

**GIORGI TSIKARISHVILI**

**MONITORING OF ASSEMBLIES  
AND DEMONSTRATIONS  
OF FAR-RIGHT  
EXTREMIST GROUPS**

---

**DEMOCRACY  
RESEARCH  
INSTITUTE  
(DRI)**

---

**TBILISI  
2020**

# CONTENTS

GLOSSARY OF TERMS .....	3
Introduction .....	5
1 Methodology .....	6
2 The review of the existing situation .....	7
3 Hate crime and anti-discriminatory legal framework .....	8
3.1 Hate Crime in the Criminal Code of Georgia .....	8
3.2 Anti-Discriminative Civic and Administrative Normative Acts .....	9
3.3 Far-Right Extremist Groups and Georgia’s Strategy on the Fight Against Terrorism .....	10
3.4 The Need to Clarify Statistical Data .....	11
4 Results of the monitoring .....	12
4.1 The rally of 17 may 2019 .....	14
4.2 Rallies held against tbilisi pride and the march of dignity .....	14
4.3 Demonstrations against azerbaijan and turkey .....	16
4.4 Rallies organized by homophobic groups at amirani cinema .....	17
4.5 Demonstrations regarding council of europe week .....	18
5 Summary of the results of the observation and the main trends .....	19
Recommendations .....	20

# GLOSSARY OF TERMS

The below definitions of terms are not universal and have been developed for the purposes of this research.

## **FAR-RIGHT IDEOLOGY**

An ideology that combines racism, xenophobia, misogyny, anti-Semitism and homophobia.

## **FAR-RIGHT GROUPS**

Groups that stir up antiliberal and anti-western sentiments. Their rhetoric is also expressly homophobic, xenophobic, Islamophobic and nationalistic.

## **EXTREMISM**

A set of ideas, an ideology, that does not recognise the principle of human equality, promotes hatred, violence and intolerance, threatens the democratic structure and the rule of law in the country.

## **RADICALISATION**

A process in which a person might go beyond legal bounds when disseminating his/her beliefs and promoting a certain ideology and become involved in a terrorist and/or extremist activity. This process demonstrates the willingness of a person to consent to and/or, if necessary, use violent methods for the sake of the objectives of the ideology supported by him/her.

## **ANTI-WESTERN DISCOURSE**

Expressing explicitly negative sentiments towards the European Union, the North Atlantic Alliance and Western Countries and analysing them in a negative light.

## **ANTILIBERAL DISCOURSE**

Identifying and analysing the demonisation of liberalism and diminishing liberal values.



# INTRODUCTION

Populism and far-right movements are not new to Georgia. However, far-right extremist groups have been active in the country since 2012. Rallies of mobilised violent groups, which physically and verbally abused the protesters in response to a peaceful rally dedicated to the International Day against Homophobia and Transphobia on 17 May 2013, are especially noteworthy. That day, the state had failed in protecting peaceful protesters and punishing the violators. After that, the rallies and demonstrations by the far-right radical groups became significantly more frequent. The rallies were marked by growing violence, the threat of violence and the tolerant attitude of law-enforcers towards these radical groups.

Given the local context and problems, the Democracy Research Institute began the research of far-right radical groups, their demonstrations and rallies and their narratives published in social media.

The following report includes the results of the research of rallies and demonstrations of far-right groups from May 2019 to 1 March 2020. Throughout this period, observers of DRI monitored 14 demonstrations of far-right groups (including counter-rallies). The report analyses the trends identified during the monitoring and outlines the main findings. The purpose of the report is the prevention of crimes of violence by informing the society, to hinder the recruitment of new members by groups of far-right ideology and inform the society about the dangers posed by their empowerment.

---

7 The Report of the Public Defender of Georgia on the Situation of the Protection of Human Rights and Freedoms, p. 354, available at <http://www.ombudsman.ge/geo/saparlamento-angarishebi>.

# 1. METHODOLOGY

Observers of DRI monitored all the rallies organised by far-right groups in Tbilisi throughout the reporting period. We were getting information about planned rallies/counter-rallies from public sources or social media, which represents the most widely used platform for spreading information and mobilising supporters by far-right groups and their leaders.

From the very beginning of the monitoring of the freedom of peaceful assemblies, based on the guidelines of democratic institutes and human right office of OSCE (OSCE/ODIHR), we developed a special form for monitoring demonstrations that helped us to systemise important facts and violations occurred on rallies/counter-rallies.

Taking into account the goals and objectives of the project, we used the following methodology in the analytical process:

- The situation analysis method, which in the framework of the following research implies the monitoring of assemblies and demonstrations of far-right radical groups, identification of key trends and analysis based on specific and important events;
- Comparative analysis, which in the framework of the following research, implies the determination of the compatibility of the legislative norms and demonstrations organised by far-right formations;
- Statistical analysis – a qualitative reflection of the information and reports of observers requested from public structures, the so-called descriptive statistics.

Within the framework of monitoring of assemblies, we focused on:

- If the far-right group leaders or the participants of the rally used hate speech;
- To what extent did the police ensure public order during public assemblies and demonstrations;
- Whether there were any cases of disobedience to the instructions of the police;
- If there have been any calls for violence against specific individuals or groups;
- To what extent the relevant local self-government bodies were informed by the organisers in advance about the form, goal, place, route of the movement, start and end time of the assembly/manifestation.

