
Advance unedited versionDistr.: General
6 March 2024

Original: English

Human Rights Council**Fifty-fifth session**

26 February–5 April 2024

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights, including
the right to development****Visit to Georgia****Report of the Special Rapporteur on the situation of human rights
defenders*, *****Summary*

In the report on her visit to Georgia, from 30 October to 7 November 2023, the Special Rapporteur on the situation of human rights defenders, Ms. Mary Lawlor, assesses the situation for human rights defenders in the country. She highlights some positive action taken by the Government to improve the environment for promoting and protecting human rights, as well as several areas of serious concern, and makes recommendations to the State as to how the situation could be improved.

* The summary of the report is being circulated in all official languages. The report itself, which is annexed to the summary, is being circulated in the language of submission only.

** The present report was submitted to the conference services for processing after the deadline for technical reasons beyond the control of the submitting office.

Annex

Report of the Special Rapporteur on the situation of human rights defenders, Mary Lawlor, on her visit to Georgia

I. Introduction

1. Pursuant to Human Rights Council resolution 52/4, the Special Rapporteur on the situation of human rights defenders, Ms. Mary Lawlor, conducted an official visit to Georgia from 30 October to 7 November 2023. The purpose of the visit was to assess the situation for human rights defenders (HRDs) in the country, in the context of the State's obligations under international human rights law.

2. Over the course of the visit, the Special Rapporteur had the chance to talk in detail with a diverse range of actors. She and her team met Government officials, including the Deputy Foreign Minister, as well as the Advisor to the Prime Minister on Human Rights Issues and the Ministries of Interior and Education. She also met the State Security Service of Georgia, the Special Investigation Service and Prosecutor's Office, the Chairperson of the Human Rights and Civil Integration Committee of the Parliament, the Youth Agency, Communications Commission and Legal Aid Service.

3. While in the country, she met over 50 human rights defenders, including many who travelled to share their experiences with her. She thanks all of those who took the time to engage with her, as well as those who provided information in advance of her visit. She regrets not being able to access Abkhazia or South Ossetia to assess the situation for human rights defenders there.

II. Relevant international and regional legal and institutional framework

4. Georgia is party to almost all major international human rights instruments, with some important exceptions.¹ It is also a party to eight of the ten fundamental conventions of the International Labour Organisation (ILO).²

5. The UN Declaration on Human Rights Defenders affirms that while these core human rights treaties place the primary duty to protect and fulfill human rights on states, this duty includes an obligation to guarantee the right of everyone, individually and in association with others, to strive for the protection and realization of human rights, and to ensure they may count on the protection of the state while doing so.³

6. In 2022, Georgia was elected as a member of the Human Rights Council, undertaking a duty to uphold the highest standards in the promotion and protection of human rights.⁴ In proposing its candidature, the State pledged to work closely with all non-governmental organizations, in particular grassroots civil society, and cited its commitment to paying utmost attention to the implementation of the recommendations of human rights monitoring bodies.⁵ Georgia is also a consistent supporter of the annual resolution on human rights defenders proposed at the Human Rights Council.

¹ See: <https://indicators.ohchr.org/>.

² See:

https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102639.

³ A/RES/53/144, paras. 1, 2, 9 and 12, accessible at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/770/89/PDF/N9977089.pdf?OpenElement>.

⁴ A/RES/60/251, para 9, accessible at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/770/89/PDF/N9977089.pdf?OpenElement>.

⁵ A/77/71, accessible at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/313/37/PDF/N2231337.pdf?OpenElement>.

7. The State has extended a standing invitation to Special Procedures mandate holders since 2010, and has been visited frequently. It has participated in three cycles of the Universal Periodic Review and supported 9 recommendations related to human rights defenders in its most recent examination, in January 2021. These recommendations focused on effective investigations for attacks against human rights defenders, guarantees of the right to peaceful protest, combatting defamation against HRDs, including through public statements of support, and the situation of LGBTQI rights defender and defenders from minorities more broadly – all areas which will be returned to below.

8. Georgia is also a member of the Council of Europe. It has ratified the European Convention on Human Rights (ECHR) and is subject to the jurisdiction of the European Court of Human Rights, which has issued several judgements pertinent to the situation of human rights defenders in the country, most notably on LGBTQI rights defenders.⁶ In March 2022, the State applied for EU membership, with the European Commission recommending it be granted candidate status on 8 November 2023, one day after the conclusion of the Special Rapporteur's visit, on the understanding that certain reforms are implemented. These include reforms relevant to the situation of HRDs. On 16 December 2023, the EU Council granted candidate status to the country, reemphasising the need for these reforms.

III. The situation for human rights defenders in Georgia

A. The national legal and policy framework

9. As the Special Rapporteur stated in her preliminary findings following the visit, Georgia has an extremely strong, determined and diverse civil society, which has grown over time and should be considered as part of the pride of the country, including by the State. The development of the vital work of human rights defenders in the country has been supported by an overall positive legal framework for promoting human rights, beginning with the 1995 Constitution, which guarantees many of the key rights for human rights defenders.

10. Protective and supportive frameworks have been developed around many of the relevant rights in the Constitution, providing a strong basis on paper for people to promote human rights in Georgia. Examples include the Law on Freedom of Speech and Expression, the Law on Associations and the Law on Assemblies and Manifestations.

11. Through legislation, the State has also provided strong mandates for several institutions with important bearing on the environment for human rights defenders, such as the Office of the Public Defender.

12. The development of this overarching enabling framework is to be applauded for providing a solid basis for the empowerment and protection of human rights defenders. Yet during her visit the Special Rapporteur observed worrying trends concerning violations of rights guaranteed in the Constitution, shortcomings in the implementation of legislation, and recent legislative initiatives infringing on crucial rights for HRDs, which will be discussed in more detail below.

13. In March 2023, the Parliament adopted a Human Rights Strategy ('the Strategy') which will guide the State's work to advance human rights until 2030. While this is positive, of great concern is the absence of any mention of human rights defenders as a named group in the Strategy, or of the right of people to promote and protect human rights. While certain categories of persons who may be considered human rights defenders are mentioned, such as journalists, the failure to name human rights defenders as such appears to reflect the view within the Government that state agencies cannot take specific action concerning defenders as they are not able to identify them.

14. The fallacy of this position, which was directly communicated to the Special Rapporteur by State officials during the visit, is highlighted by the specific protocols already

⁶ See *Identoba and Others v Georgia*, ECtHR, 12 May 2015; *Aghdgomelashvili and Japaridze v Georgia*, ECtHR, 8 October 2020; *Women's Initiatives Supporting Group and Others v Georgia*, ECtHR, 16 December 2021.

implemented by some State agencies to address the specific needs and situation of human rights defenders. Examples of this come from the Special Investigation Service and the Prosecutor's Office, both of whom have issued binding recommendations for their investigators and prosecutors concerning the handling of criminal cases and investigations involving human rights defenders. Both agencies have also developed protocols for the collection of disaggregated statistics on the investigation and prosecution of crimes against human rights defenders. As stated by the Special Rapporteur in her end-of-mission statement, this could and should be replicated by other government agencies and ministries, notably the Ministry of Interior.

