



ACTIVITIES REPORT

2021

HUMAN RIGHTS CENTER (HRC)



ALEKO TSKITISHVILI

Executive Director

In 2021, Human Rights Center turned 25. Quarter of the century has passed since the organization was founded. We wished to celebrate this important anniversary together with our partner organizations, media and donor organizations but because of the coronavirus pandemic, it was impossible to realize our plans because of the strict regulations and restrictions in 2021.



Throughout 25 years since its founding on December 10, 1996, the Human Rights Center gained trust and high reputation on the national and international levels. It took years but the organization was famous in its first years too that foreign partners remembered its first name – Human Rights Information and Documentation Center (HRIDC) for a long time and the organization used its old abbreviation “HRIDC” in the communication with third parties until 2021. In 2021, the new website hrc.ge was created with new design. Hence, HRC is the new abbreviation of the organization that fully corresponds with its current name.



Because of the novel coronavirus pandemic, Human Rights Center's team worked partly remotely. Physical contact with beneficiaries was restricted but the HRC's lawyers tried their best to keep providing citizens with quality free legal aid even during remote service. Holding online trainings turned up especially difficult; namely preparation of the election observers for 2021 municipal

elections to ensure that they monitor the Election Day at a high quality. Regardless the mentioned challenges, Human Rights Center successfully monitored the elections both on the first and second rounds.

The regional offices of Human Rights Center in Kakheti and Shida Kartli regions worked successfully. In 2021, the Embassy of the Netherlands in Georgia awarded the coordinator of Shida Kartli regional office Aleks Merabashvili with the Local Human Rights Tulip for his years' long work as human rights lawyer. We are all proud with him.

In parallel to the free legal aid program, Human Rights Center successfully continued monitoring of the court proceedings with alleged political motives and protest demonstrations. The HRC's monitors attended all significant court proceedings and protest demonstrations. The legal analysts analyzed the monitoring findings in analytic documents and special reports. These documents, prepared in the frame of the project supported by the National Endowment for Democracy (NED), are very important to document and analyze current developments in the country. Analytic component has been part of the free legal aid for few years already that enables us to analyze the tendencies identified in the course of case litigation, evaluate the miscarriages in the law and in practice and plan advocacy for the eradication of those gaps.

HRC continues active cooperation with its international partners – International Federation for Human Rights (FIDH), Norwegian Helsinki Committee (NHC), Human Rights Houses Network and others. With their support and joint work, we more effectively achieve the goals of the implemented projects and receive better results. Unfortunately, the pandemic again hindered the HRC representatives to have advocacy visits in Europe; nevertheless the meetings with the members of the EU Parliament and other international stakeholders were organized online.

After the 2021 municipal elections the problem of polarization became particularly acute that causes marginalization of the political process and hinders democratic development of the country. The government is not ready to carry out reforms timely and the opposition political parties find their role only in holding protest demonstrations in the streets. In similar situation, civil society organizations

hardly gain the support of the government to implement necessary changes and unfortunately neither cooperation with the opposition political parties is effective. Therefore, every year the problems increase and we see that the state of human rights is getting worse in Georgia. Entry of ultra-right radical groups in the political space is a simultaneous process. Radical ethno-nationalism, extremism and phobias, that are characteristic for these groups often causes confrontations in the society whose culmination was the violent events of July 5-6, 2021.

We hope the society is capable to stay faithful to the Euro-Atlantic choice and way of the country. Human Rights Center, first of all, sees its role in this process as an ally of the Georgian society and as an organization defending the fundamental principles of democracy.



NINO TSAGAREISHVILI

Co-director

During the first half of 2021, the strict restrictions set against the spread of Covid 19 pandemic continued to operate in Georgia. Overall, these measures were prolonged for unreasonably long period of time. Throughout the September 2020 – September 2021, with the partnership of European Center for Not-for-Profit Law, Human Rights Center observed the implementation of various restrictions adopted under

the motive of fighting pandemic and analysed whether or not they met the standards of proportionality, necessity and the non-discrimination. Human Rights Center dedicated several analytical documents to the in-depth assessment of these issues¹.

In the light of political and economic crisis existing in the country and the intensified civic protest, the freedom of assembly and manifestation was an issue of particular attention for Human Rights Center. During the September 2020 – September 2021, we observed 15 assemblies of political and social nature held in Tbilisi. Human Rights Center responded to the urgent facts of violation of freedom of assembly and tendencies of deterioration of standard of protection of this right with urgent statements. The violent action held by the anti-LGBTQI+ groups where 53 journalists were physically assaulted on July 5, 2021, was particularly worrisome. The law enforcers drastically failed to respond to the facts of mass violence unfolded in the central areas of capital Tbilisi. The cameraman of TV Company Pirveli, Lekso Lashkarava, brutally beaten at the July 5 assembly, died in several days after the incident. The organisers of the violent action of July 5, including the representatives of TV Company Alt-Info who openly called on their supporters to resort to violence, have not been brought to justice up to day.

¹ Analytical briefs published by Human Rights Center:

Quarterly update/analytical brief “Covid 19, Emergency Measures and Civic Freedoms in Georgia” (September-November 2020):

<http://hrdc.org/admin/editor/uploads/files/pdf/report%202021/Final%20Quarterly%20Report%20COVID19%20Georgia%20Jan%202021.pdf>

Quarterly update/analytical brief “Covid 19, Emergency Measures and Civic Freedoms in Georgia” (December 2020 – February 2021):

<http://www.hrc.ge/files/9covid-analitic-eng.pdf>

Quarterly update/analytical brief “Covid 19, Emergency Measures and Civic Freedoms in Georgia” (March 2021 – May 2021):

<http://www.hrc.ge/files/127COVID-19%20&%20EMERGENCY%20MEASURES%20-eng.pdf>

Human Rights Center published a report “Right of Peaceful Assembly and Manifestation in Georgia – Main Flaws in Law and Practice, 2021”, where we analysed the events unfolded at July 5 action in detail, including the ineffective response of the law enforcement organs to the widespread acts of violence².

One of the most important events of 2021 was the October 2 local government elections. According to the



Author of the Photo: Tinatin Mosiashvili

agreement made between the ruling party and the opposition political parties, mediated by the President of the European Council, Charles Michel, the results of the local government elections should have decided the issue of holding early Parliamentary Elections. However, shortly before the elections the ruling party annulled the agreement.

Human Rights Center carried out long-term monitoring of the pre-

² Report published by Human Rights Center - “Right of Peaceful Assembly and Manifestation in Georgia – Main Flaws in Law and Practice, 2021”:
<http://www.hrc.ge/272/eng/>

election environment in three regions of Georgia – Kakheti, Kvemo Kartli and Imereti. The facts of intimidation and pressure exercised against the candidates of opposition political parties in the whole country were alarming during the pre-election period. Like previous years, the frequent instances of misuse of administrative resources, including the resources of public officials and individuals employed in public schools, were frequent during the pre-election period. The violations of the rules of pre-election campaign in favor of the ruling party were also worrisome³. Human Rights Center observed the Election Day with 51 qualified monitors in three regions of Georgia – Kakheti, Kvemo Kartli and Imereti. The Election Day was largely peaceful. However, the mobilization of electioneers and coordinators in the territory surrounding the electoral precincts and controlling will of voters was a serious problem⁴.

It remains to be our priority to advocate in front of various organs of International Criminal Court for the protection of rights of victims of 2008 August War. For approximately six years, the ICC has been carrying out the investigation into the alleged war crimes and crimes against humanity committed during the 2008 August War.

