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Date: 02/01/2025

DH-DD(2025)10

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Meeting: 1521st meeting (March 2025) (DH)

Item reference: Action Report (23/12/2024)

Communication from Georgia concerning the group of cases of IDENTOBA AND OTHERS v. Georgia
(Application No. 73235/12)

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Réunion : 1521^e réunion (mars 2025) (DH)

Référence du point : Bilan d'action (23/12/2024)

Communication de la Géorgie concernant le groupe d'affaires IDENTOBA ET AUTRES c. Géorgie (requête n° 73235/12) (*anglais uniquement*)

The Government of Georgia

Action Report

Identoba and Others,

No. 73235/12, Judgment of 12/05/2015, final on 12/08/2015

97 Members of the Gldani Congregation of Jehovah's witnesses and 4 Others,

No. 71156/01, Judgment of 03/05/2007, final on 03/08/2007

Aghdgomelashvili and Japaridze,

No. 7224/11, Judgment of 08/10/2020, final on 08/01/2021

Mikeladze and Others,

No. 54217/16, Judgment of 16/11/2021, final on 16/02/2022

Women's Initiatives Supporting Group and Others,

Nos. 73204/13 and 74959/13, Judgment of 16/12/2021, final on 16/03/2022

Georgian Muslim Relations and Others,

No. 24225/19, Judgment of 30/11/2023, final on 29/02/2024

Tsulukidze and Others,

No. 14797/11, Judgment of 16/05/2024, final on 16/05/2024

I. Introduction

1. The cases of the *Identoba Group* concern degrading treatment of the applicants on account of abusive and humiliating police conduct, motivated by homophobic and/or transphobic hatred (in 2009: *Aghdgomelashvili and Japaridze* case; in 2013: *Women's Initiatives Supporting Group and Others* case); and the authorities' failure to provide adequate protection against inhuman and degrading treatment inflicted by private individuals on LGBTI activists (in 2012: *Identoba and Others* case; in 2013: *Women's Initiatives Supporting Group and Others* case) and Jehovah's Witnesses (in 1999-2001: *Gldani Congregation* case), who were violently attacked during marches/meetings (substantive violations of Article 3, taken separately and in conjunction with Article 14), as well as the absence of effective investigations into these facts and the allegations of ill-treatment of the Muslim minority representatives at the hands of police (in 2014: *Mikeladze and Others* case), including as regards discriminatory motives in that connection (procedural violations of Article 3, taken separately and in conjunction with Article 14). They also concern the authorities' failure to take the necessary measures to ensure the exercise of their rights to freedom of religion by Jehovah's Witnesses and freedom of assembly by LGBTI activists (violations of Articles 9 and 11, taken separately and in conjunction with Article 14).
2. Furthermore, *Georgian Muslim Relations and Others* case concerns the authorities' failure to provide adequate protection to the applicants against discriminatory treatment (unlawful mob

action, hate speech and other humiliating actions), committed by private parties in the context of prevention from opening a Muslim boarding school (violation of Articles 8 and 9 in conjunction with Article 14). The case also concerns the authorities' failure to guarantee the right to peaceful enjoyment of possessions, notably to stop the school blockage and to connect the building to the local municipality's sewage system (violation of Article 1 of Protocol No. 1).

3. *Tsulukidze and Others* case concerns allegedly religiously motivated assault on the applicants carried out from 2008 to 2010 and the absence of effective investigation of ill-treatment only with regard to the sixth applicant (violation of Article 3 under its procedural limb). Other applicants' complaints were declared inadmissible or manifestly ill-founded by the European Court (hereinafter - "the Court").
4. In its decision adopted in September 2020 (1383rd DH meeting) the Committee decided to close the supervision of the individual measures in *Identoba and Others* and *97 Members of the Gldani Congregation of Jehovah's witnesses and 4 others*.¹ By the letter of 24 March 2023, the applicants agreed to close the supervision of *97 Members of the Gldani Congregation of Jehovah's witnesses and 4 others* case, considering that the Government of Georgia has adopted all necessary measures in response to the violations found by the Court including the payment of just satisfaction.