15. A further serious concern related to the Strategy is the decision by the State to exclude any reference to the rights of LGBTQI persons, discrimination on grounds of sexual orientation and gender identity, or LGBTQI rights defenders. As will be discussed in more detail below, those defending and promoting the rights of the LGBTQI are among the HRDs most targeted and at highest risk in Georgia. This was confirmed by almost every interlocutor the Special Rapporteur engaged with.

16. Information received by the Special Rapporteur from various actors as to the level of communication by the State around the development of the Strategy, as well as the time granted to stakeholders to input into it, give substantial grounds for concern as to the level of good-faith engagement, including with human rights defenders, shown by the State in its development. This impression was also communicated to the Special Rapporteur by a range of actors in relation to the Human Rights Action Plan (the 'Action Plan'), which lays out the steps for the implementation of the Strategy. A first draft of the Action Plan, seen by the Special Rapporteur during her visit, included only a single reference to human rights defenders, on the collection of statistics on crimes against human rights defenders and journalists by the Ministry of Interior. While this is an important measure that should be put in place, much more attention to the situation of human rights defenders is needed. At the time of the visit, there was no mention of the rights of the LGBTQI community in the draft Action Plan.

B. The spectre of the foreign agent law

17. In February 2023, a bill was introduced in the Parliament, supported by the Government, on transparency for “agents of foreign influence”. The proposed legislation would have created a special status and legal regime for organisations receiving foreign funding, obliging any organisation receiving at least 20% of its funding from outside Georgia to declare as a foreign agent. This would have overwhelmingly affected independent civil society and media organisations. Despite assurances shared during the visit by State actors that the bill was well intentioned, the Special Rapporteur notes that its provisions raised serious concerns as to its impact on the right to freedom of association, its necessity in a democratic society and the legitimacy of its stated aim. Per article 13 of the UN Declaration on Human Rights Defenders, everyone has the right, individually or in association with others, to solicit and receive funding for the promotion and protection of human rights. This includes from foreign sources.

18. The introduction of the bill sparked protests across the country. These protests took place in all major cities and were largely peaceful, despite isolated incidents involving the destruction of property. They were met with excessive use of force by law enforcement officers, who deployed water cannons and used tear gas, sparking some violence against state security forces. The protests against the proposed law were primarily led by young people unaffiliated with any civil or political group.⁷ During the demonstrations, they became human rights defenders, joining others to demonstrate peacefully in opposition to the proposed legislation. Their efforts resulted in the withdrawal of the bill on 10 March 2023.

19. Despite the withdrawal of the proposed legislation, its impact was raised repeatedly with the Special Rapporteur by the human rights defenders during her visit. They described the increased insecurity they have felt since its attempted introduction, the damage it has

⁷ Youth organisations also issued a statement against the proposed law, citing its potential harmful impact on young people in the country and calling for the bill's withdrawal.

done to their working relationships with municipal authorities and their standing in society, and the fear that the legislative project will be revived in one form or another. Its introduction provided encouragement to far-right groups, whose own narrative of ‘foreign agents’ and ‘internal enemies’ was legitimised by the strong backing of the legislation by the government, ruling party and parliamentarians.

20. During her visit, the Special Rapporteur was told by the State that the foreign agent law would not be revived. Yet such assurance is insufficient to address the negative consequences of the legislative initiative on human rights defenders. This requires proactive measures. Yet where any measures have been taken, they have appeared to go in the opposite direction, seeking not to repair the breakdown in trust between society and the Government, but to limit the rights to freedom of assembly and association, and to delegitimize peaceful action to defend human rights in the public eye. This would appear to be particularly so where the right to defend rights is being exercised by young people and civil society.

C. An internal enemy narrative, control mechanisms and surveillance

21. While in Georgia, the Special Rapporteur was made aware of proposed amendments to the Law on Assemblies and Manifestations. These had been introduced via an extremely expedited procedure, as had been the case with the proposed foreign agent law. The amendments sought to prohibit demonstrators from setting up temporary constructions, for example, tents – a common form of protest in Georgia - under worryingly broad conditions. These included where they were deemed by police to pose a threat to participants in the demonstration or other persons, to obstruct the protection of public order and safety, to obstruct the normal functioning of a business, institution or organization, or to be unnecessary or unrelated to the demonstration.⁸

22. At the time of the visit, these amendments were pending final approval by Parliament after having been vetoed by the President due to concerns about their necessity, proportionality and negative impact on the rights to freedom of assembly and expression. Multiple stakeholders spoken with by the Special Rapporteur expressed serious concern at the proposal's potential impact, which had been deemed incompatible with Georgia's obligation to uphold the rights to freedom of assembly by the OSCE/ODIHR and the Office of the Public Defender of Georgia.⁹ As of the finalisation of this report, the amendments remained pending in Parliament.

23. Stakeholders placed these concerns within an overall deteriorating environment for the exercise of freedom of assembly in the country. HRDs and others cited the misuse of articles 166 and 173 of the Code of Administrative Offences to criminalise peaceful protest, coupled with what was described as the systematic issuing of fines by administrative courts, often based solely on police statements. The Special Rapporteur welcomed the acknowledgement by the State of the need to bring the Code of Administrative Offences in line with international standards. Yet the long-standing and well-known nature of the issues with the Code, as repeatedly laid out by the Office of the Public Defender, raises a question as to why this has not already been done.¹⁰ The Special Rapporteur's concerns in this regard are accentuated by the fact that the Code was amended recently, but to the effect of increasing the potential length of administrative detention and the upper limit on potential fines for offences under articles 166 and 173, aggravating the problem of its misuse against human rights defenders.

24. The amendments to the Law on Assemblies and Manifestations were initiated in response to a press conference held by the State Security Service of Georgia (SSSG) on 18 September 2023, in which they alleged that actors including civil society groups were

⁸ Based on an official translation provided to the Special Rapporteur by the State.

⁹ Urgent Opinion on Proposed Amendments to the Law of Georgia on Assemblies and Demonstrations and to the Administrative Offences Code, OSCE, 6 November 2023; Public Defender's Statement on Amendments Planned to be Made to the Law of Georgia on Assemblies and Demonstrations, 4 October 2023.