³ Informational Document published by Human Rights Center - “Monitoring of Pre-Election Period, Key Findings of HRC, 2021”:
<http://www.hrc.ge/281/eng/>

⁴ Report published by Human Rights Center – “Monitoring 2021 Local Government Elections”:
<http://hrc.ge/files/reports/183report%20Municipal%20elections%202021-geo.pdf>



During 2021, the representatives of Human Rights Center participated in various meetings with different organs of ICC, where we underlined the importance of timely, full and objective investigation. Human Rights Center also carries out monitoring over the continuous human rights violations committed by the Russian Federation and the de facto forces along the dividing lines of breakaway regions of Georgia, Abkhazia and South Ossetia. The Russian Federation continues the process of illegal borderization in the Georgian territory, along the occupation line, restricting the access of local people to the natural resources and income generating activities, as well as illegal detention and abduction of citizens. It should be noted that besides the problems caused by the occupation, the local people are facing other severe problems as well, such as deranged roads, malfunctioning of water systems and the lack of medical services and public transportation. In 2021, the representatives of Human Rights Center visited various villages located near the occupation line and spoke with the locals about the problems existing in their villages. Human Rights

Center addressed the central and local government bodies regarding the issues revealed as a result of the monitoring visits.

Human Rights Center continues to represent the victims of human rights violations in front of the European Court of Human Rights. We have submitted complaints on behalf of the victims concerning the violation of fundamental rights guaranteed by the European Convention of Human Rights. Among them are: right to life, prohibition of inhuman and degrading treatment, right to effective remedy, freedom of expression and freedom of assembly.

NINO TLASHADZE

Deputy Executive Director

2021 too was very difficult for the entire world because of the pandemic caused by the Novel Coronavirus. However, the experience from 2020 enabled us to implement our work successfully and without delays. HRC continued the defense of human rights of citizens. We launched new projects, held important meetings both in Georgia and abroad

The state of human rights became even worse in 2021 that was further aggravated by the political controversies and polarized society. Public events were dramatic throughout the whole year. HRC team



was in the mid of this turmoil: we monitored the court proceedings of allegedly politically motivated cases in the common courts; defended the rights of the people who became victims of the law enforcement bodies, prosecutor's office or other state institutions; we observed the 2021 municipal elections in three regions of Georgia.

In order to be actively engaged in the developments, it is important to keep close partnership with the international partners – human rights organizations and donors. In 2021, we elaborated and released joint statements together with our international human rights partners to address the violent crimes committed against human rights defenders, the facts of restricted freedom of expression and various facts of discrimination.

In 2021, HRC's team updated the organization's strategy and elaborated the 2022-2025 action plan with the help of invited experts. To build capacity of the organization, intensive trainings on project cycle management and funds raising were organized for the HRC's team. New program directions were planned and new project proposals were prepared.

Planning and managing the work of the human rights organization to respond to the force-majeure situation created by the COVID-19 pandemic was a challenge in 2021 too. It was necessary to plan and implement old and new projects without any obstacles and the most important – they should have responded to the problems of the people affected by the pandemic. In 2021, with the support of the East-West Management Institute's (EWMI) ACCESS project funded by the American people through the United States Agency for International Development (USAID), Human Rights Center implemented the

project “Supporting Elderly during the COVID-19 Pandemic in Shida Kartli Region.” The project aimed to promote legal solutions to the problems of the elderly people who live alone, to study their needs, to present the issues revealed as a result of the research to various institutions and advocate for the solutions. The HRC studied the social-economic and legal problems of the elderly people in Shida Kartli region. In total, through direct interviews, interviewed 283 elderly people living alone in the region were interviewed; among them 207 were women and 76 men. In order to advocate the identified problems, HRC met representatives of various state institutions both in the central government and in local self-government bodies.



Eight young volunteers participating in the project as helping hands for the elderly people collected donations in the frame of public initiative and assisted elderly woman Valia Vanishvili living alone in Khurvaleti village on the other side of the occupation line with food and household items. She was left alone living in the house after the death of her husband Data Vanishvili.



In 2021 too, HRC not only assisted citizens in the restoration of their breached rights, but through strategic litigation and advocacy, tried to address: legislative miscarriages, malicious practice of law enforcement system and identifies and advocates significant miscarriages in the judiciary system. HRC, by the financial support of the National Endowment for Democracy (NED), has been successfully implementing the program of free legal aid

in the Tbilisi head office and two regional offices in Kakheti and Shida Kartli regions for over 15 years. The team of five lawyers in Tbilisi head office and in two regional office in Kakheti and Shida Kartli regions issued legal consultations to thousands of beneficiaries, represented hundreds citizens in front of the domestic common courts, administrative bodies and also on the international level – ECtHR, ICC and UN Committees.

Human Rights Center continues active work on peacebuilding. For years, the organization has been involved in or implemented joint projects together with the Abkhaz and South Ossetian partners; participated in the peace dialogues and various meetings. In 2021, with the financial support of the German Federal Foreign Office's funds by ifa (Institut für Auslandsbeziehungen), funding programme



Zivik, Human Rights Center implemented the project Support to confidence-building between Tbilisi, Sukhumi and Tskhinvali. In 2021, HRC managed to successfully organize three-sided meetings in physical environment. In summer of 2021, HRC organized first three-sided meeting between Georgian, Abkhaz

and Ossetian human rights defenders and civil activists in Tsaghkadzor, Armenia. The training for the Georgian, Abkhaz and Ossetian youth on civil activism and advocacy was successfully organized in Istanbul, Turkey in October as well as the Peace Seminar for the young professionals from three conflict-divided societies in November, 2021 again in Istanbul, Turkey. 42 people participated in all three meetings from the three societies. The meeting of the youth was particularly successful.

In 2021, Human Rights Center started another important project in the field of peace building – Dialogue over the Common Problems of the Georgian and Ossetian Peoples. The project aimed to promote defense of the property and citizenship rights of ethnic Ossetian people in Georgia, to identify the miscarriages in the Georgian legislation and practice that hinder realization of the mentioned basic rights. Within the framework of the project, HRC lawyers provided ethnic Ossetian citizens with free legal aid, who wish to register their properties located in the Georgia controlled territory and who wish to restore/receive Georgian citizenship. The final report was prepared in the end of the project, which analyzed the identified miscarriages in the law and in practice; the recommendations were elaborated for respective state institutions.

Considering the successful litigation and advocacy cases in 2021, we can evaluate the year as fruitful and important period for Human Rights Center. We, together with the international partners, with the support of donor organizations, continue our work for the better future of our country and with the implementation of the old and new initiatives, we continue our fight for the better respect of human rights, rule of law and with the belief that everybody is equal.



UCHA NANUASHVILI

Project Director

Since its foundation, Human Rights Center has been actively cooperating with the international organizations and networks. Nowadays, the organization is a member of such famous international networks like: International Federation for Human Rights (FIDH), World Organization against Torture (OMCT – network SOS - Torture); Human Rights Houses Network, Coalition for the International Criminal Court, International Peace Bureau (IPB) and more.

International organization - the Norwegian Helsinki Committee has been a strategic partner and donor of HRC for many years. The NHC has been working on various significant issues and promoted the defense of human rights in the region.

