



Vakhtang Gomelauri

Minister of Internal Affairs, Government of Georgia

Cc: Josep Borrell Fontelles, High Representative/Vice-President of the Commission for Foreign Affairs and Security Policy

Helena Dalli, Commissioner for Equality

Carl Hartzell, Head of the EU Delegation to Georgia

Brussels, 28 June 2021

Subject: Call on Georgian authorities to protect Tbilisi Pride protesters and ensure their universal right to freedom of expression and peaceful assembly are effectively enjoyed

Dear Vakhtang Gomelauri, Minister of Internal Affairs, Government of Georgia,

Between 1-5 July, Tbilisi will see its Pride march celebrations take place. These will include 3 main activities throughout the five days, including the official premiere of “March for Dignity”, a documentary about the first-ever Tbilisi Pride Week in 2019 (1 July), the Pride Fest with local and international artists (3 July) and the Pride “March for Dignity”, co-organized by local social movements (5 July). Collectively, these will constitute a major event where the diversity of the LGBTI community is celebrated and affirmed.

Pride demonstrations are peaceful tools for political advocacy and one way in which the universal right to freedom of expression and peaceful assembly is crystallised. They are a hallmark of the LGBTI activist movement, a pillar for social visibility and they are equally political demonstrations during which the community voices its concerns, highlights its achievements and gives the opportunity to its members to demonstrate in favour of equality. As such, the recent comments of the Chair of the Ruling Georgian Dream Party, Irakli Kobakhidze, who said that the Pride March had to be cancelled, are in contravention of these universal rights and of the established precedent in Tbilisi.

It is thus in this spirit of support that we address you, Minister, in order to ask not only that the Pride is, in line with the universal right of peaceful assembly and freedom of expression, effectively allowed, but also that all the preparations be taken so as to ensure the effective enjoyment of the manifestants’ right to freedom of expression and peaceful assembly, all the while availing themselves of authorities’ protection.

We have seen how in previous years LGBTI-phobic groups have taken advantage of these celebrations to build on their hatred and attack LGBTI peaceful protesters. It is therefore crucial that, in line with Georgia’s commitments under the European Convention on Human Rights¹ and the Association Agreement between the EU and Georgia, the Georgian authorities provide sufficient and effective police protection. Given the publication of the LGBTIQ Equality Strategy,² in particular its chapter four on “*Lading the call for LGBTIQ equality around the world*”, the EU must continue to strengthen its engagement on LGBTIQ issues in its external relations. Equally, in its report on the Implementation of the EU Association Agreement with Georgia, the European Parliament stated the following:

¹ European Convention on Human Rights, accessible at https://www.echr.coe.int/documents/convention_eng.pdf.

² “*Union Of Equality: LGBTIQ Equality Strategy 2020-2025*”, accessible at https://ec.europa.eu/info/sites/default/files/lgbtiq_strategy_2020-2025_en.pdf.

20. Welcomes the work of the Human Rights Department of the Georgian Ministry of Internal Affairs and insists that the existing human rights and anti-discrimination legislation must be thoroughly and efficiently implemented; calls for further efforts to address discrimination against women, LGBT persons, Roma people and religious minorities [...] and to step up the investigation and prosecution of hate speech and violent crimes against all minorities and vulnerable groups; calls on all the religious communities, including the Georgian Orthodox Church, and civil society to work to engender a climate of tolerance;³

Importantly, a 2012 decision by the European Court of Human Rights recognised that Georgia's failure to protect peaceful demonstrators amounted to a violation of Article 3 (prohibition of inhuman or degrading treatment) taken in conjunction with Article 14 (prohibition of discrimination).⁴ The case in question pertained to a peaceful demonstration in celebration of the International Day Against Homophobia, Biphobia, Transphobia and Interphobia. The applicants complained that the police authorities had failed to protect them from violent counter-protesters and to investigate the incident, namely the discriminatory motive behind it.

Since then, Georgia has invested in capacity-building training to police officers on hate crime and hate-speech in partnership for instance with the Council of Europe, which has led no doubt to the improved awareness, knowledge and capacity of police officers. We are certain that these trainings will bear results in providing the necessary support to the upcoming Pride events.

In line with the EU guidelines to promote and protect the enjoyment of all human rights by LGBTI persons, the European Union has in its external policies a duty to protect and promote LGBTI human rights, including the right to non-discrimination and to peaceful demonstration. We therefore ask the EU Delegation in Georgia, in copy, to follow up on the elements raised in this letter.

Yours sincerely,

Marc ANGEL, *Co-Chair, LGBTI Intergroup (S&D)*

Fabio Massimo CASTALDO, *Vice-President, LGBTI Intergroup (EP Vice-President, Non-attached)*

Liesje SCHREINEMACHER, *Vice-President, LGBTI Intergroup (Renew Europe)*

Malin BJÖRK, *Vice-President, LGBTI Intergroup (The Left)*

Maria WALSH, *Vice-President, LGBTI Intergroup (EPP)*

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Hanna NEUMANN (Greens-EFA)

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³ European Parliament resolution of 16 September 2020 on the implementation of the EU Association Agreement with Georgia (2019/2200(INI)), accessible at https://www.europarl.europa.eu/doceo/document/TA-9-2020-0221_EN.html.

⁴ Case of Identoba and Others v. Georgia (12 May 2015), application no. 73235/12, available at <http://hudoc.echr.coe.int/eng-press?i=003-5079814-6255003>.