები გამოყენებული ძალის მასშტაბის შესახებ?
29. მოითხოვეთ თუ არა, რომ საქართველოს შინაგან საქმეთა სამინისტრომ უზრუნველყოს აქციების დარბევაში ჩართულ პირთა აღჭურვა საიდენტიფიკაციო მონაცემებით? თუ კი - როდის?
30. რა ზომები მიიღეთ იმის დასადგენად, თუ რატომ არ იქნა მიღებული სიფრთხილის ზომები სამართალდამცავთა ძალის გამოყენების თავიდან აცილების ან მინიმუმამდე შემცირების მიზნით?
31. გამოიკვლიეთ რამდენად ხდებოდა ან რამდენად ეფექტიანად ხდებოდა შინაგან საქმეთა სამინისტროს მიერ წინასწარი გაფრთხილებების ვალდებულების განხორციელება დემონსტრაციის დაშლამდე? თუ კი, რა ზომები მიიღეთ ან რა ზომებს იღებთ აღნიშნულის გამოსაკვლევად?
32. აკეთებთ/აკეთებდით აქციების განმავლობაში პირდაპირი ტრანსლირების დროს ინციდენტების აღრიცხვას?
33. გამოიკვლიეთ სამართალდამცავთა რაზმების როტაციის ვადები, ფორმები და მათ მიერ ინდივიდუალური ძალის გამოყენება?
34. შეზღუდეთ პოტენციური დამნაშავეების წრე არალეიტალური იარაღისა და სპეციალური საშუალებების ნებადართული გამოყენების ჩანაწერების მიხედვით? აღნიშნულის შემთხვევაში, ჩაატარეთ მათ მიმართ საგამოძიებო მოქმედებები?
35. რამდენი შუამდგომლობა იქნა წარდგენილი სასამართლოში საგამოძიებო მოქმედებების გამოყენების თაობაზე (საგამოძიებო მოქმედებების სახეების მიხედვით); მათგან რამდენი შუამდგომლობა იყო წინასწარი ნებართვის და რამდენი გადაუღებელი აუცილებლობით ჩატარებული მოქმედების შესახებ?
36. რამდენი პირის მიმართ დაინიშნა ჰაბიტოსკოპიური, ფონოსკოპიური (ხმის) ექსპერტიზა, ფოტოთი ან პირადი ამოცნობა?
37. რამდენი პოლიციელის ტელეფონის დათვალიერება/ტელეფონზე კომპიუტერული ექსპერტიზა დაინიშნა?
38. რამდენჯერ მიმართა სპეციალურმა საგამოძიებო სამსახურმა პროკურატურას კერძო საკუთრების, მფლობელობის ან პირადი ცხოვრების ხელშეუხებლობის მზღუდავი საგამოძიებო მოქმედების ჩატარების შესახებ სასამართლოსადმი მიმართვის მოთხოვნით.



39. დემონსტრანტებისა და ჟურნალისტებზე ძალადობის ფაქტების უფექტიანი და შედეგიანი გამოძიებისათვის სხვა რა საგამოძიებო მოქმედებები ჩაატარეთ?

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი



ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა





# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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ელ-ფოსტა: gyla@gyla.ge; www.gyla.ge

15, J. Kakhidze str. 0102, Tbilisi, Georgia. Tel: (995 32) 295 23 53;  
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№ გ-04/19-25

28. 01. 2025 წ.

სპეციალური საგამოძიებო სამსახურის  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, 2023 წლის 7-9 მარტს, ქ. თბილისში რუსთაველის გამზირსა და საქართველოს პარლამენტის შენობის მიმდებარე ტერიტორიაზე მიმდინარე საპროტესტო აქციებთან, აგრეთვე 2024 წელს აპრილსა და მაისში ქ. თბილისსა და საქართველოს სხვა ქალაქებში გამართულ აქციებთან დაკავშირებით მიმდინარე გამოძიების შესახებ, გთხოვთ, მოგვაწოდოთ შემდეგი ინფორმაცია:

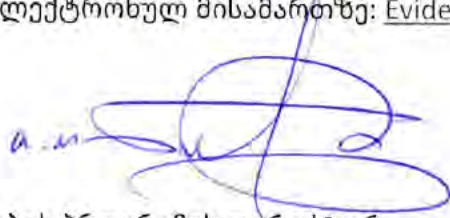
1. რამდენი საქმე აღიძრა და რამდენი პირის მიმართ მიმდინარეობდა ან მიმდინარეობს გამოძიება? გთხოვთ მიუთითოთ გამოძიების დაწყების საფუძვლად არსებული სისხლის სამართლის კოდექსის შესაბამისი მუხლები თითოეული საქმისა და პირის მიმართ. (გთხოვთ, ცალ-ცალკე გამოყოთ 2023 წლის საპროტესტო აქციებსა და 2024 წლის საპროტესტო აქციებთან დაკავშირებით მიმდინარე გამოძიებები);
2. რა ეტაპზეა მიმდინარე გამოძიებები, მათ შორის, რამდენი პირის მიმართ და სისხლის სამართლის კოდექსის რომელი მუხლებით აღიძრა სისხლისსამართლებრივი დევნა? (გთხოვთ, ცალ-ცალკე გამოყოთ 2023 წლის საპროტესტო აქციებსა და 2024 წლის საპროტესტო აქციებთან დაკავშირებით მიმდინარე გამოძიებები);



3. რამდენი საქმე შეწყდა ბრალის წარდგენის გარეშე ან/და ბრალის წარდგენის შემდგომ? (გთხოვთ, ცალ-ცალკე გამოყოთ 2023 წლის საპროტესტო აქციებსა და 2024 წლის საპროტესტო აქციებთან დაკავშირებით აღძრული საქმეები);
4. რამდენი საქმე დასრულდა (საქმის საბოლოო შედეგის მითითებით);
5. საგამოძიებო მოქმედებების ფარგლებში საქართველოს შინაგან საქმეთა სამინისტროს რამდენი თანამშრომელი გამოიკითხა ან/და დაიკითხა მაგისტრატი მოსამართლის წინაშე? (გთხოვთ, ცალ-ცალკე გამოყოთ 2023 წლის საპროტესტო აქციებსა და 2024 წლის საპროტესტო აქციებთან დაკავშირებით მიმდინარე გამოძიებების ფარგლებში განხორციელებული საგამოძიებო მოქმედებები);
6. რამდენი შუამდგომლობა იქნა წარდგენილი სასამართლოში საგამოძიებო მოქმედებების ჩატარების შესახებ (ჩაშლილი საგამოძიებო მოქმედებების სახეების მიხედვით)? მათგან რამდენი შუამდგომლობა იყო წინასწარი ნებართვის და რამდენი გადაუღებელი აუცილებლობით ჩატარებული მოქმედების შესახებ?
7. რამდენი პირის მიმართ იქნა გამოყენებული აღკვეთის ღონისძიება (გთხოვთ ჩაშალოთ აღკვეთის ღონისძიების სახისა და სისხლის სამართლის კოდექსის შესაბამისი მუხლების მიხედვით).

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი



ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა





# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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№ გ-04/20-25

28.01. 2025 წ.