Within the framework of the monitoring, we analysed the compliance of assemblies and demonstrations of far-right groups with Georgian legislation and the international standards established by the European Convention on Human Rights.

For the report, we requested public information and statistical data on hate crimes from the Ministry of Internal Affairs of Georgia, the Prosecutor's Office, courts, the State Security Service and the Government of Georgia.

## 2. THE REVIEW OF THE EXISTING SITUATION

The spectrum of far-right groups and movements is diverse in Georgia. The existing groups unite and imply different types of informal groups and formal unions, including political parties. In addition, there are dozens of informal groups in social media. Some of them are registered as non-governmental organisations. Although these groups are more or less different from each other, in general, they are intolerant of the LGBT community and share antiliberal and anti-immigrant rhetoric.

In recent years, the number of far-right groups and their supporters in the Georgian online space has increased significantly.<sup>8</sup> Various groups express this, among other forms, in organizing aggressive and violent street demonstrations. Informal unions like Georgian March, Georgian Idea and Georgian Power are mobilising supporters through social media to use them for rallies involving aggressive, anti-immigrant, homophobic and anti-western messages.<sup>9</sup> Strengthening of the far-right groups has resulted in the repeated criticism of the government that it is ineffective against these problems and that it does not have an effective and systematic policy for the prevention of radicalisation.

---

8 S. Minesashvili, Social Basis for a Far-Right Populism in Georgia, 2019, available at <https://bit.ly/2KHOXJt>.

9 Anatomy of Georgian Neo-Nazism, available at <https://www.transparency.ge/ge/blog/kartuli-neonacizmis-anatomia>.

## 3. HATE CRIME AND ANTI-DISCRIMINATORY LEGAL FRAMEWORK

On 2 May 2014, the Parliament of Georgia, notwithstanding the resistance of the Patriarchate and far-right groups, passed the Law on the Elimination of All Forms of Discrimination. Adoption of an appropriate anti-discrimination law was a commitment imposed by the action plan of visa liberalisation with the European Union.<sup>10</sup>

Since 2010, a number of changes were made to the Georgian legislation to eliminate discrimination in administrative, civic, and criminal law, which, despite the shortcomings, deserves a positive assessment. In addition, the Human Rights Protection Department was created under the Ministry of Internal affairs of Georgia to ensure timely response to discrimination on the grounds of intolerance and ensure the effectiveness of ongoing investigations.

### 3.1. HATE CRIME IN THE CRIMINAL CODE OF GEORGIA

As a result of the amendments to the Criminal Code on 27 March 2012, the law recognised that a crime committed on the grounds of intolerance constitutes an aggravating circumstance.<sup>11</sup> Accordingly, committing a hate crime aggravates the liability of a person with reference to Article 53<sup>1</sup>. It should be noted that Georgian legislation does not use the words hate and bias to denote the motive of bias. It uses the word expressing a comparatively weaker emotion, viz., intolerance. Also, there are special norms in the Criminal Code that apply to various crimes based on intolerance.<sup>12</sup>

In terms of legal writing, the Criminal Code of Georgia offers a model based on an indicator of bias, which in addition to a victim belonging to a specific group, requires additional evidence that the accused committed a crime on the grounds of intolerance.<sup>13</sup> It is also possible for the bias motive to be accompanied by additional motives such as self-interest.

The Criminal Code also punishes the violation of freedom of speech<sup>14</sup>, obstruction of the observance of religious rules,<sup>15</sup> illegal obstruction of organising assemblies, demonstrations or the right to participate in them.<sup>16</sup>

10 Action Plan on Visa Liberalisation, Block 4. The unofficial Georgian translation of the Action Plan is available at [http://migration.commission.ge/files/savizo-liberalizaciis-samoqmedo-gegma\\_qartulad.pdf](http://migration.commission.ge/files/savizo-liberalizaciis-samoqmedo-gegma_qartulad.pdf)

11 The Criminal Code of Georgia, Article 53<sup>1</sup>.

12 For instance, the Criminal Code of Georgia, Article 109(2)(d), and Article 1261.

13 A similar legislative structure can be seen in the Serbian Criminal Code, Article 54a of which states that “committing a crime on the grounds of race, religion, nationality or ethnicity, sex, sexual orientation and intolerance of gender identity is considered by the court to be an aggravating circumstance, if it is not other crime’s qualifying element provided by the law.”

14 The Criminal Code of Georgia, Article 153.

15 The Criminal Code of Georgia, Article 155.

16 The Criminal Code of Georgia, Article 161.



Although the deliberate violation of the abovementioned rights is prohibited by the Criminal Code, these articles fall into the category of less serious crimes, the preparation of which is not punishable, except in certain situations. Accordingly, it is impossible to punish an organiser for public exhortation to violate the rights of an individual or a group of persons. Our monitoring showed that the leaders of far-right groups mobilise supporters and openly exhort to restrict the rights of whom they consider as undesirable groups of people (including using violent methods). However, after their supporters commit acts of violence, the group leaders usually distance themselves from the violence and avoid taking responsibility.

