

Georgia

Joint Stakeholders Report for the United Nations Universal Periodic Review 51th Session:

Repression and torture in the context of protests in Georgia

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and

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Omega Research Foundation
Submitted 29th May, 2025

The present report is developed in a context of serious deterioration of civil and political rights and fundamental freedoms in Georgia. Since the adoption of the Law on Transparency of Foreign Influence (known as the “Foreign Agents Law”), violent crackdowns on large-scale protests led in April and May 2024 jeopardized the right to freedom of expression, assembly, and participation in public life. Moreover, the excessive use of force by law enforcement agents against protesters, as well as the misuse of their equipment, has caused serious human rights violations amounting to torture and ill-treatment. Further, there are credible reports as well as video footage¹, implicating the head of the Special Tasks Department (STD), Zviad Kharazishvili, in acts of abuse against protestors.

In parallel to this, legislative changes introduced in recent months impose unprecedented restrictions on protests and increase existing sanctions. These developments constitute serious violations of Georgia’s obligations under international human rights law, including the International Covenant on Civil and Political Rights and the European Convention on Human Rights.

This report is based a joint fact-finding mission to Tbilisi conducted by the World Organisation Against Torture (OMCT), International Rehabilitation Council for Torture Victims (IRCT), the Omega Research Foundation (members of the United Against Torture Consortium, UATC) from 17 to 24 December 2024. The Georgian Young Lawyers’ Association (GYLA), the Georgian Centre for Psychosocial and Medical Rehabilitation of Torture Victims (GCRT) and the Human Rights Center (HRC) assisted the mission on the ground. The mission included 15 in-depth interviews with victims, including two injured journalists; three interviews with lawyers; seven interviews with local CSOs and experts; and a meeting with the Public Defender of Georgia; as well as independent forensic examinations of 11 survivors. More detailed observations and findings were published in recent reports (*Torture and Ill-Treatment During Protests and Suppression of Political Dissent in Georgia in November-December 2024*, Briefing Note, March 2025, OMCT; GYLA Et Al, Human Rights Crisis In Georgia Following The 2024 Parliamentary Elections, 2025, GYAL and al).

This report will delve into 4 fundamental issues:

- I. Torture in the context of protests
- II. Right to life, liberty and security of people
- III. Administration of justice and the Rule of law
- IV. Legislation restricting civic space and the right to protest

¹ Khatikhas. (2/02/2025) [Video]. Facebook.
<https://www.facebook.com/khatikhas/videos/2005856799916452/>

I. Torture in the context of protests

Previous recommendations:

During the 3rd UPR cycle, Iceland, Libya and Australia recommended Georgia to ensure the protection of freedom of expression, assembly, and media freedom, and safeguard the rights of journalists and protestors in accordance with international human rights standards. (148.126; 148.127; 148.128)

Current status of implementation

In connection with the protests of 2024, there were major abuses amounting to torture and ill-treatment of protesters. This included torture in police custody, excessive use of force by police agents, excessive and indiscriminate use of tear gas and water cannons, and arbitrary arrests and detention of protesters. Journalists, activists and human rights defenders were also targeted, sometimes by unidentified groups of masked people.

Torture and excessive use of force

Police forces used unlawful and disproportionate means to intimidate demonstrators. Victims reported that special forces would arrest protestors and beat them on the spot. They would often act in groups and take protesters behind the police cordon away from the media cameras to intensify the violence, demonstrating a planned, systematic behavior. Some protestors were dragged into **special minibuses where they were humiliated and ill-treated** on the protest's sites. Victims had their personal belongings stolen, threatened and beaten by members of the special forces, deliberately hit in the head and face. The abuses continued both during the transportation process and inside police stations.

Acts of police brutality inflicted lasting psychological traumas and physical injuries, which greatly affected the quality of life of victims. Often, the physical and the psychological abuses would be accompanied by humiliation, anti-European and homophobic rhetoric characteristic of the government narrative.