The following action report represents updated information regarding the execution of the mentioned cases in the light of the Decision adopted by the Committee of Ministers (hereinafter - "the Committee") in September 2024 (1507th DH meeting).²

II. Individual measures

a. Payment of just satisfaction

5. By the action plans/reports of 26 April 2016,³ 31 March 2017,⁴ 8 October 2021⁵, 27 October 2022⁶ and 27 June 2024⁷ the Government informed the Committee that the just satisfaction was paid to the applicants who provided respective bank details in the following cases: *Identoba and others*, *97 Members of the Gldani Congregation of Jehovah's witnesses and 4 others*, *Aghdgomelashvili and Japaridze*, *Mikeladze and Others*, *Women's Initiatives Supporting Group and Others* and *Georgian Muslim Relations and Others*.
6. Please, find additional information below:

| Name and application number | Non-Pecuniary damage | Total |
|---|----------------------|--|
| <i>Tsulukidze and Others v. Georgia</i> № 14797/11 | 1 500 euros | 1 500 euros Paid on: 17/07/2024 |

¹ Available at: [https://hudoc.exec.coe.int/eng#%7B%22EXECIdentifier%22:%5B%22CM/Del/Dec\(2020\)1383/H46-5E%22%5D%7D](https://hudoc.exec.coe.int/eng#%7B%22EXECIdentifier%22:%5B%22CM/Del/Dec(2020)1383/H46-5E%22%5D%7D)

² Available at: [https://hudoc.exec.coe.int/?i=CM/Del/Dec\(2024\)1507/H46-09E](https://hudoc.exec.coe.int/?i=CM/Del/Dec(2024)1507/H46-09E)

³ Available at: [https://hudoc.exec.coe.int/eng?i=DH-DD\(2016\)631E](https://hudoc.exec.coe.int/eng?i=DH-DD(2016)631E)

⁴ Available at: [https://hudoc.exec.coe.int/eng?i=DH-DD\(2017\)413E](https://hudoc.exec.coe.int/eng?i=DH-DD(2017)413E)

⁵ Available at: [https://hudoc.exec.coe.int/eng?i=DH-DD\(2021\)1008E](https://hudoc.exec.coe.int/eng?i=DH-DD(2021)1008E)

⁶ Available at: [https://hudoc.exec.coe.int/eng?i=DH-DD\(2022\)1151E](https://hudoc.exec.coe.int/eng?i=DH-DD(2022)1151E)

⁷ Available at: [https://hudoc.exec.coe.int/?i=DH-DD\(2024\)729E](https://hudoc.exec.coe.int/?i=DH-DD(2024)729E)

b. Investigation

➤ ***Aghdgomelashvili and Japaridze***

7. As submitted by the action report dated 13 October 2023,⁸ in 2023, 5 persons (T.V., T.G., N.Kh., N.Ch., Kh.Ch.) were re-questioned as witnesses in order to obtain complete information. Furthermore, the location of police officers - Sh.J. and S.S., who were outside the country, was determined and it was planned to question them.
8. By the action report dated 2 April 2024,⁹ the Government informed the Committee that on 18 September 2023, as part of the legal assistance, the consent was requested from the United States to allow the investigative body to interview S.S. (who is living on their territory) as a witness. In March 2024, based on the consent received, S.S. was interrogated as a witness.
9. Furthermore, it was stated that procedures were being carried out in order to question - Sh.J. (who is outside the country) as a witness. It was also planned to question witnesses - N.G., Sh.L., N.L., G.B., D.G., O.G., J.Z., G.N., D.Zh., Z.S. and I.Ts - police officers who may have connection with the case.
10. By the action report dated 27 June 2024¹⁰ the Government updated the Committee that on 8 April 2024, as part of the legal assistance, the consent was requested from the United States to allow the investigative body to interview above-mentioned person - Sh.J. as a witness and procedures are currently underway.
11. The Government would like to inform the Committee that in 2024, 9 witnesses were questioned in total: D.G., O.G., G.N., D.Zh., N.G., I.Ts, Sh.L., G.B. and Z.S.
12. Currently, procedures are being carried out in order to question witnesses N.L. and J.Z. in the near future.
13. Furthermore, on 9 December 2024, prosecution was launched against N.G. under Article 333, paragraph 3, subparagraph “c” (exceeding official powers by an official that has resulted in the substantial violation of the rights of natural person, committed by offending the personal dignity of the victim) of the Criminal Code of Georgia. As of 15 December 2009, N.G. was the head of the Third Division of Old Tbilisi Police Division and search in the office of Fund “Inclusive” on 15 December 2009, was conducted under his guidance.
14. By the ruling of the Tbilisi City Court of 10 December 2024, bail in the amount of 3,000 GEL was applied as a measure of restraint against N.G. (bail in the amount of 10,000 GEL was requested upon the motion of the prosecution).
15. The investigation is currently ongoing.

