

Briefing Note on **Criminal Justice** in Georgia: Key Developments Since Spring 2024 Submitted to the OSCE Human Dimension Mechanism (February, 2026)





**Briefing Note on Criminal Justice in Georgia:
Key Developments Since Spring 2024**

Submitted to the OSCE Moscow Mechanism

Georgian Young Lawyers' Association

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I. Introduction

This document has been prepared by Georgian Young Lawyers' Association (GYLA) to provide information to the OSCE Moscow Mechanism on the state of criminal justice in Georgia since 2024.

Since 2011, GYLA has been monitoring court proceedings using a specially developed methodology and published 18 reports on criminal cases, along with 2 special reports. According to GYLA's court monitoring assessment, in 2024-2025 politically motivated justice became one of the most alarming trends. As a result of GYLA's court monitoring, a total of 147 individuals were charged under criminal law in connection with the protests of 2024-2025.¹

Presented document draws on broader research, monitoring reports, and source materials, which are referenced throughout the text. Relevant GYLA reports are also submitted to the OSCE Moscow Mechanism alongside this submission.

Trial monitoring of cases concerning freedom of assembly and freedom of expression since spring 2024 reveals that the criminal justice system in Georgia operates on a principle of institutional interdependence between the Prosecutor's Office and the Common Courts. This relationship, however, often exhibits patterns of mutual accommodation that may undermine adherence to the professional independence and impartiality expected from both prosecutors and judges. This assumption is supported by the fact that, in most cases, the motions submitted by the prosecution to the court were granted.

II. Criminal Proceedings against Individuals in Context of 2024-2025 Events

As of now there are 161 individuals whose criminal cases can be declared as cases of high society interest as they can be directly related to the contexts associated with exercising instrumental rights such as freedom of expression, assembly and association; and may **contain elements of political motive / hidden intent**.²

2.1. Criminal Cases Related to 2024 Spring Protests

Since the introduction of the "Law of Georgia on Transparency of Foreign Influence" ("Russian Law") in the spring of 2024, the government of Georgia has been trying to narrow the civil space through instrumentalization of criminal to intimidate protest participants and suppress democratic dissent.³ The Prosecutor's Office of Georgia **charged 10 individuals with a series of criminal proceedings** under various articles of the Criminal Code: assault on a police officer; Damage or destruction of property; Illegal sowing, growing or cultivation of plants containing narcotics. Tbilisi City Court has delivered judgements of conviction in all criminal cases related to the spring 2024 protests.⁴ During the criminal proceedings, a pattern of artificial delays in court hearings was observed: despite largely undisputed

¹ GYLA, Human Rights Situation in Georgia 2025 Assessment of the Georgian Young Lawyers' Association December 10 2025, p. 20, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20SITUATION%20IN%20GEO%20RGIA%202025.pdf, [05.02.2026].

² Ibid, p. 5.

³ GYLA, Georgia: Human Rights Amidst the Russian Law, Human Rights 60 Days Following the Revival of the Foreign Influence Transparency Bill, 2024, https://admin.gyla.ge/uploads_script/publications/pdf/rusuli%20kanoni.pdf, [05.02.2026].

⁴ GYLA, The Court issued judgments of conviction for all persons detained under criminal charges during the protests against the Russian Law, 04.02.2025, <https://gyla.ge/en/post/gala-rusuli-kanonis-protestis-dros-dakavebulebs-patimroba-miesaja>, [05.02.2026].

evidence, hearings were repeatedly postponed for extended periods on various grounds.⁵ GYLA assessed that the Prosecutor's Office and the Tbilisi City Court may have deliberately prolonged proceedings, potentially to hinder President Salome Zourabichvili's exercise of her constitutional pardon powers. Such practices raise concerns about alleged political bias and risk undermining the independence and credibility of both the prosecutorial authorities and the judiciary.⁶

2.2. Criminal Cases Related to 2024 November – December Protests

43 individuals, including 1 minor were charged under criminal grounds in context of November – December 2024 protests. Individuals were mostly charged with following crimes: organizing or participating in group violence; preparation of an explosion; assaulting a police officer; damaging or destroying property by arson, explosion, or other dangerous means; unlawful production, manufacture, acquisition, storage, transportation, or transfer of narcotic substances, their analogues, or precursors in particularly large quantities; attempting to block a strategic facility and other.⁷ Except for 3 Georgian individuals,⁸ who were charged in drug related crimes, all defendants were found guilty by the court. **The examinations of the cases at courts were accompanied by various fair trial violations:**