Furthermore, the **violent attacks targeted not only protesters but media representatives and human rights defenders.** During street protests, journalists and civic activists suffered from intimidation combined with criminal and/or administrative harassment. In November and December 2024, as well as in February 2025, journalists and media representatives were subjected to attacks by the police, but also by groups of masked individuals in plainclothes.

Misuse of police equipment amounting to ill-treatment

Law enforcement officers regularly used less-lethal weapons in an **excessive and indiscriminate** way to control crowds and force the dispersal of assemblies (including pepper spray and tear gas). **Tear gas was used repeatedly in the same area, against protesters who were not given the opportunity to leave.** Long-term effects of gas exposure are severe and require intensive treatment, significantly interfering with a victim's daily life. The number of people contained by policemen caused dangerous crowd movements.

In addition, **water cannons were used in freezing temperatures and mixed with chemical irritants to further harm the demonstrators.** In October 2024, the Ministry of Internal Affairs issued a statement² confirming that in April-May 2024, **it had used chemical irritants mixed in the water cannons to disperse the protests.** Authorities have not made public any information about the substance used in the water, despite repeated requests from civil society organizations.

Recommendations

- Ensure that protests are adequately facilitated by law enforcement officials and that force is only used as a measure of last resort, when non-violent means to control a situation of violence have proven to be ineffective;
- Ensure that when the use of force is required, it aligns with international and domestic standards and principles, notably legality, proportionality, necessity, precaution, non-discrimination and accountability;
- Protect and uphold freedom of expression and assembly and the absolute prohibition of torture and other ill-treatment, including by respecting and supporting free and independent media, in line with international human rights standards;
- Ensure the immediate release of all unlawfully detained persons through prompt judicial review.

Discriminatory ill-treatment and the rights of vulnerable people

Reports indicated ill-treatment against women, minors and persons with disabilities during protests. The Courts denied them the opportunity to testify about the psychological and physical violence they experienced. The police actively used sexist and misogynistic language against women as well as physical violence, such as pushing and hitting.³ Men were also subjected to homophobic slurs, particularly in reference to their pro-European views. Children were denied the chance to communicate with their legal representatives during the proceedings.

Previous recommendations

During the 3rd UPR cycle, Nepal, Australia and Malta recommended Georgia to continue and strengthen efforts to combat discrimination, including on the grounds of gender, sexual orientation, and disability, guarantee the protection of the rights of LGBTI persons and other marginalized groups, and implement measures to address all forms of gender-based violence. (148.54; 148.58; 148.203)

² Civil.ge. (2024, October 21). *MIA admits to mixing tear gas in water canons during protests against agents' law*. Civil Georgia. <https://civil.ge/archives/629286>

³ GYLA et al, HUMAN RIGHTS CRISIS IN GEORGIA FOLLOWING THE 2024 PARLIAMENTARY ELECTIONS 28 November 2024 – 28 February 2025, 2025, p. 51, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf, [15.05.2025].

Current status of implementation

Vulnerable people, including women, people with disabilities and minors have been targeted by the repression of protests. According to victims of ill-treatment, at every stage of the violence, special forces and other police units actively used homophobic language and narratives. Particularly severe violence was directed at men who stood out due to characteristics the police associated with the LGBTQ community (such as dyed or long hair, or earrings)⁴.

Georgian CSOs have documented at least three cases of ill-treatment of persons with disabilities by police forces during 2024 November-December protests.⁵ It was reported that people with disabilities were subjected to ill-treatment (beating with hands, feet, and batons, as well as mockery and intimidation) inflicted by police forces. The police forces attacked them when they were no longer at a protest or in crowded places. In such situations, 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. 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.

Cases of violence against minors have been identified as a result of documentation process undertaken by CSOs. Minors have been subjected to the same physical and psychological violence by the police as adults. They 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. Despite the law enforcement agency's' obligation to contact the minor's legal representative at the first opportunity, the children were not given the chance to communicate with their families.⁶

⁴ GYLA et al, HUMAN RIGHTS CRISIS IN GEORGIA FOLLOWING THE 2024 PARLIAMENTARY ELECTIONS 28 November 2024 – 28 February 2025, 2025, p. 51, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf, [15.05.2025].