In 2021, with the support of the Committee, HRC continued to monitor human rights, study cases and provide advocacy in the conflict-affected regions. The pandemic significantly harmed the conflict affected population, who already lived in grave conditions. The humanitarian crisis in the occupied Akhgori district continued throughout the entire year that was the result of closure of the crossing connecting Akhgori and the Georgian-controlled territory in 2019. Many artificial barriers were created in Abkhazia

too to hinder free movement of people, like introduction additional “necessary” documentation and closure of checkpoints for unpredicted and long term periods.

As a result of illegal borderization many people lost agricultural land alongside the division line with South Ossetia. The borderization violates the right of property, right to movement and right to personal and family life that are guaranteed by the international human rights conventions. The practice of arbitrary detention of local population by the armed forces of the Russian Federation continued and hundreds of people became victims of the mentioned practice. Irakli Bebuia, who was arrested for burning the flag of Abkhazia in the occupied Gali district on September 30, 2020, is still in prison as well as several citizens of Georgia in Tskhinvali prison.

Activist Tamar Mearakishvili from Akhagori is a victim of political persecution in South Ossetia. Signs of restriction of freedom of movement and freedom of expression, discrimination are identified in the charges brought against her.

The accidents of killings/deaths of Georgian citizens near the division line or nearby are not investigated yet and perpetrators are not punished.

The International Criminal Court continues investigation of the crimes committed during 2008 war. In 2021, the HRC, through various platforms, tried to defend and advocate the interests of the victims of the war, among them with the support of the FIDH and the CICC.

In the frame of the NHC supported project, HRC provided the victims of the 2008 war and IDPs from the conflict-affected regions with free legal aid. The HRC continued monitoring of the situation in the villages alongside the occupation line and in IDP settlements. The organization studied the state of IDPs living in Gardabani municipality and in Shaumiani IDP settlement in Marneuli municipality.

The pandemic significantly worsened the opportunities to conduct international advocacy but with the support of the partner international organizations various significant meetings were held in online format. HRC, together with the FIDH met the members of the EU Parliament, representatives of the European Commission and other international organizations to advocate the improvement of the state of human rights in Georgia.

In September 2021, Human Rights Center and FIDH published joint document⁵, which reviewed the pre-election environment and political developments in Georgia before 2021 municipal elections, as well as the independence of the judiciary authority, right to freedom of assembly, problems in relation with illegal surveillance.

The HRC continued active cooperation with the World Organization against Torture (OMCT).

⁵ See document: Update on the human rights situation in Georgia - International Federation for Human Rights (FIDH) Human rights Centre (HRC) Georgia September 2021 <http://www.hrc.ge/284/eng/>

In November 2021, the HRC joined one more international network – International Land Coalition at the 9th Assembly of the Coalition. The ILC works on the land management issues and rights of land owners and unites 250 organizations in the world. The HRC, together with the Coalition, will promote the respect of property rights particularly of the property owners living alongside the division line; with the ILC, the HRC will also work on popularization of the right to land, to engage the grassroots population in the decision making process, to improve access to information and to promote right management of natural resources. These are the topics, which are particularly important for the active engagement of the civil society.

We continued active cooperation with the Human Rights Houses Foundation and Human Rights Houses Network. With their support, Human Rights Center prepared the five-year strategy and action plan. We were engaged in various activities to empower human rights defenders and defended the rights of HRDs and civil activists.

HRC continued cooperation with the Civil Solidarity Platform (CSP), which continued response to the human rights violation facts in the region and continued advocacy of the issues on the regional and international levels.



NESTAN LONDARIDZE

Deputy Executive Director on Legal Issues

Human Rights Center successfully continues free legal advocacy, free in-person, over-phone and online legal consultations in the frame of the free legal aid service. The HRC's lawyers get involved in all cases, where human rights are blatantly violated, where the state, as the institutional system, has conflict with an individual and the rights guaranteed under the Constitution of Georgia are under risk. The organization offers free legal aid to the beneficiaries to defend their rights on the national and international levels.

The Constitution of Georgia acknowledges the freedom of peaceful assembly and manifestation as fundamental rights but in practice we see that these rights are often breached and humiliated.

In 2021, the practice of mass detention of the participants of protest demonstrations by law enforcement officers was significant challenge; the detainees had to spend long time in police cars; they were delivered to the temporary detention settings after a delay and had limited access to the defense lawyers.

In the process of managing the assemblies and manifestations, the use of proportional and adequate police power is essential that was often questioned in Georgia.

With the support of the Open Society Georgia Foundation, the partner organizations Human Rights Center, Georgian Democracy Initiative, Georgian Young Lawyers' Association, Social Justice Center and Rights Georgia launched a joint project – “Legal Aid Network for Activists.” The project aims to defend the civil activists from unlawful persecution that is important to create enabling environment for the civil activism and respect of the right to assembly and freedom of expression.

The partner organizations created the network of free legal aid to achieve the mentioned goals.

Significant problem is the delay in granting the victim status to the individuals harmed by the use of disproportionate police powers during the protest demonstrations and the rights of these individuals afterwards. Throughout 2021, HRC's lawyers worked on several strategic cases; among them were cases related with the interference in the professional activities of journalists. In this regard, HRC continues litigation of the cases in front of the European Court of Human Rights. Three applications on behalf of the victims of dispersal of June 20-21, 2019 peaceful demonstration are pending before the ECtHR. The applicants claim the violation of the Articles 3, 10, 11 and 13 of the European Convention on Human Rights.

ACTIVITIES OF THE LEGAL AID OFFICE OF HRC IN 2021	
Free Legal Advice	6769
New Cases	200
Successfully advocated cases	125
Visits to penitentiary facilities	14

**EKA KOBESASHVILI***Head of the Legal Aid Service*

I joined the HRC team in 2009; since 2021 I am the head of the Legal Aid Service in the organization. My main duties include to provide citizens with personal and over-phone consultations, with free legal advocacy, also I work on strategic litigation with the Constitutional Court of Georgia, identify the priorities of the legal aid group and coordinate their work.

Human Rights Center believes that everybody is right to enjoy civil, political, social, economic and cultural rights free of all forms of discrimination. Respect to this rights and the rule of law is the pre-condition to develop peace and democracy in Georgia.

In the frame of the free legal aid service program, the HRC was actively involved in various high-profile cases like: the case of young programmer Tamar Bachaliashvili, who died in Tbilisi in 2020 in obscure circumstances; the cases of the journalists harmed during the July 5, 2021 demonstration; the case of assault on the office of the Human Rights House Tbilisi by ultra-right extremist groups; the cases of illegal surveillance; arbitrary detentions of harmed civil activists, and more.

One of the significant priority of Human Rights Center is to monitor the state of human rights of the inmates of the police detention settings and other close institutions. The HRC's lawyers systematically monitor the facts of human rights violation and violence against the inmates in the closed type facilities and in case of necessity provide the victims with free legal aid. During the COVID-19 related pandemic, the inmates of the penitentiary establishments were deprived of the right to have confidential meetings with the lawyers. They do not have access to psycho-social rehabilitation programs either.

In 2021, like in the past years, the issue of granting victim status to the people suffered in the criminal cases is unresolved problem.

For years, the HRC has been working on the cases of compensating the damage to the victims of crimes. The organization worked on the rights of the victims of torture and inhuman treatment in police offices and penitentiary institutions, who claimed compensations for the damage, as well as the victims of arbitrary convictions.