სპეციალური საგამოძიებო სამსახურის  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

დოკუმენტირების მიზნებისთვის, აღნიშნულ შემთხვევებთან დაკავშირებით, საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ მოგვაწოდოთ შემდეგი ინფორმაცია, რომელიც მოიცავს **2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით პერიოდს:**

1. მედიის რამდენ წარმომადგენელს მიენიჭა დაზარალებულის სტატუსი?
2. რამდენ საქმეზე დაიწყო გამოძიება სისხლის სამართლის კოდექსის 154-ე მუხლით და რა ეტაპზეა საქმეები?
3. გარდა სსკ 154-ე მუხლისა, რამდენ ისეთ საქმეზე დაიწყო გამოძიება სხვა კვალიფიკაციით, სადაც დაზარალებული მედიის წარმომადგენელია?
4. შინაგან საქმეთა სამინისტროს რამდენი წარმომადგენელი დაიდენტიფიცირდა, რომელმაც სავარაუდოდ ჩაიდინა სსკ 154-ე მუხლით გათვალისწინებული დანაშაული?

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).



5. რამდენ შემთხვევაში უთითებს მსხვერპლი (იმის მიუხედავად, აქვს თუ არა დაზარალებულის სტატუსი), რომ დაზიანდა საპოლიციო ძალების წარმომადგენლის მხრიდან მის მიერ აქციაზე პროფესიული მოვალეობის შესრულების დროს?
6. რამდენ შემთხვევაში გამოკვეთა სპეციალურმა საგამოძიებო სამსახურმა არაფორმალური დაჯგუფებების მხრიდან (ფიზიკური პირების) მედიის წარმომადგენლებზე ძალადობის ფაქტები და მიმდინარეობს თუ არა გამოძიება? დადებითი პასუხის შემთხვევაში, გთხოვთ, დააზუსტოთ კვალიფიკაცია.
7. არაფორმალური დაჯგუფებების/ფიზიკური პირების მიერ ჩადენილი დანაშაულისა და სპეციალურის საგამოძიებო სამსახურის მიერ ჩატარებული საგამოძიებო მოქმედებების შედეგად, მედიის რამდენ წარმომადგენელს მიენიჭა დაზარალებულის სტატუსი?
8. მოხდა თუ არა არაფორმალური დაჯგუფებების წარმომადგენლების/ფიზიკური პირების იდენტიფიცირება იმ შემთხვევებთან დაკავშირებით, როდესაც ისინი მონაწილეობდნენ მედიის წარმომადგენლების მიმართ მიზანმიმართულ თავდასხმებში და რა სახის საგამოძიებო მოქმედებები ჩატარდა მათთან მიმართებაში?
9. წარედგინა თუ არა ვინმეს ბრალი მედიის წარმომადგენლის მიმართ ჩადენილ დანაშაულთან დაკავშირებით? (გთხოვთ, მოგვანოდოთ ინფორმაცია წარდგენილი ბრალისა და ბრალდებულზე ინფორმაციის დაკონკრეტებით)
10. ჩატარდა თუ არა იმ საპატრულო პოლიციის წარმომადგენლების გამოკითხვა, რომლებიც არაფორმალური დაჯგუფებების / ფიზიკური პირების მხრიდან მედიაზე თავდასხმის დროს იმყოფებოდნენ დანაშაულის ადგილას?

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვანოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gvla.ge](mailto:Evidence@gvla.ge)

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა





სპეციალური საგამოძიებო სამსახური  
Special Investigation Service



SIS 0 25 00002598



10/02/2025

საქართველოს ახალგაზრდა იურისტთა ასოციაციის  
ადამიანის უფლებების პროგრამის დირექტორს  
თამარ ონიანს

ქალბატონო თამარ,

თქვენი 2025 წლის 28 იანვრის Nგ-04/18-25, Nგ-04/20-25, Nგ-04/19-25, წერილების პასუხად გაცნობებთ შემდეგს:

2023 წლის 7-9 მარტს, ქ. თბილისში, საქართველოს პარლამენტის შენობის მიმდებარედ გამართულ საპროტესტო აქციის მონაწილეთა მიმართ განხორციელებული შესაძლო კანონსაწინააღმდეგო ქმედებების თაობაზე გამოძიება სპეციალურ საგამოძიებო სამსახურში ორ სისხლის სამართლის (№199080323001 და №199210323001) საქმეზე მიმდინარეობს, მათ შორის, სისხლის სამართლის №199080323001 საქმეზე მიმდინარეობს გამოძიება, საქართველოს შინაგან საქმეთა სამინისტროს ცალკეული თანამშრომლების მხრიდან განხორციელებული სამსახურებრივი უფლებამოსილების ძალადობით გადამეტებისა და ჟურნალისტებისთვის პროფესიულ საქმიანობაში უკანონოდ ხელის შეშლის ფაქტებზე, საქართველოს სისხლის სამართლის კოდექსის 333-ე მუხლის მესამე ნაწილის „ბ“ ქვეპუნქტითა და 154-ე მუხლის პირველი გათვალისწინებული დანაშაულის ნიშნებით, ხოლო სისხლის სამართლის №199210323001 საქმეზე მიმდინარეობს გამოძიება, საქართველოს შინაგან საქმეთა სამინისტროს ცალკეული თანამშრომლების მხრიდან განხორციელებული სამსახურებრივი უფლებამოსილების ძალადობით გადამეტების ფაქტზე, საქართველოს სისხლის სამართლის კოდექსის 333-ე მუხლის მესამე ნაწილის „ბ“ ქვეპუნქტით გათვალისწინებული დანაშაულის ნიშნებით. აღნიშნულ 2 საქმეზე გამოიკითხა შინაგან საქმეთა სამინისტროს ათეულობით თანამშრომელი. აღნიშნულ საქმეებზე გამოძიება არ შეწყვეტილა და სისხლისსამართლებრივი დევნა ამ ეტაპზე არ დაწყებულია.

2024 აპრილსა და მაისში საქართველოს პარლამენტის შენობის მიმდებარედ გამართულ საპროტესტო აქციის მონაწილეთა მიმართ განხორციელებული შესაძლო კანონსაწინააღმდეგო ქმედებების თაობაზე გამოძიება სპეციალურ საგამოძიებო სამსახურში დაიწყო სისხლის სამართლის სისხლის სამართლის №199160424002 საქმეზე, საქართველოს

სისხლის სამართლის კოდექსის 333-ე მუხლის მესამე ნაწილის „ბ“ ქვეპუნქტით გათვალისწინებული დანაშაულის ნიშნებით.

2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით პერიოდში, საპროტესტო აქციების მონაწილეთა მიმართ ჩადენილ დანაშაულებთან დაკავშირებით, ჟურნალისტური საქმიანობის უკანონო ხელშეშლის ფაქტზე გამოძიება დაიწყო სისხლის სამართლის N199071224001 საქმეზე, რომელზეც დაზარალებულად ცნობილია 3 პირი, საქართველოს სისხლის სამართლის კოდექსის 118-ე მუხლის მეორე ნაწილით, 154-ე მუხლის მეორე ნაწილით და 178-ე მუხლის მესამე ნაწილის „ა“ ქვეპუნქტით. აღნიშნულ საქმეზე, სისხლისსამართლებრივი დევნა არ დაწყებულა.

ამასთან, ამავე პერიოდში სპეციალური საგამოძიებო სამსახურის სპეციალურ საქმეთა გამოძიების დეპარტამენტის აღმოსავლეთ საქართველოს I სამმართველოში დაიწყო გამოძიება სისხლის სამართლის №199291124001 საქმეზე, საქართველოს შინაგან საქმეთა სამინისტროს ცალკეული თანამშრომლების მხრიდან საპროტესტო აქციის მონაწილეთა მიმართ განხორციელებული სამსახურებრივი უფლებამოსილების ძალადობით გადამეტების ფაქტზე და ჟურნალისტისთვის პროფესიულ საქმიანობაში უკანონოდ ხელის შეშლის ფაქტზე, საქართველოს სისხლის სამართლის კოდექსის 333-ე მუხლის მესამე ნაწილის „ბ“ ქვეპუნქტითა და 154-ე მუხლის მე-2 ნაწილით გათვალისწინებული დანაშაულის ნიშნებით. აღნიშნულ სისხლის სამართლის საქმეს დაზარალებულად ცნობილია 81 პირი, მათ შორის მედიის 30 წარმომადგენელი.