➤ ***Mikeladze and others***

16. By the action report dated 2 April 2024, the Committee was informed that:
 - The video material aired by “TV3” depicting demonstration/gathering that took place in the village of Mokhe, Adigeni District on 22 October 2014 was inspected;

⁸Available at: [https://hudoc.exec.coe.int/eng?i=DH-DD\(2023\)1238E](https://hudoc.exec.coe.int/eng?i=DH-DD(2023)1238E)

⁹ Available at: [https://hudoc.exec.coe.int/?i=DH-DD\(2024\)367E](https://hudoc.exec.coe.int/?i=DH-DD(2024)367E)

¹⁰ Available at: [https://hudoc.exec.coe.int/?i=DH-DD\(2024\)729E](https://hudoc.exec.coe.int/?i=DH-DD(2024)729E)

- The data available on the information database of the Ministry of Internal Affairs (hereinafter - “the MIA”) - pol.ge regarding R.N., A.B., T.A. and N.I. was analysed.
17. Subsequent to the submission of the above-mentioned action report, information regarding the work performance of R.N. and A.B. was requested from the Department of Human Resources Management of the MIA.
 18. The investigation is currently ongoing.

➤ **Women’s Initiatives Supporting Group and Others**

19. According to the information provided by the investigative authorities, in April 2024 E.B. and K.Ts. - participants of the IDAHOT (International Day Against Homophobia, Biphobia and Transphobia) event who suffered psychological trauma - were questioned as witnesses about the events of 17 May 2013.
20. On 6 June 2024, the video footage depicting the events of 17 May 2013, provided by the LEPL “Public Broadcaster”, was inspected.
21. Subsequent to the submission of the previous action report,¹¹ in November 2024, in order to determine the whereabouts of the persons to be questioned (who participated in the IDAHOT event) the information database of the MIA - pol.ge was inspected.
22. Furthermore, in November 2024, Sh.G. and Dz.G. - participants of the IDAHOT event who suffered psychological trauma - were questioned as witnesses about the events of 17 May 2013. The witnesses are not able to identify, describe or recognize the perpetrators.
23. In the same period, the video material depicting the event of 17 May 2013 received from “Studio Maestro” LLC and disc containing video footage of the events that took place on Vachnadze Street were inspected. Due to the fact that the events in the video material unfold very quickly and dozens (hundreds) of people are depicted in it, specific individuals could not be identified.
24. Additionally, it is planned to carry out following investigative and procedural activities:
 - Questioning of the remaining participants of the demonstration (whose questioning has not been conducted yet) who suffered harm to their health and psychological trauma as a result of the offence;
 - Identification and questioning of the persons who were responsible for ensuring the safety of the participants of the demonstration;
 - Inspection of the audio-video recordings and photos taken on 17 May 2013, in order to identify those responsible for crimes committed;
25. Therefore, the investigation is currently ongoing.