## 3.2. ANTI-DISCRIMINATIVE CIVIC AND ADMINISTRATIVE NORMATIVE ACTS

Georgian legislation prohibits discrimination. The Law of Georgia on the Elimination of All Forms of Discrimination obliges all institutions to harmonise their activities, legal acts and internal regulations in compliance with the law and effectively respond to any incidents of potential discrimination.<sup>17</sup> According to the special report of the Public Defender of Georgia, the year 2019 was important in terms of improving the anti-discrimination legislation. In particular, according to the amendments to the Organic Law of Georgia on the Public Defender, private legal entities, similar to public entities, became subjects to legal regulations. In addition, according to the recommendation of the Public Defender, the term of appeal to the court regarding discrimination cases has been increased from 3 months to one year.<sup>18</sup>

In addition, the Law of Georgia on Broadcasting prohibits the broadcasting of discriminatory content. In particular, the law prohibits broadcasting programmes that in any way pose the apparent and direct threat of inciting racial, ethnic, religious or other hatred in any form and the threat of encouraging discrimination or violence toward any group. Furthermore, broadcasting programmes that aim to offend, discriminate or outline ethnicity, religion, opinion, gender, sexual orientation, or any other feature or status is prohibited.<sup>19</sup>

However, the ban on the production and reproduction of works containing discrimination and hate speech does not apply to print and online media. The Law of Georgia on the Press and Other Mass Media, which regulates press and other mass media, adopted in 1991, does not meet modern requirements and can no longer ensure the establishment of a secure, democratic and equal society under the freedom of speech and thought. Accordingly, unlike TV and radio broadcasters that are prohibited from spreading material containing discrimination and hate speech, a certain segment of the print media, on the one hand, enjoys the freedom of speech and, on the other hand, spreads material

17 The Law of Georgia on the Elimination of All Forms of Discrimination, Article 4.

18 The Public Defender's Special Report on the Fight Against Discrimination, Its Prevention, and the Situation of Equality, 2019, available at <http://www.ombudsman.ge/res/docs/2020030416283364211.pdf>.

19 The law of Georgia on Broadcasting, Article 56.

containing hate speech against minorities and immigrants by calling for intolerance, restriction of rights and establishment of an authoritarian body in the state.<sup>20</sup>

Besides, the regulation of hate speech in online media remains a particular problem. Leaders of far-right groups are often the main and desirable respondents of online media. Consequently, the online platform is a favourable environment for disseminating their xenophobic, homophobic and antiliberal messages.<sup>21</sup>

The European Commission against Racism and Intolerance noted in the report<sup>22</sup> on Georgia that the expression of hate speech remains a challenge in the country. According to the report, online homo/transphobic hate speech has increased in the country.<sup>23</sup> In this regard, the commission recommended the country to ratify the Additional Protocol to the Cybercrime Convention, which deals with the criminalisation of racist and xenophobic actions using computers.<sup>24</sup> In connection with the use of racist and homo/transphobic hate speech, the commission's recommendation was also to establish an effective system for monitoring racist content and homo/transphobic hate speech.<sup>25</sup>

When speaking about online media, it should be noted that the Georgian government and its affiliates have repeatedly been accused of funding far-right radical groups and leaders with public funds or giving them other privileges<sup>26</sup> which encourages groups of far-right radical ideology and their leaders.

Based on the abovementioned, it is expedient to regulate the inadmissibility of the government's support, including funding, to any organisation or its affiliates that promotes racism. In addition, the legislation should provide the possibility of closing down organisations promoting racism and racial discrimination, as recommended by Articles 16 and 17 of the N7 general policy of the ECRI.<sup>27</sup>

### 3.3. FAR-RIGHT EXTREMIST GROUPS AND GEORGIA'S STRATEGY ON THE FIGHT AGAINST TERRORISM

By Resolution #53 of 23 January 2019, the Government of Georgia approved the National Strategy of Georgia on the Fight Against Terrorism and its 2019-2021 Action Plan. These documents are the first attempt in Georgia in the direction of defining a common vision against terrorism and extremism and should be positively assessed. The strategy recog-

20 See the edition of the newspaper Asaval-Dasavali of 1 July 2019, available at <https://bit.ly/2xnwS0k>; edition of 17 June 2019, available at <https://bit.ly/2Wd1o5D>; also, edition no. 03 (474) of 2019 of the newspaper Georgia and World, available at <http://geworld.ge/NEW/PDF/geworld-03-2019.pdf>.

21 Democracy Research Institute "Understanding and Combating Far-right Extremism and Ultra-Nationalism in Georgia", social media monitoring results (September – November) p. 9, available at <http://www.democracyresearch.org/geo/179>.

22 European Commission against Racism and Intolerance, Report on Georgia, (adopted on 8 December of 2015, p. 9, available at <http://www.democracyresearch.org/geo/179>.

23 Ibid. p. 21.

24 Ibid. p. 10.

25 Ibid. p. 18.

26 For instance, according to the information disseminated by the media, a plot in the city of Mtskheta was given at a symbolic price (1 Georgian Lari) to a far-right leader and the founder of a homophobic online media group Alt-Info.

27 ECRI, General Policy Recommendation no. 7 on National Legislation to Combat Racism and Racial Discrimination, paras. 16-17, available at <https://rm.coe.int/ecri-general-policy-recommendation-no-7-revised-on-national-legislatio/16808b5aae>.

nises that groups of extremist and radical ideologies operate in Georgia. The document assigns special importance to the involvement of civic society, non-governmental organisations, and the third sector in the fight against terrorism and extremism. However, in the current situation, the civic sector's involvement in projects against radicalisation and extremism is minimal. The National Strategy of Georgia on the Fight Against Terrorism does not indicate a specific vision or way of cooperating with the mentioned groups or organisations. This can be described in the 2019-2021 Action Plan, which is not made public.

