



Home Office

# **Country Policy and Information Note**

## **Georgia: Sexual orientation and gender identity and expression**

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# Executive summary

**This Note does not cover the situation in the Russian-occupied regions of Abkhazia and South Ossetia.**

In general, persons identifying as LGBTI are not subject to treatment by the state or non-state actors that is sufficiently serious, by its nature or repetition, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.

Whilst not explicitly mentioned, the Constitution protects the rights of LGBTI individuals in Georgia, protecting the community against discrimination and ensuring access to basic services, employment, property and healthcare. In practice, LGBTI persons report barriers in accessing basic services and discrimination on the basis of their sexual orientation and/or gender identity. There are no legal provisions for same-sex marriage or civil partnerships. Conversion therapy, although not officially banned, is not commonly practiced.

Widespread negative attitudes towards LGBTI persons prevail, particularly among far-right groups and the Georgian Orthodox Church. Occasionally, political officials' anti-LGBTI rhetoric has fueled violence and discrimination against the LGBTI community, particularly at public events such as Pride, and constitute the majority of incidents committed against LGBTI persons. However, whilst societal attitudes remain generally negative, that they have improved recently, particularly among urban communities and the younger demographic. One study from 2020 highlighted that generally LGBTI persons were 'comfortable' living in Georgia.

There is no evidence to suggest that state actors actively target the LGBTI community. Nevertheless, the LGBTI community are generally mistrusting of law enforcement and inconsistent handling of cases which has led to underreporting of hate crimes. The state has been criticised for its failure to pursue perpetrators of violence against the LGBTI community, particularly those responsible for violence at public Pride events. However, official statistics show that hate crimes are being reported and are addressed by the criminal justice system, with 106 criminal investigations initiated on the basis of intolerance on the grounds of sexual orientation, gender identity, and expression (SOGIE) in 2021, of which there were 20 convictions. In 2022, there were 76 investigations and 40 convictions. The Ombudsman's office also actively investigates complaints made by LGBTI persons.

In urban areas, notably Tbilisi, LGBTI persons have a higher degree of freedom and ability to express their sexual orientation and/or gender identity. The presence of support groups and dedicated NGOs in Georgia continues to contribute positively to the advancement of LGBTI rights.

In general, the state is both willing and able to offer sufficient protection from non state actors, including 'rogue' state actors. In general, internal relocation is also likely to be reasonable and not unduly harsh, particularly to urban areas and large cities, such as Tbilisi. Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

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# Assessment

## About the assessment

This section considers the evidence relevant to this note – that is information in the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is reasonably likely to face a real risk of persecution/serious harm by state or non-state actors because of the person's actual or perceived sexual orientation and/or gender identity or expression
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a grant of asylum, humanitarian protection or other form of leave is likely, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

This note provides an assessment of the general situation for gay men, lesbians, bisexuals, trans and intersex (LGBTI) persons, as well as those perceived as such. They are referred to collectively as 'LGBTI persons', although the experiences of each group may differ. **This Note does not cover the situation in the Russian-occupied regions of Abkhazia and South Ossetia.**

For general guidance on considering claims made by LGBTI persons, decision makers should refer to the Asylum Instructions, [Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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## 1. Material facts, credibility and other checks/referrals

### 1.1 Credibility

1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).

1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

1.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

1.1.4 For guidance on interviewing generally see the Asylum Instruction on [Conducting asylum interviews](#).

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1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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2. Convention reason(s)

- 2.1.1 Actual or imputed particular social group (PSG).
- 2.1.2 LGBTI persons in Georgia form a PSG within the meaning of the Refugee Convention because they share an innate characteristic, or a common background that cannot be changed, or share a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it **and** have a distinct identity in Georgia because the group is perceived as being different by the surrounding society.
- 2.1.3 Although LGBTI persons in Georgia form a PSG, establishing such membership is not sufficient to be recognised as a refugee. The question is whether the person will face a real risk or has a well-founded fear of persecution on account of their membership of the group.
- 2.1.4 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

### 3. Risk

#### 3.1 Risk from the state

- 3.1.1 In general, LGBTI persons do not face treatment from state actors which is sufficiently serious by its nature or repetition, or by an accumulation of measures, that amounts to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.1.2 Consensual same-sex sexual activity is not criminalized for men or women. (See [Criminal Code](#)).
- 3.1.3 While the Constitution does not specifically list sexual orientation and gender identity among the prohibited grounds for discrimination, in 2014 the Constitutional Court ruled that protected grounds should be interpreted as including sexual orientation. While positive changes to law and policy have been introduced as part of the EU-accession process, sources claim that LGBTI persons remain overlooked and that the existing protections from discrimination are ineffective (See [Anti-discrimination](#) and [Policy framework](#)).
- 3.1.4 Prime Minister Irakli Gharibashvili and other public officials occasionally make anti-LGBTI statements, including claims about gay ‘propaganda’, as part of a wider anti-European and anti-liberal rhetoric tied in with the promotion of ‘traditional’ Georgian values, which appeals to far-right voters and can exacerbate marginalisation of LGBTI persons (see [State attitudes](#)).
- 3.1.5 There is no evidence to support that state actors systematically target LGBTI persons. The majority of reports of human rights violations against LGBTI persons relate to acts committed by non-state actors during public events such as Pride. For an assessment of the protection afforded by the state to members of the LGBTI community, see [Protection](#).
- 3.1.6 There is no provision in Georgian law for same sex marriages or civil partnerships. Conversion therapy is not banned but there is limited information on the use of conversion techniques in practice (See [Marriage and civil union](#) and [Conversion therapy](#)).
- 3.1.7 There is no clear legal framework covering gender recognition. However, in practice, persons who undergo surgery can change their gender on their birth certificate and other legal documents. A 2022 ruling by the European Court of Human Rights (ECtHR) found that Georgia had violated Article 8 of the European Convention on Human Rights (ECHR) by refusing legal gender recognition for 3 transmen who had not undergone sex reassignment surgery (See [Transgender rights](#)).

#### 3.2 Risk from non-state, including ‘rogue’ state, actors

- 3.2.1 In general, LGBTI persons do not face treatment from non-state actors which is sufficiently serious by its nature or repetition, or by an accumulation of measures, that amounts to persecution or serious harm. The onus is on the person to demonstrate otherwise.

- 3.2.2 Societal attitudes towards LGBTI persons in Georgia are multifaceted, and the state's lack of recognition of homophobia as an issue contributes to societal polarisation. Quantitative and qualitative research conducted in Georgia between 2016 and 2021 found that negative attitudes towards LGBTI persons are strong and widespread but that these negative perceptions have decreased. Research undertaken by the Women's Initiatives Support Group (WISG) indicated a positive shift in societal attitudes, with decreasing indices of homo/bi/transphobia and growing support for rights such as gay marriage and adoption. Disparities in attitudes persist, with certain demographics, like men, older persons and those living in non-urban areas exhibiting more negative views. LGBTI persons in more urban areas, such as Tbilisi, enjoy a higher degree of freedom in expressing their sexual orientation and gender identity (see [Societal attitudes](#) and [Freedom of movement](#)).
- 3.2.3 Whilst based on a relatively small sample, a study by the Human Rights Education and Monitoring Centre (EMC) based on 320 LGBTI participants in 2020 aged 18 to 29 found that 52% of respondents reported being victims of 'violence' at some point in their lives due to their sexual orientation or gender identity. However, 'violence' encompassed a wide range of behaviours, including both physical and psychological forms. Generally, the study showed that LGBTI people continue to face physical and psychological violence at home, in public and on online platforms. Specifically however, it showed a minority of 29.4% of respondents having experienced physical violence within the 2 years preceding the study and slightly less than half (48.4%) of respondents reported experiencing psychological violence in the form of verbal abuse, humiliation, ridicule, emotional manipulation and the restriction of gender expression. Despite these findings, the study also found that only 19% of respondents reported social isolation from friends and family (see [Societal treatment](#)).
- 3.2.4 The Constitution of Georgia outlines that all citizens have the right to property, employment, education and healthcare. Sources such as the Coalition for Equality noted that the LGBTI community face discrimination when accessing accommodation, healthcare and employment. However, whilst a minority of LGBTI respondents in the 2020 EMC study detailed their experiences of homelessness due to 'coming out' and leaving their family homes, the study overall showed that the majority of respondents (65.7%) had never faced homelessness. LGBTI persons can face discriminatory treatment when accessing healthcare, with the EMC highlighting a minority of respondents who had experienced instances of 'mocking attitudes', inappropriate questions, service refusal, insults, ignorance of specific needs and breaches of confidentiality. However, overall, 85.6% of respondents reported no experiences of discrimination in accessing healthcare. The study showed that employment opportunities appeared to be influenced by openness and expression of sexuality but highlighted that of the respondents, a majority of 68.8% were employed (see [Access to services](#)).
- 3.2.5 The 2020 EMC study found varying degrees of happiness and openness among LGBTI respondents, with transgender respondents reporting the lowest happiness levels and bisexual men reporting the highest. The same study found that the majority of respondents felt either 'very comfortable',



'comfortable' and 'partly comfortable, party uncomfortable' living in Georgia (see [Lived experience, visibility and 'coming out'](#)).

- 3.2.6 There is a higher visibility of LGBTI persons in urban areas such as Tbilisi, with many younger LGBTI persons moving to urban cities where they report feeling more able to express their identities and connect with the LGBTI community. There is a small 'underground' LGBTI scene in Tbilisi encompassing comedy, clubbing, art and social movements, and there are numerous support organisations working to empower and protect the rights of the LGBTI community across the country.
- 3.2.7 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 4. Protection

- 4.1.1 Most reports of human rights violations against LGBTI persons relate to the annual Pride festival held in Georgia's capital, Tbilisi. Far-right groups disrupted the festival in 2021, 2022 and 2023. Sources criticised the police's response to mob violence during the 2021 event. Whilst 3 individuals were arrested and charged, sources suggest that the punishments were lenient and that the authorities failed to investigate and prosecute the organisers of the demonstrations. In 2022 and 2023, the public parade was cancelled and replaced by 'closed-door' events. A police presence during the 2022 and 2023 festivals resulted in the arrest of some far-right demonstrators, although sources did not report any subsequent prosecutions (see [State response to Pride events](#)).
- 4.1.2 Police reportedly sometimes use abusive terminology and aggression towards LGBTI persons when they have been called upon to protect them. LGBTI persons lack trust in the police, resulting in the underreporting of hate crime incidents. However, a reluctance to seek protection does not mean that protection is unavailable. Additionally, data on hate crimes indicates that LGBTI persons can, and do, report hate crime incidents to the police. Data is only available from October 2020, with 2 full years of data for 2021 and 2022, making it difficult to verify trends. In 2021, 106 criminal investigations were initiated on the basis of intolerance on the grounds of SOGIE, and there were 20 convictions. In 2022, there were 76 investigations and 40 convictions (see [Protection – LGBTI](#) and [Prosecutions and convictions](#)).
- 4.1.3 Whilst the Ombudsman's decisions have been criticised by LGBTI activists for their lack of reasoning and failure to always contain a proper analysis of all the circumstances of a case that may indicate discrimination, LGBTI persons can, and do, submit complaints to the Ombudsman if their rights have been violated. The Ombudsman investigated 11 SOGIE-related cases of alleged discrimination in 2021 and 17 cases in 2022, although the outcome of the cases and any redress provided to complainants is unknown. (see [The Public Defender \(Ombudsman\)](#)).
- 4.1.4 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

## 5. Internal relocation

- 5.1.1 In general, there are parts of Georgia where an LGBTI person would not have a well-founded fear of persecution/real risk of serious harm and would be reasonable for them to relocate to. This includes, but is not limited to, the capital city of Tbilisi. Each case must be considered on its facts.
- 5.1.2 Georgia is a small country with a population of approximately 3.6 million. Approximately 1 million people live in the capital of Tbilisi. There is a higher visibility of LGBTI individuals in urban areas such as Tbilisi, with many younger LGBTI individuals moving to urban cities where they report feeling more able to express their identities and connect with the LGBTI community (see [Freedom of movement](#)).
- 5.1.3 Internal relocation will not be an option if it depends on the person concealing their sexual orientation and/or gender identity in the proposed new location if the reason (or one of the reasons) is a fear of persecution. Each case must be considered on its facts.
- 5.1.4 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction on [Assessing Credibility and Refugee Status](#) and [Sexual orientation in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

## 6. Certification

- 6.1.1 Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 6.1.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

# Country information

## About the country information

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment.

The structure and content of this section follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

Decision makers must use relevant COI as the evidential basis for decisions.