სპეციალურმა საგამოძიებო სამსახურმა, თითოეულ შემოსულ შეტყობინებაზე სწრაფი სამართლებრივი რეაგირება მოახდინა. გამოძიების დაწყებიდან დღემდე გამოკითხულია 416 პირი, მათ შორის 50 ჟურნალისტი.

აქციაზე დაშავებული 231 პირის მიმართ, სსიპ ლევან სამხარაულის სახელობის სასამართლო ექსპერტიზის ეროვნულ ბიუროში დაინიშნულია სასამართლო სამედიცინო ექსპერტიზა.

სამსახური დეტალურად სწავლობს საპროტესტო აქციის გამართვის ადგილსა და მიმდებარე ქუჩებზე დამონტაჟებული სამეთვალყურეო ვიდეოკამერების, ასევე სხვა წყაროებიდან მოპოვებულ ჩანაწერებს, რომელთა ჯამური ხანგრძლივობა 2000 საათს აღემატება.

მტკიცებულებათა შეგროვების მიზნით, სასამართლო განჩინების საფუძველზე, ამოღებული იქნა 63 პირის ტანსაცმელი, რომელზეც ბიოლოგიური და ტრასოლოგიური ექსპერტიზები დაინიშნა.

დროებითი მოთავსების იზოლატორებიდან და თბილისის საქალაქო სასამართლოდან მიმდინარეობს აქციაზე დაკავებულ პირთა ადმინისტრაციული სამართალწარმოების მასალების გამოთხოვა და შესწავლა.

ასევე, მიმდინარეობს საპოლიციო ღონისძიებების განხორციელებასა და დაშავებულ მოქალაქეთა დაკავებაში მონაწილე სამართალდამცავების გამოკითხვები. ამ ეტაპზე გამოკითხულია 77 სამართალდამცავი.

სპეციალური საგამოძიებო სამსახურის მიერ მოპოვებულ მტკიცებულებებზე დაყრდნობით, საქართველოს პროკურატურის მიერ, დაზარალებულის სტატუსი უკვე 81 პირს მიენიჭა.

სამსახური აქციაზე დაშავებული მოქალაქეების უფლებების დასაცავად კანონით გათვალისწინებულ ყველა საშუალებას იყენებს, ამ მიზნით თითოეულ მათგანს უტარდება სამედიცინო ექსპერტიზა, მათი დაზიანების დოკუმენტირებისთვის კლინიკებიდან ხდება სამედიცინო დოკუმენტების გამოთხოვა, გამოძიება სწავლობს გამოკითხვაში მათ მიერ დაფიქსირებულ ყველა გარემოებას. თითოეულ პირს და მათ უფლებადამცველებს სისხლის სამართლის საქმის მასალებთან წვდომის და გაცნობის შესაძლებლობა ეძლევა, მაქსიმალურად ინფორმირებული არიან მიმდინარე გამოძიების პროცესის თაობაზე.

რაც შეეხება რეგიონებს, სამსახურის სპეციალურ საქმეთა გამოძიების დეპარტამენტის აჭარის ავტონომიური რესპუბლიკის სამმართველოში დაიწყო გამოძიება სისხლის სამართლის №199130125002 საქმეზე, საქართველოს შინაგან საქმეთა სამინისტროს ცალკეული თანამშრომლების მხრიდან საპროტესტო აქციის მონაწილეთა მიმართ განხორციელებული სამსახურებრივი უფლებამოსილების შესაძლო ძალადობით გადამეტების ფაქტზე, საქართველოს სისხლის სამართლის კოდექსის 333-ე მუხლის მე-3 ნაწილის „ბ“ ქვეპუნქტით. სპეციალურ საგამოძიებო სამსახურში შეტყობინება შემოვიდა 9 პირზე. 8 პირისაგან მიღებული იქნა ინფორმაცია დაკავების გარემოებებთან დაკავშირებით, ხოლო ერთმა პირმა უარი განაცხადა ინფორმაციის მოწოდებაზე. ამავე საქმეში გამოძიება მიმდინარეობს „გაზეთი ბათუმელების“ დირექტორისა და დამფუძნებლის მზია ამაღლობელის მიმართ 2025 წლის 12 იანვარს დაკავებისას საქართველოს შინაგან საქმეთა სამინისტროს ცალკეული თანამშრომლების მხრიდან სამსახურებრივი უფლებამოსილების ძალადობით გადამეტების ფაქტზე.

აქციაზე დაშავებული 5 პირის მიმართ, სსიპ ლევან სამხარაულის სახელობის სასამართლო ექსპერტიზის ეროვნულ ბიუროში დანიშნულია სასამართლო სამედიცინო ექსპერტიზა.

მტკიცებულებათა შეგროვების მიზნით, სასამართლო განჩინების საფუძველზე, ამოღებული იქნა ერთი პირის ტანსაცმელი, რომელზეც ბიოლოგიური და ტრასოლოგიური ექსპერტიზები დაინიშნა.

აღნიშნულ საქმეზე გამოიკითხა შინაგან საქმეთა სამინისტროს 10 თანამშრომელი (მათ შორის ხელმძღვანელი თანამდებობის პირი).

სისხლის სამართლის საქმეზე ამ ეტაპზე დაზარალებულად ცნობილი არ არის არცერთი პირი.

აქვე გაცნობებთ, რომ თითოეულ პირს და მათ უფლებადამცველებს ეძლევა სისხლის სამართლის საქმის მასალებთან წვდომის და გაცნობის შესაძლებლობა.

**პატივისცემით,**

კაპანაძე ნუცა



სპეციალური საგამოძიებო სამსახური / იურიდიული  
დეპარტამენტი  
იურიდიული დეპარტამენტის უფროსი

ბ. კახი



# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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26.02.2025

სპეციალური საგამოძიებო სამსახურის

საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ შემდეგი ინფორმაცია:

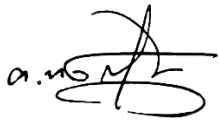
1. სპეციალური საგამოძიებო სამსახურის SIS 0 25 00002598 წერილით გვეცნობა, რომ №199080323001 სიხლის სამართლის ფარგლებში გამოკითხულია 77 სამართალდამცავი. გთხოვთ გვაცნობოთ, აღნიშნული სამართალდამცველებიდან რამდენი მათგანი არის შსს განსაკუთრებულ დავალებათა დეპარტანტის თანამშრომელი? რამდენი მათგანია შსს კრიმინალური პოლიციის დეპარტამენტის თანამშრომელი?

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).

რამდენი მათგანია შსს ტერიტორიული ორგანოს - თბილისის პოლიციის დეპარტამენტის თანამშრომელი?

2. სპეციალური საგამოძიებო სამსახურის SIS 0 25 00002598 წერილით პასუხი არ არის გაცემული საჯარო ინფორმაციის რამდენიმე მოთხოვნაზე. გთხოვთ განმარტოთ, საჯარო ინფორმაციის განცხადების შესაბამის კითხვებზე პასუხის გაუცემლობის სამართლებრივი საფუძველი.

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: Evidence@gyla.ge.



თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა



# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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№ გ-04/21-25

28.01. 2025 წ.

საქართველოს შინაგან საქმეთა სამინისტროს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ შემდეგი ინფორმაცია:

- 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით, თბილისში, საქართველოს პარლამენტის მიმდებარე ტერიტორიაზე რომელი აქტიური სპეციალური საშუალებები იქნა გამოყენებული შინაგან საქმეთა სამინისტროს მიერ? გთხოვთ, ინფორმაცია მოგვაწოდოთ თარიღების მიხედვით.
- 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით, ქუთაისში, ბათუმსა და ზუგდიდში, საპროტესტო აქციების კონტექსტში რომელი აქტიური სპეციალური საშუალებები იქნა გამოყენებული შინაგან საქმეთა სამინისტროს მიერ? გთხოვთ, ინფორმაცია მოგვაწოდოთ თარიღების მიხედვით.

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).

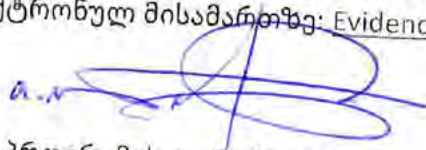


3. რა თანმიმდევრობით იქნა გამოყენებული აღნიშნული აქტიური სპეციალური საშუალებები? გთხოვთ, ინფორმაცია მოგვაწოდოთ თარიღებისა და ქალაქების მიხედვით.
4. შინაგან საქმეთა სამინისტროს რომელი დანაყოფები მონაწილეობდნენ 2024 წლის 28 ნოემბრიდან საპროტესტო აქციების დაშლასთან დაკავშირებულ საპოლიციო ღონისძიებებში და ჯამურად სამინისტროს დაქვემდებარებაში მყოფი რამდენი სამართალდამცავი იყო ჩართული ამ ღონისძიებებში?
5. სპეციალური საშუალებების მოსალოდნელი გამოყენების შესახებ რომელ საათზე იწყებოდა და რა პერიოდულობით ჟღერებოდა გაფრთხილება ტექნიკური საშუალებებით? აქციის მონაწილეთა წინასწარი გაფრთხილების შემდეგ, რა დრო ეძლეოდათ საქართველოს პარლამენტის მიმდებარე ტერიტორიაზე მიმდინარე აქციაზე შეკრებილ ადამიანებს დასაშლელად? რა მარშრუტი იყო განკუთვნილი აქციის მონაწილეებისთვის შეკრების ტერიტორიის დასატოვებლად? (გთხოვთ, მონაცემები მოგვაწოდოთ ჩაშლილად: დღეებისა და ქალაქების მიხედვით).
6. ვინ ხელმძღვანელობდა 2024 წლის 28 ნოემბრიდან (2024 წლის 28-29 ნოემბრის ღამეს, 29-30 ნოემბრის ღამეს, 30 ნოემბრის-1 დეკემბრის ღამეს, 1-2 დეკემბრის ღამეს, 2024 წლის 2-3 დეკემბრის ღამეს, 3-4 დეკემბრის ღამეს, 6-7 დეკემბრის ღამეს), თბილისში რუსთაველის გამზირზე მიმდინარე აქციის დასაშლელად შინაგან საქმეთა სამინისტროს მიერ წარმოებულ საპოლიციო ღონისძიებებს?
7. რა ქიმიურ ნივთიერებებს იყენებდა შინაგან საქმეთა სამინისტრო 2024 წლის 28 ნოემბრიდან (2024 წლის 28-29 ნოემბრის ღამეს, 29-30 ნოემბრის ღამეს, 30 ნოემბრის-1 დეკემბრის ღამეს, 1-2 დეკემბრის ღამეს, 2024 წლის 2-3 დეკემბრის ღამეს, 3-4 დეკემბრის ღამეს, 6-7 დეკემბრის ღამეს) განხორციელებული საპოლიციო ღონისძიებების ფარგლებში? გთხოვთ, ინფორმაცია მოგვაწოდოთ ქალაქების მიხედვით.
8. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით პერიოდში, რომელ თარიღებში იყენებდა შინაგან საქმეთა სამინისტრო წყლის ჭავლს, რომელშიც ქიმიური ნივთიერება იყო შერეული?
9. რა ქიმიური ნივთიერება იყო შერეული წყლის ჭავლში აღნიშნულ თარიღებში და რა კონცენტრაციით?
10. რამდენი სამართალდამცავი დაშავდა საპროტესტო აქციების ფარგლებში? რა სახისა და ჯანმრთელობის რომელი ხარისხის დაზიანებები მიიღეს მათ? (გთხოვთ, ინფორმაცია მოგვაწოდოთ ჩაშლილად, თითოეული დღის, ქალაქის, შესაბამისი დანაყოფის მიხედვით და ჯანმრთელობის დაზიანების ხარისხის და ხასიათის მითითებით).

11. არსებობს თუ არა შინაგან საქმეთა სამინისტროში რაიმე სახელმძღვანელო წესები, რომელიც განსაზღვრავს რა ფორმით და კონცენტრაციით უნდა მოხდეს წყლის ქავლში აღნიშნული ქიმიური ნივთიერების შერევა? ასეთი სახელმძღვანელო დოკუმენტის/წესების არსებობის შემთხვევაში, გთხოვთ გაგვიზიაროთ იგი.

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი



ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა







# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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№ გ-04/22-25

28.01. 2025 წ.

საქართველოს შინაგან საქმეთა სამინისტროს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ შემდეგი ინფორმაცია:

1. გთხოვთ, მოგვაწოდოთ საქართველოს შინაგან საქმეთა სამინისტროს მიერ 2024 წელს (სრულად) და 2025 წლის იანვარში სპეციალურ საგამოძიებო სამსახურში დანაშაულის შესახებ გაგზავნილი შეტყობინებების სტატისტიკა (ჩაშლილი თვეებისა და სისხლის სამართლის კოდექსის მუხლების მიხედვით).
2. გთხოვთ, მოგვაწოდოთ საქართველოს შინაგან საქმეთა სამინისტროს საჯარო სამართლის იურიდიული პირის – საზოგადოებრივი უსაფრთხოების მართვის ცენტრი „112“-ის მიერ 2024 წელს სპეციალურ საგამოძიებო სამსახურში დანაშაულის შესახებ გაგზავნილი შეტყობინებების სტატისტიკა (ჩაშლილი თვეებისა და სისხლის სამართლის კოდექსის მუხლების მიხედვით).
3. გთხოვთ, მოგვაწოდოთ საქართველოს შინაგან საქმეთა სამინისტროს საპატრულო პოლიციის დეპარტამენტის მიერ 2024 წელს სპეციალურ საგამოძიებო სამსახურში დანაშაულის შესახებ გაგზავნილი შეტყობინებების სტატისტიკა (ჩაშლილი თვეებისა და სისხლის სამართლის კოდექსის მუხლების მიხედვით).

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი



ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა







# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

ჯ. კახიძის ქ. #15, თბილისი, საქართველო, 0102; ტელ: (995 32) 295 23 53;  
ელ-ფოსტა: gyla@gyla.ge; www.gyla.ge

15, J. Kakhidze str. 0102, Tbilisi, Georgia. Tel: (995 32) 295 23 53;  
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№ გ-04/23-25

28-01. 2025 წ.