➤ **Georgian Muslim Relations and Others**

26. According to the information provided by the Special Investigation Service (hereinafter - “the SIS”), after studying the criminal case a decision was made to transfer the case.
27. The investigation plan was developed by the SIS and appropriate investigative/procedural actions will be taken to ensure thorough, comprehensive and impartial investigation. In particular,

¹¹ Available at: [https://hudoc.exec.coe.int/?i=DH-DD\(2024\)729E](https://hudoc.exec.coe.int/?i=DH-DD(2024)729E)

following must be assessed:

- The accuracy and completeness of the information provided by the persons questioned in the criminal case. In case of deficiencies, the appropriateness of their additional questioning;
 - The relevance and expediency of questioning law enforcement officers involved in maintaining public order (only those present at the scene during one of the incidents were interviewed);
 - The identity of the citizens present at the scene during the incidents (journalist, cameraman and employees of Kobuleti Water Ltd) and the relevance and expediency of their questioning;
 - The decisions made in the administrative and civil cases brought by the applicants in the national courts and the relevance of the obtainment of the cases;
 - The video recordings disseminated by the mass media regarding the incident should be searched, and their revocation should be observed in order to study them further;
 - The actions of law enforcement officers in the context of domestic legislation regulating public order protection measures and the requirements set forth therein;
 - Other investigative/procedural actions should be planned as necessary, in order to make final decision regarding the relevant persons in the case.
28. Furthermore, the Government would like to update the Committee on the developments in relation to the enforcement proceedings of the Batumi City Court judgment of 12 October 2018, according to which Kobuleti Municipality was obliged to instruct Kobuleti Water Ltd to connect the boarding school to the sewerage system.
29. In particular, the Government recall that the Public Defender's Office (hereinafter - "the PDO") acted as a claimant in the above administrative case, whereas the City Hall of Kobuleti Municipality (hereinafter - "the City Hall") and Kobuleti Water Ltd were respondents to the dispute; the first applicant was involved as the third party in the proceedings. It is hereby noted that by virtue of 12 October 2018 judgment, the Batumi City Court upheld the complaint of the PDO and instructed the City Hall of Kobuleti Municipality to commission Kobuleti Water Ltd to connect the boarding school to the water supply system. The Kobuleti Water Ltd was in turn ordered to implement the judgment by undertaking requisite construction works to enable connection.
30. The Government further recall that 12 October 2018 judgment became enforceable upon issuance of the writ of enforcement on 16 June 2021, after the Kutaisi Court of Appeals and the Supreme Court of Georgia upheld the above-mentioned ruling of the Batumi City Court.
31. Enforcement proceedings were set in motion on 17 June 2021. The same day, an "order for enforcement of the decision" was sent to the technical manager of Kobuleti Water Ltd, which was delivered in the timeframe prescribed by law - on 21 June 2021. On 18 January 2022, the order was further conveyed to the director of Kobuleti Water Ltd through an official visit, ensuring direct and secure delivery of the order.
32. As regards the enforcement of the judgement by the other respondent - Kobuleti Municipality City Hall, the proceedings commenced on 25 March 2022. The same day, the debtor received an "order for enforcement of the decision," which was served on 28 March 2022. Subsequently, on 3 October 2023, enforcement officer made enquiry seeking detailed information regarding the steps undertaken by the City Hall in furtherance of executing the judgment, including regarding the

current status of the sanitary connection works to the water sewage system.

33. In response, in the letter dated 16 October 2023, the City Hall indicated that, in light of the recommendation of the PDO of 19 September 2016 the Kobuleti Municipality Board was assigned the responsibility of notifying law enforcement agencies and collaborating with them to facilitate the connection works of the facility at Lermontov N13 to the water supply system by Kobuleti Water Ltd. It was also assigned the responsibility of ensuring that the local population is well-informed and that the right to religious equality for groups residing in the municipality is respected. The implementation of this recommendation faced opposition from the local population. Upon the delivery of the above judgment of 12 October 2018, the Kobuleti Municipality has been taking proactive steps, including organising a series of events, including community gatherings, with the aim of diffusing tensions, resolving conflicts, and enhancing public understanding on matters of religious equality. Thus, Kobuleti Municipality is exhaustively employing all available means to negotiate a peaceful resolution, as without such measures one-time installation of the respective infrastructure to connect the boarding school to the water supply (sewage) would not be effective and would not offer a lasting solution.
34. Considering the information provided above, the National Bureau of Enforcement, in accordance with the authority conferred by law, is committed to and will persistently undertake every conceivable measure to ensure the enforcement of the courts' judgments.