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## 7. Legal framework

### 7.1 Criminal Code

- 7.1.1 The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) observed in its 2020 report 'State-Sponsored Homophobia 2020: Global Legislation Overview Update', that there are no laws in Georgia prohibiting same-sex sexual activity between consenting adults<sup>1</sup>.
- 7.1.2 The ILGA report 2020, stated: 'The [Criminal Code](#) (2000) of Georgia removed the pre-existing sodomy provisions that were carried through from the Soviet Union period.'<sup>2</sup>
- 7.1.3 The ILGA report further stated: 'Article 53(3) of the Penal Code [Criminal Code] (2000), as amended in 2012, provides that the commission of a crime on the basis of sexual orientation constitutes an aggravating circumstance for all crimes under the Code.'<sup>3</sup>
- 7.1.4 The US State Department in its human rights report covering events in 2022 (USSD 2022 HR report) observed: 'Consensual same-sex sexual conduct is not criminalized for men or women, and the age of consent is equal.'<sup>4</sup>

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### 7.2 Anti-discrimination

- 7.2.1 In July 2022, following a visit to Georgia, the Commissioner for Human Rights of the Council of Europe reported:  
  
'Georgia has a well-developed anti-discrimination legal framework which covers discrimination based on sexual orientation, gender identity, and expression (SOGIE). The principle of equality is enshrined in Article 11 of the Georgian Constitution and although it does not specifically list sexual orientation and gender identity among the prohibited grounds for discrimination, the Constitutional Court of Georgia ruled in 2008 that the list of protected grounds is not exhaustive and in 2014 that protected grounds

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<sup>1</sup> ILGA, ['State-Sponsored Homophobia 2020: Global Legislation...'](#) (page 328), 15 December 2020

<sup>2</sup> ILGA, ['State-Sponsored Homophobia 2020: Global Legislation...'](#) (page 105), 15 December 2020

<sup>3</sup> ILGA, ['State-Sponsored Homophobia 2020: Global Legislation...'](#) (page 246), 15 December 2020

<sup>4</sup> USSD, ['2022 Country Reports on Human Rights Practices: Georgia'](#) (section 6), 20 March 2023

should be interpreted as including sexual orientation, among other grounds.<sup>15</sup>

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### 7.3 Marriage and civil union

7.3.1 There is no provision in Georgian law for same sex marriages or civil partnerships<sup>6</sup>.

7.3.2 Article 30 of the Constitution was amended in 2018 from marriage defined as 'based upon the equality of rights and the free will of spouses'<sup>7</sup> to define marriage as 'a union of a woman and a man for the purpose of founding a family'.<sup>8</sup>

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### 7.4 Transgender rights

7.4.1 On 25 March 2021, a transwoman's gender was legally recognised for the first time after the applicant submitted a certificate from a medical institution as proof of a surgical operation of gender reassignment<sup>9</sup>.

7.4.2 In April 2022, the Public Defenders (Ombudsman) Office (PDO), Georgia's national human rights organisation, stated that 'the issue of Legal Gender Recognition is not judicially regulated, and the general procedures for considering this process are also obscure.'<sup>10</sup>

7.4.3 The 2022 PDO report explained that the only regulatory statute that can be used for legal gender recognition is the 'Law on Civil Status Acts' as 'gender reassignment is one of the grounds for amending the civil status acts, according to Article 78 of the law'. Although the law doesn't define 'gender reassignment' or define any procedures associated with it<sup>11</sup>.

7.4.4 In April 2023, based on various sources, the Eurasian Coalition for Health, Rights, Gender and Sexual Diversity (ECOM), a Georgian NGO campaigning for LGBT rights, noted that due to Georgian legislation not taking into account the needs of transpersons, there are a number of legal barriers for those who seek to change gender on their birth records and official documents<sup>12</sup>.

7.4.5 The USSD 2022 HR Report noted: 'There is no law explicitly governing legal gender recognition; however, established practice requires bodily modification surgeries for individuals to petition to change their birth certificates and other legal documents. The law does not provide options for transgender individuals who do not, for medical, financial, or any other reasons, wish to undergo surgery.'<sup>13</sup>

7.4.6 In December 2022 the ECtHR ruled on the case of [A.D and others v. Georgia](#). The applicants were three transmen who argued that they had

<sup>5</sup> Commissioner for Human Rights, '[Commissioner's report...](#)' (para 1.1.1), 15 July 2022

<sup>6</sup> ILGA, '[State-Sponsored Homophobia 2020: Global Legislation...](#)' (page 328), 15 December 2020

<sup>7</sup> Constitution Net, 'The Constitution of Georgia, 1995 (as Amended to 2004)', Article 36

<sup>8</sup> Legislative Herald of Georgia, '[Constitution of Georgia...](#)', 29 June 2020

<sup>9</sup> WISG, '[First time in Georgia trans person's gender has been legally recognised](#)', 31 March 2021

<sup>10</sup> PDO, '[The Rights of LGBT+ People in Georgia](#)', (page 17), 29 April 2022

<sup>11</sup> PDO, '[The Rights of LGBT+ People in Georgia](#)', (page 18), 29 April 2022

<sup>12</sup> ECOM, '[Analysis of Georgian Legislation for 2022...](#)', (page 10), 14 April 2023

<sup>13</sup> USSD, '[2022 Country Reports on Human Rights Practices: Georgia](#)' (section 6), 20 March 2023

been unable to obtain legal recognition of their gender because they had not undergone sex reassignment surgery. The ruling stated:

‘The Court found that in particular that, despite the fact that the right to have one’s sex changed in civil status records had existed in Georgia since 1998, there had not apparently been one single case of successful legal gender recognition. The imprecision of the current domestic legislation undermined the availability of legal gender recognition in practice, and the lack of a clear legal framework left the domestic authorities with excessive discretionary powers, which could lead to arbitrary decisions in the examination of applications. Such a situation was fundamentally at odds with the respondent State’s duty to provide quick, transparent and accessible procedures for legal gender recognition.’<sup>14</sup>

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## 7.5 Conversion therapy

7.5.1 The USSD 2022 HR report noted ‘So-called conversion therapy practices were not banned. According to Tbilisi Pride, there were several cases of parents taking children to a psychiatrist in an attempt to change the sexual orientation or gender identity or expression of the child.’<sup>15</sup>

7.5.2 CPIT found no other sources relating to conversion therapy in Georgia (See [Bibliography](#)).

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## 8. State attitudes

8.1.1 In July 2021, OC Media, a regional online news service, reported comments made by Prime Minister Irakli Gharibashvili in the aftermath of violence around the 2021 Tbilisi Pride parade:

“When 95% of the population are against conducting a propagandist parade, we should obey this”, he [Gharibashvili] added.

‘He also claimed, without evidence, that the violence of recent days was an unsuccessful conspiracy against the state planned and carried out by “anti-state anti-church forces”...

‘Adding to the conspiratorial claims, Gharibashvili also said that the Shame Movement, a liberal anti-government group, was also managed by “Saakashvili’s organisations” [a reference to a pro-European opposition party] and that he had questions about whether [sic] Saakashvili and “his radical group” were controlling the queer community as well.’<sup>16</sup>

8.1.2 The Commissioner for Human Rights of the Council of Europe (CoE) 2022 report stated:

‘The Commissioner was informed of several instances of hate speech and manifestations of intolerance in the public sphere, and she was particularly struck by the manifestations of intolerance displayed by high-level officials,

<sup>14</sup> ECtHR, [Judgement A.D. and Others v. Georgia...](#), 1 Dec 2022

<sup>15</sup> USSD, [‘2022 Country Reports on Human Rights Practices: Georgia’](#) (section 6), 20 March 2023

<sup>16</sup> OC Media, [‘Gharibashvili doubles down with homophobia and conspiracy theories’](#), 12 July 2021

as well as by religious and community leaders. Certain media outlets, notably those associated with the above-mentioned ultra-conservative and far-right movements, have also reportedly engaged in hate speech or have contributed to its dissemination. The Commissioner learned that while hate speech against LGBTI people used to intensify at election time in the past, it has now become part of everyday discourse. This is in part due to ultra-conservative and far-right groups placing increasing claims on the public space, increasing their access not only to privately owned, but also to public broadcaster media.<sup>17</sup>

- 8.1.3 The Commissioner for Human Rights of the CoE 2022 report added ‘...the Commissioner considers that some public statements made by certain politicians and government officials during the events of July 2021 served only to exacerbate this problem and to provide some legitimacy for attempts by ultra-conservative groups to prevent LGBTI people from expressing themselves in the public space.’<sup>18</sup> (See [Pride Events and State Response](#))
- 8.1.4 The Institute for War and Peace Reporting, an online news magazine which partners with local journalists and rights advocates noted in an article dated 23 February 2022: ‘LGBTI activists in Georgia are warning of the growing political power of homophobic, far-right groups, with fears that the government may choose to court such forces rather than oppose them.’<sup>19</sup>
- 8.1.5 An April 2022 PDO report assessed:  
‘Hate speech propagated by politicians and public officials is particularly problematic in Georgia, where it has a significant negative impact on social acceptance and the scope of violence against the LGBT+ community. In recent years, politicians’ hate speech and their use of derogatory language toward the LGBT+ community have had dire consequences for society, legitimizing violence and increasing violence against the LGBT+ community. While politicians’ hate speech does not contain an incitement to public violence, it aims to prioritize and dominate the will of the majority at the expense of minorities’ oppression; indirectly, it establishes a solid foundation for reinforcing violence and perpetuating negative attitudes toward the LGBT+ community.’<sup>20</sup>
- 8.1.6 In an April 2023 report, covering 2022, the PDO commented:  
‘Statements by politicians that could incite discrimination based on sexual orientation and gender identity were problematic in the reporting period... Iago Khvichia, a member of the Girchi political party, and Shalva Natelashvili, Chairman of the Labour Party, also spoke about the LGBT+ community in a negative context. The head of the government of the Autonomous Republic of Adjara, Tornike Rizhvadze, used a homophobic and discriminatory term when assessing the wave of protests in support of the European integration in the country and noted: “I don’t think it is the will of the Georgian people or the dream of our ancestors to hand over power to

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<sup>17</sup> Commissioner for Human Rights, ‘[Commissioner's report...](#)’ (para 1.1.2), 15 July 2022

<sup>18</sup> Commissioner for Human Rights, ‘[Commissioner's report...](#)’ (para 1.1.1), 15 July 2022

<sup>19</sup> Institute for War & Peace Reporting, ‘[Georgia: LGBTI Activists...](#)’, 23 February 2022

<sup>20</sup> PDO, ‘[The Rights of LGBT+ People in Georgia](#)’, (page 15), 29 April 2022



the shadow cabinet of “liberasts”.<sup>21</sup>

- 8.1.7 In May 2023, a joint statement was issued by the United Nations system in Georgia, the Delegation of the European Union to Georgia, the Embassies to Georgia of Austria, Belgium, Bulgaria, Canada, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Israel, Italy, Latvia, Lithuania, the Netherlands, New Zealand, Norway, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom and the United States, the European Investment Bank’s Regional Representation for the South Caucasus, and the Head of the EU Monitoring Mission in Georgia, which noted that:

‘... Newly adopted national policy documents, such as the National Human Rights Strategy 2022-2030, the State Concept of Georgia on Gender Equality and the national development strategy Vision 2030 do not include measures to strengthen protection and inclusion of LGBTQI+ persons. Stigmatization, discriminatory language and hate speech by some public officials, politicians, media and religious figures incite further harassment against LGBTQI+ persons and threaten their lives. Instigators and many perpetrators of open acts of violence against LGBTQI+ individuals in recent years, including during Pride Week in July 2021, have not been brought to justice, thus further limiting the opportunity for LGBTQI+ persons to exercise their right to peaceful assembly.’<sup>22</sup>

- 8.1.8 In June 2023, OC Media reported:

‘In recent months, senior figures in the ruling Georgian Dream party have increased and intensified their homophobic rhetoric...

‘Georgia’s Prime Minister, ruling party chair, and parliamentary faction chair have all made pointed homophobic statements in recent months, warning against queer “propaganda” and accusing young people of having “messed-up orientations”.

‘The number and frequency of these statements has increased since March, causing some activists to raise concerns that the government is intending to jeopardise Tbilisi Pride Week, which is set to take place in the first week of July. Others, however, believe that this is part of a broader pre-election strategy by the ruling party...

‘Speaking at a Conservative Political Action Committee (CPAC) conference in Hungary in April, [Prime Minister] Gharibashvili repeatedly emphasised the importance of “preserving traditional values” and the inadmissibility of “violence by the minority against the majority”.

‘A few days later, in his Independence Day speech, the prime minister claimed that “evil forces” were trying to destroy traditional values and “make lies a reality”, while not specifying what those “forces” were...

‘...Mariam Kvaratskhelia, one of Tbilisi Pride’s co-directors, told *OC Media* that she saw the trend as part of a broader electoral strategy and not solely connected to Pride Week.