The Constitution of Georgia acknowledges the right to peaceful assembly and manifestation as fundamental rights but in 2021, many times, the officers of the law enforcement bodies infringed the right to peaceful assembly and manifestation of individuals. The source of the problem is the soviet time Code of Administrative Offences of Georgia, which comes in conflict with the requirements of the democratic state and acts as the repressive mechanism against free opinion and peaceful demonstrators. Even today, like in the past years, the Articles 166 and 173 of the Code of Administrative Offences are actively applied against the peaceful demonstrations.

PROJECT: Legal Aid and Human Rights Monitoring

DONOR: National Endowment for Democracy (NED)

ACTIVITIES OF THE LEGAL AID TBILISI, SHIDA KARTLI AND KAKHETI OFFICES, 2021

Free Legal Advice	5260
New Cases	84
Applications to the European Court of Human Rights	4
Constitutional Lawsuits	2
Successfully advocated cases	29
Visits to penitentiary facilities	14

DIMITRI NOZADZE

Lawyer

The joint project of Human Rights Center (HRC), Georgian Democracy Initiative (GDI) and International Society for Fair Elections and Democracy (ISFED) – Democracy and Human Rights during the Pandemic and Curfew aimed to provide citizens with free legal aid, who faced problems during the pandemic, became victims of the state bodies, including police or lost jobs.



As the cases processed by the HRC revealed, the people were dismissed from private companies without any grounds, explanation and no orders on dismissals were handed to the employees. After dismissal, the companies refused the former employees to pay compensation and stated the dismissal happened because of the reorganization, abolished or reduced the position. People in the **public agencies** were fired for formally announced reorganization and/or personal reduction. Afterwards, the competitions were announced formally where the dismissed employees also could participate. Having received high points in the tests, they used to receive law marks in interviews. Most dismissal orders issued by the public agencies were ungrounded and did not clarify the real basis of the decision to fire a person from the working place.

The people, who were fired from working places, appealed the courts to restore their rights. The respondent party – the former employees used to reject friendly agreements, did not admit the unlawful and unjustified dismissals. Majority of the respondents could not present the dismissal orders to the court. Court hearings were dragged out; often the already scheduled hearings were postponed for a longer periods. The reason of postponed trials were the former employers, who did not appear in the court. The court, mostly, partly satisfied the claim of the applicants, namely: ordered the companies to pay compensation or/and reimburse the missed salary to the former employees, but did not satisfy the claim of the applicants to be restored to the working place, because the positions were abolished in the companies or other people were hired. In the court disputes, where the state institution was the respondent to the appeal, often the court used to send the case back for reconsideration. In similar cases, the employer, as a rule, formally examines the complaints and rejects them finally; they do not satisfy the

claim on compensation or reimbursement either; therefore the people have to appeal to the court again and again.

During the pandemic, there were cases when police unlawfully fined citizens with 2 000 GEL for the alleged violation of isolation and quarantine rules. Mostly, the administrative law violation protocols were drawn up incorrectly and did not provide any valid arguments to impose the fine on the citizen. The fined citizens used to lodge administrative complaints to the patrol police department and the Ministry of Internal Affairs and requested to annul the unlawfully imposed fines. The patrol police and the MIA formally examined the complaints and rejected them. Therefore the decisions of the MIA and the patrol police were appealed in the court.

With the legal aid of Human Rights Center, the court examined the appeals of part of the people who were fined. Although, later the state amnestied the fines imposed on citizens for the violation of the isolation and quarantine regime, the court has not finished examination of several appeals of citizens claiming unlawfulness of the imposed fines.

LAZARE JIBLADZE*Analyst*

In 2021, because of the pandemic caused by the novel coronavirus, many events and meetings were organized online. Regardless the difficulties, HRC continued active monitoring of human rights and studied the problems in the following directions: equality, promotion establishment of independent and transparent judiciary, the rights of juveniles, women, LGBTQ+ community, ethnic and religious minorities, the rights of people living in the occupied territories and alongside the division line, etc.

Like in the past years, in 2021, I mostly worked on the analysis of the systemic problems causing grave human rights violations in the country, challenges that hinder equality and justice and the ways to eradicate those problems.

In 2021, I prepared analytic documents which reviewed the work of various state institutions or analyzed their regulating legislative acts. Besides identifying the problems, the documents present significant recommendations to various state institutions whose fulfillment will ensure improved standard of human rights defense.

In 2021, the HRC continued active cooperation with various civil society platforms and coalitions both on national and international levels. The HRC was once again elected in the steering committee of the Coalition for Independent and Transparent Judiciary.

In 2021, Human Rights Center participated in the preparation of shadow reports and various documents together with partner Georgian civil society organizations to use various international mechanisms to improve the state of human rights in the country. Last year, group of experts (GREVIO) working on the eradication of violence against women and domestic violence visited Georgia first time; they monitor the implementation of the Istanbul Convention in member states. Before the visit, HRC together with partner organizations prepared several reports for the group.

In 2020, Human Rights Center together with the Union Sapari sent application to the UN Committee on the Eradication of the Discrimination against Women (CEDAW) - Khanum Jeyranova vs. Georgia. In 2021, the CEDAW published its opinion on the case. The UN Committee fully shared the position of the applicant organizations with regard to the responsibilities of the state. Furthermore, the Committee issued recommendations concerning not only this particular case, but delivered general recommendations to eradicate and prevent the violence against women in the country. Human Rights Center is ready to continue its fight for the elimination of the violence against women in the country.

In 2021, the political crisis became particularly grave with the approaching municipal self-government elections. One of the key activities of Human Rights Center in 2021 was monitoring the municipal elections. The HRC monitored pre-election period and the Election Day. In this regard, in 2021 too, the

organization actively cooperated with the Central Election Commission, where we participated in the preparation of the special regulations how to hold the elections during pandemic, in the elaboration of ethical code for the political subjects and on the solution of other significant issues. The special report was prepared based on the findings from the election monitoring⁶, which also presented concrete recommendations how to improve the election system.

In the end of 2021, the annual report on the state of human rights in Georgia was prepared⁷, which reviewed the state of human rights in the country in 2021 and analyzed the major tendencies identified in the field of human rights; the report also assessed the law making activities and provided needs assessment.



LIA KHUROSHVILI

Coordinator of the HRC's Kakheti regional office

In 2021, the Kakheti regional office of Human Rights Center implemented several projects. In the frame of the project – Free Legal Advocacy and Human Rights Monitoring after the COVID Pandemic, the Kakheti office monitored

⁶ See Monitoring 2021 Municipal Elections in Georgia, Human Rights Center: <http://www.hrc.ge/329/eng/>

⁷ See: the State of Human Rights in Georgia, 2021; Human Rights Center <http://hrc.ge/files/190annual-eng%202021.pdf>

and advocated the facts of human rights violations during the state of emergency and afterwards. The lawyer made a lot of monitoring visits in all municipalities of the Kakheti region. Many facts of human rights violation were identified and the lawyer provided the victims of breached rights with qualified legal aid – gave free legal consultations, and in case of necessity helped them to lodge administrative complaints to different state institutions and appeal to the common courts.

The Kakheti office of Human Rights Center offers legal aid to the citizens – free legal consultations and representation in the common courts. The regional office has been defending the rights of the arbitrarily dismissed employees of the public agencies and represent them in the Gurjaani and Signagi district courts; the administrative complaints were sent to the Ministry of Economics and Sustainable Development, the National Public Registration Agency, Gurjaani municipality city hall.