- *Practice of use pretrial detention without considering individual circumstances of the defendant;*
- *The principle of publicity, particularly restrictions on media to coverage proceedings;*
- *Restriction of the right to defense, particularly, unjustifiably appointed public defence lawyers to all of the defendants;*
- *Issues Related to translation of proceedings for foreign defendants;*
- *Violation of Presumption of Innocence by high-ranking government officials through their public statements.⁹*

⁵ GYLA, Court Postpones Hearings on Criminal Cases of Participants in "Russian Law" Protests, 24.11.2024, <https://gyla.ge/en/post/rusuli-kanonis-saprotesto-aqciis-monawileta-sasamrtlo-chianurdeba>, [05.02.2026].

⁶ GYLA, Civil Rights Facing Increased Police Terror, https://admin.gyla.ge/uploads_script/publications/pdf/CIVIL%20RIGHTS%20FACING%20INCREASED%20POLICE%20TERROR.pdf, [05.02.2026].

⁷ GYLA, The Cases of Individuals Detained Under Criminal Law in Relation to the Protests, 2025, [https://admin.gyla.ge/uploads_script/publications/pdf/cases%20\(1\).pdf](https://admin.gyla.ge/uploads_script/publications/pdf/cases%20(1).pdf), [05.02.2026].

⁸ Giorgi Akhobadze, Tevdore Abramov, Nikoloz Katsia.

⁹ GYLA, The Results of Monitoring Politically Motivated Cases Related to Detainees During Protests in 2024-2025 at First Instance Courts, 2025, https://admin.gyla.ge/uploads_script/publications/pdf/2024-2025%20wlebSi%20politikurad%20motivirebuli%20saqmeebi_eng.pd, [05.02.2026].

GYLA assesses these cases as being motivated by an ulterior purpose. The trial examination of these criminal cases revealed signs of selective justice, where the government apparatus was fully involved, including through the use of legal and propaganda resources. The decisions taken in these cases, at various stages of the examination, highlighted both the lack of judicial independence and, in some cases, serious challenges to professional competence. The final judgements taken by the court did not contain such a set of evidence that would convince an objective person of the guilt of the person, which indicates that the decisions taken by the judges in a number of criminal cases did not meet the standard of beyond reasonable doubt necessary to deliver a judgment of conviction. This trend significantly damages the already alarming level of trust in the judiciary, undermines the principle of the rule of law, and increases the risk of politically motivated justice in other criminal cases. GYLA considers the cases under review to be politically motivated, with the predominant purpose of the proceedings being retaliation against dissent. See the relevant report referenced in the list of sources below.

Case of Mzia Amaglobeli

All the cases included in GYLA's trial monitoring are cases in which GYLA acts as an observer. However, the only exception is Mzia Amaglobeli's case, where GYLA serves as her representative alongside other lawyers involved in the proceedings. Mzia Amaglobeli is a political prisoner whose case is also motivated by an ulterior purpose.

2 applications have been lodged before the European Court of Human Rights (the Court) regarding Mzia Amaglobeli's cases. The proceedings of the cases of Mzia Amaglobeli before the Strasbourg Court are actively ongoing.¹¹ The first case (no. 13661/25) concerns Mzia's arbitrary and unlawful detention, a number of significant procedural violations, which indicate a possible crime on the part of the investigative agencies and presumption of innocence. Namely, the violation of following articles of the European Convention on Human Rights (the Convention): 5, 6, 8, 10, 13 in conjunction with 8 and 10, 18. In its correspondence, the Court has mentioned that the case may be granted the status of an "Impact Case." Taking this into account, the substantive consideration of the case began within an expedited timeframe, two months after the application was filed.¹² The second case (no. 36304/25) addresses the administrative arrest, continuous detention, arguing that the sticker was a protected form of expression and administrative proceedings against Mzia were unlawful and contained various of procedural violations. The case concerns the violation of following articles of the Convention: 5, 6, 10, 11 and 13 in conjunction with 5.