Restriction of public access to the Action Plan cannot be justified by the need to protect the state's interests. Making the Action Plan classified also contradicts the Law of Georgia on State Secrets, according to which the public access to information can be restricted only when it is necessary for the state or society's security or for the protection of the interests of legal proceedings. However, at this stage, the authorised governmental structures do not express their readiness to disclose the document (or its part).<sup>28</sup>

According to international practice, in the member states of the European Union, the action plan of the fight against extremism and radicalism (or a normative act of the same content) is made public to improve public engagement.<sup>29</sup> Not using this resource in Georgia leads to the empowerment of far-right unions and those adhering to radical ideologies.

### 3.4. THE NEED TO CLARIFY STATISTICAL DATA

In 2016-2017, the Georgian Prosecutor's Office charged 44 people for hate crimes (intolerance); in 2018, the number increased to 151, while in 2019 it increased to 183. According to the statistical data, the most common is the crime committed on account of gender/sex and sexual orientation.<sup>30</sup>

At the same time, hate crimes registered by the Ministry of Internal Affairs, in 2018, have almost doubled compared to previous years.<sup>31</sup>

There are inconsistencies between the statistics produced by these bodies. Processing of statistical data in the Information Analysis Department of the Ministry of Internal Affairs is

28 Letter no. 20190918/09 of Democracy Research Institute, dated 18 September 2019; Letter no. GOV 9 19 00038570 of the Head of the Division of Administrative Case Proceedings of the Government of Georgia, dated 1 October 2019; Letter no. GOV 0 19 000 22893 of Aleksandre Darakhvelidze, the Deputy Head of the Administration of the Government of Georgia, dated 5 June 2019. Presently, the Democracy Research Institute is suing the Government of Georgia, requesting full or partial disclosure of this document.

29 For example, see the Action Plan of Norway against radicalisation and violent extremism: <https://www.counterextremism.org/resources/details/id/679/action-plan-against-radicalisation-and-violent-extremism>; Action Plan of Denmark on prevention of extremism and radicalisation; <http://uim.dk/publikationer/preventing-and-countering-extremism-and-radicalisation>; Action Plan of Switzerland on prevention of radicalisation and violent extremism: <https://www.news.admin.ch/news/message/attachments/50703.pdf>; National Action Plan of France on prevention of radicalisation: [https://cache.media.eduscol.education.fr/file/Prevention\\_radicalisation/06/0/PNPR\\_2018-02-23-cjpr-radicalisation\\_905060.pdf](https://cache.media.eduscol.education.fr/file/Prevention_radicalisation/06/0/PNPR_2018-02-23-cjpr-radicalisation_905060.pdf), etc.

30 Letter no. 13/15450 of Irakli Chilingarashvili, the head of the Legal Support Department of the General Prosecutor's Office of Georgia, dated 17 March 2020.

31 Crimes Statistics of the Ministry of Internal Affairs, see: <https://info.police.ge/page?id=115>; Furthermore, it should be noted that the Ministry of Internal Affairs started working on the improvement of collecting data on hate crimes only in September 2018.

carried out under the articles of the Criminal Code of Georgia and not the circumstances (including the motive)<sup>32</sup> of the criminal offence. In addition, in the statistics, the number of hate crimes is not completely reflected. The data qualified under the motive or bias is, in some cases, linked to other articles that may not even be relevant to the bias.<sup>33</sup> The Supreme Court does not keep records of hate crimes; however, it provides a separate database for the cases in which Article 53<sup>1</sup> of the Criminal Code of Georgia is used as an aggravating circumstance.<sup>34</sup>

Therefore, it is true that hate crimes had increased according to 2019 data, which, according to the position of the Ministry of Internal Affairs and the General Prosecutor's Office of Georgia, is linked to the increase of hate crimes. However, it is unclear what criteria were used to arrive at this conclusion. Accordingly, it is necessary to establish a unified methodology of statistics within the Ministry of Internal Affairs, the Prosecutor's Office and the courts, which will allow us to make additional conclusions.

## 4. RESULTS OF THE MONITORING

During the project, monitors of the Democracy Research Institute observed 14 rallies/counter-rallies by far-right radical groups. All of the assemblies were held on anti-immigrant, homophobic and ethno-nationalist themes. The monitoring revealed that the members of the groups usually participated in the rallies wearing similar clothing, identifiable signs, and had a certain structure and an action plan. Accordingly, there is a unified and coordinated activity of certain groups with the organisation and the exhortation of individuals.

The main demands of the participants of the meetings were as follows: the repeal of the Law of Georgia on the Elimination of All Forms of Discrimination, the prohibition of the so-called “the propaganda of depravity” by law, suspension of the activities of the Public Defender and non-governmental organisations and the settlement of the territorial dispute over the David-Gareji complex between Georgia and Azerbaijan.

A special mobilisation of the supporters of the far-right groups took place in the form of counter-rallies against the LGBT community and their human rights defenders, the main goal of which was to not let Tbilisi Pride to hold the first LGBT pride event in Georgia. There was also a great mobilisation against the premiere of the Georgian-Swedish gay-themed film *And Then We Danced* at Amirani Cinema. Far-right groups and their leaders were able to mobilise a massive assembly of their supporters to break up the premiere. Compared to this rally, the rally demanding a settlement of the dispute between Georgia and Azerbaijan over the territory of David-Gareji and the rally in Batumi against the growing Turkish influences were relatively small.

