



Country Factsheet

DEPARTMENT FOR THE EXECUTION OF JUDGMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS
SERVICE DE L'EXÉCUTION DES ARRÊTS DE LA COUR EUROPÉENNE DES DROITS DE L'HOMME

Last update: 15/03/2021

Georgia

Membership to the Council of Europe	27 April 1999
Entry into force of the European Convention on Human Rights	20 May 1999
First case under supervision of execution	Assanidze (71503/01) Judgment final on 8 April 2004
Total number of cases transmitted for supervision since the entry into force of the Convention	145
Total number of cases closed by final resolution	88

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION*

> Actions of security forces

Lack of effective investigations into allegations of violations of the right to life and of ill-treatment, or excessive use of force by the police during arrest and/or custody; failure of the authorities to carry out effective investigations into assaults and homicides.

Tsintsabadze group (35403/06)
(ex **Gharibashvili** group)
Judgment final on 18/03/2011

Status of execution
Enhanced supervision

> Lawfulness of detention and use of restrictions on rights for illegitimate purposes

Continued pre-trial detention in the absence of sufficiently reasoned decisions, and abusive use of pre-trial detention as a pressure mean to get information on matters unrelated to the criminal case.

Merabishvili (72508/13)
Judgment final on 28/11/2017

Status of execution
Enhanced supervision

> Freedom of religion

Absence of State protection against physical assaults on persons of a religious community (Jehovah's Witnesses') by a group of extremist Orthodox believers; ineffective criminal investigations into the events.

Members of the Gldani Congregation of Jehovah's Witnesses group (71156/01)
Judgment final on 03/08/2007

Status of execution
Enhanced supervision

> Freedom of assembly and association

Lack of adequate protection against homophobic bias-motivated attacks during an LGBT demonstration; ineffective investigations into allegations of ill-treatment.

Identoba and Others (73235/12)
Judgment final on 12/08/2015

Status of execution
Enhanced supervision

* Detailed information concerning the Committee of Ministers' supervision of the execution of judgments and decisions of the European Court of Human Rights, notably the distinction between enhanced and standard supervision, are available on [the website of the Department for the Execution of Judgments](#).



SUPERVISION CLOSED - MAIN REFORMS ADOPTED**

> Lawfulness of detention

Introduction, in 2010, of a prompt judicial control of lawfulness of the detention: a pretrial detention order must be motivated and its duration cannot exceed 9 months in total; general improvement of detention conditions.

Patsuria group (30779/04+)
Judgment final on 06/02/2008

Final Resolution
CM/ResDH(2011)105

Revision of the Code of Criminal Procedure in 2006 clarifies the scope of the bailiffs' power to arrest individuals and guarantees the holding of an oral hearing when detention is concerned and the respect of principle of equality of arms.

Kakabadze and Others (1484/07)
Judgment final on 02/01/2013

Final Resolution
CM/ResDH(2017)77

> Conditions of detention - medical care

Improvement of the penitentiary health system by setting-up between 2010 and 2013 of better infrastructures, ensuring the presence of a more qualified medical staff; preventing health issues, through regular medical examination and adequate treatment for inmates.

Ghavitadze group (23204/07)
Judgment final on 03/06/2009

Final Resolution
CM/ResDH(2014)209

Improvement of medical care for mental problems in prisons: all penitentiary institutions were staffed with doctors/psychiatrists in order to ensure adequate prevention and control of mental health problems.

Jashi (10799/06)
Judgment final on 08/04/2013

Final Resolution
CM/ResDH(2014)162

> Fairness of judicial proceedings

Reform and modernisation of the enforcement system: creation in 2008 of the National Bureau of Enforcement and establishment of a mixed bailiff system; reinforced material capacity to execute judicial decisions through the creation of a "Government Fund" (attached to the Ministry of Finance) to honor debts and pay damages for losses caused.