⁵ GYLA et al, HUMAN RIGHTS CRISIS IN GEORGIA FOLLOWING THE 2024 PARLIAMENTARY ELECTIONS 28 November 2024 – 28 February 2025, 2025, pp. 53-54, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf, [15.05.2025].

⁶ GYLA et al, HUMAN RIGHTS CRISIS IN GEORGIA FOLLOWING THE 2024 PARLIAMENTARY ELECTIONS 28 November 2024 – 28 February 2025, 2025, p. 53, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf, [15.05.2025].

Recommendations:

- Enhance the capacity of law enforcement officers on minority rights to ensure equitable and rights-based treatment of women, children, persons with disabilities and LGBTI people;
- Ensure the full and safe participation of minorities in civil and political life;
- Guarantee the fundamental rights of children, women, and people with disabilities to freedom of association and to a fair trial.

II. Right to life, liberty and security of persons

Georgia has failed to ensure prompt, impartial and effective investigations of allegations of police torture and excessive use of force. Police officers are often not identified and falsify police records of protestors arrests, which makes it difficult to prepare strong evidence for cases. On top of that, victims face barriers in accessing medical care, rehabilitation, and legal support, while detention conditions and forensic examinations fail to meet international standards.

Previous recommendations

During the 3rd cycle, multiple States, including Australia, Canada, Japan, Belgium and Chile, recommended Georgia to ensure prompt, impartial and effective investigations regarding excessive use of force and attacks against journalists, media, and human rights defenders. They also recommended strengthening the independence, functioning, and resourcing of the State Inspector's Service to ensure accountability for law enforcement abuses and prevent torture (148.102; 148.103; 148.104; 148.105; 148.122; 148.131).

Current state of implementation

Investigations

State institutions **failed to carry out an effective investigation regarding torture and other human rights violations committed by law enforcement agents and unidentified plainclothes groups.** While criminal offences such as physical assaults are to be investigated by the Prosecutor's Office, cases of torture and other ill-treatment committed by public officials fall directly within the scope of the Special Investigation Service (SIS). The SIS is an organ established as an "independent body" in March 2020, responsible to carry out investigations of cases of torture and other ill-treatment. **It did not hold any law enforcement agents accountable for human rights violations, even in cases where perpetrators were clearly identified by victims and their lawyers.**

Additionally, **police records of the factual circumstances of an individual's arrest** (such as the officer who made the arrest, the time of the arrest) **are often falsified.** It has also been reported that during crackdown, police officers did not have their body cameras turned on. They wear face masks and black uniforms without insignia, making them unidentifiable. Further, the forensic medical service suffers from a lack of resources, **leading to significant delays in forensic reports.** Additionally, forensic examinations are often superficial, frequently omitting

psychological assessments and failing to examine internal organ damage, documenting only visible injuries. The overall absence of documented evidence on the injuries and their context impedes the gathering of solid elements for victims' legal claim.

Reparations and rehabilitation

There are no state-funded long-term treatment or rehabilitation programs accessible to victims of police abuse in Georgia. Instead, they rely on support from non-governmental organizations to receive necessary care, including psychological support. Civil society organizations offering legal and medical assistance are operating in an increasingly hostile environment, facing threats to their physical security.

Conditions in temporary detention centers

During the winter protests in 2024, arrested demonstrators spent several hours in custody before being taken to temporary detention centers for 48 hours. Detention conditions at temporary detention centers, like the Kutaisi Detention Center, do not meet international standards and violate detainees' rights. **Access to medical care is impossible, and detainees described bright lights remaining on round-the-clock, temperatures uncomfortably cold, and exposed toilets with no privacy.** The food provided is of poor quality, and detainees report being subjected to constant psychological pressure.

Victims also faced obstacles in accessing medical care, rehabilitation and legal support. During the protests, **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, victims, including those with serious injuries, would be taken to the police station, where they would spend several hours without the medical care they needed. 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.