Guram Palavandishvili, the Chairman of the Children's Rights Society, businessman Levan Vasadze and Sandro Bregadze, the leader of far nationalist group Georgian March and the chairman of the Primakov Foundation's Georgian-Russian Community Centre, are the usual planners of these assemblies through social media and other forms of media.

32 Letter no. MIA 9 19 01599910 of the Ministry of Internal Affairs.

33 Letter no. MIA 9 19 01599910 of the Ministry of Internal Affairs.

34 European Commission against Racism and Intolerance, report on Georgia (adopted on 8 December 2015), p 23.

35 The 2019 analysis of the Human Rights Division of the General Prosecutor's Office of Georgia, available at <http://pog.gov.ge/news/adamianis-uflebaTa-dacvis-sammarTvelom-siZulviliT-motivirebul-danashaulebze-angarishi-moamzada>.

At almost every meeting that we observed, the speakers were aggressive and used hate speech.

One of the main trends in these assemblies and demonstrations was the participation of clerics, who in their speeches called the West a supporter of the propaganda of depravity, and the activities of non-governmental organisations are termed as the genocide of Georgia. On the rally of 8 July 2019, these clerics called on supporters to physically disrupt the anti-occupation protestors and take them out of the area in front of the parliament (although radical groups initially gathered for a completely different reason). In one case, an observer from the Democracy Research Institute observed a clergyman's phone conversation with one of the members of his parish about mobilising participants from the regions.

As a result of the monitoring of the assemblies, it was revealed that one of the important factors strengthening the radicalisation could be the inconsistent statements of the Georgian Patriarchate and the participation of some Orthodox clergymen in the assemblies of far-right groups. In some cases, the Georgian Patriarchate not only failed to distance itself but also confirmed the narrative of far-right extremist groups with its statements. For example, on 6 November 2019, before the premiere of the film *And Then We Danced*, the Patriarchate issued the following statement saying: "Certain evil forces are acting against the national identity of the country; they want to change the consciousness of the people."<sup>36</sup>

Although law enforcement officials regulated most of the meetings, their emphatically tolerant attitude toward the participants in rallies organised by far-right groups was evident.

The subject of our special interest was the police's regulation of counter-rallies organised by the far-right groups. According to the OSCE / ODIHR and Human Rights Office guidelines, the state has a positive obligation to take reasonable and necessary measures, based on the principles of legality, expediency and non-discrimination, to give participants the possibility to hold peaceful assemblies without the fear of physical violence.<sup>37</sup> A positive obligation means protecting the participants of a peaceful assembly from a group of individuals who try to disrupt or hinder the assembly.<sup>38</sup> Even though, in the context of our observations, officials were taking certain measures before every assembly to protect participants, no appropriate response was given to public statements of the leaders of violent groups, who called on their supporters to restrict the rights of undesirable people.<sup>39</sup>

Under Georgian legislation, the propaganda of violence, violent calls or threats during assemblies or demonstrations is prohibited.<sup>40</sup> If there is a real danger that the protest will escalate into violence, law enforcers gain legitimate grounds to use proportionate measures to prevent such actions. However, on one occasion, instead of preventing the violent actions and taking measures provided by the law against the violators of the law, during a confrontation between the peaceful demonstrators and the violent groups, the law enforcers tried to divert the victims away from the scene of the incident.<sup>41</sup> Such an approach creates a sense of impunity in violent groups and encourages further violence in the future.

36 The statement of the Patriarchate of Georgia, 6 November 2019, available at <https://patriarchate.ge/news/2560>.

37 OSCE/ODIHR, Guidelines on Freedom of Peaceful Assembly, 2010, p. 19.

38 Ibid. p. 36.

39 The statement of Levan Vasadze, available at <https://bit.ly/2StuEnz>.

40 The law of Georgia on Assemblies and Demonstrations, Article 11.

## 4.1. THE RALLY OF 17 MAY 2019

On 17 May 2019, in parallel with the Holy Family Day planned by the Georgian Patriarchate, a rally of far-right groups was held at the Government Chancellery in Tbilisi, led by Guram Palavandishvili, the Chairmen of the Children's Rights Society. The rally lasted for one hour. The speakers talked about the dangers that, in their view, liberals and members of the LGBT community pose to the country. The organisers of the rally also stated that the creation of special groups was being planned, the members of which would be prepared for an informational and political struggle. The meeting also called for the restriction of freedom of speech and assembly of the LGBTQ community and the defenders of their rights.

## 4.2. RALLIES HELD AGAINST TBILISI PRIDE AND THE MARCH OF DIGNITY

In the first half of 2019, far-right groups held five rallies demanding the state not to allow the public assembly announced by Tbilisi Pride. The far-right organisers of the rally threatened to use force and public unrest against the peaceful demonstrators.<sup>42</sup>

From the rallies held by far-right groups against Tbilisi Pride, the following is the most noteworthy:

- On 14 June 2019, following the statement of the Georgian Patriarchate, a counter-rally with almost 300 supporters of far-right groups was held in response to the rally held by the organisers of Tbilisi Pride;<sup>43</sup>
- On 14 June 2019, in the rally organised by Levan Vasadze, he stated that he would create a group that would restrict the assemblies of the LGBT community and that he would even forcefully oppose the police if necessary; and
- The counter-rally of 8 July 2019, when far-right groups announced their full mobilisation to forcefully prevent the March of Dignity announced by representatives of the LGBT community and their supporters.