¹¹ GYLA, Proceedings of the Cases of Mzia Amaglobeli before the Strasbourg Court Are Actively Ongoing, <https://gyla.ge/en/post/strasburgissasamartlo-mziaamaglobelissaqme>, [05.02.2026].

¹² GYLA, The European Court of Justice has begun considering the case of Mzia Amaglobeli, <https://www.gyla.ge/post/evropulma-sasamartlom-mzia-amaglobelis-saqmis-ganxivla-daitsko-saia> [05.02.2026].

2.3. Criminal Cases Related to 2 February, 2025 Protest

In response to the planned demonstration of 2 February 2025 near Tbilisi Mall, the Government of Georgia amended Ordinance of the Government No. 361 of 23 October 2024 on 31 January 2025. As a result of this amendment, criminal liability was imposed for blocking Aghmashenebeli Avenue near Tbilisi Mall, which later formed the basis for the **prosecution of 8 individuals**. The amendment to the Ordinance of the Government was introduced within a single day. Consequently, an act that would not have entailed criminal liability the day before became punishable under criminal law. Since the demonstration had been announced prior to the amendment, and the amendment was adopted just one day before the event, the public had no reasonable time to be informed. The fact that a single provision was added to the Ordinance of the Government one day before the planned demonstration, covering the exact location of the announced protest, raises suspicions that the “Georgian Dream” abuses its powers in an attempt to deliberately hinder the exercise of the fundamental rights to freedom of assembly and expression.¹⁴

2.4. Criminal Cases Against Politicians Related to Refusal of Summons to the Commission

On 5 February 2025 the Parliament of Georgia established a temporary investigative commission to assess the activities of the former government in power between 2003-2012. On 1 April 2025, the Parliament expanded the commission’s mandate to cover the period 2012-2025. The commission’s authority to summon 8 individuals (*Badri Japaridze, Mamuka Khazaradze, Irakli Okruashvili, Nika Gvaramia, Zurab “Girchi” Japaridze, Giorgi Vashadze, Nikanor Melia, Giorgi (Givi) Targamadze*) led to referrals for criminal prosecution for non-appearance and as result sentencing them imprisonment, which GYLA considers incompatible with Georgian law, arguing that overlapping administrative and criminal provisions must be interpreted in line with proportionality, legal foreseeability, and the principle of minimum interference, especially given the minor nature of the offense and inconsistent prosecutorial practice. Additional concerns arise from preventive measures in related proceedings, notably, a preventive measure is intended to prevent the accused from evading the court, continuing criminal activity, or obstructing the enforcement of the sentence. The accused must not be subjected to imprisonment or another severe preventive measure if the intended aims can be achieved through a less restrictive alternative. The legal basis for applying a preventive measure is a reasonable presumption that the accused may abscond or fail to appear in court, destroy case-related evidence, or commit a new crime.¹⁵

Several defendants received prison sentences of up to one year, some of whom have already served their terms and been released from penitentiary institutions: Giorgi Vashadze, Zurab “Girchi” Japaridze, and Giorgi (Givi) Targamadze. Badri Japaridze and Mamuka Khazaradze were pardoned in relation to this case. Irakli Okruashvili and Nikanor Melia remain imprisoned due to the separate convictions. Nika Gvaramia’s eight-month sentence is set to expire on 12 February.

¹³ GYLA, Another Application Concerning Violations of the Rights of Mzia Amaglobeli has been Lodged before the Strasbourg Court, <https://gyla.ge/en/post/mziaamaglobelissaqme-strasbourgshi-saia>, [05.02.2026].

¹⁴ GYLA et al, Human Rights Crisis in Georgia Following the 2024 Parliamentary Elections, 28 November 2024 - 28 February 2025, p. 130, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf, [05.02.2026].

¹⁵ GYLA, Human Rights Situation in Georgia 2025 Assessment of the Georgian Young Lawyers’ Association December 10 2025, p. 24-25, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20SITUATION%20IN%20GEO%20RGIA%202025.pdf, [05.02.2026].