¹⁰ The European Court of Human Rights has also created relevant jurisprudence on the matter. See *Chkhartishvili v. Georgia*, ECtHR, 11 September 2023.

participating in an organised conspiracy with the intent to overthrow the government, and announced the opening of a connected investigation. This was followed by a second press conference on 2 October 2023, during which the SSSG released secretly filmed footage of a training carried out by the non-governmental organisation CANVAS, for actors in the cultural sector, on peaceful ways to protect their rights, presenting it as evidence to support their previous assertion of a conspiracy.

25. When the Special Rapporteur raised this sequence of events with the authorities, they referred her to the footage released by the SSSG. She has reviewed this footage, comparing an English transcript of what was said in the recording of the training, which primarily took place in English, with the Georgian subtitles added by the SSSG. In her view, there is nothing in the video that in any way substantiates the allegations made against the organisers and participants of the workshop. The training was open to all and took place over three days. The video presented as evidence of its alleged conspiratorial nature is 8 minutes long and very heavily edited. At no point do the trainers who speak suggest or encourage violence, though at several points they speak about how to create solidarity in society, notably through the inclusion of youth and students in civic movements and through the exercise of the right to freedom of assembly. In the view of the Special Rapporteur, the presentation of the video as evidence of a conspiracy strongly indicates a deliberate attempt by the SSSG to criminalise the human rights defenders involved and delegitimise the exercise of fundamental rights, and particularly young people and students exercising their right to peaceful protest, in the public eye. In this sense, it appears directly related to the events of March 2023.

26. As stated by the Special Rapporteur in her end-of-mission statement, this has had serious repercussions for human rights defenders.

27. In the context of the investigation announced by the SSSG, human rights defenders who organised the training have been summoned for interrogation and obliged to sign a confidentiality agreement concerning its content. Cultural actors, who have been organising to peacefully defend their rights in the face of the politicisation of the sector following the appointment of a new Minister of Culture in 2021, have also been summoned and interrogated based on their participation in the training. Several cultural rights defenders the Special Rapporteur spoke with shared with her their fears of attending any such training in the future, believing it might be used against them.

28. These fears appear justified, given the response by the Government and ruling party to the allegations made by the SSSG. Following the September and October press conferences, members of the ruling party seized uncritically on the narrative presented by the intelligence services, promoting it through public statements and using it as justification for the introduction of legislative restrictions on the right to peaceful protest detailed above. Such statements, including by the Chairperson of the ruling Georgian Dream party, Mr. Irakli Kobakhidze, have continued since the Special Rapporteur's visit.¹¹

29. In addition, far-right and ultra-conservative groups have since publicly announced their intention to mobilise against those supposedly planning the alleged but unsubstantiated conspiracy, posing real risks to the physical security of human rights defenders, in particular given prior attacks by these groups.

30. In presenting the footage of the training, the SSSG made clear to the human rights defenders involved that they were under surveillance. This compounded fears sparked by revelations in 2021 indicating the wire-tapping of many human rights defenders and independent journalists, among others, which at the time of the visit was still being investigated by the Prosecutor's Office.

31. As a combination of continuing impunity for this allegedly illegal surveillance and the surveillance of the training for cultural workers, the environment in Georgia during the visit was such that in meetings between the Special Rapporteur and human rights defenders the idea that the meetings were secure, private or confidential was met with incredulity by some. Members of international organisations also stated that they would think twice about

¹¹ See: <https://agenda.ge/en/news/2023/4502>.

participating in workshops on human rights following the publication of the video. This should be extremely concerning for the government.

32. The SSSG assured the Special Rapporteur of the legality of the surveillance of the training in question, citing the oversight mechanisms concerning state surveillance introduced through progressive if imperfect reforms in 2014. The 2021 revelations, however, raise significant doubts as to the proportionality of state surveillance being undertaken in Georgia, which, along with legality and necessity, is a requisite element of any legal interference with the right to privacy under international human rights law. These doubts are compounded by the manner of the State's response to the 2021 revelations.

33. In late December 2021, the Government initiated an expedited parliamentary process to abolish the State Inspector's Service, established in 2018 to investigate abuses of power and monitor the lawfulness of interference with the right to privacy. This process was widely criticised, including by the OSCE¹² and the United Nations in Georgia, who stated: "The lack of convincing justification for abolishing the State Inspector's Service and the absence of compelling rationale for stripping the State Inspector of her six-year mandate sends a chilling message to independent institutions of human rights protection."¹³ The State Inspector's Service was replaced by two institutions: the Special Investigation Service, which was mandated to investigate abuses of power; and the Personal Data Protection Service (PDPS), mandated to monitor the legality of data processing, including surveillance. The role of the PDPS was referred to several times by State actors when the Special Rapporteur raised concerns around surveillance of HRDs, including by the SSSG, yet its mandate does cover surveillance for purposes of state security.

34. In addition, in 2022 Georgia Dream's ruling coalition introduced amendments to the Criminal Procedure Code to provide grounds for surveillance in relation to an additional 27 suspected crimes, including low level offences, and for longer periods, while relaxing rules about notification of persons surveilled. These were justified by the Government with reference to 'hybrid warfare' and cyber-security concerns. These justifications, however, were not backed up by supporting materials, as pointed out by the Venice Commission, who stated: "The lack of such supporting material has to be seen against the background of the serious allegations, made by various actors on the local and international level, about the massive leak of personal data in September 2021, allegedly as a result of secret surveillance by the state authorities."¹⁴

35. These interconnected developments indicate the strategic development of a negative narrative around the exercise of fundamental freedoms for the defence of human rights in the country. Despite the State's affirmation of support for human rights defenders in meetings with the Special Rapporteur, other clear examples of attempts to stigmatise and delegitimise human rights defenders raise further questions as to this stated commitment.

36. These include public statements by ruling party members against independent journalists and defenders of the environment, similar statements against defenders working against corruption and monitoring elections, and extremely worrying comments by high-ranking officials concerning LGBTIQI rights defenders and the queer community in general. Women are particularly targeted. During the Special Rapporteur's visit, posters depicting women human rights defenders, including one whom the Special Rapporteur met while in Georgia, were pasted in front of an entrance to the Parliament, accusing those in the poster of being 'spies against the church'. These posters had reportedly been in place for several weeks, raising questions about why they had not been removed by the authorities.

¹² Opinion on the Legislative Amendments on the State Inspector's Service of Georgia, OSCE, 18 February 2022.

¹³ See: <https://georgia.un.org/en/168152-united-nations-concerned-over-decision-georgian-authorities-abolish-state-inspector%E2%80%99s>.

¹⁴ Urgent Opinion 'On the draft law on the amendments to the Criminal Procedure Code', European Commission for Democracy Through Law (Venice Commission), 26 August 2022, para 38.