The rallies against the LGBT community and the Tbilisi Pride team were marked with acts of violence and hate speech. Between 500 to 2,000 supporters, mostly men, participated in these the rallies. During the counter-rally of 14 June, far-right groups threw balls and bottles at the participants of the rally and verbally and physically abused journalists of Liberali, Netgazeti and TV Pirveli. Nata Peradze, the Deputy Public Defender of Georgia, and an activist became the target of threats and aggression. Some of the participants of the counter-rally threatened to physically destroy her.<sup>44</sup>

41 Giorgi Tabagari was taken away from the territory of Chancellery, according to police, he was "distanced" from the scene of disorder, available at <https://bit.ly/3aZjQDW>.

42 In case of holding Tbilisi Pride, Levan Vasadze threatens the government with massive unrest, available at <https://bit.ly/2yY44vT>; also, Sandro Bregadze: "If I have to sacrifice myself, I swear on the sacred shrine, I won't let the gay parade happen", available at <http://tbl.ge/3u25>.

43 Protest rallies of 14 June, available at <https://bit.ly/3b0vlem>.

44 The Statement of the Ministry of Internal Affairs, available at <https://police.ge/ge/shinagan-saqmeta-saministros-gantskhadeba/12810>.

The organisers of the Tbilisi Pride were negotiating in vain with the Ministry of Internal Affairs to ensure the security of their assembly. On 31 May 2019, the Ministry of Internal Affairs made a statement that, keeping in mind the risks associated with the security of people involved in the process, it was impossible to hold the rally in the places and formats as planned by the organisers of the Tbilisi Pride.<sup>45</sup>

The refusal of the Ministry of Internal Affairs to take security measures for holding the rally by Tbilisi Pride made it vulnerable towards violent groups and encouraged future illegal actions. Even though the positive obligation of the state to ensure peaceful assembly should not become a disproportionate or impossible obligation, as evidenced in the regulation of other rallies, it became clear that the state has the resources to ensure the protection of the rally participants using proportionate means.

When there is a danger of a violent counterdemonstration, states are given wide discretion.<sup>46</sup> However, at the same time, if the possible threat of violence becomes a frequent excuse for restricting an assembly, the society will not have the opportunity to hear different opinions on issues that contradict mainstream opinions.

In the following case, the refusal of the Ministry of Internal Affairs to ensure the security of the participants of a March of Dignity at the chosen places empowered violent messages against the LGBT community. For example, far-right leader Levan Vasadze stated that he was creating a group armed with clubs, the members of which would tie the hands of LGBT participants of the rally with belts and forcefully make them leave the place. He further stated the group members would confront the police with clubs if necessary. The Ministry of Internal Affairs of Georgia is investigating this statement under Article 223 of the Criminal Code of Georgia.<sup>47</sup> Despite the available evidence in the case, a final decision has not been adopted to this day.

## THE ANNOUNCEMENT OF THE MARCH OF DIGNITY AND THE EVENTS OF 8 JULY 2019

The development of events culminated on 8 July 2019, when the team of Tbilisi Pride announced a so-called March of Dignity.<sup>48</sup> In this regard, the far-right groups (Georgian March, Georgian Idea and others) and their leaders<sup>49</sup> announced a full mobilisation against it. At this point, two Facebook pages were prominently active – Anti-Paradox and Nu Gamoliberaldebi, lazrovne (think, do not become a liberal), which were spreading narratives of expressly aggressive and homophobic content.<sup>50</sup> On the Facebook page - World Family Congress - the video translations of Levan Vasadze, containing homophobic and hate speech, were shared 9 times. In the videos, he condemned the holding of Tbilisi Pride and called on his supporters to prevent the event by resorting to force, if necessary.<sup>51</sup>

45 The statement of the Ministry of Internal Affairs of 31 May 2019, available at <https://bit.ly/35wdg6T>.

46 *Fáber v. Hungary*, application no. 40721/08, judgment of the European Court of Human Rights of 24 July 2012, para 42.

47 Letter no. MIA 6 19 03327358 of the Ministry of Internal Affairs of Georgia, dated 11 December 2019.

48 The March of Dignity will be held on 8 July, available at <https://www.interpressnews.ge/ka/article/555066-tbilisi-praidis-inpormaciit-girsebis-marshi-8-ivliss-gaimarteba/>.

49 Guram Palavandishvili, Levan Vasadze, Sandro Bregadze and Dimitri Lortkipanidze.

50 DRI results of social media monitoring of 2019 (May-August), p. 11, available at <http://www.democracyresearch.org/files/4DRI%20-%204%20vis%20angarishi.pdf>.

51 *Ibid.* p. 12.

Numerous Orthodox clergymen have been publicly involved in the process, who also called on people to patrol streets from 6 am to foil any attempt to hold the event by the LGBT community.

During the rally, it became clear that one of the goals of the organisers was to hinder the gathering of anti-occupation protesters, who were gathering in front of the parliament throughout the whole week. Called upon by far-right organisers, their supporters occupied the area.