2.5. Criminal Cases Related to Opposition Politicians

The Prosecutor's Office has recently brought new charges against 8 politicians (*Mikheil Saakashvili, Giorgi Vashadze, Nika Gvaramia, Nikanor Melia, Zurab "Girchi" Japaridze, Elene Khoshtaria, Mamuka Khazaradze, Badri Japaridze*) accusing them of crimes against the state such as sabotage, aiding foreign hostile activities, undermining constitutional order, and calling for violent government overthrow. Additionally, opposition politician Levan Khabeishvili is in custody for allegedly offering bribes to law enforcement officers to commit illegal acts and calling for the government's overthrow.¹⁶ These cases raise concerns that they involve mostly the same individuals (except Mikheil Saakashvili and Elene Khoshtaria) who were previously charged for non-attendance at parliamentary commission sessions and, after serving their respective sentences, have again become subjects of new criminal proceedings initiated by the Prosecutor's Office. **This pattern suggests a possible practice of targeting politically active individuals through successive criminal charges. The pre-trial court hearing in these cases commenced on February 10, 2026 (after this, the case will proceed to a merits hearing) and GYLA will continue to monitor the proceedings closely.**

On 12 November 2025, Giorgi Gakharia was charged with organizing the intentional infliction of serious harm to the health of more than two persons and with abuse of official authority by a person holding a state political position in connection with the events of 20–21 June 2019. Gakharia is also accused of intentionally exceeding the scope of his official authority in the so-called Chorchana episode. According to the Prosecutor's Office, his actions caused a substantial violation of the legitimate interests of society and the state. As is publicly known, the investigation into the events of 20–21 June has been ongoing for years. It is therefore important to understand what new circumstances the investigative body has discovered six years after the incident that could serve as the basis for the charges against Giorgi Gakharia - and, if such evidence exists, why it could not have been identified earlier. This case is noteworthy not only in terms of Gakharia's potential culpability, but also in terms of evaluating the effectiveness of the long-running investigation. The statement released by the Prosecutor's Office regarding the so-called Chorchana episode adds a tragicomic dimension to the activities of the investigative bodies. It is difficult to imagine that a Minister of Internal Affairs could commit an act of the gravity described in the charges, and that it would take six years for the investigative body to respond. A separate issue requiring clarification and assessment is the legal classification of the alleged offence, including why the decision to erect an additional police checkpoint along the occupation line on the territory of Georgia would amount to a violation of the legitimate interests of society and the state.¹⁷

The current practice of extensively using criminal law mechanisms against opposition party leaders creates a high risk that a political element will be present in the case, which undermines the proper administration of justice and effectively serves the purpose of political persecution.

2.6. Criminal Cases Related to 4 October, 2025 Events

In the context of October 4 (2025) 66 people have been arrested and charged under criminal law. They are mostly accused of organizing group violence, attempting to seize and block strategic and special-importance facilities as a group, and resisting the police. The prosecution and the court still have strict approaches in the October 4 cases and mostly sentenced the defendants to pre-trial detention as a measure of restraint.¹⁸

¹⁶ GYLA, Human Rights Situation in Georgia 2025 Assessment of the Georgian Young Lawyers' Association December 10 2025, p. 25, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20SITUATION%20IN%20GEO%20RGIA%202025.pdf, [05.02.2026].

¹⁷ Ibid, p.26-27.

¹⁸ Ibid, 23-24.

III. Amendments to the Criminal Legislation

In February 2024, the Parliament introduced amendments to the Criminal Code that tightened punishments, added new aggravating circumstances, and created new criminal offenses, continuing the trend of using criminal law as a political tool. Sanctions were increased for public incitement to violence (Art. 239¹), resistance or violence against public order officials (Art. 353), and assault on police or other authorities (Art. 353¹), with new aggravating factors such as group action, repeated offenses, presence of minors, or use of dangerous means. A new offense (Art. 353²) was also introduced criminalizing threats or attacks against public officials or their family members. Additionally, the amendments criminalized the blocking of motorways and strategic facilities (Arts. 222 and 330), linking the scope of these offenses to a government-approved list of strategic objects. This post-facto criminalization violates principles of legal accessibility, foreseeability, and generality, exceeds the government's authority, and undermines freedom of assembly.¹⁹

In October 2025, amendments to the Criminal Code further deteriorated the legal environment regulating freedom of assembly. Under the amendments to the Criminal Code, a person who has already been administratively punished for violating the rules governing assemblies or demonstrations, or for disobeying the police, becomes criminally liable if they commit the same act again. The amendments were also strongly criticized by the ODIHR, stating that the amendments raise serious concerns due to their inconsistency with international human rights obligations and should be repealed. These amendments significantly undermine freedom of assembly and, in effect, criminalize the exercise of this right.²⁰