საქართველოს შინაგან საქმეთა სამინისტროს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ შემდეგი ინფორმაცია:

1. 2023 წლის 7-9 მარტს, ქ. თბილისში რუსთაველის გამზირსა და საქართველოს პარლამენტის შენობის მიმდებარე ტერიტორიაზე მიმდინარე საპროტესტო აქციების, აგრეთვე 2024 წელს აპრილსა და მაისში ქ. თბილისსა და საქართველოს სხვა ქალაქებში მიმდინარე აქციების ფარგლებში გამოყენებულ საპოლიციო მოქმედებებთან დაკავშირებით საქართველოს შინაგან საქმეთა სამინისტროს რამდენი თანამშრომლის მიმართ დაიწყო დისციპლინური წარმოება?
2. აქედან, რამდენი თანამშრომლის მიმართ დადგინდა დისციპლინური გადაცდომის ფაქტი და რამდენის მიმართ იქნა გამოყენებული დისციპლინური პასუხისმგებლობის ზომა (გთხოვთ, ჩამალოთ პასუხისმგებლობის ზომის სახეების მიხედვით)?

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა



# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

ჯ. კახიძის ქ. #15, თბილისი, საქართველო, 0102; ტელ: (995 32) 295 23 53;  
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№ გ-04/24-25

28.01. 2025 წ.

საქართველოს შინაგან საქმეთა სამინისტროს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

## განცხადება

### (საჯარო ინფორმაციის გამოთხოვის თაობაზე)

საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ შემდეგი ინფორმაცია

1. 2023 წლის 7-9 მარტს ქ. თბილისში, რუსთაველის გამზირზე და საქართველოს პარლამენტის მიმდებარედ გამართულ შეკრება-მანიფესტაციებთან დაკავშირებით მოამზადეთ თუ არა საქართველოს შინაგან საქმეთა მინისტრის N1002 ბრძანებით განსაზღვრული შეკრების/მანიფესტაციის უსაფრთხოების სამოქმედო გეგმა? რომელი თარიღებისთვის მომზადდა აღნიშნული გეგმა?
2. გთხოვთ, მოგვაწოდოთ 2023 წლის 7-9 მარტს ქ. თბილისში, რუსთაველის გამზირზე და საქართველოს პარლამენტის მიმდებარედ გამართული შეკრება-მანიფესტაციებისთვის შემუშავებული, საქართველოს შინაგან საქმეთა მინისტრის N1002 ბრძანებით განსაზღვრული უსაფრთხოების სამოქმედო გეგმ(ებ)ის რეკვიზიტები - გეგმის მიღების თარიღი, ნომერი და იმ უფლებამოსილი პირის სახელი/გვარი და თანამდებობის დასახელება, რომელმაც დაამტკიცა უსაფრთხოების სამოქმედო გეგმა.



3. გთხოვთ, მოგვაწოდოთ 2023 წლის 7-9 მარტს ქ. თბილისში, რუსთაველის გამზირზე და საქართველოს პარლამენტის მიმდებარედ გამართული შეკრება-მანიფესტაციებისთვის შემუშავებული, საქართველოს შინაგან საქმეთა მინისტრის N1002 ბრძანებით განსაზღვრული უსაფრთხოების სამოქმედო გეგმ(ებ)ის აღსრულებაში ჩართული უწყებების (მათ შორის, ტერიტორიული/სტრუქტურული ერთეულების, საქვეუწყებო დაწესებულებებისა და საჯარო სამართლის იურიდიული პირების) სრული ჩამონათვალი.
4. 2023 წლის 7-9 მარტს ქ. თბილისში, რუსთაველის გამზირზე და საქართველოს პარლამენტის მიმდებარედ გამართული შეკრება-მანიფესტაციებისთვის შემუშავებული თითოეული სამოქმედო გეგმის მიხედვით, ვინ განისაზღვრა სპეციალური ღონისძიების განხორციელების ადგილზე მყოფ ხელმძღვანელ პირად/პირებად და სპეციალური ღონისძიების ჩატარებაზე შესაბამისი პასუხისმგებელ პირად/პირებად?
5. 2024 წლის აპრილსა და მაისში ქ. თბილისში მიმდინარე შეკრება-მანიფესტაციებთან დაკავშირებით მოამზადეთ თუ არა საქართველოს შინაგან საქმეთა მინისტრის N1002 ბრძანებით განსაზღვრული შეკრების/მანიფესტაციის უსაფრთხოების სამოქმედო გეგმა? რომელი თარიღებისთვის მომზადდა აღნიშნული გეგმა?
6. 2024 წლის აპრილსა და მაისში ქ. თბილისში მიმდინარე შეკრება-მანიფესტაციებისთვის შემუშავებული ყველა უსაფრთხოების სამოქმედო გეგმის რეკვიზიტები - გეგმის მიღების თარიღი, ნომერი და იმ უფლებამოსილი პირის სახელი/გვარი და თანამდებობის დასახელება, რომელმაც დაამტკიცა უსაფრთხოების სამოქმედო გეგმა.
7. გთხოვთ, მოგვაწოდოთ 2024 წლის აპრილსა და მაისში ქ. თბილისში მიმდინარე შეკრება-მანიფესტაციებისთვის შემუშავებული უსაფრთხოების სამოქმედო გეგმების აღსრულებაში ჩართული უწყებების (მათ შორის, ტერიტორიული/სტრუქტურული ერთეულების, საქვეუწყებო დაწესებულებებისა და საჯარო სამართლის იურიდიული პირების) სრული ჩამონათვალი.
8. 2024 წლის აპრილსა და მაისში ქ. თბილისში მიმდინარე შეკრება-მანიფესტაციებისთვის შემუშავებული თითოეული სამოქმედო გეგმის მიხედვით, ვინ განისაზღვრა სპეციალური ღონისძიების განხორციელების ადგილზე მყოფ ხელმძღვანელ პირად/პირებად და სპეციალური ღონისძიების ჩატარებაზე შესაბამისი პასუხისმგებელ პირად/პირებად?
9. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრამდე მიმდინარე აქციებთან დაკავშირებით მოამზადეთ თუ არა საქართველოს შინაგან საქმეთა მინისტრის N1002 ბრძანებით განსაზღვრული შეკრების/მანიფესტაციის უსაფრთხოების სამოქმედო გეგმა? რომელი თარიღებისთვის მომზადდა აღნიშნული გეგმა?



10. გთხოვთ, მოგვაწოდოთ აღნიშნული სამოქმედო გეგმ(ებ)ის რეკვიზიტები - გეგმის მიღების თარიღი, ნომერი და იმ უფლებამოსილი პირის სახელი/გვარი და თანამდებობის დასახელება, რომელმაც დაამტკიცა უსაფრთხოების სამოქმედო გეგმა.

11. გთხოვთ, მოგვაწოდოთ 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით მიმდინარე აქციებთან დაკავშირებით შემუშავებული ყველა სამოქმედო გეგმის აღსრულებაში ჩართული უწყებების (მათ შორის, ტერიტორიული/სტრუქტურული ერთეულების, საქვეუწყებო დაწესებულებებისა და საჯარო სამართლის იურიდიული პირების) სრული ჩამონათვალი

12. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით მიმდინარე აქციებთან დაკავშირებით შემუშავებული თითოეული სამოქმედო გეგმის მიხედვით, ვინ განისაზღვრა სპეციალური ღონისძიების განხორციელების ადგილზე მყოფ ხელმძღვანელ პირად/პირებად და სპეციალური ღონისძიების ჩატარებაზე შესაბამის პასუხისმგებელ პირად/პირებად?

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა





# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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№ გ-04/25 - 25

28.01. 2025 წ.