The participants of the rally stood out for their aggression, homophobia and hate speech. The demonstrators threw bottles and verbally abused Mikheil Mshvildadze, the organiser of the anti-occupation rally. The situation on Rustaveli Avenue became especially tense at 7 pm when supporters of anti-occupation arrived at the area of parliament. To separate the participants of two parallel demonstrations, representatives of the law enforcement agencies were mobilised the spot.

Under Georgian legislation, the propaganda of violence, calls for violence and threats during assemblies or demonstrations are prohibited. If the threat of violence is real, law enforcers gain legitimate grounds for taking preventive measures against violent acts.

In the following case, the inadequate response of law enforcement officials is noteworthy. Although the actions of the participants of the counter-rally were violent, the police limited themselves to taking the perpetrators away from the area.

### 4.3. DEMONSTRATIONS AGAINST AZERBAIJAN AND TURKEY

The rallies about territorial problems associated with the David-Gareji monastery complex and the growing influence of Turkey had distinctly different themes.

On 23 July 2019, a rally organised by Guram Palavandishvili, the leader of one of the far-right extremist groups, was held in front of the Chancellery of the Government of Georgia. The participants demanded the settlement of the territorial problems concerning the issue of David-Gareji and the involvement of one of their members in the ongoing negotiations with Azerbaijan.

On 12 August 2019, in the city of Batumi, a rally was held by the members of the following organisations – Green Future for Georgia, Alternative for Georgia and Alt-Info - to celebrate Didgoroba. Certain neighbouring country's claims on Batumi against the background of Georgia's economic weakening and the growth of Turkey's demographic and economic influence on Ajara were cited as the main reasons for holding the assembly.<sup>53</sup>

The rallies were marked by anti-Turkish, anti-immigrant and anti-Azerbaijan messages. At the same time, there were almost no protests by the far-right groups against Russia's occupation of Georgian territory.

---

53 See <https://www.youtube.com/watch?v=OxS11wcWe8Y>.



## 4.4. RALLIES ORGANIZED BY HOMOPHOBIC GROUPS AT AMIRANI CINEMA

### FAR-RIGHT GROUPS PROTEST THE PREMIERE OF THE MOVIE “AND THEN WE DANCED”

On 8 November 2019, the homophobic rally near Amirani Cinema aimed to forcefully disrupt the premiere of the Georgian-Swedish film *And Then We Danced*, which immediately made the legitimacy of such a rally doubtful.

In response to the violent statements, the Ministry of Internal Affairs stated, in November 2019, that it would ensure both the protection of public safety and law and order, as well as the freedom of expression of every person who would be acting within the framework of the law.<sup>54</sup>

According to the European Court of Human Rights, the right to peaceful assembly under Article 11 of the European Convention on Human Rights (freedom of assembly and association) does not include assemblies, organisers or participants that harbour intentions to commit violence.<sup>55</sup> An assembly is peaceful if its organisers have peaceful purposes and the assembly is not violent.<sup>56</sup>

In this case, organisers and participants of an assembly stated in advance that they would disrupt the screening of the film forcefully. When they repeatedly tried to break into the cinema theatre during the rally, used pyrotechnics and physically confronted civic activists,<sup>57</sup> the rally went beyond the framework of the peaceful assembly and became violent. Consequently, the mild statement of the Ministry of Internal Affairs to ensure the freedom of expression of violent groups, from the very beginning, exceeded the standards established by the legislation of Georgia and the practice of the European Court of Human Rights.

In the afternoon, far-right groups and their supporters, with the organisation of Guram Palavandishvili, businessman Levan Vasadze, the leader of Georgian March Sandro Bregadze and the chairman of the Primakov Foundation’s Georgian-Russian Community Centre, gathered in the Vera Park and moved to the area in front of Amirani Cinema.

Clergymen were active in the rally, who called on the police not to protect the supporters of the propaganda of depravity. To break into the cinema, the demonstrators threw various objects and fireworks and tried to break through the police cordon. The participants of the violent rally were not complying with the police’s instructions. One law enforcer was injured by fireworks thrown by the protestors.

54 8 November 2019, statement of the Ministry of Internal Affairs, available at <https://police.ge/ge/shinagan-saqmeta-saministros-gantskhadeba/13117>.

55 *Navalny v. Russia*, applications nos. 29580/12 et al, judgement of the Grand Chamber of the European Court of Human Rights of 15 November 2018, para. 98.

56 OSCE/ODIHR, *Guidelines on Freedom of Peaceful Assembly*, 2010, p. 15.

57 Vasadze on *And Then We Danced*: We will move aside the policemen, will get into the operator’s office, turn off the film, available at <https://bit.ly/2VWXTBI>, also, violent groups are trying to get in Amirani Cinema by force, <http://www.tabula.ge/ge/story/158938-dzaladobrivi-jgufebi-kinoamiranshi-shechras-dzalit-cdiloben>.

The protestors physically and verbally abused one of the leaders of the Republican Party, Davit Berdzenishvili; civic activist Ana Subeliani was physically injured by a sharp object which was thrown by the demonstrators. The journalists of the TV companies Formula and Mtavari were also the targets of their aggression.

The rally of 8 November 2019, near Amirani Cinema, was marked with an unprecedented mobilisation of far-right radical groups and their supporters. At the same time, although the initial statement of the Ministry of Internal Affairs on ensuring the freedom of expressions for the participants of the rally with intentions to commit violence was inconsistent with the legislation, the law enforcement authorities were able to take adequate and proportionate measures in response. The police have launched an investigation into four incidents that occurred at the rally and they have arrested 24 people under Articles 173 (Non-compliance with a lawful demand of a law enforcement officer) and 166 (disorderly conduct) of the Code of Administrative Offenses.<sup>58</sup>

In parallel to the screening of the film, the homophobic rallies continued on 9-10 November 2019. However, in this case, the protests took place mostly peacefully, without any excesses and hindrance to transport.