D. Groups of HRDs at high risk

37. From discussion during her visit, it has become clear to the Special Rapporteur that there is a substantial feeling of insecurity among human rights defenders in the country. While the highly worrying developments since March 2023 have undoubtedly contributed to this, as well the attempted introduction of the foreign agent bill itself, the fear felt by many human rights defenders predates these events.

38. The insecurity is heightened among defenders who face intersecting risks, notably based on gender, sexual orientation, ethnicity or religion, disability, and their living in a rural area. The Special Rapporteur met many defenders from these groups and listened with increasing concern as they shared details of the threats they had received, the intimidation and retaliation they had faced, and the failure of the State to adequately support them.

1. LGBTIQI rights defenders

39. Almost all actors who engaged with the Special Rapporteur, including State representatives, emphasised the difficulty of the situation faced by defenders of the rights of the LGBTIQI community in Georgia.

40. In July 2021 and July 2023, there were major disruptions at events organised in Tbilisi to celebrate the country's LGBTIQI community. In both instances, events planned by LGBTIQI rights defenders were attacked by far-right and ultra-conservative groups exercising extreme violence and well organised aggression. There has been total impunity for the instigators of these attacks, which, while not being the sole incidents involving retaliation against LGBTIQI rights defenders, merit attention in detail.

41. On 5 July 2021, a 'March of Dignity' was planned in Tbilisi as part of Pride Week. The event was announced well in advance and was followed by a call by the Office of the Public Defender for the Government to take appropriate measures to ensure it could go ahead safely. On the morning of the planned march, right-wing groups organised outside the Georgian Parliament, destroying a long-standing political protest site, and proceeded to move in organised groups to the offices of Tbilisi Pride and the Shame Movement, breaking into their premises and ransacking the buildings. These attacks were directed by far-right figures present at the scene. The human rights defenders who had been present in the offices fled to the UN House in Tbilisi, where they were followed by the violent groups, forcing them to flee again, this time to the premises of Human Rights House Tbilisi, to which they were once again followed and attacked. The mob directly sought out and targeted journalists covering these events, subjecting them to violent beatings and leaving over 53 injured. TV Pirveli cameraman Lekso Lashkarava, one of those attacked during the events, died days later.

42. These events followed a statement by the Prime Minister on the morning of the 5 July stating that the Pride events were being organised by the "radical opposition" with the goal of bringing "civil unrest" and were "not advisable".¹⁵ This was preceded by statements by religious leaders, most influentially the Georgian Orthodox Church, calling for people to protest against the "obscenity" of the Pride events.¹⁶ While the calls of leaders of the church were for peaceful protest, at the Parliament building on 5 July a Deacon of the Georgian Orthodox Church called for violence against the Pride participants, reportedly stating: "you are obliged to do violence for the motherland, to do violence for God, to do violence for the sake of sanctity".¹⁷ Leaders of far-right groups also issued statements prior to the planned March, with one representative of the far-right group Alt-Info stating: "We are going to take over and control all of Rustaveli [Avenue], no propaganda of depravity will be carried out. We will do everything for this and send a very clear message to the Georgian authorities."¹⁸ Despite this and other clear statements of intent to disrupt the Pride event by any means

¹⁵ See: <https://agenda.ge/en/news/2021/1840>.

¹⁶ See: <https://www.interpressnews.ge/ka/article/663005-meupe-danieli-tbilisi-praidze-iseti-ram-rac-sheuracxqops-kveqnis-tvitmqopadobas-tradiciebs-cxovrebis-cess-sajarod-ar-unda-xdebodes>.

¹⁷ See: <https://netgazeti.ge/news/552283/>.

¹⁸ See: <https://www.radiotavisupleba.ge/a/31324390.html>.

necessary¹⁹, videos depicting the events show only a minimal police presence in place to protect the human rights defenders and journalists. While the Ministry of Interior, in a statement issued on 7 July 2021, stated that up to 3,200 police officers had been deployed on the day, it seems that any significant police action was only taken once it was too late.²⁰

43. In response to these events, an investigation was launched by the Ministry of Interior, with 56 individuals granted victim status, including 47 journalists and camera operators, but not Tbilisi Pride or the Shame Movement. While 31 persons were arrested and some individuals have been prosecuted for their participation in the violence exercised on the day, including in attacks against journalists, none of the organisers or leaders of the violence, most notably leaders of far-right groups, have been brought to justice.

44. This impunity has played a key role in continued attacks against LGBTIQI defenders, and greatly contributed to the climate of insecurity they face in the country.

45. Pride Week events were generally able to go ahead peacefully in 2022, when they were organised in private locations. The following year, however, saw a further serious attack against Georgia's LGBTIQI defenders, when on the 8 July 2023 an open-air festival was violently disrupted by an organised far-right group.

46. In advance of the event, the far-right group Alt-Info, as in 2021, began to mobilise people against the festival, publicly calling for people to assemble on the 8 July. Announcing that they were raising money to provide transport for people to the venue²¹, representatives of the group stated that the counter-demonstration would not "fall short" of the events of 5 July 2021 and would be the "last nail in the coffin" of what was started in the past²². In response to these calls, counter-demonstrators began to gather at a pre-announced location on midday on the 8 July, where leaders of the group made further public statements of their intention to disrupt the LGBTIQI festival. The group then proceeded to march 4km to the festival site, unopposed by police, who merely followed them. Upon reaching the area of the festival, where LGBTIQI organisers and journalists had been present before being evacuated by police, the group proceeded to break through the police cordon which had been put in place and destroy the site, pulling down installations, burning Pride flags, and raiding equipment and supplies for the festival. Several members of the Georgian Orthodox Church were present in the group. In videos depicting the events, a substantial police presence can be seen at the venue, however, they do not intervene in any effective way to prevent the destruction of the site.²³

47. In response to requests for information about the events of 2023, the Special Rapporteur was informed by the Ministry of Interior that substantial efforts had been made in advance of 8 July to ensure the festival could go ahead peacefully, citing several meetings between the Ministry, the Office of the Public Defender and the Pride organisers, but that they were taken by surprise by the number of counter-protestors who arrived on the day. The Ministry also cited the difficulty in policing an open space such as the site of the festival and noted the amount of police resources needed to protect it for the entire duration of the event. Similar arguments were presented by the Ministry in response to a letter addressed to them by the Public Defender's Office in the aftermath of the events.²⁴ This, however, seems insufficient to explain the failure of the State to ensure the event could go ahead, given the clearly stated intentions of the counter-protestors to mobilise on mass and the Ministry of Interior's knowledge of the likelihood of a large number of counter-demonstrators, as stated in its response to the letter from the Office of the Public Defender.²⁵

48. As of August 2023, investigations into the attack on 8 July had been opened on the basis of articles 177, 187 and 353 of the Criminal Code, for theft, damage or destruction of

¹⁹ See, for example: <https://www.interpressnews.ge/ka/article/663289-guram-palavandishvili-tbilisi-praids-cin-agvudgebit-shishveli-xelebit-davikavebt-im-teritoriebs-sadac-unda-gaiaron>.