საქართველოს შინაგან საქმეთა სამინისტროს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

აღნიშნული დოკუმენტირების მიზნებისთვის, საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვარდოთ შემდეგი ინფორმაცია:

- 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით, რამდენი ადამიანის მიმართ დაიწყო ადმინისტრაციული სამართალდარღვევის სამართალწარმოება შეკრება-მანიფესტაციების დროს გამოვლენილი შესაძლო სამართალდარღვევების ფაქტებზე? გთხოვთ, მიუთითეთ ადმინისტრაციულ სამართალდარღვევათა კოდექსის შესაბამისი მუხლი/პუნქტი. გთხოვთ ინფორმაცია დააჯგუფოთ ქალაქისა და რეგიონის მიხედვით.
- 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით, რამდენი არასრულწლოვნის მიმართ დაიწყო ადმინისტრაციული სამართალდარღვევის სამართალწარმოება შეკრება-მანიფესტაციების დროს გამოვლენილი შესაძლო სამართალდარღვევების ფაქტებზე? გთხოვთ, მიუთითეთ ადმინისტრაციულ სამართალდარღვევათა კოდექსის

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).



შესაბამისი მუხლი/პუნქტი. გთხოვთ ინფორმაცია დააჯგუფოთ ქალაქისა და რეგიონის მიხედვით.

3. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით, ჯამში რამდენი ადამიანის ადმინისტრაციული დაკავება განხორციელდა შეკრება-მანიფესტაციების კონტექსტში? მათგან რამდენი იყო არასრულწლოვანი? გთხოვთ, მიუთითეთ ადმინისტრაციულ სამართალდარღვევათა კოდექსის შესაბამისი მუხლი/პუნქტი. გთხოვთ, ინფორმაცია ჩაშალოთ ქალაქისა და რეგიონის მიხედვით.
4. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით დაკავებულთაგან, რამდენი პირი გათავისუფლდა ხელწერილის საფუძველზე? გთხოვთ ასევე მიუთითეთ, რამდენი პირი იყო დაკავებული 24 საათამდე ვადით და რამდენთან მიმართებით იქნა გამოყენებული დაკავების კანონით გათვალისწინებული მაქსიმალური ვადა.
5. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით დაკავებულ პირთაგან, რამდენი იქნა გადაყვანილი ქ. თბილისის დროებითი მოთავსების იზოლატორებში და რამდენი იქნა გადაყვანილი რეგიონებში არსებულ დროებითი მოთავსების იზოლატორებში?
6. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით დაკავებული პირების განაწილება სქესის მიხედვით.

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@pyla.ge](mailto:Evidence@pyla.ge).

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა



# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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№ გ-04/26-25

28.01. 2025 წ.

საქართველოს შინაგან საქმეთა სამინისტროს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

## განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

აღნიშნული დოკუმენტირების მიზნებისთვის, საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ შემდეგი ინფორმაცია:

- 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრამდე პერიოდში, თბილისსა და საქართველოს სხვა ქალაქებში მიმდინარე აქციების ფარგლებში გამოყენებულ საპოლიციო მოქმედებებთან დაკავშირებით საქართველოს შინაგან საქმეთა სამინისტროს რამდენი თანამშრომლის მიმართ დაიწყო დისციპლინური წარმოება?
- აქედან, რამდენი თანამშრომლის მიმართ დადგინდა დისციპლინური გადაცდომის ფაქტი და რამდენის მიმართ იქნა გამოყენებული დისციპლინური

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).



პასუხისმგებლობის ზომა (გთხოვთ ჩაშალოთ პასუხისმგებლობის ზომის სახეების მიხედვით)?

3. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრამდე პერიოდში მიმდინარე საპროტესტო აქციებზე დემონსტრანტებსა და ჟურნალისტებზე ძალადობის ფაქტების გამოძიებასთან დაკავშირებით:
  - 3.1. მოითხოვთ თუ არა, რომ ცალკეულმა სამართალდამცავებმა წარმოადგინონ ოფიციალური ანგარიშები გამოყენებული ძალის მასშტაბის შესახებ?
  - 3.2. ჩაატარეთ მოვლენების ყოვლისმომცველი სისტემური ანალიზი? რა ღონისძიებები გატარდა აღნიშნული ანალიზისთვის? მათ შორის, აკეთებს / აკეთებდა თუ არა აქციების განმავლობაში საქართველოს შინაგან საქმეთა სამინისტრო ინციდენტების აღრიცხვას პირდაპირი ტრანსლირების დროს?
  - 3.3. გამოიკვლიეთ სამართალდამცავთა რაზმების როტაციის ვადები, ფორმები და მათ მიერ ინდივიდუალური ძალის გამოყენება?
  - 3.4. შეზღუდეთ პოტენციური დამნაშავეების წრე არალეიტალური იარაღისა და საბრძოლო მასალის ნებადართული გამოყენების ჩანაწერების მიხედვით? აღნიშნულის შემთხვევაში, მათ მიმართ ჩაატარდა საგამოძიებო მოქმედებები?
  - 3.5. დემონსტრანტებისა და ჟურნალისტებზე ძალადობის ფაქტების ეფექტიანი და შედეგიანი გამოძიებისათვის სხვა რა საგამოძიებო მოქმედებები ჩაატარეთ?
  - 3.6. დემონსტრანტებისა და ჟურნალისტებზე ძალადობის ფაქტებთან დაკავშირებით, მიმართეთ თუ არა საქართველოს პროკურატურას რომელიმე სამართალდამცავის ბრალის წარდგენის შესახებ?
  - 3.7. საქართველოს შინაგან საქმეთა სამინისტრომ უზრუნველყო აქციების დაშლაში ჩართულ პირთა საიდენტიფიკაციო მონაცემებით აღჭურვა? თუ კი - როდის?

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა







# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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№ გ-04/27-25

28.01. 2025 წ.

საქართველოს შინაგან საქმეთა სამინისტროს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

აღნიშნული დოკუმენტირების მიზნებისთვის, საქართველოს კონსტიტუციის მე-18 მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40 მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ შემდეგი ინფორმაცია:

1. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით შეკრება-მანიფესტაციის დროს დაკავებულ და დროებითი მოთავსების იზოლაციებში მოთავსებულ რამდენ პირს აღენიშნებოდა დაზიანებები?

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI), ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea), სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი (HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო რეაბილიტაციის ცენტრი (GCRT).

2. აქედან, რამდენ პირთან დაკავშირებით მიმართეთ სპეციალურ საგამოძიებო სამსახურს და ინფორმაციის მიღებიდან რა ვადაში?
3. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით შეკრება-მანიფესტაციის დროს დაკავებულ რამდენი პირის შემთხვევაში, განაცხადა უარი იზოლატორის ექიმმა პირის იზოლატორში განთავსებაზე, დაზიანებების სიმძიმის გამო?
4. რამდენი ადმინისტრაციულ-სახელდადებული (ადმინისტრაციულ-პატიმრობა შეფარდებული) პირი მოთავსდა იზოლატორში დაზიანებებით?
5. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით, რამდენი პირი გადაიყვანა პოლიციამ სამედიცინო დაწესებულებაში საპროტესტო აქციიდან? გთხოვთ, აღნიშნული ინფორმაცია მოგვაწოდოთ ჩაშლილად, თითოეული თარიღისთვის.
6. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით, საპროტესტო აქციაში მონაწილე რამდენი პირი გადაიყვანა პოლიციამ სამედიცინო დაწესებულებაში პოლიციის განყოფილებიდან და რამდენი - დროებითი მოთავსების იზოლატორიდან? გთხოვთ, აღნიშნული ინფორმაცია მოგვაწოდოთ ჩაშლილად, თითოეული თარიღისთვის.