<sup>21</sup> PDO, [2022 Special Report on Combating...](#), (page 17), 11 April 2023

<sup>22</sup> UN Georgia and others, [‘...discrimination and violence against LGBTQI+... Georgia’](#), 17 May 2023

“We believe that the ruling party [...] has chosen homophobic politics as a pre-election strategy to secure the votes of up to 15–20% [who are] radical conservatives in the upcoming 2024 elections”, said Kvaratskhelia.<sup>23</sup>

- 8.1.9 Politico’s July 2023 article on Georgia’s EU ambitions and its contradictory attitude to LGBT rights highlighted that Prime Minister Garibashvili’s speech to Parliament on 30 June [2023] ‘proposed to open discussions in the parliament about regulating “gay propaganda” by law...If the government decides to green light the “gay propaganda” law proposed by the government, it will be a potential blow not only to Georgia’s queer community but to the whole country’s European ambitions. President Zourabichvili has already pledged to veto the bill if it sees daylight.’<sup>24</sup>
- 8.1.10 Civil.ge noted in a July 2023 article that: ‘The legislative proposal to “ban LGBT propaganda” was launched as a public initiative by the Conservative Movement/Alt-Info in December 2022 and was formally registered as the legislative proposal in May 2023. The passing of such a law was also included among the demands of the ultra-conservative gathering in May. The spokesperson of the Georgian Dream assured then that his party “was not planning to pass such a proposal.”’<sup>25</sup>
- 8.1.11 In the sources consulted, CPIT found no further update on the ‘LGBT propaganda’ proposal (see [Bibliography](#)).

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Section updated: 19 September 2023

## 9. State treatment

### 9.1 Policy framework

- 9.1.1 The PDO 2022 LGBT+ report noted ‘Georgian legislation and policies have significantly changed in recent years, allowing for the legal recognition of the LGBT+ community. Georgia’s commitment to international organizations to eliminate discrimination on the basis of sexual orientation and gender identity was one of the reasons for improving the legal environment. Georgia was required by the Association Agreement with the European Union to adopt legislation prohibiting all forms of discrimination, including sexual orientation and gender identity, among other protected grounds of discrimination.’<sup>26</sup>
- 9.1.2 The PDO 2022 LGBT+ report reported that these efforts were ‘largely constrained by international organizations’ obligations, including ensuring the implementation of the Association Agreement between Georgia and the European Union, rather than by policies designed to address genuine needs.’<sup>27</sup>
- 9.1.3 The PDO 2022 LGBT+ report stated: ‘Since 2014, Government Plans have included some activities aimed at ending discrimination based on sexual orientation and gender identity, though their implementation status has

<sup>23</sup> OC, ‘[Georgian Dream ramps up homophobic rhetoric as Pride Week approaches](#)’, 27 June 2023

<sup>24</sup> Politico, ‘[Georgia's crackdown on queer rights contradicts its EU ambitions](#)’, 15 July 2023

<sup>25</sup> Civil.ge, ‘[Patriarchate of Georgia urges legislative action against “LGBT propaganda”](#)’, 2 July 2023

<sup>26</sup> PDO, ‘[The Rights of LGBT+ People in Georgia](#)’, (page 12), 29 April 2022

<sup>27</sup> PDO, ‘[The Rights of LGBT+ People in Georgia](#)’, (page 7), 29 April 2022



frequently been purely formal.’<sup>28</sup>

- 9.1.4 The PDO 2022 special report noted ‘that state policy documents developed for the protection of human rights, the National Human Rights Strategy and the State Concept on Gender Equality, not only are ineffective in terms of protection of LGBT+ people, but they do not mention this group at all.’<sup>29</sup>

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## 9.2 Protection - general

- 9.2.1 The USSD report 2022 noted:

‘The Ministry of Internal Affairs and the State Security Service have primary responsibility for law enforcement and the maintenance of public order. The ministry is the primary law enforcement organization and includes the national police force, the border security force, and the Coast Guard. The State Security Service is the internal intelligence service responsible for counterintelligence, counterterrorism, and anticorruption efforts. There were indications that at times government officials did not maintain exclusive control of domestic security forces. There were credible reports that members of the security forces committed some abuses... The government took steps to investigate some officials for human rights abuses, but impunity remained a problem.’<sup>30</sup>

- 9.2.2 The PDO 2022 special report highlighted:

‘The policy for combating crime has substantially improved in recent years in Georgia. Significant steps have been taken by state agencies to increase the quality of response to crimes, as well as to produce a joint statistics for the law enforcement agencies and courts, but like the previous year’s reporting period, the ineffective investigation of alleged hate crimes remains a challenge. Law enforcement agencies still do not meet the standards of effectiveness or timeliness. Confidence in law enforcement agencies is low among vulnerable groups, and it is being further decreased by the weak response or lack of response to incidents.’<sup>31</sup> (see [Violence and hate crimes](#) and [Pride Events and State Response](#)).

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## 9.3 Protection – LGBTI

- 9.3.1 In 2020 the Human Rights Education and Monitoring Center (EMC) stated:

‘The Human Rights Department (currently the Human Rights Monitoring and Investigation Quality Monitoring Department) was established within the Ministry of Internal Affairs of Georgia in 2018. Its mandate, among other things, extends to monitoring the quality of investigations into hate crimes based on sexual orientation and gender identity. The launch of this department has brought significant changes in terms of crime detection and prosecution, including statistical data collection and introduction of certain aspects of prevention policy. In particular, the department has helped train

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<sup>28</sup> PDO, ‘[The Rights of LGBT+ People in Georgia](#)’, (page 12), 29 April 2022

<sup>29</sup> PDO, [2022 Special Report on Combating...](#), (page 15), 11 April 2023

<sup>30</sup> USSD, ‘[2022 Country Reports on Human Rights Practices: Georgia](#)’ (Exec sum), 20 March 2023

<sup>31</sup> PDO, [2022 Special Report on Combating...](#), (page 21), 11 April 2023

police and investigators to provide an effective response to these types of crimes.<sup>132</sup>

9.3.2 In 2020 the EMC published the results of quantitative research which aimed 'to explore social vulnerability, economic situation and experience of violence of the LGBTQ community in Georgia'. Questionnaires were administered face-to-face to members of the LGBTQ community between September and December 2019, with valid responses received from 320 persons<sup>33</sup>. The survey was conducted in collaboration with LGBTQ community organisations, which resulted in the majority (87%) of respondents falling into the age group 18 to 29<sup>34</sup>. EMC commented, 'due to the nature of the [sample] selection, the present study may not accurately describe the needs and attitudes of LGBTQ people who are not familiar with the community organizations.'<sup>35</sup>

9.3.3 It is important to note that victim perception is not the only indicator of the effectiveness of a state response to violence. However, respondents were asked about their experience of reporting incidents of physical violence or threats of physical violence to the police. EMC found '...30.4% [28 persons] of the respondents who spoke about their experience of violence in the last 2 years, appealed to the police for a response...'<sup>36</sup> EMC asked the 28 persons who reported incidents to rate the police response:

- 57% of respondents rated the police response negatively
- 18% of respondents rated the police response as partly positive and partly negative
- 25% assessed the police response positively<sup>37</sup>

9.3.4 The USSD HR report 2022 noted that:

'In November the Social Justice Center submitted a report on the legal status of LGBTQI+ persons to the Council of Europe's Committee of Ministers. The report criticized the government's response to recent violent acts against such individuals. In particular, the report noted ineffective investigations of hate crimes committed by ultra-right groups, and institutional gaps that hindered the protection of the rights of LGBTQI+ persons. The report attributed these shortcomings to shared values of key government officials and the ultra-right radical groups Alt-Info and the Conservative Movement... The PDO stated that since 2012, the state's failure to provide freedom of assembly to LGBTQI+ persons and organizations in public spaces permitted incitement to violence in those spaces, and the state failed to prosecute and punish those who threatened or carried out this violence.'<sup>38</sup>

9.3.5 In July 2022, following a visit to Georgia, the Commissioner for Human Rights of the Council of Europe reported:

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<sup>32</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.59), 2020

<sup>33</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.39 and p.41), 2020

<sup>34</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.41 and ), 2020

<sup>35</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.41), 2020

<sup>36</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.79), 2020

<sup>37</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.79), 2020

<sup>38</sup> USSD, '[2022 Country Reports on Human Rights Practices: Georgia](#)' (Sec 6) 20 March 2023

'There is a persistent failure to address violent attacks led by ultra-conservative and far-right groups against participants at events held in the context of the yearly International Day Against Homophobia, Transphobia and Biphobia (IDAHOBIT) and Pride Marches. Since 2012, these events have been repeatedly interrupted by these groups or cancelled by organisers due to violent attacks and/or serious threats of violence coming from these groups. The fact that the authorities fail to ensure safety and protection in this context only exacerbates these attacks.'<sup>39</sup>

9.3.6 The same report noted that:

'This spiral of violence and impunity against LGBTI people has also been reflected in important judgments of the European Court of Human Rights against Georgia. In particular, in its 2015 judgment in the case of *Identoba and Others v. Georgia*, the Court found that the domestic authorities did not ensure that the Pride March organised in May 2012 could take place peacefully by failing to sufficiently contain homophobic and violent counter-demonstrators, thereby falling short of their positive obligations under Article 11 (freedom of assembly and association) taken in conjunction with Article 14 (prohibition of discrimination) of the European Convention on Human Rights. The Court also established a violation of Article 3 (prohibition of torture and ill-treatment)...

'Events in many ways similar to those in 2012 and 2013 also occurred in 2019 and 2021... The failure by the authorities to punish those who were inciting hatred and calling for violence against the LGBTI activists and supporters involved in the organisation of the 2019 Pride March reportedly contributed to a perception of impunity and resulted in vicious attacks and other acts of violence carried out by ultra-conservative and far-right groups in July 2021. 55 people, including 53 journalists and camera operators working for various media outlets who gathered to cover the events, were injured. One of them was found dead several days later, reportedly due to unrelated causes. While the police arrested and charged 27 persons for their participation in these acts in the aftermath of these events, the Commissioner understands that the organisers of these acts were never prosecuted.'<sup>40</sup>

9.3.7 The PDO 2021 annual report noted that 'It should be noted that part of the crimes committed on the grounds of alleged hatred against LGBT+ people are usually related to physical and verbal abuse, beatings, assaults and death threats. The applicants also point out that, in a number of cases, law enforcement officials called to the scene used abusive terminology themselves and expressed aggression towards them on homophobic grounds instead of defusing the conflict.'<sup>41</sup>

9.3.8 ECOM, Equality Movement and Tbilisi Pride 2022 'alternative report' provided as commentary for the 135th Session of Human Rights Committee Review of the third periodic report by Georgia noted:

'While private persons commit the majority of violations, the State stays

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<sup>39</sup> Commissioner for Human Rights, '[Commissioner's report...](#)' (para 1.1.2), 15 July 2022

<sup>40</sup> Commissioner for Human Rights, '[Commissioner's report...](#)' (para 1.1.2), 15 July 2022

<sup>41</sup> PDO, [Report of the Public Defender of Georgia...](#), (page 111), 2021

inactive and does not fulfil its positive obligations. Even when the victim has contacted the authorities and a formal investigation has begun, the fact that, in most cases, presenting evidence is controversial, gives rise to a fear of retaliation, and that there is a lack of trust in law enforcement bodies, witnesses and victims fear testifying. In most cases witnesses are pressured or otherwise abused during the process of interrogation, thus the attendance of a lawyer is very important at the initial stage. The problems hindering the access of victims to justice also include obstacles in representing their interests on the part of human rights defenders and LGBT+ activists, and the unwillingness of the authorities to cooperate with civil society organizations.

‘Conducting investigation in a timely manner has remained problematic. Investigations initiated by investigative authorities are usually protracted without an outcome for years... It is also necessary to highlight the problem of the adequacy and proportionality of punishments, there are examples when attackers get off with a small fine.’<sup>42</sup>

- 9.3.9 Tbilisi Pride 2022 shadow report for the 6th Periodic Report of Georgia noted that with regard to lesbians, bisexual women and transwomen:

‘The incidence of SOGI [Sexual Orientation and Gender Identity]-based hate crimes remains alarming, but only in very few cases this results in prosecution and/or conviction of the perpetrators. Secondary victimization often occurs as the police lack sensitivity towards hate crime victims, especially to those who are subject to hate crimes because of their SOGI status. Consequently, most hate crime incidents remain unreported as hate crime victims do not trust law enforcement authorities. Regretfully, while investigating and prosecuting incidents of hate, authorities tend to ignore bias as a motive for aggravation (Article 531 of the Criminal Code of Georgia).’<sup>43</sup> The source provided no statistics on the incidence of SOGI hate crimes.

- 9.3.10 The USSD report 2022 noted: ‘The law makes acting on the basis of prejudice because of a person’s sexual orientation or gender identity an aggravating factor for all crimes. According to NGOs, however, the government rarely enforced the law. The Human Rights Department of the Ministry of Internal Affairs trained officers on hate crimes.’<sup>44</sup> (See [Violence and hate crimes](#)).