The HRC's Kakheti office is involved in the court disputes where the parents of underage children try to identify the living place of their children and determine the rule of their relation with the children. The cases, where underage girls are victims of sexual harassment, are particularly sensitive. The lawyer in Kakheti region defends the legal interests of the victim girls in the prosecutor's office and in the common courts; the lawyer actively cooperates with the social workers and psychologists of the Social Agency, who work with the adolescents. We defend the women, who became victims of violence, among them is the case of the woman, who was killed by her former husband – the lawyer represents the victim's assignee in the investigation and in the court.

In addition with the pandemic, the systemic problem in the judiciary system creates obstacles in the work of the lawyers. The cases are being examined in the courts for years and sometimes the applicants lose interest to continue the dispute or factual circumstances are changing. There was one case when the applicant, whose dispute was successfully litigated by us, died when his application was examined in the Supreme Court of Georgia. The years-long deferment of the case examination in the courts negatively impact on the motivation of human rights lawyers.

In the project “Dialogue about the Common Problems of the Georgian and Ossetian Peoples”, we identified the problems, which the people faced as a result of 1990s armed conflict in the former autonomous oblast of South Ossetia; ethnic Ossetian people who had to flee from Georgia during the conflict, need help to restore their Georgian citizenship and register their properties in Georgia.

In the frame of the monitoring of the 2021 municipal elections, the Kakheti office monitored the election process in the villages inhabited with ethnic minorities in Kakheti region on the Election Day and on the second round of the elections. The complaints were lodged to the DEC and then appealed in the courts.

As a result of the active work of the HRC’s regional office in Kakheti, the local coordinator and lawyer was elected in the council on gender equality in the Gurjaani municipality city hall for the second turn.

**ALEKSI MEREBASHVILI**

Coordinator of the HRC's Shida Kartli regional office

In 2021, Shida Kartli regional office of Human Rights Center issued over 2 000 free legal consultations. The beneficiaries were provided with the information about their rights and ways how to defend them. The office successfully advocated the cases of 23 applicants; with the legal aid of the HRC's Shida Kartli regional office, the beneficiaries managed to defend their rights and their interests. More people know about HRC in Shida Kartli region as media actively reports about the work of the organization in the region. The HRC's activities in the region were positively evaluated by many actors and partners. Like in the past years, the EU Monitoring Mission positively evaluated the work of the Shida Kartli office during the visit.

The people applied to the HRC office in 2021 with the following major problems: social disputes, unlawfully issued fines by patrol police, misconduct of police officers, the problems of the people living alongside the division line, problems of IDPs and conflict affected people, the problems related with the registration of properties, issues related with domestic violence and violence against women, disputes with the public and private agencies, disputes with the private creditors, the issues related with the human rights violation during pandemic.

One of the successfully advocated cases was Gela Tukhareli's case, resident of the village alongside the occupation line, who was refused to register his land in the National Agency of Public Registry for ungrounded reasons. The HRC Shida Kartli office successfully convinced the NAPR to register the 1 hectare land as Tukhareli's property. The HRC's Shida Kartli office also worked on the cases of civil activists and politicians. Namely, police arrested Albert Merebashvili for erecting a tent in front of the parliament building in Tbilisi and he was charged of disobedience to law enforcement officers. The City Court dropped proceedings against him. The police also arrested him under the charge of hooliganism and disobedience in front of the Marneuli municipality city hall. The Bolnisi district court too terminated proceedings against him. Police arrested members of the political party Girchi during the protest rally in front of the Gori district department of the MIA – Badri Grigalashvili and Zurab Khomeriki were charged of disobedience. They spent 48 hours in jail. The court terminated case against Khomeriki but gave verbal reprimand to Badri Grigalashvili. Defending the legal interests of the victim's assignee in the case of femicide in Surami was an important experience for the Shida Kartli office. The defendant was found guilty and sent to prison for 15 years for the intentional killing of the mother of three children. HRC successfully litigated the cases of three IDPS – the Agency on IDP's Issues was ordered to assign accommodations to two of them and to re-examine the case of the third IDP as the decision was not acceptable. The successful case of Oleg Khubuluri is also worth to mention, where the court declared the order of the Gori municipality mayor on his dismissal unlawful and ordered the city hall to restore the former employ to the working place and reimburse the missed salaries.

In 2021, it was difficult to take effective measures against the unlawful activities of the law enforcement bodies. The case of Davit Tchalidze was good example of impunity of law enforcement officers, where although the investigation was launched into the alleged crimes committed by the police officers, the investigation was not effective and neither the victim received the status of a victim. Therefore, the HRC appealed the European Court of Human Rights on behalf of Davit Tchalidze.

The dragged out court disputes create significant problems. Despite many appeals, the trials have not been scheduled on several cases, among them are the cases related with environmental issues.

With the financial support of the Norwegian Helsinki Committee, Human Rights Center defended the legal rights of the victims of 2008 August war, studied their needs.

In the frame of the project supported by the Embassy of the Netherlands in Georgia, we assisted the citizens whose rights were breached during the pandemic. The people, who lost working places, who had their loans increased, who could not get allowances or were unlawfully fined during the pandemic received free legal aid and assistance.

ANA CHAPIDZE*HRC's representative in Imereti and Samegrelo regions*

In 2021, HRC implemented several projects in Imereti and Samegrelo regions. In the frame of the project – Free Legal Advocacy and Human Rights Monitoring after the COVID Pandemic, the representatives of the organization provided the citizens from Imereti and Samegrelo regions with free legal aid, gave qualified consultations and represented them in front of the administrative bodies or/and courts. In the frame of the project, the problems related with unlawful fines imposed by the patrol police officers and delays in paying the bank loans were identified.

In 2021, Human Rights Center, together with its partner organizations, implemented the project – Legal Aid Network for Activists. In the frame of the project, the civil and political activists get free legal aid in Imereti and Samegrelo regions, who participated in various protest demonstrations. As a result of the free legal advocacy, several cases were successfully litigated; another part of the cases is still pending in the common courts.

The case of civil activist Sophio Basiladze is one of those successful cases, which is worth to mention. With its February 16, 2021 judgment, the Kutaisi City Court satisfied the request of the police unit N2 to

impose administrative penalty on her and found Sophio Basiladze guilty for the violation of the Article 173 of the Code of Georgia on Administrative Offences; she was fined with 1 000 GEL. HRC appealed the judgment in the Kutaisi Appellate Court and the imposed penalty was annulled.

Another successful case was of Tornike Eristavi, member of the United National Movement, who was found guilty of the violation of the Code of Administrative Offences. On December 23, 2021, the Vani District Court annulled the resolution on imposing administrative penalty on Tornike Eristavi on March 30, 2021 based on which, his driving license was suspended for 6 months.

In 2021, Human Rights Center observed the October 2, 2021 municipal elections in Imereti and Samegrelo regions. The election monitoring, which was supported by the Black Sea Trust, included the monitoring of the pre-election period and the Election Day.



GIORGI KAKUBAVA

Head of the monitoring project

From February 1, 2021 to December 31, 2021, Human Rights Center implemented the project Legal Aid and Human Rights Monitoring, in the frame of which the organization monitored 42 alleged politically motivated

criminal and administrative cases⁸, as well as 29 protest demonstrations. 6 analytic documents, one interim and one final reports were published in the frame of the project. Throughout the 11-month project in 2021, the monitors observed 140 court hearings. One part of the 42 cases was finished and another part is still examined in the Tbilisi City and Appellate Courts. Regardless the covid pandemic, 3 lawyer/monitors of the organization actively monitored the trials and protest rallies.