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა







# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

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№ გ-04/28-25

28.01. 2025 წ.

ოკუპირებული ტერიტორიებიდან დევნილთა, შრომის, ჯანმრთელობისა და  
სოციალური დაცვის სამინისტროს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან  
მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი  
დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

აღნიშნული დოკუმენტირების მიზნებისთვის, საქართველოს კონსტიტუციის მე-18  
მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40  
მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ შემდეგი ინფორმაცია:

1. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით, რამდენი პირი  
გადაიყვანა პოლიციამ სამედიცინო დაწესებულებაში საპროტესტო აქციიდან?

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI),  
ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea),  
სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს  
დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და  
მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი  
(HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა  
ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო  
რეაბილიტაციის ცენტრი (GCRT).

გთხოვთ, აღნიშნული ინფორმაცია მოგვაწოდოთ ჩაშლილად, თითოეული თარიღისთვის.

2. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით, საპროტესტო აქციაში მონაწილე რამდენი პირი გადაიყვანა პოლიციამ სამედიცინო დაწესებულებაში პოლიციის განყოფილებიდან და რამდენი - დროებითი მოთავსების იზოლატორიდან? გთხოვთ, აღნიშნული ინფორმაცია მოგვაწოდოთ ჩაშლილად, თითოეული თარიღისთვის.
3. 2024 წლის 28 ნოემბრიდან, 2024 წლის 28 იანვრის ჩათვლით საპროტესტო აქციაზე ან საპროტესტო აქციასთან დაკავშირებით განხორციელებული საპოლიციო ღონისძიების შედეგად დაშავებულმა რამდენმა პირმა მიმართა სამედიცინო დაწესებულებას თვითღიზიანებით? აღნიშნული ინფორმაცია მოგვაწოდოთ ჩაშლილად, თითოეული თარიღისთვის.
4. აქედან, რამდენმა პირმა მიმართა სამედიცინო დაწესებულებას საპროტესტო აქციაზე საპოლიციო ღონისძიების ფარგლებში გამოყენებული ქიმიური ნივთიერებების ზემოქმედების გამო? გთხოვთ, აღნიშნული ინფორმაცია მოგვაწოდოთ ჩაშლილად, თითოეული თარიღისთვის.

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი



ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა







შ-04/07-25  
21.02.25

**ოკუპირებული ტერიტორიებიდან  
დევნილთა, შრომის, ჯანმრთელობისა  
და სოციალური დაცვის სამინისტრო**

19 თებერვალი 2025

აკაკი წერეთლის გამზ. N144  
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საქართველოს ახალგაზრდა იურისტთა ასოციაციის  
ადამიანის უფლებების პროგრამის დირექტორს  
ქალბატონ თამარ ონიანს

ქალბატონო თამარ,

საქართველოს ოკუპირებული ტერიტორიებიდან დევნილთა, შრომის, ჯანმრთელობისა და სოციალური დაცვის სამინისტრომ განიხილა თქვენი 2025 წლის 30 იანვრის №97981 წერილი, 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრამდე მიმდინარე აქციებიდან, იზოლაციებიდან და პოლიციის განყოფილებებიდან სამედიცინო დაწესებულებებში გადაყვანილი პირების შესახებ.

სამინისტრო მოკლებულია შესაძლებლობას მოგაწოდოთ ინფორმაცია, 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრამდე პერიოდში, პოლიციის მიერ რამდენი პირის გადაყვანა მოხდა სამედიცინო დაწესებულებაში საპროტესტო აქციიდან, თუმცა შეგვიძლია გაცნობოთ, რომ სამინისტროს სსიპ საგანგებო სიტუაციების კოორდინაციისა და გადაუდებელი დახმარების ცენტრის ბრიგადებმა, აქციებიდან სამედიცინო დაწესებულებებში, 207 პირი გადაიყვანა.

ასევე სამინისტრო მოკლებულია შესაძლებლობას, მოგაწოდოთ ინფორმაცია პოლიციის მიერ, დროებითი მოთავსების იზოლაციებიდან და პოლიციის განყოფილებიდან, სამედიცინო დაწესებულებებში გადაყვანილი აქციის მონაწილეების რაოდენობის შესახებ, თუმცა სამინისტროს კომპეტენციის ფარგლებში შეგვიძლია გაცნობოთ, რომ 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრამდე პერიოდში, სსიპ საგანგებო სიტუაციების კოორდინაციისა და გადაუდებელი დახმარების ცენტრის ბრიგადების მიერ პოლიციის განყოფილებიდან გადაყვანილია 18 პირი, ხოლო დროებითი დაკავების იზოლაციიდან - 16 პირი.

აქვე გაცნობებთ, რომ ინფორმაციას სამედიცინო დაწესებულებებში თვითდინებით (მათ შორის ქიმიური ნივთიერებების ზემოქმედების გამო) მისული აქციის მონაწილეების შესახებ სამინისტრო არ ფლობს.

პატივისცემით,

საჯარო ინფორმაციის გაცემაზე პასუხისმგებელი პირი



სამმართველოს უფროსი, მეორადი სტრუქტურული  
ერთეულის ხელმძღვანელი  
ანა დარახველიძე

ხელმოწერილია/  
შტამპდასმულია  
ელექტრონულად



05.06.2020



№ 8-04/29-25

28.01. 2025 წ.

ოკუპირებული ტერიტორიებიდან დევნილთა, შრომის, ჯანმრთელობისა და  
სოციალური დაცვის სამინისტროს  
საჯარო ინფორმაციის გაცემაზე პასუხისმგებელ პირს

განცხადება

(საჯარო ინფორმაციის გამოთხოვის თაობაზე)

სამოქალაქო საზოგადოების ორგანიზაციები<sup>1</sup> ახორციელებენ 2024 წლის 28 ნოემბრიდან  
მიმდინარე საპროტესტო აქციების მონაწილეთა/მხარდამჭერთა მიმართ ჩადენილი  
დანაშაულებისა და უფლებადარღვევების დოკუმენტირებას.

აღნიშნული დოკუმენტირების მიზნებისთვის, საქართველოს კონსტიტუციის მე-18  
მუხლის, საქართველოს ზოგადი ადმინისტრაციული კოდექსის 37-ე, 38-ე და მე-40  
მუხლების შესაბამისად, გთხოვთ, მოგვაწოდოთ შემდეგი ინფორმაცია:

1. რა ქიმიურ ნივთიერებებს იყენებდა შინაგან საქმეთა სამინისტრო 2024 წლის 28  
ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით განხორციელებული საპოლიციო  
ღონისძიებების ფარგლებში? გთხოვთ, ინფორმაცია მოგვაწოდოთ თარიღების  
მიხედვით.

<sup>1</sup> საქართველოს ახალგაზრდა იურისტთა ასოციაცია (GYLA), დემოკრატიის კვლევის ინსტიტუტი (DRI),  
ინფორმაციის თავისუფლების განვითარების ინსტიტუტი (IDFI), სამოქალაქო იდეა (Civic Idea),  
სამართლიანი არჩევნებისა და დემოკრატიის საერთაშორისო საზოგადოება (ISFED), საქართველოს  
დემოკრატიული ინიციატივა (GDI), სოციალური სამართლიანობის ცენტრი (SJC), ტოლერანტობის და  
მრავალფეროვნების ინსტიტუტი (TDI), უფლებადამცველთა გაერთიანება - ადამიანის უფლებათა ცენტრი  
(HRD), უფლებები საქართველო (RG), პარტნიორობა ადამიანის უფლებებისთვის (PHR), ქალთა  
ინიციატივების მხარდამჭერი ჯგუფი (WISG), წამების მსხვერპლთა ფსიქოსოციალური და სამედიცინო  
რეაბილიტაციის ცენტრი (GCRT).