²⁰ See: <https://agenda.ge/en/news/2021/1886>.

²¹ See: <https://www.youtube.com/watch?v=FYYMZpjQhjo>.

²² See: <https://fortuna.ge/fortuna/post/video-8-ivlisi-iqneba-5-ivliss-dadgmul-kuboze-bolo-lursmnis-dachedeba-morgoshia>.

²³ See: <https://netgazeti.ge/life/679030/>.

²⁴ See: <https://ombudsman.ge/res/docs/2023101917561475605.pdf>.

²⁵ *Ibid.*, paras 8 and 9.

property and assault of a police officer, respectively. However, as with the events of 5 July 2021, there has to date been total impunity for the organisers of this violence. In response to requests for information about this, the Special Rapporteur was informed by the authorities that there is insufficient evidence to prosecute those responsible, despite the very public nature of their actions.

49. Yet continuing impunity for attacks against human rights defenders, and for human rights violations more broadly, is demonstrative of a lack of political will to address the issue. In this case, this is reflected in the damning failure to mention LGBTQI issues in the country's Human Rights Strategy or Action Plan, as well as statements by high-ranking Government officials, including the Prime Minister, painting the promotion of equality and non-discrimination against the LGBTQI community as “false freedoms” and “propaganda”.²⁶

50. Compounding the issue is that the failure to protect the LGBTQI community when exercising their right to freedom of assembly, as well as impunity for attacks against them, is a historical problem for the Georgian authorities, one that has been ruled upon by the European Court of Human Rights.²⁷ Furthermore, the far-right and ultra-conservative figures who carried out, organised and called for these attacks against LGBTQI defenders are among the same groups now threatening, intimidating and harassing other human rights defenders in the country.

2. Journalists

51. Impunity for attacks against journalists and other media workers covering human rights issues, including those injured in the attacks during Tbilisi Pride in 2021, is also a significant and persistent problem in Georgia. The Special Rapporteur considers these journalists and media workers to be human rights defenders and was glad to hear several State representatives agree with this assessment. However, during the visit it became clear that they are also a group of human rights defenders at high risk and, despite assurances that media freedom is a priority, that the State is not taking sufficient measures to ensure that they can carry out their work free from fear of retaliation. As one journalist put it, since the events of July 2021 journalists are now worried for their physical safety. These risks are intersectional, with independent female journalists and journalists with disabilities confronted with overlapping challenges.

52. In some ways, the authorities also appear to be obstructing the work of journalists. One sign of this is the very low rate of responses to requests for information. Civil society reporting indicates that responses from State authorities have been in serious decline since 2022, reaching their lowest levels since 2010 in that same year. Out of 1,255 requests sent to Government ministries and agencies under their control by the Institute for Development of Freedom of Information in the first 5 months of 2023, only 7% were answered, with many requests being completely ignored.²⁸ This finding was echoed by journalists and other stakeholders in meetings with the Special Rapporteur. The findings further signal that the issue is most present within Government, with particular issues reported within the Ministry of Culture, the Ministry of Environmental Protection, and the Ministry of Regional Development and Infrastructure.²⁹

53. A code of conduct introduced by the Speaker of the Parliament on 6 February 2023 and entering into force the next day saw the implementation of new rules for journalists in Parliament. While some of the provisions adopted appear uncontroversial, others raise questions as to their proportionality and necessity. The code provides for the restriction of accreditation for journalists on extremely broad grounds, defined only as “the specificity of the event or security regime”, and introduces possible sanctions for journalists failing to comply with the code, including their suspension for one month, or for six months in cases of repeated offences. The Special Rapporteur believes these rules must be considered together with the documented decline in responses by Government to requests for information. That no consultation with journalists or media organisations was carried out

²⁶ See: <https://agenda.ge/en/news/2023/1769>.

²⁷ Women's Initiatives Supporting Group and Others v. Georgia, ECtHR, 16 March 2022.

²⁸ See: https://idfi.ge/en/sharp_decline_in_access_to_public_information.

²⁹ Access to Public Information in Georgia, Institute for Development of Freedom of Information, 2022.

before the new rules were proposed heightens concern around their adoption and aim. Several independent journalists have since seen their parliamentary accreditation revoked under the rules, which provide no avenue for appeal.

54. Independent journalists, including those working outside the capital, also detailed the negative impact of the proposed foreign agent law and the narrative it bolstered on their relationships with municipal authorities, with some stating that local authorities have since been reluctant to engage with them, frustrating their work. Journalists in the regions also cited an increase in hate-speech against journalists, linked to the increased presence of far-right groups and discourse in society, within which independent journalists covering human rights issues, in particular women journalists, are targeted.

3. Women human rights defenders and intersecting risks

55. Women human rights defenders have a strong presence in Georgian society, yet they face significant backlash because of their gender. Often, these gender-based risks are intersected with retaliation sparked from the areas women human rights defenders are active in, such as defending LGBTIQ rights and the rights of ethnic and religious minorities, as well as by other aspects of their identity.

56. Information received by the Special Rapporteur on intimidation, harassment and threats against women human rights defenders, particularly direct threats from far-right figures, smears by high-ranking Government officials and online harassment, give grounds for grave concern. These attacks are coming in direct retaliation for women human rights defenders (WHRDs)' legitimate human rights work with the aim of intimidating them, discrediting them, and eventually silencing them.

57. Smears against women human rights defenders formed part of the Government's narrative to justify the introduction of the proposed foreign agent law. On 2 March 2023, in a television interview, the Chairperson of the Georgian Dream party accused several women human rights defenders of serving foreign interests.³⁰ One of the WHRDs targeted by Mr. Kobakhidze spoke with the Special Rapporteur of how his intervention triggered fears for her physical security and described how she had subsequently been harassed in public on multiple occasions and on social media.

58. Unfortunately, the withdrawal of the proposed legislation has not seemed to improve the climate for women human rights defenders. The kind of stigmatising statements made against them by public officials encourage and legitimise further attacks and are difficult to combat once they have been made. Some WHRDs also spoke of the difficulty in engaging with the Government and local authorities following the attempted introduction of the law. As one defender put it, things weren't easy before the March events, but it has become much more difficult since.

59. Where WHRDs are from ethnic or religious minorities, who face discrimination in Georgian society according to multiple HRDs and other stakeholders, the risks of physical attack increase. As one woman human rights defender shared with the Special Rapporteur, when it comes to integration of minorities, the authorities seem to think it is a one way street. Female voices critical of this approach, who promote the rights and value of minorities and minority culture, appear to be deemed unwelcome by the authorities, and WHRDs from minority groups who do speak out on this and other human rights issues risk a backlash from far-right and conservative groups. One woman human rights defender from an ethnic minority who the Special Rapporteur spoke with had been forced to leave her home town for the threat of violence against her.