Absence of identification of state agents in charge of demonstrations' security

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. It has not requested the names, surnames, or positions of the personnel. It is unknown whether any high-ranking officials with official responsibility for managing the demonstrations have been 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. Zviad Kharazhishvili, head of special task department, who is seen in media footage personally assaulting a detained protester, as well

as giving orders from his car to the officers beating a demonstrator, has not been interviewed and/or charged to date.⁷

Absence of victim status

According to the Special Investigation Service, only 88 individuals have been granted victim status. It is noteworthy that the victims of ill-treatment were granted the victim status based on their own or their lawyer's application. **Victims who did not lodge an application for the status did not receive it automatically.**⁸ Granting victim status only to those individuals who have requested it from the Prosecutor's Office indicates that the investigation is being conducted passively and that the Prosecutor's Office is not fulfilling its obligations proactively.

The absence of victim status significantly restricts the procedural rights of the victim, including the right to access case materials; the right to receive information about procedural actions taken; the right to give a testimony concerning the damage he/she has incurred as a result of the crime; the right to claim reimbursement for expenses incurred through participation in the proceeding.

Mzia Amaglobeli, a journalist, who remains in unlawful detention due to politically motivated criminal case, endured degrading treatment from the chief of Batumi city police during her detention. Despite numerous appeals, she has not to this day been granted a victim status, which fundamentally limits the protection of her rights.⁹

Recommendations

- Enhance accountability by making identification easier, notably by ensuring all police officers wear visible identification tags, providing clear marking and labelling on tear gas canisters and other less lethal devices, munition and weapons, indicating a serial number, contents, manufacturer and safe handling instructions to facilitate accountability; and by investigating cases of torture and other ill-treatment in a timely, independent, impartial and adequate manner;
- Improve the conditions in temporary detention centers and prisons, particularly to focus on conditions around pretrial detention;
- Provide comprehensive reparation to survivors, including medical treatment, psychosocial support, and financial compensation, and return their seized or stolen property;

⁷ GYLA et al, HUMAN RIGHTS CRISIS IN GEORGIA FOLLOWING THE 2024 PARLIAMENTARY ELECTIONS 28 November 2024 – 28 February 2025, 2025, p. 122, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf, [15.05.2025].

⁸ GYLA et al, HUMAN RIGHTS CRISIS IN GEORGIA FOLLOWING THE 2024 PARLIAMENTARY ELECTIONS 28 November 2024 – 28 February 2025, 2025, p. 119, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf, [15.05.2025].

⁹ GYLA et al, HUMAN RIGHTS CRISIS IN GEORGIA FOLLOWING THE 2024 PARLIAMENTARY ELECTIONS 28 November 2024 – 28 February 2025, 2025, p. 101, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf, [15.05.2025].

- Automatically grant victim status as soon as the conditions are met, in order to allow victims to exercise their rights to the fullest extent.

III. Administration of justice and the Rule of Law

Detainees are held beyond the 24-hour limit without explanation, and when asked to provide information, authorities claim ignorance of their whereabouts for hours. Fundamental fair-trial rights are overlooked, as detainees are denied legal safeguards, including contact with their family and lawyers. In court, judges dismiss victims' evidence and impose fines based solely on police testimony, protecting perpetrators and silencing victims.

Previous recommendations

During the 3rd cycle, the United States, Finland, Canada and Peru recommended Georgia to strengthen the independence and impartiality of the judiciary and law enforcement institutions by undertaking reforms that promote merit-based appointments, prevent informal governance, depoliticize the justice system, and enhance public trust in the rule of law in line with international human rights standards. (148.36; 148.37; 148.141; 148.150)

Current state of implementation

Several issues challenge the legal safeguards of detention during the protests. **As the normal duration of detention period should not exceed 24 hours¹⁰**, after which a person must be released or brought before a court for consideration of the case of offence, **protesters saw it prolonged to 48 hours without any grounds or justifications.**

In addition, protesters were frequently denied due process guarantees both in police stations and, in some instances, in detention centers. Cases of **demonstrators prevented from contacting their family members or lawyers were documented.** When inquired about the location of detainees, authorities frequently claim ignorance, leaving families without information on the whereabouts of the arrested protesters for hours. Lawyers are generally forced to wait for several hours outside temporary detention facilities before being allowed to visit their clients, preventing detainees from receiving timely legal assistance.