- 9.3.11 The Commissioner for Human Rights of the CoE 2022 report stated:

‘Violence against LGBTI people, their supporters, and the defenders of their rights has been a long-standing issue of concern in Georgia which is compounded by a failure to hold perpetrators to account, in particular the organisers of acts of violence. This persisting impunity reinforces biased and hateful attitudes within certain segments of Georgian society. Impunity has also contributed to the unprecedented rise of well-organised and well-funded ultra-conservative and far-right groups with anti-LGBTI, anti-gender, and anti-minorities agendas whose members have participated in violent acts.’<sup>45</sup>

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<sup>42</sup> ECOM, Equality Movement, Tbilisi Pride, ‘[Human Rights Violations...](#)’, May 2022

<sup>43</sup> Tbilisi Pride, ‘[Human Rights Violations against...](#)’, 15 August 2022

<sup>44</sup> USSD, ‘[2022 Country Reports on Human Rights Practices: Georgia](#)’ (Sec 6) 20 March 2023

<sup>45</sup> Commissioner for Human Rights, ‘[Commissioner's report...](#)’ (para 1.1.2), 15 July 2022

- 9.3.12 Georgia applied for European Union (EU) membership on 3 March 2022 with the European Council stating it would grant Georgia EU candidate country status if it fulfilled certain obligations. One of the obligations stated 'More needs to be done to protect the rights of lesbian, gay, bisexual, transgender, intersex or queer (LGBTIQ) persons in Georgia, particularly in light of the July 2021 [Tbilisi Pride] events.'<sup>46</sup>

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#### 9.4 State response to Pride events

##### 9.4.1 The USSD 2021 HR report noted:

'[O]n July 5 [2021], police failed to take appropriate action to protect the right to freedom of peaceful assembly for individuals who had planned to participate in a Pride event. Approximately 3,000 far-right demonstrators violently rioted through Tbilisi, destroying an opposition protest site at parliament, attacking NGO offices, and assaulting more than 50 journalists and others following statements from Prime Minister Garibashvili that called the planned Tbilisi Pride event, March for Dignity, inappropriate and described it as a plot by "Saakashvili and the radical opposition" aimed at sparking tension and destabilization in the country. The prime minister alleged that 95 percent of the population opposed the event as a justification for blaming Tbilisi Pride for the violence...

'Reports and videos showed that police failed to arrest far-right actors as they assaulted police, journalists, and others seen to be associated with the pride march or Western values. The group attempted to storm parliament but was unable to do so and tore down the EU flag flying in front of parliament. One Polish tourist was stabbed, allegedly for appearing to be associated with the lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) community. LGBTQI+ activists described feeling hunted as the locations where they sought refuge were discovered by far-right groups. Activists expressed concern that they were found due to government assistance. Throughout the day the Ministry of Internal Affairs failed to deploy riot control measures. Weeks in advance, ministry officials pressured organizers to cancel the March for Dignity, stating they could not protect the right to assembly because they expected between 20,000 and 50,000 counterdemonstrators.'<sup>47</sup>

- 9.4.2 The 2022 USSD HR report commented: 'The government's failure to credibly investigate and prosecute the organizers of July 2021 violence in advance of the Pride March resulted in impunity for those abuses.'<sup>48</sup>

- 9.4.3 The PDO 2021 annual report noted that the authorities would have been aware that there was a high risk of violence against the LGBTI community as the events of 5 July had 'been preceded by public calls for violence by specific groups.' However, the Ministry of Internal Affairs 'did not take any effective measures to prevent violence and unfortunately, the response to the incidents of human rights violations by violent groups was not

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<sup>46</sup> European Commission, '[Commission Opinion on Georgia's...](#)', 17 June 2022

<sup>47</sup> USSD, '[2021 Country Reports on Human Rights Practices: Georgia](#)', (Section 2b), 12 April 2022

<sup>48</sup> USSD, '[2022 Country Reports on Human Rights Practices: Georgia](#)' (Exec sum), 20 March 2023



appropriate either.<sup>49</sup>

- 9.4.4 Civil Georgia reported that following the events of Pride 2021, three individuals were arrested and charged with raiding the Tbilisi Pride Office. Subsequently 'Tbilisi City Court fined each accused by GEL 5,000 (USD 1,700).... The fines were rendered under Article 160.2a.3a of the Criminal Code of Georgia, which punishes the violation of the domicile or of any other property, committed using violence by more than one person... The lawyer for the defense, Shorena Kobidze, pointed out that the Court acquitted the defendants of more severe charges under Article 156.2 (persecution on the grounds of intolerance) and Article 225.2 (organized group violence).<sup>50</sup>
- 9.4.5 The PDO 2022 Special Report stated that:  
'...compared to 2021, the Pride Week was held in a much safer environment and with fewer obstacles in 2022. However, it should be noted that this was not due to the development or improvement of relevant mechanisms for the rights of LGBT+ people or their safety, but mostly by holding the events in closed spaces/private areas instead of public spaces. Tbilisi Pride refused to effectively enjoy freedom of assembly in public space due to the experience of 5-6 July 2021, when the law enforcement officials did not use positive measures against the violent actions committed by radical violent groups.'<sup>51</sup>
- 9.4.6 The Commissioner for Human Rights of the CoE reported in July 2022 that:  
'At the time of drafting this report, leading civil society organisations involved in the preparation of the IDAHOBIT events announced that the planned March for Dignity will not be held in 2022, due to repeated failures by competent authorities to guarantee security and ongoing threats and incitement to violence by members of ultra-conservative and far-right groups involved in the 2021 attacks. This decision shows that unfortunately the exercise of the right to freedom of assembly and expression by LGBTI people in Georgia remains as challenging as it was a decade ago, despite initial signs of optimism in 2018.'<sup>52</sup>
- 9.4.7 The PDO 2022 Special Report stated that:  
'...compared to 2021, the Pride Week was held in a much safer environment and with fewer obstacles in 2022. However, it should be noted that this was not due to the development or improvement of relevant mechanisms for the rights of LGBT+ people or their safety, but mostly by holding the events in closed spaces/private areas instead of public spaces. Tbilisi Pride refused to effectively enjoy freedom of assembly in public space due to the experience of 5-6 July 2021, when the law enforcement officials did not use positive measures against the violent actions committed by radical violent groups.'<sup>53</sup>
- 9.4.8 The Commissioner for Human Rights of the CoE reported in July 2022 that:  
'At the time of drafting this report, leading civil society organisations involved in the preparation of the IDAHOBIT events announced that the planned

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<sup>49</sup> PDO, [Report of the Public Defender of Georgia...](#), (page 11), 2021

<sup>50</sup> Civil Georgia, [Court Lenient Towards July 5 Attackers on "Tbilisi Pride"](#), 4 May 2022

<sup>51</sup> PDO, [2022 Special Report on Combating...](#), (page 16), April 2023

<sup>52</sup> Commissioner for Human Rights, ['Commissioner's report...'](#) (para 1.1.5), 15 July 2022

<sup>53</sup> PDO, [2022 Special Report on Combating...](#), (page 16), April 2023

March for Dignity will not be held in 2022, due to repeated failures by competent authorities to guarantee security and ongoing threats and incitement to violence by members of ultra-conservative and far-right groups involved in the 2021 attacks. This decision shows that unfortunately the exercise of the right to freedom of assembly and expression by LGBTI people in Georgia remains as challenging as it was a decade ago, despite initial signs of optimism in 2018.<sup>54</sup>

- 9.4.9 HRW, in its annual report covering events in 2022, noted: ‘In July [2022], the Tbilisi City Court fined three people for raiding the offices of Tbilisi Pride, an LGBT rights group, during mass anti-LGBT attacks in July 2021 that led to dozens of injuries and cancellation of the Pride March. The court acquitted the defendants on more serious charges of persecution and organized group violence. In total, police detained 31 people over the violence.’<sup>55</sup>
- 9.4.10 On 7 July 2022, Georgia Today, a local news organisation, reported that ‘Tbilisi Pride ended successfully with a festival despite violent groups trying to disrupt...supporters of the far-right extremist group Alt Info gathered..where they burned the flags of NATO and the European Union and tore apart rainbow flags. Police were mobilised on the spot.’<sup>56</sup>
- 9.4.11 The same Georgia Today article added that the Georgian Ministry of Internal Affairs released a statement condemning ‘violence of any kind and calling on the groups opposing Pride Week to adhere to the law, follow the rightful demands of the police, and not to exceed the limits of the right to assembly and manifestation permitted by law.’<sup>57</sup>
- 9.4.12 The PDO 2022 Special Report noted that following the violent events at Tbilisi Pride 2021, organisers did not hold a public march in 2022 and opted to hold Pride events indoors. However after the information spread, ‘ultra-nationalist and extremist groups became active again, threatening with violence and preparing for counter-demonstrations. Among them, the leaders of the violent, homophobic and pro-Russian Conservative Movement/Alt-Info party openly expressed their aggression towards Pride Week and announced “full mobilization” against them.’<sup>58</sup>
- 9.4.13 The PDO 2022 Special Report stated:
- ‘The Public Defender notes that, even though the threats made by the leaders of the ultra-nationalist and extremist groups, as well as by the homophobic and pro-Russian party Conservative Movement Alt-Info, were intense and real in this reporting period as well, and there were also public calls for violent actions - a crime referred to in Article 2391 of the Criminal Code, the relevant state agencies did not take legal action against the organizers of violence. The Ministry of Internal Affairs of Georgia launched an investigation only after the leaders and supporters of the violent groups gathered in the vicinity of the festival on July 2, 2022 and resisted the police officers mobilized on the spot. The police arrested 26 people at the protest

<sup>54</sup> Commissioner for Human Rights, ‘[Commissioner's report...](#)’ (para 1.1.5), 15 July 2022

<sup>55</sup> HRW, ‘[World Report 2023](#)’ (Georgia), January 2023

<sup>56</sup> Georgia Today, ‘[Tbilisi Pride Week 2022 Reviewed](#)’, 7 July 2022

<sup>57</sup> Georgia Today, ‘[Tbilisi Pride Week 2022 Reviewed](#)’, 7 July 2022

<sup>58</sup> PDO, ‘[2022 Special Report on Combating...](#)’, (page 16), April 2023

rally against the Tbilisi Pride music festival, including two leaders of the group - Zurab Makharadze and Irakli Martinenko, as well as Guram and Aleksandre Palavandishvilis. It should be taken into account that no organizers or participants of the violent rallies have been prosecuted so far.<sup>59</sup>

9.4.14 On 2 June 2023, Civil Georgia, a local news organisation, reported that the NGO Tbilisi Pride had announced that Pride Week 2023 would 'include closed events of a political, cultural and academic nature, including an international LGBTQI conference and the Pride Festival.'<sup>60</sup>

9.4.15 Reuters reported on 8 July 2023 that:

'Up to 2,000 anti-LGBT protesters broke up a Gay Pride festival in the Georgian capital Tbilisi on Saturday, scuffling with police and destroying props including rainbow flags and placards, though there were no reports of injuries.

'Organisers accused the authorities of actively colluding with the demonstrators to disrupt the festival, but a government minister said it was a difficult event to police as it was held in an open area, near a lake...

'The director of Tbilisi Pride confirmed to Reuters that all the event's participants had been bussed to safety but criticised the authorities' policing of the Pride event, which she said had been held in private for a second consecutive year to reduce the risk of such violent protests.'<sup>61</sup>

9.4.16 On 8 July 2023, CNN reported:

'A Pride festival was canceled in the Georgian capital of Tbilisi on Saturday by organizers who say authorities failed to prevent violent disruptions from Russian-affiliated far-right groups...

"The Ministry of Interior of Georgia once again neglected to protect us from violent far-right groups and allowed the mobs to prevent us from exercising our freedom of expression and assembly even in private settings," Tbilisi Pride said.

'Videos posted by Georgian activist channels showed clashes between police officers and anti-LGBTQ protesters in the festival area in Lisi Wonderland. Anti-Pride protesters were also pictured setting Pride flags on fire...

'In a statement on Friday, the Georgian Interior Ministry said it was taking "appropriate measures" to ensure the "safe format" of Saturday's event and "to protect the freedom of expression and assembly of each person."

'The speaker of the Georgian Parliament, Shalva Papuashvili, stressed the government's condemnation of any violence on Saturday, according to First Channel [Georgian public broadcaster].

'Papuashvili said police coped with the situation and prevented festival participants from being injured, according to First Channel.

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<sup>59</sup> PDO, [2022 Special Report on Combating...](#), (page 16), April 2023

<sup>60</sup> Civil Georgia, '[Tbilisi Pride Events to Take Place Indoors on July 1-8 – Civil Georgia](#)', 2 June 2023

<sup>61</sup> Reuters, '[Anti-LGBT protesters break up Pride festival in Georgia](#)', 8 July 2023



‘Georgian President Salome Zourabichvili said statements from Papuashvili and other government officials had no value, calling on the government to “stop using hate speech and inciting confrontation.”