60. Almost all women human rights defenders who shared information with the Special Rapporteur detailed the intensity of the harassment they face online, including by bots on social media platforms, which are unregulated in Georgia. When this issue was raised by the Special Rapporteur with the authorities, she was told that, unfortunately, these platforms are chaotic for everyone in the country, including the government. In early 2023, however,

³⁰ Several other human rights defenders and civil society organisations were also targeted by the Chairman in the intervention, including independent election observers and environmental activists. See: <https://civil.ge/archives/528611>.

META, the owner of Instagram and Facebook – the most popular social media platform in Georgia – took down 80 Facebook accounts, 26 Facebook Pages, 9 Facebook Groups and 2 Instagram accounts for violating their policy against 'coordinated inauthentic behaviour'. The company found that these accounts were linked to the Strategic Communications Department of the Government Administration of Georgia, although the operators of the accounts attempted to conceal their identity. The content produced by these accounts was primarily in the Georgian language, intended for a Georgian audience, and promoted by 33,500 USD in paid-for ads. Around 138,000 people followed one or more of these pages, and around 238,000 joined one or more of the groups. As stated by META, “the network operated around the clock to amplify content in support of the current Georgian government, including resharing posts by the official government Pages and pro-government media reports. They also shared criticisms of the opposition, particularly during the most recent public protests related to the now-retracted legislative proposal on the so-called “foreign agents” law in Georgia. In fact, this operation responded to protest developments in real time, including posting in the middle of the night.”³¹ META's findings also included that bots commented on specific posts and targeted individuals.³²

61. When these revelations are considered alongside the evidence presented to the Special Rapporteur showing the targeting of women human rights defenders in sponsored posts by bots online, significant doubts arise as to the veracity of the Government's assertion that it is not involved in the online targeting of WHRDs and other human rights defenders and critical journalists.

4. Defenders of the rights of persons with disabilities

62. The UN Convention on the Rights of Persons with Disabilities (CRPD), to which Georgia is a party, affirms that all persons with disabilities must enjoy all human rights and fundamental freedoms. The Convention emphasises that disability results from societal barriers that hinder the full and effective participation of persons with impairments in society. The Special Rapporteur on the rights of persons with disabilities has praised Georgia's progressive legislative reforms in the area, including the State's move towards a biopsychosocial model to assess disability. Yet some human rights defenders with disabilities, in particular young defenders, feel ignored and mistreated by the State. This includes women human rights defenders.

63. While organisations providing services for persons with disabilities, which are dependent on Government funding, appear able to carry out their work with the support of the State, defenders outside of this system who see problems with policy and practice concerning people with disabilities face substantial pushback. One WHRD working in the area shared her experience of being specifically excluded from participation in Government consultations on human rights matters and decision-making fora. This was echoed by other human rights defenders in the area, many of whom have the feeling that decisions are taken informally between the State and the main service providers, without any effective participation of persons with disabilities or human rights defenders among them.

64. Defenders who raise critical views in the area appear to be being isolated and ostracised. A WHRD journalist with disabilities spoke of how she had been blacklisted by municipal authorities, who refused to engage with her after publishing a story detailing failings in their support for a person with disabilities. A young WHRD with disabilities explained how demeaning comments by State officials about her work and that of other young, women defenders with disabilities are echoed by service providers and institutions, both online and offline. These comments included falsely accusing the defenders of being motivated by a political agenda. One such WHRD was told that she “needed to get married”. Others have been accused of trying to raise their own profile, rather than addressing the issues at hand, and some believed such defenders were being made an example of, in order to deter other members of the disability community from advocating for their rights.

³¹ Quarterly Adversarial Threat Report Q1 2023, META, 2023, p. 20, accessible at: <https://about.fb.com/wp-content/uploads/2023/06/Meta-Quarterly-Adversarial-Threat-Report-Q1-2023.pdf>.

³² Ibid., p. 51.

5. Environmental defenders

65. In many countries around the world, the human rights defenders most at risk are those whose activism is connected to the protection of the environment from unsustainable and damaging business activities, including those in the energy, infrastructure and tourism sectors. This emerged as an area of firm concern for the Special Rapporteur in Georgia, with people and groups organising to protect the environment, whether it be in their local communities or on a regional or national scale, reporting a difficult and hostile environment. As one defender stated, instead of protecting the environment, they are forced to protect themselves. Defenders, including journalists covering environmental issues and community movements, are also under pressure, with some receiving aggressive threats, suffering physical attacks and facing public discreditation.

66. Again, the situation is aggravated for women environmental defenders. WHRDs working on environmental issues have been subjected to gendered and sexualized smear campaigns, including having their private lives scrutinised in alleged retaliation for their legitimate, peaceful activism and work. This has included one WHRD highlighting the impact of corruption on the capacity of the State to mitigate environmental disasters. The use of details from women human rights defenders' private lives in an attempt to discredit them, often initially by pro-Government media and subsequently by members of the ruling party, appears a cross-cutting issue in the country, affecting WHRDs active in all areas.

67. At the core of the cases pertaining to the environment is the failure or unwillingness of the State agencies and business actors to engage in meaningful consultation with people directly affected by business projects. The disenfranchisement of local communities may suit the interests of those who stand to profit from these projects in the short term, but people have the right to public participation in matters affecting them, and as a party to the Aarhus Convention, the state must facilitate and safeguard this. Where this is not done, and the voices of communities are ignored, people turn to peaceful protest and civil disobedience to see their concerns heard and their rights. Where they are then intimidated, attacked arrested and smeared by local or national authorities, or where attacks by corporate actors go unaddressed, there are significant doubts as to whether the State's priorities lie in ensuring respect for human rights or facilitating business whatever the cost. Unfortunately, this is the pattern being seen in Georgia.

68. Following the visit of the Special Rapporteur, on 19 November 2023, 11 people, including members of the Save Rioni Valley movement and a journalist, were arrested in Tbilisi during a peacefully protest at the Ministry of Environmental Protection and Agriculture. The protest concerned the lease of 104,712 hectares of forest (1.4% of Georgia's total territory) to a private individual for a hunting range. Those present had travelled to the Ministry to seek a meeting with the Minister and information about the future of the forest. The arrests were carried out under the problematic articles 166 and 173 of the Code on Administrative Offences, and were linked to the human rights defenders trying to set up a protest tent - an act targeted by the proposed amendments to the Law on Assemblies discussed above.