IV. Ill-treatment Incidents against Detained Individuals Related to 2024-2025 Events

Totally 17 detained individuals reported incidents of ill-treatment during court proceedings, amounting to acts punishable under the Constitution of Georgia, international human rights instruments, and criminal law, including conduct comparable to torture, threats of torture, or degrading or inhuman treatment under Articles of the Criminal Code of Georgia.²¹ Allegations of ill-treatment were raised by **13 persons detained and charged in context of November – December protests of 2024.**²² Among the 13 individuals, who stated about ill-treatment, only one (Saba Skhvitaridze) was granted victim status, while the remaining 12 were not recognized as victims. In addition, several defendants pointed to problems within penitentiary establishments, in particular: heat and lack of ventilation; the presence of cockroaches in cells; water and canalization problems; and insufficient medical care.²³ Also, **4**

¹⁹ GYLA et al, Human Rights Crisis in Georgia Following the 2024 Parliamentary Elections, 28 November 2024 - 28 February 2025, p. 129-130, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf, [05.02.2026].

²⁰ GYLA, Human Rights Situation in Georgia 2025 Assessment of the Georgian Young Lawyers' Association December 10 2025, p. 16, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20SITUATION%20IN%20GEO%202025.pdf, [05.02.2026].

²¹ Ibid, p. 20, p. 23.

²² Saba Skhvitaridze, Revaz Kiknadze, Nikoloz Katsia, Anatoly Gigauri, Davit Khomeriki, Davit Lomidze, Temur Zasokhashvili, Archil Museliants, Anastasia Zinovkina, Artem Gribul, Tevdore Abramov, Aleksandre Elisashvili, and Mzia Amaghlobeli.

²³ GYLA, The Results of Monitoring Politically Motivated Cases Related to Detainees During Protests in 2024-2025 at First Instance Courts, 2025, p.23, https://admin.gyla.ge/uploads_script/publications/pdf/2024-2025%20webSi%20politikurad%20motivirebuli%20saqmeebi_eng.pdf, [05.02.2026].

individuals charged in case of 4 October of 2025 events alleged ill-treatment, namely they reported violence, physical abuse and threats, including threats of rape.²⁴

Neither the Special Investigation Service (prior to its abolition on 1 July 2025²⁵) nor the Prosecutor's Office identified responsible individuals. The abolition of the Special Investigation Service further indicates a lack of willingness to effectively investigate police violence and ill-treatment,²⁶ comply with EU Association Agreement obligations, implement European Court of Human Rights judgments, and follow Venice Commission recommendations.²⁷

²⁴ GYLA, Human Rights Situation in Georgia 2025 Assessment of the Georgian Young Lawyers' Association December 10 2025, p. 23,

https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20SITUATION%20IN%20GEO%20RGIA%202025.pdf, [05.02.2026].

²⁵ GYLA, The abolition of the Special Investigation Service confirms that the Georgian Dream does not even formally intend to investigate torture and police violence, 23.05.2025; <https://gyla.ge/post/specialuri-sagamodziebos-gauqmeba>, [05.02.2026].

²⁶ GYLA, The Results of Monitoring Politically Motivated Cases Related to Detainees During Protests in 2024-2025 at First Instance Courts, 2025, p.23, https://admin.gyla.ge/uploads_script/publications/pdf/2024-2025%20wlebSi%20politikurad%20motivirebuli%20saqmeebi_eng.pdf, [05.02.2026].

²⁷ Ibid.

List of Relevant Publications Prepared by GYLA

- The Results of Monitoring Politically Motivated Cases Related to Detainees During Protests in 2024-2025 at First Instance Courts, Georgian Young Lawyers' Association (GYLA), 2025, https://admin.gyla.ge/uploads_script/publications/pdf/2024-2025%20wlebSi%20politikurad%20motivirebuli%20saqmeebi_eng.pdf;
- Human Rights Situation in Georgia 2025 Assessment of the Georgian Young Lawyers' Association December 10 2025, Georgian Young Lawyers' Association (GYLA), 2025, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20SITUATION%20IN%20GEORGIA%202025.pdf.