‘Zourabichvili, who is independent of the country’s ruling Georgian Dream party, said the rights to peaceful assembly and freedom of expression guaranteed by the Georgian constitution were violated on Saturday.’<sup>62</sup>

9.4.17 On 8 July 2023, the British Ambassador to Georgia, Mark Clayton, tweeted: ‘Shocked and saddened to see that despite the planning & preventive measures, @Tbilisipride festival was cancelled due to safety risks for participants. I call on authorities to ensure that all who broke law & aggressively disrupted a peaceful gathering will be brought to justice.’<sup>63</sup>

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## 9.5 Prosecutions and convictions

9.5.1 In September 2020, the Government of Georgia signed a ‘Memorandum on Cooperation on Collection of Data on Hate Crime’ with the Council of Europe. As a result, the Supreme Court, the Office of the General Prosecutor, the Ministry of Internal Affairs, and the National Statistics Office of Georgia (GEOSTAT) created a joint system to collect and report data on hate crimes<sup>64</sup>.

9.5.2 The tables below have been compiled by CPIT based upon statistics published by the Ministry of Internal Affairs of Georgia, the Prosecutor’s Office of Georgia and the Supreme Court of Georgia for the period October 2020 to December 2022<sup>65 66 67 68</sup>. The table shows the number of investigations, prosecutions and convictions for hate crimes committed on the grounds of intolerance of sexual orientation and/or gender identity.

	2020 (Oct to Dec)	2021	2022
Investigations initiated into criminal cases on the basis of intolerance on the grounds of SOGIE	13	106	76
Criminal prosecutions launched in connection to crimes committed on the basis of intolerance on the grounds of SOGIE	5	67	55
Persons convicted on the basis of intolerance on the grounds of SOGIE	9	20	40

9.5.3 ECOM, Equality Movement and Tbilisi Pride 2022 report commented that in 2021, ‘individual attacks were also on the rise’. The source did not quantify the number of attacks but provided examples of incidents that took place during 2021:

<sup>62</sup> CNN, [‘Tbilisi Pride festival canceled after violent anti-LGBTQ protests’](#), 8 July 2023

<sup>63</sup> Clayton, [‘@MarkClaytonFCDO’ on Twitter](#), 8 July 2023

<sup>64</sup> CoE, [‘First ever Memorandum on Cooperation... Data on Hate Crime...’](#), 23 Sept 2020

<sup>65</sup> GEOSTAT, [Joint Report of Data on Crimes Committed...](#), Oct 2020

<sup>66</sup> GEOSTAT, [Joint Report of Data on Crimes Committed...](#), 2021

<sup>67</sup> GEOSTAT, [Joint Report of Data on Crimes Committed...](#), 2022

<sup>68</sup> GEOSTAT, [‘Memorandum of cooperation on collection of data on crimes...’](#), 23 September 2020

[O]n April 30, a 17-year-old transwoman was attacked by two unknown suspects. On May 1, two individuals were charged for this crime and were released by the court on relatively low bail given the nature of the violent crime. On October 31, a man entered a massage parlor in Tbilisi and attacked two transwomen with a knife, killing one and wounding another. The suspect was arrested and faced a charge of premeditated murder. The Prosecutor General's Office said the suspect "wanted to kill transpeople on the grounds of intolerance of gender identity." On April 20, a man attacked a lesbian couple in front of their child outside their home in Tbilisi. The attacker, a neighbor, insulted them and demanded they move out of the building. Police arrested the man, who was released on bail on April 23. Two gay men were also verbally assaulted and received death threats...<sup>69</sup> (See [State Protection](#).)

9.5.4 In July 2022, following a visit to Georgia, the Commissioner for Human Rights of the Council of Europe reported:

'According to information provided to the Commissioner by civil society organisations, there is a significant gap between the number of hate crimes and incidents documented by the Prosecutor's Office and the Ministry of Internal Affairs and the number of cases documented by the organisations advocating for the rights of LGBTI people... In 2020, a memorandum was signed between the Ministry of Internal Affairs, the Prosecutor's Office, the National Statistics Office, and the Supreme Court of Georgia to strengthen co-operation between the agencies and to ensure the annual publication of combined statistical data on hate crimes.'<sup>70</sup> The same report noted that, 'One of the challenges identified in relation to the investigation and prosecution of hate crimes in Georgia relates to the failure by the authorities to identify and correctly qualify hate motives.'<sup>71</sup>

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## 9.6 The Public Defender (Ombudsman)

9.6.1 An undated 'Guide' on the PDO's website stated:

'The Public Defender (ombudsman) is a constitutional institution, which supervises protection of human rights and freedoms within the territory of Georgia, reveals the facts of violations, and facilitates restoration of violated rights... You can apply for redress to the Public Defender when your (or someone else's) rights and freedoms are in the process of being or have been violated under the Georgian Constitution and/or law and/or international treaties and covenants to which Georgia is the party.'<sup>72</sup>

9.6.2 The PDO noted that if an individual's rights have been violated '...the Public Defender can:

- 'Send recommendations to the state body, official or legal person, whose actions violated your rights;
- 'If the Public Defender feels a crime has been committed, submit

<sup>69</sup> ECOM, Equality Movement, Tbilisi Pride, '[Human Rights Violations...](#)', May 2022

<sup>70</sup> Commissioner for Human Rights, '[Commissioner's report...](#)' (para 1.1.2), 15 July 2022

<sup>71</sup> Commissioner for Human Rights, '[Commissioner's report...](#)' (para 1.1.2), 15 July 2022

<sup>72</sup> PDO, [Guide](#), no date

materials possessed by him to the investigating unit;

- ‘Submit proposals to relevant agencies regarding disciplinary or administrative procedures of its employees whose action(s) violated your rights and freedoms;
- ‘Inform mass media about violations of human rights and freedoms;
- ‘Publish information on violations of human rights in special reports and annual reports.’<sup>73</sup>

9.6.3 The PDO 2022 special report provided details of the Ombudsman’s investigations into individual cases of alleged discrimination on the grounds of sexual orientation and gender identity:

- In 2022, the Public Defender examined a total of 153 individual cases of alleged discrimination, of which 11% were linked to SOGIE
- In 2021, the Public Defender examined a total of 161 individual cases of alleged discrimination, of which 7% were linked to SOGIE<sup>74</sup>

The PDO provided no information on the outcomes of the investigations.

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## 9.7 LGBTI persons in detention

9.7.1 ECOM, Equality Movement and Tbilisi Pride 2022 ‘alternative report’ stated:

‘Prison conditions for LGBT+ individuals are extremely precarious, affecting the basic rights of the detainees and those of their visitors. GBT prisoners report that they experience discrimination and violence in prison. Prison administrators separate all GBT prisoners from other prisoners. Prisoners state that the administration forces them to wear armbands to identify themselves... To protect themselves while in detention, most would identify as heterosexuals.’<sup>75</sup>

9.7.2 Penal Reform International published a blog in 2020, which stated: ‘On a daily basis, under such circumstances, belonging to a sexual minority in Georgian prisons is often linked to abuse and humiliation, physical and sexual violence, and fears that disclosure would have more painful consequences.’<sup>76</sup>

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## 10. Societal attitudes

10.1.1 In July 2022, following a visit to Georgia, the Commissioner for Human Rights of the Council of Europe reported that:

‘There is a persisting stigma among Georgian society associated with LGBTI people that is closely associated with deeply rooted perceptions about the need to maintain “traditional” values and family units. As noted in the 2019

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<sup>73</sup> PDO, [Guide](#), no date

<sup>74</sup> PDO, [2022 Special Report on Combating...](#), (pages 23 to 24), 11 April 2023

<sup>75</sup> ECOM, Equality Movement, Tbilisi Pride, [‘Human Rights Violations...’](#), May 2022

<sup>76</sup> Penal Reform International, [‘Sexual Minorities in Georgian Prisons’](#), 14 April 2020

report of the IE SOGI, there remains a pervasive attitude in Georgian society that being LGBTI is “sinful, shameful, or pathologic”. These perceptions, as noted above, are fuelled and reinforced by members of far-right groups, some religious leaders, some politicians and some media outlets. On a positive note, a study commissioned by the Council of Europe indicated a change in attitudes and a growing recognition among Georgian society of the importance of diversity and of protecting the rights of minority communities, as well as an increased level of awareness of the problems which minorities, including sexual minorities, face.’<sup>77</sup>

- 10.1.2 The online current affairs magazine, Foreign Policy, in an article dated 7 July 2021 noted ‘As in many countries in Eastern Europe and Central Asia, a broader tug of war over the country’s direction has coalesced around the issue of LGBT rights. Conservative groups, including the Georgian Orthodox Church, which is closely enmeshed with its Russian counterpart, have styled themselves as defenders of traditional values and are staunchly opposed to Georgia’s long-standing ambitions to join the European Union and NATO.’<sup>78</sup>
- 10.1.3 The Foreign Policy article reported that Natalia Antelava, editor-in-chief of privately funded Georgian news site Coda Story – which it stated had ‘reported extensively on the geopolitics of LGBT rights in the region’ – noted that ‘around 10 years ago, a range of ultraconservative groups began to use the phrase “LGBT” to describe anyone with liberal or pro-Western values.’ The article quoted Antelava as saying, “‘They were just throwing that word at anyone who had liberal values.’”<sup>79</sup>
- 10.1.4 Foreign Policy also quoted Ghia Nodia, director of the International School of Caucasus Studies at Tbilisi’s Ilia Chavchavadze State University, as saying that the groups which organised the attack on Tbilisi Pride in 2021 ‘are actually targeting not only LGBT people, but they use this matter to undermine the whole idea of liberal-minded people and the idea of Europe and the West...So it’s more like pro-Russian forces mobilizing against European integration and progressive ideas.’<sup>80</sup>
- 10.1.5 The 2021 USSD report stated ‘Although awareness of inclusion issues was growing, the acceptance of women and minority communities including youth, persons with disabilities, and members of the LGBTQI+ community and ethnic minority groups remained incomplete within political parties. The ability of the LGBTQI+ community to exercise an active voice during the elections was suppressed by the July 5 [2021] attacks’<sup>81</sup>
- 10.1.6 Womens Initiatives Support Group (WISG) conducted quantitative and qualitative research in 2016 and 2021 on knowledge and attitudes towards the LGBTQI community in Georgia, published in a 2022 report. In its summary of the research results, WISG commented: ‘A comparison of the study results conducted in 2016 and 2021 shows that the homo/bi/transphobia indexes show a tendency to decrease. The share of respondents who hate LGBT(Q)I people, perceive their relationships as

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<sup>77</sup> Commissioner for Human Rights, ‘[Commissioner's report...](#)’ (para 1.1.7), 15 July 2022

<sup>78</sup> Foreign Policy, ‘[Attack on Tbilisi Pride Exposes Geopolitical Fault Line...](#)’ 7 July 2021

<sup>79</sup> Foreign Policy, ‘[Attack on Tbilisi Pride Exposes Geopolitical Fault Line...](#)’ 7 July 2021

<sup>80</sup> Foreign Policy, ‘[Attack on Tbilisi Pride Exposes Geopolitical Fault Line...](#)’ 7 July 2021

<sup>81</sup> USSD, [2021 Country Reports on Human Rights Practices: Georgia](#), (Section 3), 12 April 2022

depraved, or morally judge those people has significantly reduced.<sup>82</sup>

10.1.7 The WISG 2022 quantitative research was conducted via survey with 1,610 respondents. Of them, 29.3% were residents of the capital, 28.0% were residents of other urban settlements, and 42.7% were residents of rural settlements<sup>83</sup>.

10.1.8 The WISG 2022 quantitative study looked at attitudes toward the civil rights of LGBTI persons:

‘Compared to 2016, the public is more positive about LGBT(Q)I rights activists and more accepting of the group’s legal equality issues. Among society’s views:

- ‘The percentage of opponents of gay marriage decreased by 14.4% (from 88.8% to 74.6%), while the number of supporters increased from 4.7% to 10.3%.
- ‘Opposition to the right of adoption for gay/ lesbian couples fell from about 82.3% to 67.6% and 66.9%, respectively; the number of those who did not agree with the ban increased by 15%.
- ‘Attitudes toward activists have also changed. The share of respondents who evaluated their activities negatively decreased by almost 20% (from 74.5% to 56.8%), while the number of supporters almost doubled. However, as in 2016, respondents have a more negative attitude toward activists than toward homosexuals in general.
- ‘Fewer respondents perceive talking about the legal equality of the LGBT(Q)I group as “gay propaganda” and “imposing their lifestyle on others” (76.5% in 2016 versus 55.9% in 2021).
- ‘Although more than half (53%) of respondents still support the view that LGBT(Q)I people should be barred from the right to assemble and express themselves by law, compared to 2016 [when the equivalent figure was 78.1%], the percentage of such respondents has decreased by almost 25%; and the share of those respondents who consider such a restriction unacceptable have doubled: only 14.6% in 2016 versus 27.1% in 2021<sup>84</sup>

10.1.9 The WISG quantitative study considered homophobic attitudes:

- ‘Compared to 2016, homophobic sentiments are less pronounced. The share of respondents who are disgusted by gay/lesbian people and perceive their relationships as “perversion” or “wrong” has significantly reduced.
- ‘As in 2016, gender, age, and settlement type remain significant predictors for homophobia. Men and older respondents living in urban areas (except the capital) and rural areas have a more negative attitude toward gay and lesbian people than women, young people and respondents living in the capital...