During court trials, it was documented that **judges would disregard the evidence presented by victims, including allegations of torture supported by visible injuries, medical reports, and photographic and video documentation.** Instead, administrative sanctions were systematically imposed based solely on the testimony of police officers who, according to detainees, were not present at the time of their arrest. Lawyers representing victims reported that judges systematically dismissed their motions and demonstrated a clear lack of impartiality.

These practices constitute grave violations of fundamental fair trial guarantees, including the principles of due process and the right to a defense. It undermines the right of individuals to present evidence in their favor, to challenge the evidence brought against them, and to have their case heard by an impartial and independent tribunal. Because of this, many victims are reluctant to file complaints due to a lack of trust in the justice system. **None of the responsible law**

¹⁰ 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.

enforcement officers or higher-ranking public officials have been held accountable for human rights violations committed against protest participants.

Recommendations

- Ensure that the maximum pre-trial detention period is strictly enforced at 24 hours, and that any extension beyond this period is subject to judicial authorization with clear justifications, in order to uphold the rule of law and prevent arbitrary deprivation of liberty.
- Strengthen access to a lawyer by requiring law enforcement to allow contact between detainees and their chosen lawyer or next of kin upon arrival at any detention facility.
- Ensure that courts fully assess and admit all relevant evidence, guaranteeing impartial judicial review and the right to a fair trial.

IV. Legislation restricting civic space and the right to protest

Recent legislation threatens to criminalize protests and create a hostile environment for human rights organizations. According to the “Foreign Agents Law” adopted in 2024, civil society organizations receiving more than 20% of their funding from abroad must register as “agent of foreign influence”. Further, the 2025 “Foreign Agents Registration” Act stipulates criminal charges against civil society organizations who do not meet its requirements.

Previous recommendations

During the 3rd cycle, Uruguay, Bulgaria and Switzerland recommended Georgia to ensure a safe and enabling environment for human rights defenders by strengthening protection measures, preventing attacks and defamation, conducting effective investigations when violations occur, and developing the national human rights strategy through a transparent and participatory process involving civil society. (148.33; 148.129; 148.130)

Current state of implementation

Civil society actors operate in an extremely hostile environment. They continue to face a major threat due to the “Law on the Transparency of the Foreign Influence.” According to this law, CSOs receiving more than 20% of their funding from abroad will be subjected to strict administrative fines if they fail to register as an “agent of foreign influence”. While the law has not yet been applied in practice, on April 1st 2025 the Parliament adopted a new law “Foreign Agents Registration Act”, which will enter into force on May 30, 2025. It imposes requirements stricter than the preceding “Law on Transparency of Foreign Influence”. Non-compliance with its requirements will result not only in administrative, but criminal charges. **This could lead to intimidation, retaliation, and punishment of those engaged in the process of documentation of human rights violations.**

Other provisions of repressive legislation have been introduced. These include the imposition of excessive penalties, the introduction of a new ground for detention based on mere “suspicion that they may recommit an offense,” a ban on the use of face masks during protests, and the possibility of unconditional dismissal of public servants without reassignment. Additionally, criminal charges rather than administrative charges are now being applied for the act of blocking major roads, and administrative sanctions have been increased for offences commonly used to target protesters (raising fines six times and detention four times higher than it used to be).

This legislation will have devastating consequences for the rule of law in Georgia, further leaving victims of torture and other gross human rights violations unprotected.

Recommendations:

- Revoke the “Law on the Transparency of Foreign Influence” and the Foreign Agents Registration Act, which restricts freedom of assembly and association, and freedom of expression;
- Ensure that CSOs and media that are involved in documenting and reporting violations, and those providing rehabilitation and legal, psychological, social and other assistance to victims work in a free and secure environment.