➤ **Tsulukidze and Others**

35. According to the information provided by the SIS, they plan to transfer the case.

III. General Measures

❖ **Decision, para 4. - The initiation of the draft constitutional law and adoption of the legislative package on “Protecting Family Values and Minors”**

36. The Government would like to emphasise that the legislative package on “Protecting Family values and Minors” aims to regulate critical issues in a proportionate and minimally intrusive manner, taking into account the current social context and environment in Georgia.
37. The measures defined by the legislative package, are designed to preserve Georgia's traditional family values while ensuring the protection of minors from potentially harmful influences. In particular, the clear and deliberate disregard for family values based on the union of a man and a woman has significantly increased in Georgia in recent years. Accordingly, it is necessary to strengthen the mechanisms for protecting these family values and the best interests of minors, which is precisely what the legislative package serves. In this regard, it is also aimed at eliminating the risks associated with the future propaganda of incest.¹²
38. It is important to note that these laws are the result of decades-long societal discussions in Georgia. They reflect the will of a significant portion of the population who seek to maintain their cultural identity and protect their children from what they perceive as detrimental influences.
39. While recognizing the diverse perspectives on these issues, the Government believe that these measures strike a balance between preserving traditional values and respecting individual rights. The implementation of these laws will be closely monitored to ensure they are applied fairly and in accordance with Georgia's international commitments.

¹² Available at: <https://info.parliament.ge/file/1/BillReviewContent/363972>

40. In addition, it should be noted that the Constitution of Georgia and other legislative acts safeguard and uphold the fundamental rights of all individuals irrespective of their lifestyle. The legislative package is not intended to undermine any of these fundamental rights.¹³

❖ **Decision, para 5. - Right to peaceful assembly for the LGBTI community**

41. As a guarantee of public safety, the MIA is fully committed to protecting the rights and freedoms guaranteed by the Constitution to every citizen, including ensuring their freedom of expression and assembly. To uphold these rights, the MIA continuously implements preventive measures granted to it by law.
42. The MIA actively cooperates with the civil society and organisations not only in matters of information exchange, but also in organising meetings/events of members of the LGBTI community. Representatives of the MIA, including the Human Rights Protection Department of the MIA (hereinafter - “the HRPD” or “the Department”) actively cooperate with both local and international organisations to ensure that Pride and other thematic community gatherings/events are held in a safe environment.
43. In general, it should be noted that within the framework of cooperation, contact persons are allocated, who are constantly in communication with the organisers of events of a similar nature. Information is exchanged regarding the activities planned by the events, the number of people participating in, the route of movement and other relevant issues.
44. Furthermore, the MIA releases public statements by holding briefings of high-profile managers, as well as by disseminating statements through social media platforms and its official website, urging everyone to comply with the requirements of the law. Otherwise, there is a warning that the police will act within their mandate and each offence will be immediately averted. In addition, the MIA ensures maximum safety of predetermined locations.
45. Regardless of maximum mobilization, if certain incidents or actions of a criminal nature occur, appropriate preventive measures are taken. If signs of a crime are identified, investigation will be launched, and relevant investigative and procedural actions will be carried out.