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<sup>82</sup> WISG, ‘[From Prejudice to Equality...](#)’ (page 16), 6 May 2022

<sup>83</sup> WISG, ‘[From Prejudice to Equality...](#)’ (page 141), 6 May 2022

<sup>84</sup> WISG, ‘[From Prejudice to Equality...](#)’ (page 88), 6 May 2022



- ‘Compared to 2016, acceptance of lesbians has increased more than that of gays.’<sup>85</sup>

10.1.10 The WISG quantitative study also considered transphobic attitudes:

- ‘Significantly reduced is the share of respondents who perceive transgender, nonconforming gender expression, and cross-dressing as a disease or who morally judge such people.
- ‘The binary model of gender (“People are either men or women”) is less popular.
- ‘The proportion of respondents who are willing to support a friend if he/she/they decide(s) to have sex reassignment surgery has increased.
- ‘The changes are markedly asymmetric and are more pronounced in female, young, and respondents living in capital, than in male, older, and other urban or rural respondents...
- ‘...Compared to 2016, the acceptance of gender-nonconforming men has increased more than that of gender-nonconforming women, which can be explained by the group’s different visibility policy in recent years.’<sup>86</sup>

10.1.11 The WISG 2022 qualitative research was conducted over 20 focus groups in which 150 representatives of different social and professional groups participated<sup>87</sup>. The qualitative research found ‘In every interviewed group, a large number of respondents [number not stated] think that homophobia is widely spread in Georgian society and discourse and that we may come across it at every level of socio-political life. Moreover, a large number of the interviewees think that the state does not recognise homophobia as a systemic problem and that this circumstance encourages instrumentalizing LGBT(Q)I issues and makes the polarization in society even more severe.’<sup>88</sup>

10.1.12 The WISG 2022 report highlighted ‘Community members and professionals participating in qualitative research studies, including police officers, also agree that transgender and gender-nonconforming people, as the most visible part of the LGBT(Q)I community, are more likely to be victims of hate crimes and discrimination due to their incompatibility with conventional gender norms.’<sup>89</sup>

10.1.13 The Caucasus Research Resource Center (CRRC) conducts an annual household survey in Georgia. During fieldwork which took place in December 2021 and January 2022, respondents were asked ‘Which of these people would you not wish to have [as] your neighbors most?’ The answers have been summarised by CPIT in the table below<sup>90</sup>.

Category	% of respondents
Criminals	36
Drug addicts	28

<sup>85</sup> WISG, ‘[From Prejudice to Equality...](#)’ (page 78), 6 May 2022

<sup>86</sup> WISG, ‘[From Prejudice to Equality...](#)’ (page 82), 6 May 2022

<sup>87</sup> WISG, ‘[From Prejudice to Equality...](#)’ (page 38), 6 May 2022

<sup>88</sup> WISG, ‘[From Prejudice to Equality...](#)’ (page 102), 6 May 2022

<sup>89</sup> WISG, ‘[From Prejudice to Equality...](#)’ (page 16), 6 May 2022

<sup>90</sup> CRRC, ‘[Caucasus Barometer 2021 Georgia](#)’, no date

Homosexuals	20
I would not wish any of these people as my neighbors	7
Other	6
Don't know/ refused to answer	3
Total	100

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## 11. Societal treatment

- 11.1.1 In July 2022, following a visit to Georgia, the Commissioner for Human Rights of the Council of Europe reported that ‘Transgender people in Georgia are exposed to high levels of social exclusion and violence.’<sup>91</sup>
- 11.1.2 The USSD 2022 HR report stated: ‘The PDO reported LGBTQI+ individuals continued to experience systemic violence, oppression, abuse, intolerance, and discrimination.’<sup>92</sup>
- 11.1.3 The 2022 USSD report noted that:  
‘In May a mob of approximately 30 men attacked five transgender women at their home in Chughureti District, Tbilisi. Tbilisi Pride, a local NGO, stated that the attackers, armed with stones and bricks, assaulted the women as well as their landlord, damaged their house, and made death threats. The Ministry of Internal Affairs launched an investigation, and Tbilisi Pride called on the Prosecutor’s Office to consider aggravating circumstance for the alleged hate crime. Similarly in June, approximately 20 men attacked several transgender women on Tamar Mepe Avenue in Tbilisi, and two persons were injured. The Ministry of Internal Affairs launched an investigation. In October, one person killed a foreign transgender woman in Tbilisi and injured another transgender woman. Police detained the accused and launched a murder investigation.’<sup>93</sup>
- 11.1.4 Human Rights Watch in its annual report covering events in 2022 noted:  
‘Lesbian, gay, bisexual, and transgender (LGBT) people in Georgia continue to face harassment, discrimination, and violence. In May, a group of some 30 men attacked five transgender women in their home in Tbilisi. The attackers, armed with stones and bricks, assaulted the women and their landlord, damaged their house, and made death threats. An investigation was pending at time of writing.’<sup>94</sup>
- 11.1.5 The EMC research 2020 considered the LGBTQ community’s experience of violence and made a key finding that ‘52% of respondents have been victims of violence at least once in their lives, in whole or in part, because of their sexual orientation and/or gender identity.’<sup>95</sup> However, the definition of ‘violence’ used by EMC is very wide in terms of both the nature and severity of the treatment experienced. EMC splits ‘violence’ into ‘physical’ and ‘psychological’ and both elements are subdivided further.

<sup>91</sup> Commissioner for Human Rights, ‘[Commissioner's report...](#)’ (para 1.1.6), 15 July 2022

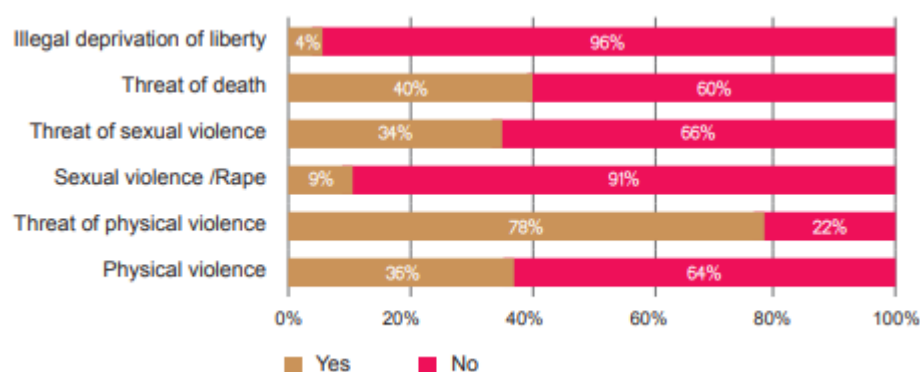
<sup>92</sup> USSD, ‘[2022 Country Reports on Human Rights Practices: Georgia](#)’ (section 6), 20 March 2023

<sup>93</sup> USSD, ‘[2022 Country Reports on Human Rights Practices: Georgia](#)’ (Section 6), 20 March 2023

<sup>94</sup> HRW, ‘[World Report 2023](#)’ (Georgia), January 2023

<sup>95</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.74), 2020

11.1.6 When EMC looked specifically at physical violence, the study found '29.4% of respondents (n = 91) have experienced physical violence in the last 2 years.'<sup>96</sup> Of those who had experienced physical violence, the nature of the violence was summarised by EMC in the graph below<sup>97</sup>, which contains categories covering both violence and threat of violence. Most of the recorded experiences took place in one of 2 locations<sup>98</sup>, the 'street' (29% of all experiences of physical violence) and 'online' (27% of all experiences of physical violence, which appears to relate to the recorded instances of 'threat' of violence). EMC did not provide a breakdown of experience of physical violence split according to a person's sexual orientation or gender identity.



11.1.7 When EMC looked specifically at psychological violence, the study found '48.4% of respondents have experienced psychological violence in the last 2 years'. This figure varied according to a person's sexual orientation and gender identity and was highest for trans respondents (81.5%)<sup>99</sup>.

11.1.8 The sub-categories of 'psychological violence' showing the nature of the experiences of survey respondents were summarised by EMC in the chart below<sup>100</sup>. The chart indicates that the most common types of 'psychological violence' experienced by LGBTQ persons were: verbal abuse/humiliation/ridicule (87%), emotional manipulation (53%) and restriction of gender expression (54%).

<sup>96</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.76), 2020

<sup>97</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (chart 31, p.77), 2020

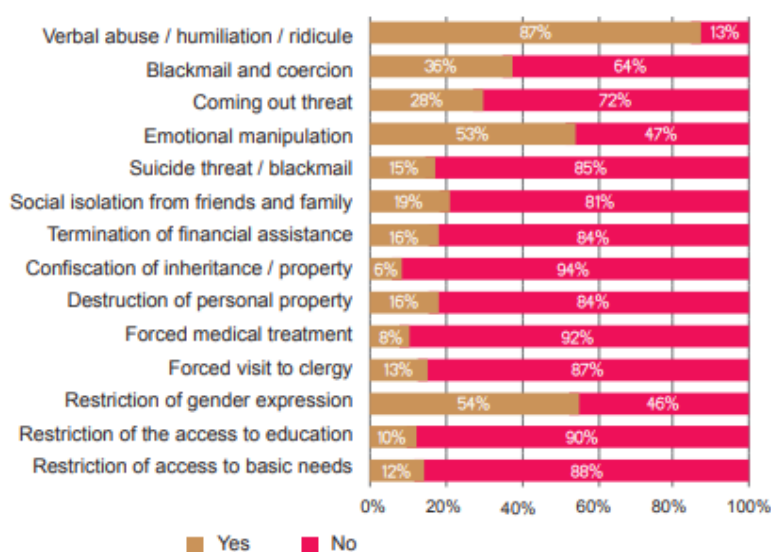
<sup>98</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (chart 33, p.79), 2020

<sup>99</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.84), 2020

<sup>100</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (chart 38, p.86), 2020



Forms of psychological violence during the last 2 years.



11.1.9 EMC identified the 3 most common locations in which the ‘psychological violence’ took place, ‘Home (48.7%), street (29.8%), and online domain (27.0%).’<sup>101</sup>

11.1.10 In June 2020, privately funded JAM News spoke to LGBT persons and their parents about their experience of living in Georgia. One individual - a lesbian who moved to the USA - said: ‘Nobody has thrown stones at me on the street, nobody has torn my hair out in public transport, didn’t give me slaps in nightclubs, didn’t splash my face with drinks in bars, nobody has tried to rape me because of my sexual orientation. Nor has anyone refused me as a tenant or kicked me out of an office or apartment, and no one tried to kill me because I’ve participated in a peaceful demonstration. And all this really happened to me in Georgia, I experienced all this the hard way, and more than once.’<sup>102</sup>

11.1.11 The WISG 2022 report stated: ‘...[O]ften homophobic attitudes expressed through aggression or attack are less directed at lesbians, whom most respondents name as the least vulnerable group in the [LGBT] community.’<sup>103</sup> The report noted that representatives of the community and service providers indicated that this was a consequence of their lack of visibility, rather than a valid indicator of public attitudes<sup>104</sup>.

11.1.12 this was a consequence of their lack of visibility, rather than an indication of tolerance<sup>105</sup>.

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## 12. Access to services

### 12.1 Overview

<sup>101</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.87), 2020

<sup>102</sup> JAM News, [‘Living surrounded by hate. LGBT individuals and their parents...’](#), 24 June 2020

<sup>103</sup> WISG, [‘From Prejudice to Equality...’](#) (page 25), 6 May 2022

<sup>104</sup> WISG, [‘From Prejudice to Equality...’](#) (page 25), 6 May 2022

<sup>105</sup> WISG, [‘From Prejudice to Equality...’](#) (page 25), 6 May 2022

12.1.1 The Constitution of Georgia outlines that all citizens have the right to to own property (Article 19), and the right to education (Article 27) and healthcare (Article 28)<sup>106</sup>. The Constitution provides from the right of individuals to freely choose their employment (Article 26)<sup>107</sup>.