On January 21, 2022 the organization held conference, where the reports on the findings from the trial monitoring of the administrative and criminal cases with alleged political motives and from the monitoring of protest rallies were presented. The partner organizations also shared their observations and findings during the conference.

On October 11 and 19, 2021, the representatives of the HRC and International Federation for Human Rights (FIDH) met the representatives of the European Parliament in the frame of the project – Legal Aid and Human Rights Monitoring. The meeting was organized by the FIDH, whose member the HRC is in Georgia. During the meeting, the representatives of HRC presented the information about the progress of legal proceedings with alleged political motives and the reports prepared by HRC on the cases with alleged political motives. Further, HRC provided information about gaps and trends identified during the monitoring of assemblies and demonstrations. During the meeting, the parties mentioned the gaps

⁸ See: Forty Two Cases with Alleged Political Motives Monitored by Human Rights Center: <http://www.hrc.ge/333/eng/>

and challenges in the field of justice administration and judicial authorities. One of the main issues during the meeting was the local self-government elections held in Georgia on October 2, 2021.



GIORGI TKEBUCHAVA

Lawyer, analyst

In 2021, my work at HRC progressed in several directions in the frame of the project Legal Aid and Human Rights Monitoring, which was supported by the National Endowment for Democracy (NED) starting from February 1 and lasting until December 31.

In the frame of the court monitoring, I prepared 6 analytical documents, 2 interim reports and 2 summary reports on the Results of Monitoring Court Proceedings of the Cases with Alleged Political Motives and on the Results of Monitoring Protest Demonstrations held in 2021, analyzing both the main findings and trends identified from immediate monitoring the trials and protests, as well as other problematic issues identified in the study of the case files of the criminal and administrative offenses. In every document, I surveyed the international standards and examples of the best practice from different states to evaluate the state measures and the court decisions; moreover, based on the comparison of relevant judgments of the European Court of Human Rights, I made a comparative-legal analysis more clearly presenting various legal problems. Each document offers recommendations to various actors.

In 2021, the judiciary authority still had problems to be coherent with national and international standards. Since 2021, the number of court proceedings against the members of political parties and civil activists with alleged political grounds increased; the tendency was observed both in administrative and criminal law cases.

The years-long trial monitoring revealed a number of shortcomings in various areas, such as: the right to a trial by an independent court established by law, public confidence in the criminal justice system, the right to a public hearing, the presumption of innocence, the right to dignity and honor, the right of the convicted/accused to health protection, the right to liberty, equality of arms, the right to be tried within a reasonable time, the right to call and question witnesses, the rights to a reasoned court judgment, the right to a lawyer at the stage of detention and witness protection, the right to reasoned judgment, the right of a defendant to attend the court hearing, selective justice and political motives. Also, the actions of the state, first of all blatant violation of the rights of the hunger-striking prisoner and patient that may be evaluated as inhuman and degrading treatment.

The monitoring of the rallies revealed numerous facts of illegal interference in the freedom of peaceful assembly; use of disproportionate police force against protesters and facts of interference in the professional activities of journalists and physical violence against them; the issues of restricting the LGBTQ+ community members to enjoy their right to freedom of expression and freedom of peaceful assembly



ANI PORCHKHIDZE, Monitor

In 2020-2021 HRC monitored the court hearings of the cases with alleged political motives in it. In the course of monitoring, the preliminarily elaborated questionnaire was the key guideline document for the monitors, which was enclosed by the legal analysis of key issues identified by the monitors in the process of trial monitoring.

Since the second half of 2020, due to the grave epidemiological situation in the country, majority of hearings were postponed for unclear time; another part of the cases were heard in online or hybrid format. The courts did not have homogenous approach to the issue of giving permission to the monitors to attend the hearings that undermined the principle of publicity of court hearings.

After the 2021 parliamentary elections, the hearings of the criminal cases against the leaders of the opposition political parties were actively scheduled. Among them was the two criminal cases against the third president of Georgia Mikheil Saakashvili, where the defendant was initially deprived of basic procedural rights.

The conduct of the parties and judges during trials is worth to be assessed. Often, the parties violated ethic norms. They often acted beyond the legal frames and started disputes with the judges. There were instances when judges they violated it.

It is important to evaluate the reasonability of solicitations on the use of measures of restraint. In their solicitations the prosecutors mostly relied on formal grounds. Also, often the initially imposed measure of restraint (imprisonment) was not replaced by less strict measures.

During the past two years, majority of court hearings started with a delay because the parties arrived at the courts later or previous court hearings were prolonged. The technical disorders were frequently observed in the courtrooms: glass walls; space in the courtrooms; out-of-order microphones permanently hindered the monitors to conduct monitoring.

NINO CHIKHLADZE, Monitor

2021 was busy with protest demonstrations. The people mostly protested the decisions of the ruling party. The protests against the election results continued in 2021 too.

In fact, at every protest rally, arrest of activists was expected. As a tendency in 2021, dozens citizens were arrested, majority of whom was



released based on explanatory letters on the same day or on the second day. Some cases were examined even in the city courts and HRC monitored the court proceedings.

Except rare cases, the proceedings against the detainees during the protest rallies were conducted under the administrative law. Among them, the smaller part were those cases, which ended up with administrative imprisonments. The judges used fines as measure of restraints and rarely terminated the administrative proceedings against the detainees.

Monitoring of the trials held into the cases against the people detained during the protest demonstrations revealed that the procedural law was respected during the court hearings: the judge carefully listened to the parties, asked questions, examined the evidence and did not violate the principles of the administrative law. However, in terms of the equality of arms, it should be mentioned that the representatives of the administrative body were more prepared than the defense side. It is caused by several factors and among them is limited timely access to the lawyer's service for the people arrested under the administrative law.

Although the court proceedings, examined evidence and the conduct of judges created perception that the proceedings will be terminated, the administrative hearings ended up differently. It leaves impression that the proceedings are held formally and creates doubts over the partiality of judges in the moment of passing decision. With it, the court hearings look like a tool applied by the authority to arrest the people opposing the government during the protest demonstrations.

One technical problem was observed during the court hearings held against the people arrested during protest demonstrations: judges examined the video-evidence in their personal computers, also, the problem was related with the timing of hearings, unavailable information about the courtrooms where the trials were scheduled and the problems of delays in starting the proceedings.

TAMAR KURTAULI, Monitor

Regardless the pandemic, throughout the year, political and civil activists continued protest demonstrations against the authority. During the monitoring of protest rallies, the safety of the monitors was mostly protected. Monitors could freely move about the entire area of the demonstrations and make video-photo shooting.

In 2020-2021, as long as I monitor the protest demonstrations, the civil activists have held 2 most resonant protest demonstrations, when the monitors faced problems and their safety was under risk. On the one hand, the law enforcement officers forbade the monitors to carry out monitoring from the concrete location or treated them like protesters, on the other hand there was threat of assault from the side of the members of aggressive groups of protesters.



The monitors were under particular threat during the Pride March, which was announced to be held on July 5, 2021; the risk was coming from the organizers of the counter-demonstration of the March. The extremist, homophobic groups gathered in front of the parliament assaulted journalists; they were supported by the pro-Russian political parties and representatives of the Orthodox Church participating in the counter-demonstration too. The monitors monitored the rally under huge risk to their health and life as the law enforcement officers deployed on the site did not use special means against the large-scaled violence to neutralize the physical harassment. The government failed to protect the freedom of assembly and expression, right to life and health, right to property that are guaranteed under the Constitution of Georgia. Mostly, the officers tried to take the victims of violence away from the site. Like on July 5, next day too – on July 6, the members of the violent groups attacked the LGBT community members and their supporters, and media representatives during the Silent Demonstration in front of the Parliament.