❖ **Decision, para 6. - Zero-tolerance messages and bringing to justice organisers and instigators of hate violence**

46. The Government reiterate that fighting against hate crimes presents one of the main priorities which constitutes an ongoing process. All State agencies are involved in fighting any form of discrimination against the LGBTI community and the Government make every effort on a regular basis to demonstrate a firm political will to combat hate crimes, including official statements that are made regularly by the high-ranking public officials, condemning violence against the LGBTI community.¹⁴
47. It should be emphasised, that the Prosecution Service of Georgia (hereinafter - “the PSG”) upholds firm and indisputable commitment to combating hate crime through prosecution of the perpetrators. The Human Rights Protection Department of the PSG regularly monitors hate crime cases, gives recommendations to the prosecutors and is in constant effort to make prosecution on hate crime cases more efficient. The PSG, with the support of the international organisations, takes

¹³ *Ibid.*

¹⁴ See for instance: [The statement of the Chairperson of the Parliamentary Human Rights Committee](#); [The statement of the MIA in 2023](#).

steps to raise awareness and introduce training programs to the employees of the service. In 2024, the Prosecution Service of Georgia held CoE (hereinafter - “the CoE”) HELP course on “Hate Crime and Hate Speech” and trained 17 employees, including prosecutors and investigators of the PSG.

48. The PSG deems combating hate crime a priority, thus puts great effort in training every intern prosecutor on how to identify and prosecute crimes committed on the ground of discrimination. In 2024, two new group of intern prosecutors underwent baseline training course covering hate crime issues and overall 50 interns were trained.
49. In April 2024, the PSG held meeting with representatives from non-governmental organisations (hereinafter - “the NGO”) and, among other topics, discussed issues related to hate crime, prosecution of perpetrators and victim support. The meeting had high importance for the Prosecution Service, as cooperation with civil society is a priority for the service. During the meeting, the representatives from the NGOs addressed all challenges they face, discussed several criminal cases and posed questions regarding them. The representatives of the PSG shared information in respect of all measures taken to address hate crime and answered the questions from the NGOs. Subsequent to the meeting, contact information was exchanged among the attendees to improve cooperation and communication between the NGOs and the Prosecution Service of Georgia.
50. Furthermore, in June 2024, prosecutors, employees of the SIS, judges, and representatives of the MIA and the Supreme Court attended a joint meeting on hate crime with the support of the CoE. The meeting played outstanding part in deepening cooperation between investigative bodies, prosecution and judiciary as the attendees discussed reoccurring issues in hate crime cases, evidence-based prosecution of hate crime and evidence supporting different bias motives. Judges and prosecutors exchanged their experiences and relevant information on hate crime criminal cases, discussed the need to establish unified practice and what needs to be done to achieve it. They addressed the needs of the victims of hate crime and important issues in order to support them and guarantee their access to justice.
51. Moreover, the PSG continues to provide information to the OSCE (Organisation for Security and Co-operation in Europe) ODIHR (Office for Democratic Institutions and Human Rights) on hate crime statistics. In November 2024, the representative of the PSG attended annual National Point of Contact (NPC) meeting and presented brief national developments.

❖ **Decision, Para 7. - Collection and Publication of statistical data on hate crimes and specialisation system to improve investigation of hate crimes by police**

52. Hate crime prosecutions have consistently risen in recent years. In 2016-2022, 2 681 persons were prosecuted for hate crimes, with the highest number - 1 218 persons - recorded in 2023.¹⁵ Prosecutions for hate crimes in 2022-2023 reached 2 390, reflecting a 58.3% increase compared to the total of 1 509 prosecutions between 2016-2021.
53. The Government underscore that the mentioned statistical data reflects a tangible outcome of proactive measures implemented in combating discrimination.
54. As the Committee was informed by the previous action report, new memorandum on the collection and publication of hate crime data was signed under the CoE project “Promoting the Effective

¹⁵ Available at: <https://pog.gov.ge/uploads/6e00a257-2023-wlis-angarishi-15-maisi-2024-weli.pdf>, p. 70.