"Iza" Ltd and Makrakhidze group
(28537/02+)
Judgment final on 27/12/2005

Final Resolution
CM/ResDH(2011)108

Improvement of procedural guarantees in both civil and criminal cases:

- reinforcement of the adversarial principle and of the obligation to motivate court decisions in 2006 and 2007;
- improvement of access to court.

Donadze (74644/01)
Judgment final on 07/06/2006

Final Resolution
CM/ResDH(2011)63

Reopening through a system of civil and criminal proceedings to give effect to judgments of the European Court of Human Rights.

FC Mretebi (38736/04)
Judgment final on 30/01/2008

Final Resolution
CM/ResDH(2010)163

Gorgiladze (4313/04)
Judgment final on 20/01/2010

Final Resolution
CM/ResDH(2012)125

** This section may also include certain major reforms already implemented in the context of cases still pending.

For a thorough overview of reforms adopted since the entry into force of Protocol No. 11 in 1998 see the [Annual Report 2015](#), Part IV "Main achievements". As regards the period 1959-1998, see the overview provided by the European Court in its special publication "Survey : 40 years of activity", section IV "Effects of judgments and decisions" – both documents, together with a number of additional ones, are available also on the website of the Department for the Execution of Judgments of the European Court of Human Rights.



SUPERVISION CLOSED - MAIN REFORMS ADOPTED**

Prisoners have, since 2010, the possibility to seek and receive compensation from the State for illegal or unjustified detention, independently of their conviction or acquittal, and regardless of the prosecution bodies' fault for the unlawfulness of the convictions.

Jgarkava (7932/03)

Judgment final on 24/05/2009

Final Resolution
CM/ResDH(2016)25

> Freedom of expression - defamation

Introduction in 2004 of a clear distinction between value-judgments and statements of facts and between defamation towards a private individual and a public personality made through a series of amendments to the Civil Code and law on press and media; abolition of the requirement for journalists to prove the truth of information communicated.

Gorelishvili (12979/04)

Judgment final on 05/09/2007

Final Resolution
CM/ResDH(2010)164

> Protection of property

Improvement of the right to compensation to victims of Soviet Era repression promised in Constitution of 1997 by means of legislative clarifications and practice developments.

Klaus and Youri Kiladze (7975/06)

Judgment final on 02/05/2010

Final Resolution
CM/ResDH(2015)41

> Electoral rights

Establishment of clear criteria regarding the power of the Central Electoral Commission to invalidate elections and its obligations in this regard, through a series of reforms of the electoral legislation carried out in 2014–2015; the existence of an effective remedy was thereby also ensured.

Georgian Labour party (9103/04)