It can be said with regard to the July 5-6, 2021 counter-demonstrations that the protest of participants exceeded the frames of freedom of expression and peaceful assembly and became violent; nevertheless, the State failed to ensure the safety of peaceful protesters and media reporters and could not assist them to conduct their professional activities that was caused by insufficient number of law enforcement officers on the site.

The monitors observing the violent incidents had to take care of ourselves. Another threat coming from the counter-protesters was their negligence to pandemic-related regulations like wearing masks in crowds.

MARITA TSINTSKILADZE

*Public Relations Manager,
Editor of Humanrights.ge*



I joined the team of Human Rights Center in February, 2021 as a Public Relations Manager and editor of the online newspaper humanrights.ge. Communication plays key role in the work of HRC and in order to increase public engagement, we decided to share information about the initiatives, projects and daily activities of the organization every day. Therefore, throughout 2021, our active communication with media was a priority as well as using new communication channels/platforms. HRC actively updated its pages on Facebook, Twitter, Instagram and Youtube. The number of subscribers has significantly increased – on Facebook it has reached almost 10 000 subscribers and on Twitter the HRC has 1000 followers.

It is important that in 2021, the organization updated its official website HRC.GE to make it adapted for modern gadgets. News are published on it in Georgian and English languages every week. We also made the youtube page more active, where about 150 videos produced in the frame of various projects are archived. Some of those videos were prepared more than 15 years ago but the problems described in them are still urgent.

In 2021, the HRC updated its online edition humanrights.ge too. It is a media platform, which aims to promote human rights journalism in Georgia and to provide society with the information about human rights. Humanrights.ge has been operating since 2003 and articles, videos and news prepared by the HRC's journalists are published on it. Also, the editorial team selects and publishes publications on human rights from different online media platforms too.

Regardless the challenges caused by the Covid pandemic, the activities and implementation of various projects by Human Rights Center were not hindered. I would like to underline the readiness of the HRC's team to communicate with media that had systemic manner. In 2021, the activities of HRC were under the focus of media.

The monitoring project, which was supported by the National Endowment for Democracy (NED), was particularly interesting. HRC monitored the court hearings of the cases with alleged political motives and protest demonstrations, and reported about the observed violations. In 2021, the pandemic did not stop the wave of protest demonstrations and holding court hearings in physical environment. Therefore, they were actively monitored. In the frame of this project, I gained new and interesting experience; high interest of the audience towards the posts published about the monitored trials and protest demonstrations proved that the project was successful.

THE HUMAN RIGHTS CENTER (HRC) was founded on December 10, 1996 in Tbilisi, Georgia.

VISION:

The Human Rights Center 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.

OVERALL OBJECTIVES:

The HRC aims to increase respect for human rights, fundamental freedoms and facilitate peacebuilding process in Georgia. To achieve this goal it is essential to ensure that authorities respect the rule of law and principles of transparency and separation of powers, to eliminate discrimination at all levels, increase awareness and respect for human rights among the people in Georgia.

HUMAN RIGHTS CENTER'S PRIORITY AREAS

Strengthening the rule of law by:

- Supporting harmonization of national legislation with international human rights standards and monitoring their implementation;
- Raising public awareness about their rights and available legal remedies/mechanisms for their realization;
- Providing free legal aid to individuals and groups to defend their rights and freedoms at national and regional/international levels;
- Monitoring, documenting and reporting on human rights violations.

Supporting freedom of expression and media by:

- • Supporting development of independent media;
- • Promoting creation of environment conducive of free expression;
- • Capacity building of journalists and media representatives;

Promoting equality and social inclusion by:

- Fighting against discrimination;
- Protecting the rights of minorities and other vulnerable groups;
- Promoting gender equality and women empowerment.

Supporting transitional justice by:

- Documenting and reporting human rights violations committed in relation with armed conflicts;
- Promoting accountability for human rights violations;
- Advocating restitution and reparation;
- Confidence building, reconciliation and peace building.

Reinforcement of democratic processes by:

- Strengthening development of civil society organizations through capacity building and networking;
- Encouraging involvement of social groups in public activities;
- Promoting free and fair elections, good governance and transparency.

ACTIVITIES:

- Monitoring and Documenting human rights violations in Georgia;
- Reporting on human rights situation in Georgia to the EU, Council of Europe, OSCE, UN, ICC and others international bodies on regular basis;
- Lobbying and Advocacy of legislative and policy reforms before national and international institutions;
- Litigating cases on human rights violations through Legal Aid Office free of charge;
- Public Awareness Raising on human rights situation in Georgia by daily-updatable bi-lingual online magazine www.HumanRights.ge and website www.hrc.ge;
- Networking among human rights organizations on national and regional level.

DONORS:

- National Endowment for Democracy (NED);
- The Norwegian Helsinki Committee (NHC);
- German Federal Foreign Office's funds by IFA (Institut für Auslandsbeziehungen), funding programme Zivik;
- Open Society Georgia Foundation (OSGF);
- East West Management Institute's (EWMI) ACCESS project;
- EU Monitoring Mission in Georgia (EUMM);
- The British Embassy in Tbilisi;
- The World Federal Movement – Institute of Global Politics (WFM - IGP);
- The European Commission;
- Black Sea Trust of the German Marshall Fund of the United States;
- The Embassy of Canada;
- UNICEF;
- The Embassy of Switzerland in Georgia;
- The Embassy of Lithuania in Georgia;
- The Bulgarian Embassy in Georgia;
- The US Embassy in Georgia



MEETINGS



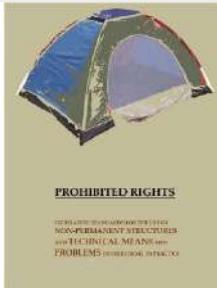


TRAININGS



REPORTS AND ANALYTIC DOCUMENTS PUBLISHED BY HUMAN RIGHTS CENTER IN 2021

PROHIBITED RIGHTS - LEGISLATIVE STANDARDS FOR THE USE OF NON-PERMANENT STRUCTURES AND TECHNICAL MEANS AND PROBLEMS OF EXERCISING IN PRACTICE, 2021



The current Report is based on the reports prepared by HRC monitors. As a result of the observations and examinations of the protest rallies under the monitoring of HRC, a tendency was revealed that the erection of protest camps or other non-permanent constructions during the rally was restricted by the law enforcement bodies.

<http://www.hrc.ge/files/6PROHIBITED%20RIGHTS.pdf>

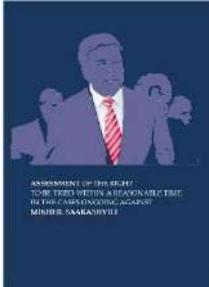
COVID-19, EMERGENCY MEASURES AND CIVIC FREEDOMS IN GEORGIA, 2021



The report reviews the developments in relation to the Covid-19 pandemic in Georgia, the adopted emergency measures and restrictions and their impact on civic freedoms during the period December 2020 – March 2021.