#### FAR-RIGHT GROUPS AGAINST THE PREMIERE OF THE MOVIE COMETS

On 2 December 2019, far-right extremist groups gathered near Amirani Cinema. The event was organised by Guram Palavandishvili, the Chairman of the Children's Rights Society, and Davit Lortkipanidze, representing a non-governmental organisation Zneoba (morality). The homophobic rally aimed to disrupt the premiere of LGBT themed film Comets and picket the cinema hall. Nevertheless, the rally was mostly peaceful and the law was not violated.

Similarly, several rallies by far-right groups were held on 3-4 December peacefully. The demonstrators were protesting the screening of the films Comets, God Exists and Her Name is Pertunya. According to them, the screening of the films was a part of Masonic aggressive propaganda, which is used by the West against the national identity of Georgia.

## 4.5. DEMONSTRATIONS REGARDING COUNCIL OF EUROPE WEEK

During the Council of Europe Week, a small number of rallies were held near the Academy of the Ministry of Internal Affairs, Office of Council of Europe, the Ministry of Education, European School and Open Society Foundation buildings. They were organised by Guram Palavandishvili, the leader of one of the far-right groups, against the campaign – I Choose Freedom – that was held on 21-22 November 2019 under the auspices of the Council of Europe. These rallies were peaceful. The demonstrators protested various events planned in schools and different public institutions, which according to their assessment were the propaganda of the LGBT community.

<sup>58</sup> 9 November 2019 statement of the Ministry of Internal Affairs <https://police.ge/ge/shinagan-saqmeta-saministros-gantskhadeba/13120>.

## 5. SUMMARY OF THE RESULTS OF THE OBSERVATION AND THE MAIN TRENDS

The monitoring revealed that far-right groups are actively recruiting supporters through social networks and public gatherings.

One of the factors strengthening the radicalisation is the inconsistent statements made by the Georgian Patriarchate and the participation of a particular segment of the Orthodox clergy in the meetings of the far-right extremist groups. However, one of the main reasons for the far-right extremist groups' activity is the lack of state-run preventive programmes against radicalisation and the inaction of law enforcement agencies.

On 8 November 2019, as a result of the adequate measures taken by the Ministry of Internal Affairs, far-right groups could not disrupt the screening of the film *And Then We Danced*, the number of future offences was reduced at their assemblies. Nevertheless, the Democracy Research Institute believes that the unprecedented mobilisation of far-right groups on 8 November 2019 was the result of the state's misguided policy. During the project, observers repeatedly noted the police force's indifference to various offences committed by the supporters of homophobic groups. The statement of the Ministry of Internal Affairs, in 2019, that it was impossible to ensure the safety of LGBT people and their human rights defenders is especially noteworthy.<sup>59</sup> It is also noteworthy that the state has delayed an investigation of the leaders of far-right extremist groups, which let these individuals mobilise a large number of supporters and commit new illegal acts.

The monitoring results also revealed that:

- ✓ Law enforcement agencies fail to properly assess the threat posed by the strengthening of such groups to prevent the recruitment of new members by an extremist organisation and prevent radicalisation;
- ✓ Leaders of far-right extremist groups, when contacting media, try not to go beyond the limits of the peaceful freedom of expression;
- ✓ The rallies are mainly attended by groups with a unified structure and action plan, the members of which wear similar clothes and have recognisable signs. Accordingly, there is a unified and coordinated activity of separate groups, having organisers and leaders; and
- ✓ All the leaders of far-right organisations, and also the vast majority of the participants of assemblies/demonstrations, are male

59 Statement by the Ministry of Internal Affairs, available at <https://police.ge/ge/shinagan-saqmeta-saministros-gantskhadeba/12775?print=1>.

# RECOMMENDATIONS

## TO THE PARLIAMENT OF GEORGIA

- To prevent the spread of hate speech on the internet and social media, ratify the Additional Protocol to the Cybercrime Convention, which deals with the criminalisation of racist and xenophobic actions using computers.
- Revise the Law of Georgia on the Press and Other Mass Media to bring it in line with modern requirements.
- Draw up legislation to regulate the interruption of state funding the closing down of any organisation that promotes racism.
- Preparation of hate crime should become punishable.

## TO THE GOVERNMENT OF GEORGIA

- To involve the whole of society in the fight against extremism and radicalisation, the 2019-2021 Action Plan of the National Strategy of Georgia on Fight against Terrorism, approved by the Decree N53 of the Government of Georgia of January 23, 2019, should be fully or partially declassified.
- Do not provide state funding or other support to organisations, or people associated with them, that support the radical ideology.

## TO THE MINISTRY OF INTERNAL AFFAIRS

- Refuse a tolerant attitude towards the violent groups and ensure the investigation of hate crimes within a short time so that the Prosecution can start the prosecution.
- Investigate the violations that occurred during the assemblies and demonstrations of extremist groups to bring the relevant persons to criminal responsibility.
- Develop a unified methodology of hate crime statistics between the Ministry of Internal Affairs, the Prosecutor's Office and the courts.