12.1.2 Coalition for Equality, an informal association of 11 NGOs, reported in March 2022: ‘The LGBTQI community is not a homogeneous group. Thus, different groups have different challenges in accessing social rights. Transgender people are the most vulnerable part of the community...’<sup>108</sup>

12.1.3 The PDO 2022 LGBT+ report highlighted:

‘Heterosexism in society, as well as restrictions or self-restrictions associated with “coming out,” have a disproportionately negative impact on the LGBT+ group’s social and economic status, exercise of the right to health, and protection of labor rights. As a result, LGBT+ people face significant obstacles in defending their rights and are at risk of being discriminated against or subjected to unequal treatment in almost every aspect of life. As a result, the interdependence of these challenges creates a cycle of social exclusion, from which emancipation is associated with significant difficulties.’<sup>109</sup>

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## 12.2 Accommodation

12.2.1 The 2020 EMC study asked survey respondents ‘Have you ever faced a problem of homelessness during your lifetime?’ and 20.9% of respondents replied ‘Yes’, while 13.4% of respondents refrained from answering the question<sup>110</sup>. However, the EMC study recorded multiple causes of homelessness, not all of which were related to the person’s sexual orientation or gender identity. The study found ‘44.8% of respondents indicated that the experience of homelessness was related to their identity, 11.9% indicated a partial connection, and 43.3% stated that the experience of homelessness was not related to their identity.’<sup>111</sup>

12.2.2 The PDO 2022 LGBT+ report noted:

‘Despite the fact that there are homeless shelters in Georgia including Batumi, Kutaisi and Tbilisi municipal shelters, taking those services by LGBT+ community is related to many barriers and is dangerous if we take into consideration the fact that young and adolescent part of LGBT+ community most often faces these problems and risks.’<sup>112</sup>

12.2.3 Coalition for Equality noted in its March 2022 report:

‘After reaching adulthood, when community members openly express themselves or do a coming-out, they have to leave their families. From the experiences of the study participants, several major differences were

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<sup>106</sup> Legislative Herald of Georgia, ‘[Constitution of Georgia...](#)’, 29 June 2020

<sup>107</sup> Legislative Herald of Georgia, ‘[Constitution of Georgia...](#)’, 29 June 2020

<sup>108</sup> Coalition for Equality, ‘[The main challenges of the social protection...](#)’ (page 61), 17 March 2022

<sup>109</sup> PDO, ‘[The Rights of LGBT+ People in Georgia](#)’, (page 7), 29 April 2022

<sup>110</sup> EMC, ‘[Social Exclusion of LGBTQ Group in Georgia](#)’, (page 149), 2020

<sup>111</sup> EMC, ‘[Social Exclusion of LGBTQ Group in Georgia](#)’, (page 150), 2020

<sup>112</sup> PDO, ‘[The Rights of LGBT+ People in Georgia](#)’, (page 44), 29 April 2022

revealed between the groups, which is also caused by negative perceptions in the patriarchal society of Georgia. For example, unlike gay/bisexual men, lesbian/bisexual women rarely leave their family, regardless of whether they feel supported by family members or not. Transgender women often have to start an independent life before reaching adulthood, which usually means cutting off communication with the family. Transgender men continue to live in a family even after Coming-out.

‘Due to low incomes, homelessness is common in the LGBTQI community, as well as frequent changes of housing, and daily rentals. Due to the lack of permanent housing, people living under the poverty line are unable to receive social assistance. The homophobic attitudes of the landlords/owners are also problematic, which is why community members refuse to rent homes and are asked to leave apartments due to unjustified reasons.’<sup>113</sup>

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### 12.3 Healthcare

12.3.1 The 2020 EMC study found ‘14.4% of respondents (N=46) stated that they had become victims of discrimination while receiving health care services within the last two years... Among direct discriminatory acts were mocking attitude (93.5%), inappropriate questions from doctors (79.5%), refusal of service (65.2%), insult or humiliation (58.7%), ignorance of specific needs (54.3%), and breach of confidentiality (50.0%).’<sup>114</sup>

12.3.2 In 2021 the PDO highlighted ‘...the unavailability of medical services, including the fact that certain medications or hormonal treatments are not funded under the universal health care program, nor any other special program that would be tailored to the specific needs of transgender people exists.’<sup>115</sup>

12.3.3 The PDO 2022 LGBT+ report noted:

‘According to Article 5 of the Constitution, Georgia is a social state that is responsible for public health and social protection, while Article 28’s first paragraph states that “a citizen’s right to affordable and high-quality health care services shall be guaranteed by law.” Article 6 of Georgia’s Patient Rights Law states that “patients may not be discriminated against on the basis of race, skin color, language, sex, genetic heritage, belief and religion, political and other opinions, national, ethnic, or social origin, property and social status, place of residence, illness, sexual orientation, or negative personal attitude”. The similar norm on the prohibition of discrimination is enshrined in the Law of Georgia on Health Care.

‘Despite the fact that Georgian law protects LGBT+ people from discrimination, unequal treatment is still prevalent in the medical sector.... [E]ven when members of the LBGT+ community had no negative experiences with medical personnel, they frequently avoided visiting the doctor, except in cases of absolute necessity. In addition, various studies show that in the cases when LGBT+ community members need to use

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<sup>113</sup> Coalition for Equality, [The main challenges of the social protection...](#), 17 March 2022

<sup>114</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (page 137), 2020

<sup>115</sup> PDO, [Report of the Public Defender of Georgia....](#), (page 110), 2021

medical services (and this is in some ways related to their identity or sexual behaviour) they refrain from providing exhaustive information to the doctor, which might harm their health and effectiveness of their treatment.<sup>116</sup>

12.3.4 In March 2022, the Coalition for Equality noted: 'Discriminatory, stereotypical attitudes and low sensitivity of medical staff are some of the obstacles to LGBTQI people while using health services...LGBTQI people choose a doctor and a medical facility to receive medical care on the recommendation of other community members, acquaintances, social workers, and/or community organizations.'<sup>117</sup>

12.3.5 Equality Movement offers a free and anonymous doctors service. This includes medical consultations, treatment appointments, referrals to appropriate medical services, blood tests and providing competent information on HIV/AIDS prevention medication Pre-exposure prophylaxis (PrEP) <sup>118</sup>.

12.3.6 The same report stated the following with regard to financial aspects of accessing healthcare:

'LGBTQI people face several major challenges in accessing health services. Lack of financial resources is cited as a major limiting factor for accessing medicines, scheduled or emergency medical procedures. Some of the survey respondents have experienced receiving the amount (or part of the amount) needed for treatment from the state or community organizations, however such cases are rare, and they do not cover the complex needs of community members.'<sup>119</sup>

12.3.7 The Coalition for Equality also noted the following in relation to HIV/AIDS:

'...the rate of [HIV] testing and status detection is low. Focus group respondents pointed to several key issues in accessing HIV services. Nearly all participants in the study spoke about the practice of breaching confidentiality by the medical providers. Among the challenges was the geographical (territorial) location of the medical facility, which creates additional difficulties in obtaining the service.

'Although all HIV-related services are free for Georgian citizens, the study participants also mentioned other concomitant chronic diseases, the treatment of which is not covered by the state. Part of the community, especially the transgender community, named the issue of starting a treatment or discontinuation of treatment as an important problem. The reasons for such practices were the stigma associated with HIV and the LGBTQI community, as well as the lack of information about the side effects of medications, and the lack of a support system.'<sup>120</sup>

12.3.8 The Coalition for Equality also note the following with regard to access to healthcare for transgender persons:

'Access to health care for trans- gender people is hampered by economic

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<sup>116</sup>PDO, [The Rights of LGBT+ People in Georgia](#), (page 40), 29 April 2022

<sup>117</sup> Coalition for Equality, [The main challenges of the social protection...](#) page 65, 17 March 2022

<sup>118</sup> Equality Movement, [Doctor](#), no date

<sup>119</sup> Coalition for Equality, [The main challenges of the social protection...](#) page 65, 17 March 2022

<sup>120</sup> Coalition for Equality, [The main challenges of the social protection...](#) page 68, 17 March 2022

vulnerability, transphobic attitudes, and the lack of trans-specific guidelines and protocols... Without national protocols and guidelines, health care providers are forced to rely on guidelines of other countries that may not cover or neglect Georgia's context and special needs...

'The transgender women and men in the focus groups pointed out the problems in the process of hormonal therapy. Respondents indicated that receiving a consultation with a doctor and taking hormonal drugs is difficult due to lack of finances. Members of the LGBTQI community have tried to get funding for hormonal therapy from the state, but they were denied.

'Due to lack of access to financial resources, some transgender people are forced to refuse therapy or take medications irregularly. When therapy is continued, transgender people are no longer able to meet other basic needs. Respondents recalled cases when community members were taking cheap hormonal medications without an endocrinologist prescription, which had a negative impact on their health.'<sup>121</sup>

- 12.3.9 Equality Movement also provides LGBTQ+ individuals with free psychological services such as individual therapy, family therapy, clinical tests, psycho-diagnostics and other assistance provided by multidisciplinary professionals<sup>122</sup>.

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## 12.4 Education

- 12.4.1 EMC's research stated the following:

'Research shows that LGBTQ people have limited access to education... The most acute problems among educational institutions at various levels were identified at the school level, which is a vulnerable age for young LGBTQ people. Unsupportive environment in school spaces has the most negative impact on the future lives of individuals as it forms a foundation that ensures the transition to adulthood. The research shows that for 32.2% of the respondents (N = 292) the barrier to general education is homophobic discrimination by teachers and/or the school administration, and for 41.9% homophobic bullying by classmates/schoolchildren. It is noteworthy that of the respondents who experienced barriers to general education due to their sexual orientation or gender identity (N = 136), 44.1% missed school days.'<sup>123</sup>

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## 12.5 Employment

- 12.5.1 The USSD HR report 2022 noted that 'Discrimination in the workplace was widespread. LGBTQI+ activists said discrimination based on gender identity and sexual orientation remained widespread and underreported.'<sup>124</sup>
- 12.5.2 EMC's research, published in 2020, asked respondents how open they were with co-workers about their sexual orientation. The percentage of

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<sup>121</sup> Coalition for Equality, [The main challenges of the social protection...](#) page 66-67, 17 March 2022

<sup>122</sup> Equality Movement, [Psychologist](#), no date

<sup>123</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.11), 2020

<sup>124</sup> USSD, ['2022 Country Reports on Human Rights Practices: Georgia'](#) (Section 7), 20 March 2023



respondents who reported that they were open with ‘All’ or ‘Most’ of their co-workers was:

- Lesbian – 57.7%
- Gay – 57.7%
- Bisexual woman – 20%
- Bisexual man – 65.4%<sup>125</sup>

12.5.3 Of the 320 responses to EMC’s questionnaire 68.8% of LGBTQ persons were employed and 31.3% were unemployed. The 2 largest employment sectors were ‘arts, entertainment and leisure’ (32.7% of employed persons) and ‘accommodation and catering services’ (19.2% of employed persons)<sup>126</sup>.

12.5.4 The PDO 2022 LGBT+ report noted:

‘In terms of eliminating discrimination in the workplace, the key EU directives, which the State has committed to implementing in the EU-Europe Atomic Energy Union and their Association Agreement, are important...

‘Georgian legislation has undergone significant changes in creating decent working conditions and prohibiting unequal treatment in the workplace. On September 29, 2020, as a result of the reform of the labor legislation, the Labor Code of Georgia became substantially closer to the EU directives and the requirements of the International Labor Organization... It should also be noted that the Labor Code considered the employer’s direct obligation to take measures to protect the principle of equal treatment of employees in the institution, including the provisions prohibiting discrimination in the labor regulations and other documents and ensuring their implementation.’<sup>127</sup>

12.5.5 In March 2022, the Coalition for Equality noted:

‘Experiences of cultural exclusion, violence and socio-economic oppression leave some LGBTQI people outside the labor market. Community members are usually represented in low-wage, informal sectors and create “cheap”, volatile workforces...

‘[LGBT] Community members face barriers and discriminatory treatment at all stages of the employment relationship – in job search, job interviews, employment, and job performance. Employment opportunities are significantly influenced by openness (coming out) and expression related to sexual orientation or gender identity. Only 21% of LGBTQI people in the workplace are open about their sexual orientation or gender identity, while 34% of community members do not reveal their identities to avoid harassment, threats and/or violence. Participants of in-depth interviews and focus groups indicated that identity could only be revealed in jobs that are LGBTQI-friendly or has internal anti-discrimination mechanisms in place...

‘Respondents named specific entertainment and leisure facilities (clubs, bars, restaurants, hotels, etc.) as LGBTQI-friendly workplaces. Some participants noted that openness and appropriate expression of identity were supported by the employer.

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<sup>125</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (page 65), 2020

<sup>126</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (page 115), 2020

<sup>127</sup> PDO, [The Rights of LGBT+ People in Georgia](#) (page 35), 29 April 2022

“There are certain trends in some companies. They like when a gay man serves them” – gay man.