2. 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით პერიოდში, რომელ თარიღებში იყენებდა შინაგან საქმეთა სამინისტრო წყლის ქავლს, რომელშიც ქიმიური ნივთიერება იყო შერეული?
3. რა ქიმიური ნივთიერება იყო შერეული წყლის ქავლში აღნიშნულ თარიღებში და რა კონცენტრაციით?
4. არსებობს თუ არა რაიმე სახელმძღვანელო წესები, რომელიც განსაზღვრავს რა ფორმით და კონცენტრაციით უნდა მოხდეს წყლის ქავლში აღნიშნული ქიმიური ნივთიერების შერევა? ასეთი სახელმძღვანელო დოკუმენტის/წესების არსებობის შემთხვევაში, გთხოვთ გაგვიზიაროთ იგი.
5. არსებობს თუ არა რაიმე სახელმძღვანელო წესები სამედიცინო დაწესებულებების და სამედიცინო მუშაკებისთვის, თუ როგორ უნდა მოხდეს აღნიშნული ნივთიერებებით დაზარალებული პირისთვის გადაუდებელი დახმარების გაწევა და შემდგომი მკურნალობა?
6. იყვნენ თუ არა სამედიცინო დაწესებულებები ინფორმირებული გამოყენებული ქიმიური საშუალებების შემადგენლობის და მისი შესაძლო ეფექტების შესახებ? თუ კი, როდის და რა ფორმით მოხდა მათი ინფორმირება.
7. თქვენმა სამინისტრომ პროაქტიულად გამოითხოვა თუ არა გამოყენებული ქიმიური საშუალებების შესახებ ინფორმაცია შინაგან საქმეთა სამინისტროდან? დადებითი პასუხის შემთხვევაში, როდის? მიეწოდა ინფორმაცია თუ არა სამინისტროს და რა მასშტაბით?

გთხოვთ, საქართველოს ზოგადი ადმინისტრაციული კოდექსის მე-40 მუხლის შესაბამისად, მოთხოვნილი საჯარო ინფორმაცია მოგვაწოდოთ ელექტრონული ფორმით, შემდეგ ელექტრონულ მისამართზე: [Evidence@gyla.ge](mailto:Evidence@gyla.ge).

თამარ ონიანი

ადამიანის უფლებების პროგრამის დირექტორი

საკონტაქტო პირი: თამაზ კირტავა



შ-04/08-25

21.02.25

აკაკი წერეთლის გამზ. N144  
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**ოკუპირებული ტერიტორიებიდან  
დევნილთა, შრომის, ჯანმრთელობისა  
და სოციალური დაცვის სამინისტრო**

19 თებერვალი 2025

MOH 7 25 00192431

საქართველოს ახალგაზრდა იურისტთა ასოციაციის  
ადამიანის უფლებების პროგრამის დირექტორს  
ქალბატონ თამარ ონიანს

ქალბატონო თამარ,

საქართველოს ოკუპირებული ტერიტორიებიდან დევნილთა, შრომის, ჯანმრთელობისა და სოციალური დაცვის სამინისტრომ განიხილა თქვენი 2025 წლის 30 იანვრის №98067 წერილი, რომლითაც მოთხოვნილია ინფორმაცია 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრამდე მიმდინარე აქციების შესახებ.

გაცნობებთ, რომ სამინისტრო არ ფლობს ინფორმაციას 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით განხორციელებული საპოლიციო ღონისძიებების ფარგლებში გამოყენებული ქიმიური ნივთიერებების შესახებ.

ასევე, მოკლებული ვართ შესაძლებლობას მოგაწოდოთ ინფორმაცია, 2024 წლის 28 ნოემბრიდან 2025 წლის 28 იანვრის ჩათვლით პერიოდში, შინაგან საქმეთა სამინისტროს მიერ თუ რომელ თარიღებში იქნა გამოყენებული სპეციალური საშუალება - წყლის ჭავლი.

ინფორმაციას იმის შესახებ, რომ პოლიციის მიერ გამოყენებული სპეციალური საშუალება - წყლის ჭავლი შეიცავდა თუ არა საერთოდ რაიმე სახის ქიმიურ ნივთიერებას ან რა კონცენტრაციით, სამინისტრო არ ფლობს. აღნიშნულ საკითხზე ინფორმაციის მიღების მიზნით მიმართეთ შესაბამის უწყებას.

„პოლიციის შესახებ“ საქართველოს კანონის 33-ე მუხლის თანახმად, პოლიციელის მიერ გამოყენებად სპეციალურ საშუალება - წყლის ჭავლში, რაიმე სახის ქიმიური ნივთიერების შერევის ფორმა ან კონცენტრაციის ნორმა, სამინისტროს მიერ ნორმატიული აქტით არ არის დარეგულირებული.

როგორც სასწრაფო სამედიცინო დახმარების ბრიგადის, ასევე სამედიცინო დაწესებულებების სამედიცინო პერსონალი გადაუდებელი მდგომარეობების მართვისას ხელმძღვანელობს საქართველოს შრომის, ჯანმრთელობისა და სოციალური დაცვის მინისტრის 2010 წლის 24 დეკემბრის №275/ო ბრძანებით დამტკიცებული გაიდლაინით - „გავრცელებული გადაუდებელი მდგომარეობის მართვა ზოგად საექიმო პრაქტიკაში“, გაიდლაინი მოიცავს ისეთი სხვადასხვა გადაუდებელი მდგომარეობის და სიმპტომების მქონე პაციენტთა მართვას და მკურნალობას, რომელიც შეიძლება გამოწვეული იყოს სასუნთქი გზების და რეცეპტორების გაღიზიანებით, ინტოქსიკაციით (სხვადასხვა ქიმიური ნივთიერებებით, პიროტექნიკის აფეთქების შედეგად გამოფრქვეული ნივთიერებებით, ალკოჰოლით და ა.შ.), ფიზიკური დაზიანებით და სხვა.

მიმდინარე პროცესების შესახებ სამედიცინო დაწესებულების პერსონალი ინფორმირებული იყო მედია საშუალებების და სასწრაფო სამედიცინო დახმარების

ბრიგადების მიერ, დაშატებითი ინფორმაციის მიწოდების საჭიროება არ დაძღვარა, ვინაიდან პაციენტთა მკურნალობა მიმდინარეობდა სიმპტომურად, დადგენილი გაიდლაინის საფუძველზე.

საქართველოს ოკუპირებული ტერიტორიებიდან დევნილთა, შრომის, ჯანმრთელობისა და სოციალური დაცვის სამინისტროს მიერ, შინაგან საქმეთა სამინისტროდან, აქციების დროს გამოყენებული ქიმიური ნივთიერებების შესახებ ინფორმაციის გამოთხოვა არ მომხდარა, საჭიროების არ არსებობის გამო.

პატივისცემით,

საჯარო ინფორმაციის გაცემაზე პასუხისმგებელი პირი

სამმართველოს უფროსი, მეორადი სტრუქტურული  
ერთეულის ხელმძღვანელი  
ანა დარახველიძე



ხელმოწერილია/  
შეამოწმა/საქართველოს  
ჯანდაცვის სამსახურის  
დირექტორის ნაცვალად