69. The land in question is found in the Racha National Park. It was leased at a public auction held by the National Environmental Agency on 11 March 2022, with a sole bidder winning a 49-year license over the land. The winning company, HG Capra Caucasica LLC, ultimately owned by the business man Davit Khidasheli and his daughter, had themselves reportedly initiated the process, requesting a lease on the land from the National Environmental Agency in October 2019 – one month after the company that eventually won the license was formed. While the State claims that this process was transparent, and the auction was announced one month ahead of time, locals and HRDs claim that there was no information provided to community members about what was happening. In response to the protest on 19 November, the Ministry of Environmental Protection and Agriculture stated that there was no reason to hold the protest, as a process to cancel the lease for the non-fulfilment of its conditions had been initiated in May 2023.³³ A further statement issued by the Ministry on 20 November 2023, announcing the aim of creating a protected area in Racha. This statement lacked detail and clarity as to the implications for the hunting license, but on

³³ See: <https://agenda.ge/en/news/2023/4495>.

28 November 2023, the National Environment Agency declared the license invalid. On 29 November 2023, the proceedings against six of the arrested protestors were dismissed in court, while two others were given a verbal reprimand. On 15 December 2023, however, while the proceedings against one further protestor were dismissed, two of those arrested were fined 2,000 GEL for allegedly disobeying a police officer, with the decision solely based on statements from police officers.

70. During the visit, the Special Rapporteur was made aware of a similar situation for human rights defenders involved in a peaceful movement to protect the Balda Canyon. Located in the Abasha River Valley, the Balda Canyon is designated a 'natural monument', a legal status reserved for unique and rare places in Georgia. Such monuments are managed by the Agency of Protected Areas, who on 5 November 2022, announced an auction for a 40-year lease to create tourist infrastructure in the canyon and on adjacent land. This was to include the construction of a visitor centre, a 350-metre suspended footbridge and a roller coaster, facilitated by the privatisation of the land. While the auction was announced on the website of the Agency of Protected Areas, no information on the project was provided to locals, to whom the territory set to be offered under license represents a vital cultural resource. On 15 November 2023, the auction was won by the sole bidder, Canyon 350 LLC, which had been set up by the businessman Giorgi Merkviladze shortly after the announcement of the auction. Locals found out about the land lease in July 2023, reportedly when youths swimming in the canyon's river were told to leave by staff from the Agency of Protected Areas. Since then, locals have been holding regular protests against the lease, calling for its suspension. This has included setting up a tent to enable locals to monitor the situation at the proposed site. On 22 September 2023, they also lodged a legal complaint against the proposed development. On 5 October 2023, State authorities held their first meeting with the affected community members, however, while the Deputy Minister for Environment and Agriculture, present at the meeting, reportedly stated his readiness to step in if the project was linked to violations,³⁴ he equally suggested the locals may have been "over-dramatising."³⁵ The Minister also expressed his belief that locals had been engaged with prior to the project being given the green light, however this assertion was strongly rejected by locals.

71. In response to their advocacy, locals from the Balda area have faced physical attacks and intimidation, primarily from the company and its workers. Following one incident, a criminal complaint was filed against Mr. Merkviladze for physical harassment against a local HRD, who was granted victim status in the case in November 2023. The same HRD has also been repeatedly summoned by local police for interrogation related to his involvement in the local protests, although he has not been informed of any investigation or charges against him. On 2 November 2023, while the Special Rapporteur was in the country, three local human rights defenders who had been monitoring the situation near the proposed site were physically attacked by a group of around 15 individuals from the company. The attack left one of the human rights defenders seriously injured, and they subsequently lodged a criminal complaint against the alleged perpetrators. At the time of writing, following a large protest against this escalation in the retaliation against local defenders, the project appeared to have been paused, however, at least two HRDs were reportedly the subject of intimidatory messages by the company following this development.

E. The situation of foreign human rights defenders in Georgia

72. Human rights defenders from other countries have traditionally been able to find safety and security in Georgia. Following the full invasion of Ukraine by the Russian Federation in February 2022, many Russian human rights defenders relocated to the country, while many Belarusian defenders sought refuge in Georgia following the events of 2020 in

³⁴ See: <https://publika.ge/article/brdzolas-ar-shevvyvett-ras-itkhovs-baldis-mosakhleoba/>.

³⁵ See the video report on the matter by Mtisambebi, accessible at https://www.youtube.com/watch?v=58QNbDeov_c. Comments of the Deputy Minister available from 3.53-4.13.

Belarus. Despite them finding a generally favourable environment in the country, there are some significant concerns related to their current situation.

73. While HRDs from Russia and Belarus are currently able to enter Georgia without a visa and stay for up to one year, some defenders from these countries have been facing considerable challenges when seeking to re-enter Georgia after traveling to third countries in connection with their human rights work. In some cases, re-entry for foreign HRDs has been refused on the vague, catch-all grounds provided in Article 11 of the Law of Georgian on the Legal Status of Aliens and Stateless Persons, with no specific reasons given. The denial of re-entry in these cases is hugely problematic, effectively rendering the defenders homeless. Other foreign human rights defenders, while ultimately allowed to re-enter Georgia, have faced issues at the border, with many reporting how they have been interrogated about their human rights work, participation in events abroad and future plans.

74. Some foreign human rights defenders also face difficulties registering their organisations in Georgia, as they have experienced issues trying to open bank accounts since February 2022. One HRD who spoke with the Special Rapporteur had seen their attempts to open a bank account for their organisation refused five times. Furthermore, defenders who registered their organisations prior to February 2022, are now required to re-register and face difficulties providing diplomas, legal contracts and other documents.

75. Belarusian HRDs residing in Georgia have also reported their precarious situation in light of the denial of consular services, as announced by President Lukashenko, meaning they will no longer be able to apply for passports from outside Belarus. Some of these defenders have passports that have already expired or will expire shortly, while others hold valid passports, but which will shortly run out of pages for stamps and visas. These issues extend to their children, leaving these human rights defenders in an extremely vulnerable position, given the severe risks they would face if they were to return to Belarus.