“When I was hired, the owner of the bar told me that more ‘queer’ I acted, the cooler it would be. He wanted to sell my image to clients and create a ‘colorful environment’” – a gay man...

‘The most common forms of discrimination are verbal discrimination (insults, humiliation, ridicule), as well as expulsion and spreading rumors...

‘A significant portion of people in the LGBTQI community, including those surveyed, have had informal work experiences. The most common form of informal labor practice is working in the field of service and entertainment without a contract, based on oral agreement. In addition, lesbian, bisexual, and other non-heterosexual cisgender women work as babysitters, educators, tutors, and caregivers.’<sup>128</sup>

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Section updated: 19 September 2023

### 13. LGBTI community

#### 13.1 Lived experience, visibility and ‘coming out’

13.1.1 The EMC stated the following regarding the experience of coming out: ‘The research shows that the coming out of members of the LGBTQ community can result in multiple vulnerabilities, including violence, lack of adequate access to education, lack of access to health care, and challenges of homelessness. Consequently, a large percentage of respondents – 63.9% avoid disclosing their sexual orientation, especially in the home/ family, neighbourhood, street, and other public spaces, indicating that there is almost no space reserved for the LGBTQ community members, and they constantly have to control their forms of their presentation/expression.’<sup>129</sup>

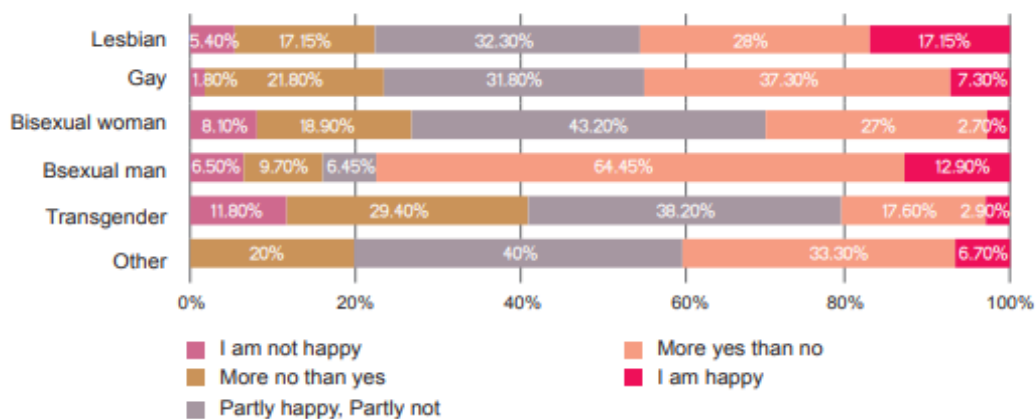
13.1.2 The EMC 2020 survey asked 320 respondents ‘Are you happy or not?’ The results were summarised by EMC in the chart below<sup>130</sup> and indicate a variation in ‘happiness’ levels among person’s with different sexual orientations and gender identities, with transgender respondents the least happy and bisexual men the most happy.

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<sup>128</sup> Coalition for Equality, ‘[The main challenges of the social protection...](#)’ page 62-64, 17 March 2022

<sup>129</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.10), 2020

<sup>130</sup> EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (pg.53), 2020



13.1.3 The EMC 2020 survey also asked respondents how comfortable they felt in Georgia<sup>131</sup>. The results have been summarised by CPIT in the table below.

	Lesbian	Gay	Bisexual woman	Bisexual man	Trans gender	Other
Very comfortable	10.8	15.5	5.4	9.7	20.6	20.0
Comfortable	19.4	25.5	16.2	19.4	2.9	26.7
Partly comfortable/ partly uncomfortable	51.6	31.8	40.5	45.2	35.3	26.7
Uncomfortable	16.1	23.6	37.8	22.6	35.3	20.0
Very uncomfortable	2.2	1.8	0	3.2	0	6.7
Refuse to answer/ don't know	0	1.8	0	0	5.9	0
Total	100.1	100	99.9	100.1	100	100.1

13.1.4 The EMC 2020 survey reported: W]hen asked how open they [LGB persons only] are about their own sexual orientation, 21.8% of respondents (n = 275) state that they are open to everyone about their own sexual orientation, 76.7% are partially open, and 1.5% are not at all open about their own sexual orientation to others.<sup>132</sup> The degree of openness was higher for transpersons. For transmen, 60% reported being completely open and 40% reported being partially open. The figures were similar for transwomen (62.5% completely open and 37.5% partially open)<sup>133</sup>.

13.1.5 The WISG 2022 report stated:

‘The individual visibility of members of the LGBT(Q)I community is higher in Tbilisi than in other urban areas and rural areas: 23.8% of respondents living in Tbilisi say they know at least one member of the LGBT(Q)I group, while the share of such respondents in urban and rural areas is respectively, 11.3%, and 5.1%. The peculiarity of the internal migration of the LGBT(Q)I group shows that young members of the group often try to choose a place to live that, on the one hand, allows them to be away from family, and relatives in order to avoid “control” over themselves. And on the other hand, in big cities where there is more diversity and less pressure on self-expression. Young people living in rural areas try to move to the city, move from one city

<sup>131</sup> EMC, ‘[Social Exclusion of LGBTQ Group in Georgia](#)’, (pg.44), 2020

<sup>132</sup> EMC, ‘[Social Exclusion of LGBTQ Group in Georgia](#)’, (pg. 63) 2020

<sup>133</sup> EMC, ‘[Social Exclusion of LGBTQ Group in Georgia](#)’, (pg. 69) 2020



to another, and so on. Consequently, in Tbilisi and other cities, the respondents are more likely to know a person who doesn't hide his/her/their sexual identity.'<sup>134</sup>

13.1.6 An Economist article, dated 4 November 2021, reported 'Success Bar is the only avowedly gay pub [in Georgia] (some other clubs in Georgia run occasional gay nights)...partygoers hoping to attend a gay night at nearby club Bassiani must submit their names, dates of birth, links to their Facebook profiles and even passport numbers days in advance. The party's security team then screen for signs of prejudice before allowing anyone to hit the dance floor.'<sup>135</sup>

13.1.7 A January 2023 BBC Culture article stated:

'In socially conservative Tbilisi there is a thriving LGBTQ+ scene, with comedy, clubbing and art at its core...[I]n the Georgian capital Tbilisi there is a thriving, tight-knit underground LGBTQ+ scene, spearheaded by techno clubs such as Bassiani but also spreading into cinemas and galleries and onto stages...

"Our original goal was not just a techno club," says Giorgi Kikonishvili, founder of Georgia's first LGBTQ+ event, Horoom Nights at Bassiani, which started in 2016, "but a kind of underground base for all sorts of social movements in Georgia... those of queers, women, the left, the green movement. So the DNA of the club is not just music and techno, we see the club as a political place"...

'During the day, Kikonishvili works with artist and activist Tekla Tevdorashvili and others at the Fungus Gallery, an LGBTQ+ art collective and gallery in a quiet corner of Tbilisi that invites artists from across the Caucasus region. Tevdorashvili says it is hard to understate the importance of club culture in these social changes. "Nightlife changed the whole context of how Georgian society perceives queer people. Clubs were the first place to offer them a safe space, and now the attitude people have in the clubs is shifting to daylight."<sup>136</sup>

13.1.7 The same article stated:

'For Tevdorashvili, this need for safe spaces is all too real. A few years ago she put an art installation up in a public park days before the annual church-organised "day for family purity". The installation was a rainbow-coloured box entitled "Closet", with handwritten notes from the LGBTQ+ community, which played a speech and then the Diana Ross song Coming Out. She had only told a few trusted blogs about it in advance, but it was attacked by a far-right activist within just a few hours of being up. Tevdorashvili recognised him from demonstrations. The police came but they advised against putting the artwork back up. This was a setback, she says, but not a defeat: "What we artists and activists has gone through have only made us stronger."<sup>137</sup>

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<sup>134</sup> WISG, '[From Prejudice to Equality...](#)' (page 25), 6 May 2022

<sup>135</sup> The Economist, '[Bouncers at gay clubs in Georgia screen patrons for bigotry](#)', 4 Nov 2021

<sup>136</sup> BBC Culture, '[Georgia's surprising LGBTQ+ scene](#)', 25 January 2023

<sup>137</sup> BBC Culture, '[Georgia's surprising LGBTQ+ scene](#)', 25 January 2023

## 13.2 Support organisations

- 13.2.1 NGO Tbilisi Pride, in an undated page on its website, described its mission to ‘create an equal and free environment for LGBT+ people.’<sup>138</sup>
- 13.2.2 The Women’s Initiatives Supporting Group, in an undated page on its website, stated that it ‘... was and remains the first organization in Georgia focused on the empowerment of lesbian and bisexual women and trans persons... Today, the organization is a leading expert in LGBTI issues and enjoys a high level of credibility among both local and international state and non-state actors.’<sup>139</sup>
- 13.2.3 Equality Movement is a Georgian NGO which aims to ensure access to health care services, mobilise and support social integration and form a supportive environment to empower women and the LGBTQ community <sup>140</sup>.
- 13.2.4 Equality Movement ‘provides social and legal services based on the needs of the beneficiaries, works towards mobilizing the community, and conducts interventions of policy advocacy and changing the social awareness.’ This includes providing free HIV testing and free access to doctors and psychologists<sup>141</sup> (see [Healthcare](#)).
- 13.2.5 Human Rights Centre (HRC) Georgia ‘believes that everyone is entitled to exercise her/his civil, political, social, economic and cultural rights freely and without any discrimination as guaranteed by national and international law. We consider that protection and promotion of these rights and respect for rule of law are the key preconditions for building sustainable peace and democracy in Georgia.’ <sup>142</sup> HRC’s main activities include documenting and monitoring human rights violations, reporting to international bodies, advocacy of legislative and policy reforms and litigating cases on human rights violations through the Legal Aid Centre pro-bono<sup>143</sup>.

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## 14. Freedom of movement

- 14.1.1 Georgia has a population of 3.6 million and is 69,700 sq km<sup>144</sup>. Approximately 1 million people live in the capital of Tbilisi<sup>145</sup>.
- 14.1.2 The Freedom House 2023 ‘Freedom in the World’ report noted that: ‘There are ongoing restrictions on travel to and from the separatist territories of Abkhazia and South Ossetia, and individuals who approach their de facto borders can face detention, generally for short periods. Georgians are otherwise free to travel and change their place of residence, employment, and education without undue interference.’<sup>146</sup>

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<sup>138</sup> Tbilisi Pride, ‘[Mission](#)’, no date

<sup>139</sup> WISG, ‘[About](#)’, no date

<sup>140</sup> Equality Movement, [Mission/Vision](#), no date

<sup>141</sup> Equality Movement, [Mission/Vision](#), no date

<sup>142</sup> HRC, [Vision and Mission](#), no date

<sup>143</sup> HRC, [Priorities](#), no date

<sup>144</sup> BBC, ‘[Country profile: Georgia](#)’, 2 August 2023

<sup>145</sup> World population review, ‘[Tbilisi Population 2023](#)’, 2023

<sup>146</sup> Freedom House, ‘[Freedom in the World 2023 Georgia](#)’, section G1, 2023

# Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

All the COI included in the note was published or made publicly available on or before the 'cut-off' date(s). Any event taking place or report/article published after these date(s) is not included.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal context
  - General anti-discrimination provisions (and inclusion or absence of reference to LGBTI persons)
  - Same-sex sexual behaviour
  - Same-sex couples, including civil union and marriage
  - Legality of conversion therapy and prevalence
- State attitudes and treatment
  - government policies/programmes that assist or discriminate against LGBTI persons
  - restrictions/enforcement of law against LGBTI freedom of assembly, including Pride events
- State protection
  - Functionality and effectiveness of the criminal justice system, including effectiveness for LGBTI persons
  - Relevant significant court cases
- Societal attitudes and treatment
  - Public opinion/views/surveys, including anti-LGBTI movements and public demonstrations
  - Prevailing cultural and family attitudes to male/female relationships, family and non-conforming behaviour
  - Violence and hate crimes against LGBTI community
  - Prevalence of hate speech
  - Treatment by the public, including family members
  - LGBTI organisations (including possibility to operate openly)
- Access to social rights
  - Access to accommodation, including rate of homelessness in LGBTI community
  - Discrimination in healthcare access, including attitudes of healthcare staff
  - Barriers, discrimination and treatment in employment

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# Version control and feedback

## Clearance

Below is information on when this note was cleared:

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- valid from **4 December 2023**

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## Changes from last version of this note

First version.

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The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

### **Independent Advisory Group on Country Information**

Independent Chief Inspector of Borders and Immigration

1st Floor

Clive House

70 Petty France

London

SW1H 9EX

Email: [chiefinspector@icibi.gov.uk](mailto:chiefinspector@icibi.gov.uk)

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