Judgment final on 08/10/2008

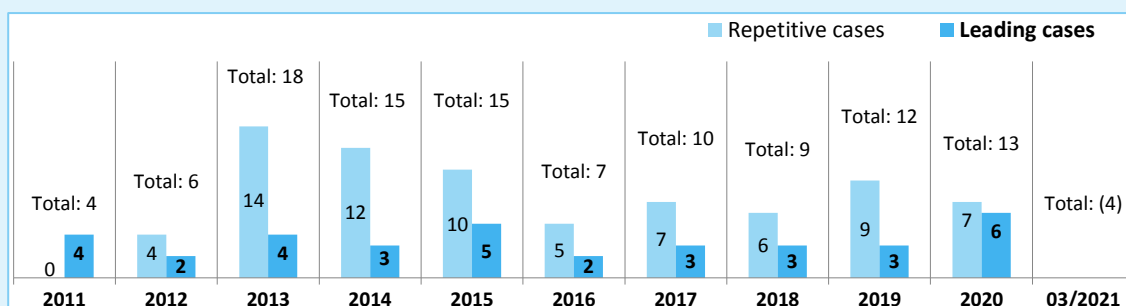
Final Resolution
CM/ResDH(2016)42



STATISTICS***

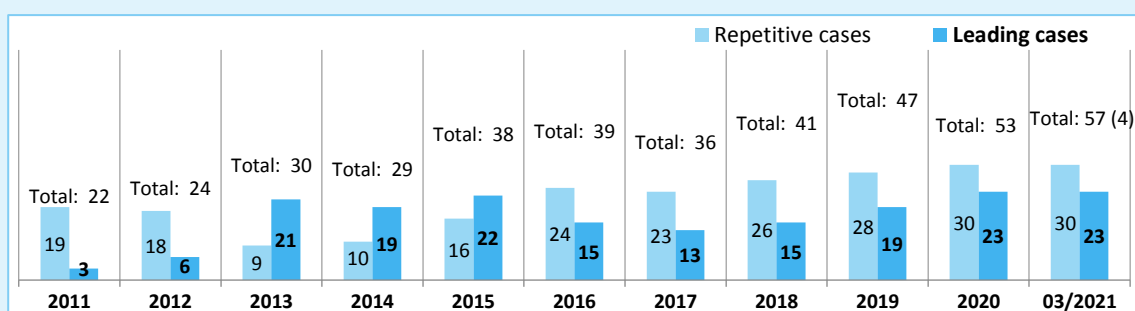
New cases

(judgments transmitted for supervision of their execution during the year)



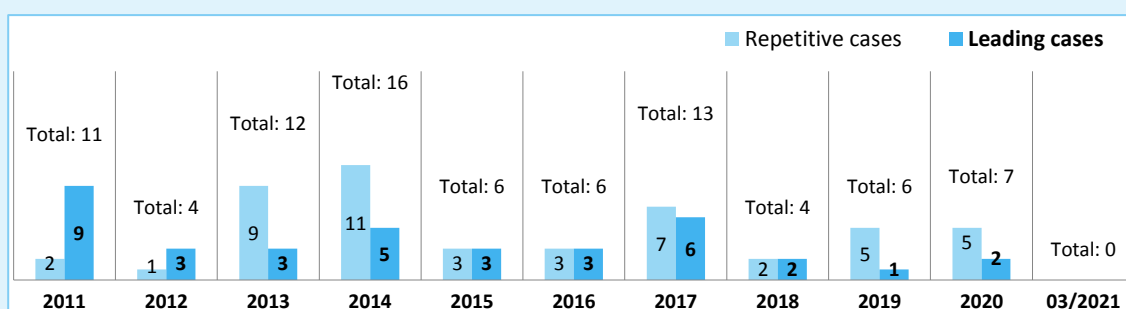
Figures bracketed correspond to the number of cases not yet classified as leading or repetitive, but they are taken into account in the total number of new cases.

Pending cases

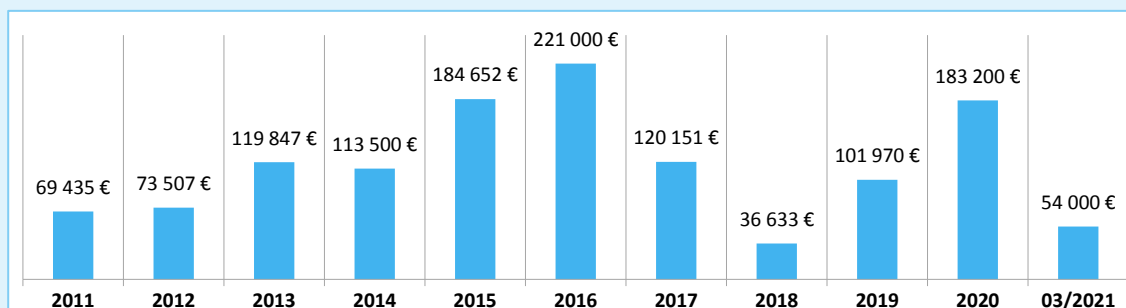


Figures bracketed correspond to the number of cases not yet classified as leading or repetitive, but they are taken into account in the total number of pending cases.

Cases closed by final resolution



Just satisfaction awarded by the European Court

*** Detailed statistics are available in the [annual reports](#) of the Committee of Ministers. Figures are reported as they appear in the annual report for each year.