<http://www.hrc.ge/files/9covid-analitic-eng.pdf>

ASSESSMENT OF THE RIGHT TO BE TRIED WITHIN A REASONABLE TIME IN THE CASES ONGOING AGAINST MIKHEIL SAAKASHVILI



Since 2020, Human Rights Center (HRC) has been carrying out the process of monitoring the criminal cases with alleged political motives. Among them are also the cases ongoing against former President, Mikheil Saakashvili. Legal assessments provided in the current document are based on some part of the files of the criminal cases instituted against the accused persons as made accessible to us by defence counsels of the accused. The document offers a legal comparative analysis based on the juxtaposition of the national law and international standards with relevant judgments of the European Court of Human Rights (ECtHR). <http://www.hrc.ge/files/11saakasjvili-eng.pdf>

CASES CONNECTED WITH THE EVENTS OF JUNE 20-21, 2019: A POLITICAL JUSTICE AND DISPUTED AMNESTY, LEGAL



This document is based on the analytical documents prepared by HRC, the court monitoring reports, the material available from public sources, and the special report by the Public Defender on the ongoing investigation by the Prosecutor's Office into the events of June 20-21, 2019. The purpose of studying the criminal cases discussed in this document is to identify the violations and problems revealed during the proceedings.

<http://www.hrc.ge/files/1032021%20ivnisis%20movlenebi-en.pdf>

COVID-19 & EMERGENCY MEASURES AND CIVIC FREEDOMS IN GEORGIA



In the analytic document, HRC reviews the developments in relation to the Covid-19 pandemic in Georgia, the measures operating for fighting pandemic and their impact on civic freedoms during the period of March - May 2021. The document also looks at the situation of the civic freedoms, not particularly related to the pandemic, including freedom of speech and expression, right to information and right to peaceful assembly and manifestation and examine concrete instances when these rights were unduly restricted.

<http://www.hrc.ge/files/127COVID-19%20&%20EMERGENCY%20MEASURES%20-eng.pdf>

ADMINISTRATIVE ERROR UNDER THE SHADOW OF GEORGIAN LAWMAKING

ADMINISTRATIVE ERROR
UNDER THE SHADOW OF GEORGIAN LAWMAKING



The purpose of the Document is to provide the reader with information about the changes adopted and to assess the need and expediency of these changes through a general assessment of the Code of Administrative Offenses of Georgia, an analysis of a specific judgment of the Constitutional Court and a review of the lawmaking process bound with human rights. The Document also reviews the possible chilly effect of the adopted changes on the realization of fundamental human rights and its possible negative impact on the observance of the general standard of human rights protection in the country.

<http://www.hrc.ge/files/122administraciuli-eng.pdf>

SOCIO-ECONOMIC AND LEGAL PROBLEMS OF THE ELDERLY PEOPLE



From January 20, 2021 to August 20, 2021, Human Rights Center implemented the project “Supporting Elderly during the COVID-19 Pandemic in Shida Kartli Region.” The project aimed to promote legal solutions to the problems of the elderly people who live alone, to study their needs, to present the issues revealed as a result of the research to various institutions and advocate for the solutions. The report reviews the social economic and legal problems of the elderly people, who live alone.

<http://www.hrc.ge/files/reports/156Elrerly-eng.pdf>

MONITORING OF THE PROTEST DEMONSTRATIONS HELD AGAINST THE CONSTRUCTION OF NAMAKHVANI HPP CASCADE - LEGAL ANALYSIS



The monitoring Report prepared by Human Rights Center reflects the findings and results of the monitoring the events/protests developed around Namakhvani HPP Cascade (Hereinafter Namakhvani HPP); further, the Report highlights the main problems and issues that were identified during the reporting period or had arisen before, but maintained the relevance in 2021 too. The focus was both on the violations of human rights and on the reactions to such facts by various authorities, as well as on the gaps in the legislation in this regard.

<http://www.hrc.ge/files/reports/158namakhvani.eng.pdf>

RECOMMENDATIONS OF HUMAN RIGHTS CENTER TO PREVENT THE SPREAD OF THE CORONAVIRUS IN PENITENTIARY FACILITIES



HRC has been actively working for years to protect the rights of prisoners. Imprisoned individuals: inmates and persons placed in similar facilities are especially vulnerable towards being infected by the Coronavirus (COVID-19). Apart other relevant factors, the vulnerability is due to the fact that such facilities are not suitable for fighting the large-scale epidemics. Taking into account the general problems existing in the prisons, the severe consequences of the pandemic and the spread of the virus among the prison population, and in order to avoid the potential massive spread of the virus and further severe consequences, HRC addressed the Parliament of Georgia and President of Georgia with several recommendations.

<http://www.hrc.ge/files/166patimrebi-eng.pdf>

SOME FACTS OF LARGE-SCALE ILLEGAL COVERT EAVESDROPPING AND SURVEILLANCE BY THE STATE SECURITY SERVICE:

SOME FACTS OF LARGE-SCALE ILLEGAL COVERT
EAVESDROPPING AND SURVEILLANCE
BY THE STATE SECURITY SERVICE:
LEGAL ASSESSMENTS



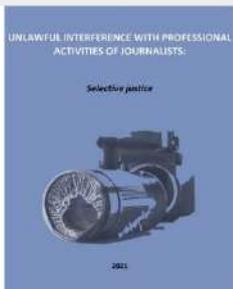
On September 13, 2021, the secret files were leaked allegedly from the State Security Service. According to the files spread on the Internet, it turns out that media outlets, civil society organizations, representatives of opposition parties, members of the Synod of the Georgian Orthodox Church, the patriarchal locum tenens, priests, patriarch's assistants, bishops, nuns, monks and their associates, religious associations - both that of the patriarchate and non-dominant religious groups are being wiretapped and surveilled in the country. The authorities control movements, bank transfers, and the personal life of the above individuals. The document analysis the facts of large-scaled eavesdropping and surveillance by the State Security Service. <http://hrc.ge/files/177mosmenebi-eng.pdf>

RIGHT TO A FAIR TRIAL IN CASES OF ADMINISTRATIVE OFFENSES - PROBLEM ANALYSIS



Several cases of administrative offense with alleged political motives have been monitored by HRC since February 2020, the hearings of some of which are currently closed with the courts. The document identifies and assesses the problems revealed by HRC during the monitoring of court proceedings of the cases of administrative offense with alleged political motives. <http://hrc.ge/files/180adm-cases-eng-2021.pdf>

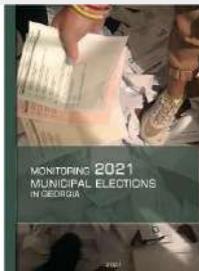
UNLAWFUL INTERFERENCE WITH PROFESSIONAL ACTIVITIES OF JOURNALISTS: SELECTIVE JUSTICE



In recent years, the facts of repressions and violation of media freedom are increasing in Georgia having acquired an alarming nature. The professional activities for journalists have become life-threatening, especially for the representatives of critical media outlets. Human Rights Center calls on the Government of Georgia and investigative bodies to fulfill several recommendations.

<http://www.hrc.ge/files/182Jurnalist-analitikal%20doc-eng.pdf>

MONITORING 2021 MUNICIPAL ELECTIONS IN GEORGIA



HRC monitored the pre-election period through long-term observers in three regions of Georgia: Imereti, Kvemo Kartli and Kakheti. The report reviews and critically evaluates various relevant changes made to the election system and legislation that will enable the interested parties to have more clear understanding of the pre-election period and post-election developments in the context of the 2021 Municipal Elections. <http://hrc.ge/files/reports/184report-Municipal%20elections%202021-eng.pdf>

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