IV. Conclusions

76. **If governments anywhere are serious about building just, harmonious and egalitarian societies, in which democratic values and the rule of law are respected - and if they wish to be taken seriously as such by their citizens and others - the protection of human rights defenders, far from being an afterthought, must be central among their priorities. Not only this, but that prioritisation must be clear, unwavering and public.**

77. **Recognising the legitimate work of human rights defenders and working with them, especially where their views are critical, is essential in the movement towards the respect and fulfilment of human rights for all. It requires the building of mutual trust between human rights defenders and public authorities. Where that is present, a culture can emerge in which the number of human rights defenders grows, civic space expands, public participation deepens, and we see benefits for all.**

78. **Where human rights defenders are under attack, on the other hand, and where they feel insecure when going about their work or activities, States must ask questions of themselves and of their responsibility for how that has come to be. Where States do not do this, and where either denial, further repression or a ‘head in the sand’ approach is adopted, it signals significant underlying problems and provides cause for grave concern.**

79. **At the end of her visit, the Special Rapporteur stated her view Georgia stood at a crossroads, with important events on the horizon including upcoming elections, and that the attitude of the State towards human rights defenders would be indicative of how the country moved through the coming period.**

80. **The Special Rapporteur's preliminary conclusion following her visit was that systematic efforts were being undertaken by the State to undermine human rights defenders and their vital, necessary work. Unsettling as this conclusion is, a substantial body of evidence indicates it remains the case.**

81. Many human rights defenders in Georgia do not feel that the State is working to support them and ensure that they are secure. They do not believe an enabling environment is being created for their work. Rather, the contrary is true: human rights defenders fear for their physical integrity and feel that the State is actively undermining them and putting them at risk.

82. The authorities may not accept that people have grounds to feel that way, but that human rights defenders in the country do feel as such is indisputable. That fact should ring alarm bells for any government claiming to prioritise human rights, democracy and the rule of law.

V. Recommendations

83. In her end-of-mission statement following her visit to Georgia, the Special Rapporteur made detailed recommendations to a series of state actors, urging the authorities to address them without delay. Having evaluated the levels of implementation of these recommendations since her visit, the Special Rapporteur makes the following updated and final recommendations to the authorities:

To the Government

(a) cease all stigmatisation of human rights defenders and the delegitimisation of their work through public statements;

(b) amend the Code of Administrative Offences to bring it in line with international human rights law and standards, in particular to ensure that articles 166 and 173, on petty hooliganism and disobedience of a police order, are not arbitrarily used to arrest, detain and sanction human rights defenders when participating in assemblies;

(c) abandon the legislative initiative from 2023 to amend the Law on Assemblies and Protests;

(d) in collaboration with relevant stakeholders, including human rights defenders, privacy lawyers and independent journalists, amend national legislation concerning surveillance in order to increase oversight over such restrictions on the rights to privacy and freedom of expression, bringing the legislation into line with international and regional law and standards;

(e) include the empowerment of human rights defenders as a key priority in the National Action Plan on Human Rights, including specific objectives on the protection and empowerment of women human rights defenders, LGBTQI defenders and defenders of the rights of ethnic and religious minorities;

(f) put in place an action plan to guarantee the meaningful participation of human rights defenders from ethnic and religious minorities in all decision-making processes, in particular those concerning them, in particular women and youth leaders from these communities;

(g) publicly recognise the legitimacy of the work of independent election observers and their importance for protecting human rights and democracy, and take proactive steps to ensure they can carry out their work freely during the 2024 elections.

To Parliamentarians

(a) cease all stigmatisation of and discrediting statements against, human rights defenders, including independent journalists;

(b) take proactive measures to ensure there is no place for public or private misogynistic attacks in parliament and wider society;

- (c) expand the mandate of the Legal Aid Service to allow them to provide free legal aid to all persons alleged to have been victims of crimes in retaliation for their advocacy on human rights issues.

To the State Security Service of Georgia

- (a) expedite all investigative acts into the alleged conspiracy to overthrow the government with a view to either closing the investigation or submitting the cases for prosecution in a reasonable timeframe.

To the Office of the Public Defender of Georgia, the Prosecutor's Office and the Personal Data Protection Service

- (a) conduct a review of all ongoing surveillance of human rights defenders and journalists being carried out by the SSSG in order to assess conformity of any such surveillance with regional and international law and standards guaranteeing the rights to privacy and freedom of expression.

To the Public Defender of Georgia

- (a) make clear the importance and validity of the work of LGBTQI rights defenders.

To the Special Investigation Service

- (a) open an investigation into the legality of the surveillance of human rights defenders participating in the training organised for cultural actors in September 2023, applying the guidelines for investigation of cases involving human rights defenders adopted in July 2023.

To the Prosecutor's Office:

- (a) redouble efforts, as a priority, concerning investigations into the organisers of the violent demonstrations targeting the LGBTQI celebrations in July 2021 and July 2023, with a view to prosecuting the organisers of these demonstrations, including all persons who publicly called for violence against the participants in the celebrations.

To the Ministry of Foreign Affairs

- (a) create a joint platform involving human rights defenders and the Office of the Public Defender of Georgia to coordinate and follow-up on the implementation of recommendations from international and regional human rights bodies, including UN Special Procedures mandate holders.

To the Ministry of Interior

- (a) using the examples of the guidance adopted by the Special Investigation Service and the Prosecutor's Office, adopt a binding recommendation on the investigation of crimes against human rights defenders, based on the UN Declaration on Human Rights Defenders and OHCHR Fact Sheet No. 29, and adopting an intersectional approach;

(b) using the examples provided by the Prosecutor's Office and the SIS, implement a system for the collection of disaggregated statistics on alleged crimes against human rights defenders;

(c) ensure Belarusian and Russian human rights defenders are able to enter and re-enter Georgia in line with the visa-free regimes in place and take proactive measures to reassure them of their ability to do so;

(d) ensure that anyone wishing to apply for asylum, including human rights defenders from foreign countries, is granted access to Georgian territory in line with international law standards;

(e) amend the Law of Georgia on the Legal Status of Aliens and Stateless Persons to remove the overly broad clause "other cases envisaged by Georgian legislation" from the grounds for denial on entry to the state (Article 11, paragraph 1, subparagraph i); in cases where there are legitimate reasons for denying entry to Georgia at its borders, always provide clear and transparent reasons for the denial;

(f) provide the option of obtaining a residence permit on humanitarian grounds in order to close the protection gap for foreign HRDs without family links or work status;

(g) take proactive steps to facilitate the registrations of NGOs and the opening of organisational bank accounts for foreign human rights defenders.

To the Ministry of Culture

(a) initiate a consultation process with actors from the cultural, artistic and scientific workers, including those who have been dismissed from their positions at national institutions and organisations representing them, to create an action plan for the protection of cultural expression in the country.

To the Ministry of Education

(a) introduce a module on human rights defenders into the teacher training curriculum;

(b) introduce a module on human rights defenders in the civic education curriculum.

To the Ministry of Environmental Protection

(a) ensure timely and effective fulfilment of the right of access to information, public participation and access to justice in environmental matters, as guaranteed under the Aarhus Convention;

(b) initiate a transparent and meaningful consultation process to resolve the ongoing conflict concerning the Balda Canyon, ensuring the full and safe participation of all community members affected, including local human rights defenders;

(c) through transparent, timely, meaningful and effective consultation with locals, including local human rights defenders and groups acting for the protection of the environment, ensure that any protected area in the western Racha region meets the needs and guarantees the human rights of local communities and protects local biodiversity and the environment.