Protection of Equality and Non-Discrimination in Georgia”. Therefore, as of today, the SIS, the MIA, the PSG, the Supreme Court of Georgia, the National Statistics Office of Georgia, participates in the process of data collection, processing, analysis, development and publication of a joint statistical report on crimes committed on grounds of intolerance with discrimination basis.¹⁶

55. The new memorandum reflects additional responsibilities of the parties to collect and publish even more detailed statistical data on hate crime. The involved parties are required to regularly exchange essential information during each reporting period, while the National Statistics Office of Georgia is responsible for annually publishing a joint statistical report. This procedure facilitates comprehensive monitoring of cases motivated by intolerance, thereby reducing the risk of such cases not being recorded in the data of both courts and investigative bodies. In March 2024, the National Statistics Office, following the new memorandum, published a statistical report of 2023 on hate crimes¹⁷ which was reported to the Committee by the previous action report.
56. As for the nine months of 2024, the prosecution was launched against 906 individuals on the grounds of discrimination. Among them, 13 have been prosecuted for crimes committed with the motive of discrimination based on SOGI (sexual orientation and gender identity ground) elements. Namely: gender identity - 4 individuals; sexual orientation - 6; intersectional discrimination: sexual orientation and race - 3. As for the crimes committed on the grounds of the religious hate crime in 2024 (9 months), 5 persons were prosecuted for religious hate crime and 1 on the grounds of religion and race.
57. Furthermore, in 2024 (9 months), 937 natural persons were recognised as victims of crimes motivated by intolerance.
58. In 2024 (9 months), the district (city) courts of Georgia considered 4 cases with guilty verdict against 4 individuals on the ground of gender identity discrimination, out of which 2 individuals were sentenced to imprisonment (was considered as a conditional sentence) and 2 individuals were fined. The gender identity was considered as an aggravating circumstance with regard to 3 convicts.
59. In the same period, 4 cases with guilty verdict against 5 persons on the ground of sexual orientation were considered, out of which 4 individuals were sentenced to imprisonment (with regard to 3 individuals was considered as a conditional sentence) and 1 individual was fined. The sexual orientation was considered as an aggravating circumstance with regard to 1 convict.
60. In 1 case guilty verdict on the grounds of ethnic and sexual orientation was considered and a person was sentenced to community service. In addition, 1 case with guilty verdict on the grounds of homophobic and transphobic discrimination was considered and a person was sentenced to imprisonment. Homophobic and transphobic discrimination was considered as an aggravating circumstance.
61. Under Article 19, paragraph 1, subparagraph “d” of the Law of Georgia “On the Special Investigation Service”, crimes specified in Articles 153-159 of the CCG fall under the jurisdiction of the SIS.¹⁸ In 2024 (from 1 January 1 to September 30), the Investigative Department of the SIS

¹⁶ Available at: <https://www.geostat.ge/media/57914/Memorandum-ENG-.pdf>

¹⁷ Available at: https://www.geostat.ge/media/60698/Hate_2023.pdf

¹⁸ Article 153 - Encroachment upon freedom of speech; Article 154 - Unlawful interference with the journalist's professional activities; Article 155 - Unlawful interference with the performance of a religious rite; Article 156 - Persecution; Article 157 - Disclosure of information on private life or of personal data; Article 157¹ - Disclosure of secrets of personal life; Article 158 - Violation of the secrecy of private communication; Article 159 - Violation of

initiated investigations into 144 criminal cases pursuant to Article 19, paragraph 1, subparagraph “d”. In total, 164 individuals were identified as alleged victims. The motive of intolerance based on discrimination was identified in 68 criminal cases. From the above-mentioned 68 criminal cases, in 65 cases intolerance based on gender was identified, in 2 cases - religious intolerance, and in 1 case - intolerance based on gender and age.

