

Ref: CommHR/MOF/sf 163-2025

**Mr Giorgi GVARAKIDZE**  
Prosecutor General of Georgia

Strasbourg, 10 December 2025

Dear Prosecutor General,

My mandate is to foster the effective observance of human rights in all member states of the Council of Europe. An important part of my work is to engage in dialogue with authorities in member states, and to assist them in addressing possible shortcomings in implementing human rights obligations in their laws and practices.

I am writing in relation to the criminal investigations into the disproportionate use of force by law enforcement and groups of unidentified masked men against protesters and journalists in November and December 2024, which were initiated by the Special Investigative Service of Georgia (SIS) and reportedly transferred to the Prosecutor's Office of Georgia (POG) after the SIS was abolished on 1 July 2025.

In my [memorandum](#) published in March 2025 following my visit to Georgia in January, I observed that criminal proceedings against some protesters had advanced and had already resulted in ten convictions, but there had been no tangible progress in the investigations against law enforcement personnel. I was informed that more protesters have been convicted since, yet still no law enforcement officers have been brought to justice.

I recall that the Office of the Public Defender of Georgia visited 327 people detained and injured during the protests between 28 November and 10 December 2024. Of these, 225 reported having been subjected to ill-treatment, including 157 people who displayed visible injuries. Based on the nature of these injuries, the Public Defender concluded that "the alleged ill-treatment, including torture and inhuman and degrading treatment, of participants in both the spring and winter protests was systemic and, in certain cases, widespread". There were also allegations of threats of sexual violence against women protesters.

Furthermore, as indicated in my memorandum, during my visit to Georgia in January 2025, I was assured by the Deputy Minister of Internal Affairs that no water cannons containing chemical irritants had been deployed against protesters. Since then, several officials, including the Prime Minister, the Minister of Internal Affairs and the Deputy Head of the State Security Service of Georgia, have acknowledged that chemical substances were mixed into the water, albeit not the toxic substance with possible long-term health effects referenced recently in a media report. In this context, I consider that the use of water cannons containing chemical irritants should be addressed as part of the POG's investigations into the use of force by law enforcement against protesters in November and December 2024, as it raises important questions of legality, necessity and proportionality.

I further note that the European Court of Human Rights issued numerous judgments against Georgia concerning various substantive and procedural violations of Articles 2 and 3 of the European Convention on Human Rights on account of torture and other forms of ill treatment, mostly imputable to law enforcement and prison agents, as well as ineffective investigations into these facts. Notably, the Court identified various shortcomings of the investigations, including lack of independence, failure to act with due expedition, inadequacy and lack of thoroughness and the inability of victims to properly participate in the proceedings. The Court further identified shortcomings in the judicial proceedings brought against state agents, as well as inadequate sentencing of perpetrators.

In my [communication](#) in May 2025 to the Committee of Ministers of the Council of Europe, which supervises the execution of the Court's judgments, I observed both a failure to act with due expedition and a lack of thoroughness in relation to the investigations by the SIS into reported violations of protesters' rights. For example, I noted that the number of persons with official victim status (52) is far lower than the number of potential victims identified by the Public Defender (225). Considering that the investigations by the SIS were opened under Articles 333 (exceeding official powers) and 154 (unlawful interference with the journalist's professional activities) of the Criminal Code of Georgia, I note the evidence collected by the Public Defender, journalists and human rights NGOs would at least appear to justify initiating investigations under Articles 141<sup>1</sup> (torture), 141<sup>2</sup> (threat of torture) or 141<sup>3</sup> (degrading or inhuman treatment) of the Criminal Code.

Moreover, I was informed that neither the Public Defender, nor the legal representatives of several persons with official victim status have received any progress updates since the investigations were reportedly transferred to the Prosecutor's Office of Georgia following the abolition of the SIS on 1 July 2025. As stated above, the inability of victims to participate effectively in the proceedings has been highlighted as a recurrent concern by both the Court and the Committee of Ministers.

Given all the information I have received, including from the Public Defender, concerning the disproportionate use of force against the overwhelmingly peaceful protesters in November and December 2024, as well as reports of disproportionate use of force by the police during earlier protests in March 2023 and between March and May 2024, I underline the importance of ensuring accountability for the actions of law enforcement.

I would appreciate receiving updated information regarding the progress made by the prosecution authorities in ensuring the accountability of law enforcement officers for any cases of excessive use of force or any other human rights violations committed in the context of the above-mentioned protests. I look forward to receiving your comments and continuing a constructive dialogue with you.

Yours sincerely,



Michael O'Flaherty