62. In 2022, the SIS established an Investigation Quality Monitoring and Analytical Department to ensure high-quality investigations, conduct internal monitoring of investigative processes, develop a unified investigative policy and implement standards of the Court. In 2023, as part of the CoE project “Promoting the Effective Protection of Equality and Non-Discrimination in Georgia”, a guideline was developed. The document focuses on the effective, prompt, and thorough investigation of crimes motivated by intolerance and discrimination. The head of the SIS will approve the guiding document, and it will become effective in the near future.
63. In 2023, the employees of the Human Rights Protection Department of the MIA monitored 1 806 criminal cases suspected of discriminatory or intolerance motives. Out of the monitored cases, 25 cases concerned gender identity, 17 cases - sexual orientation, 1 case - gender and sexual orientation, 6 cases - sexual orientation and gender identity and 1 case - race and sexual orientation.¹⁹
64. From 1 May 2024, the HRPD continues to operate with an expanded mandate. The main direction of the Department’s activities, among other functions within its scope, is to ensure the timely response to the crimes committed on discriminatory grounds and the effectiveness of the investigation, in accordance with which, the Department monitors the criminal cases that have possible signs of discrimination set out by Article 53¹ of the Criminal Code of Georgia.
65. In addition to structural changes, a special electronic program and a monitoring methodology has been developed to improve the monitoring process, by which the information processed in the monitoring process is systematized. This program ensures the identification of errors, trends, and existing needs during the investigation process, to enable the planning of appropriate measures and activities thereafter.
66. Additionally, the HRPD within its competence prepares recommendations and ensures their availability to the employees of the MIA to ensure a timely response to crime and the effectiveness of ongoing investigations. At this stage, in order to improve the quality of the investigation of crimes committed on discriminatory grounds, the recommendation “On Identification and Effective Investigation of Crimes Committed on the Grounds of Discrimination” is being updated, taking into account all the trends and challenges that were identified during the monitoring process.
67. The MIA plans and carries out various activities with its own administrative resources and with the support of donor organisations in order to increase the qualification of employees.
68. Initiated by and with the involvement of the Human Rights Protection Department, from January to October 2024, up to 310 employees of the MIA were trained on topics related to discrimination, including crimes committed on religious grounds of intolerance.
69. Additionally, on 19-22 June 2024, in Skopje, North Macedonia, two employees of the HRPD participated in the study visit planned with the support of the CoE, which aimed to share best

secrecy of personal correspondence, phone conversations or other kinds of communication; Available at: <https://matsne.gov.ge/en/document/view/16426?publication=261>

¹⁹Available at: https://www.geostat.ge/media/60698/Hate_2023.pdf, p.1.

practices in combatting racism and racial discrimination, promoting human rights, democracy and the rule of law. During the visit, issues such as: facilitating communication between police forces in compliance with European standards, especially for countries in the process of obtaining EU membership, police communication with vulnerable groups (ethnic, religious minorities, etc.), protection of their rights and issues of gaining trust were discussed.

70. Furthermore, since September 2023, the procedure for organising the qualification courses for investigators in the system of the MIA has been approved. Therefore, with the involvement of the Department, the promotion of the improvement of the qualification of investigators is underway at the LEPL Academy of the Ministry of Internal Affairs of Georgia. To effectively respond to discriminatory crimes and improve the quality of investigation, the MIA within the above-mentioned qualification courses plans to enhance qualification of investigators on the topic of crimes committed on the grounds of discrimination.

Publication and dissemination

71. By the previous action plans/reports the Government informed the Committee about the publication and dissemination of judgments - *Identoba and others, 97 Members of the Gldani Congregation of Jehovah's witnesses and 4 others, Aghdgomelashvili and Japaridze, Mikeladze and Others, Women's Initiatives Supporting Group and Others*.
72. In addition, the Government would like to update the Committee that case of *Georgian Muslim Relations and Others* and *Tsulukidze and Others* were translated into Georgian and published in the Official Gazette of Georgia (Legislative Herald of Georgia).²⁰

IV. Conclusion

73. To conclude, the Government continue to strengthen their efforts to combat discrimination/intolerance on religious/sexual and any other grounds through effective implementation of respective legislation/national policy.
74. The Government hold the view that the aforementioned measures implemented at domestic level will remedy the consequences of the violations of the Convention, as well as they will contribute to further prevention of the violations similar to those identified by the Court.

²⁰ Available at: <https://www.matsne.gov.ge/ka/document/view/6227956?publication=0> and <https://www.matsne.gov.ge/ka/document/view/6294526?publication=0>