

Public Defender of Georgia

2024 Special Report

On the Situation of Equality and Combating and Preventing Discrimination



The document was prepared on the basis of Article 7 of the Law on the Elimination of All Forms of Discrimination and represents a report on the Situation of Equality and Combating and Preventing Discrimination

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Introduction

The Law of Georgia on the Elimination of All Forms of Discrimination was adopted by the Parliament of Georgia on May 2, 2014, and the Public Defender of Georgia, together with common courts, has been the legal mechanism for protecting the right to equality in the country for 10 years.

In 2024, ten years passed since the establishment of the equality mechanism. The mechanism, established in 2014, is an important and effective tool for preventing discrimination and building a fair, inclusive society. Over the course of ten years of activity, the equality mechanism has proven its role, both in terms of effective response to the cases of discrimination and raising public awareness.

2024 was a year characterized by a number of challenges in terms of the realization of the right to equality, due to a number of legislative amendments made and difficult political processes. Given that it was an election year, the situation of women's political participation was also relevant, and the abolition of mandatory gender quotas was particularly important.

In 2024, the Public Defender prepared 7 recommendations and 4 general proposals on equality issues. He also concluded a settlement act in relation to 2 cases. It is worth emphasizing that since 2014, after the Law of Georgia on the Elimination of All Forms of Discrimination came into force, the Public Defender used the settlement mechanism provided for in paragraph 3 of Article 8 of the same law for the first time.

In 2024, the Public Defender, in addition to examining cases, carried out educational activities. The total number of meeting participants **amounted to 407**. The aforementioned meetings and trainings significantly contribute to the deepening of the principles of equality among various groups of society and prevention of discrimination, which is one of the main goals of the Department's activities.

It is noteworthy that during the reporting period, the Public Defender of Georgia prepared a study on Sexual Harassment in Public Spaces,¹ which studied and analyzed the decisions (rulings) made by the common courts relating to the cases of sexual harassment in public spaces throughout Georgia from May 3, 2019 to January 20, 2023. The goal of the study was to promote the improvement of mechanisms for combating cases of sexual harassment in public spaces, and therefore, recommendations were issued to the relevant agencies within the framework of the report.

This 10th special report reviews statistical information on the cases currently being processed by the Equality Department, the equality situation of various vulnerable groups in the country, decisions taken by the Public Defender, as an institution overseeing equality issues, investigation of alleged hate crimes, the recommendations issued to agencies, and the relevant legislative regulations.

¹ The report was prepared with the financial assistance from the United States Agency for International Development (USAID) and is available at: <https://bit.ly/4235kt1>.

Cases of alleged discrimination in the context of elections and protests

The reporting year was full of political processes. Three important events are specially noteworthy, which posed a significant challenge to the protection of the right to equality and democratic principles. It is worth noting that the Public Defender actively supervised alleged violations of human rights, including the right to equality, in this process and proactively responded to them.

- (1) During the reporting year, the draft Law of Georgia on Transparency of Foreign Influence (hereinafter - the Law) was reintroduced in the Parliament. In response to the above, on August 30, 2024, the Public Defender of Georgia addressed the Minister of Justice with a general proposal to prevent discriminatory infringement of personal data of persons employed in organizations that are obliged to register as organizations pursuing the interests of a foreign power.² In the proposal, the Public Defender assessed the discriminatory nature of the order of the Minister of Justice³ and considered that making personal data public was unjustified, harmful and had a strongly restrictive, stigmatizing and chilling effect on the activities of persons employed in the organizations that are obliged to register as organizations pursuing the interests of a foreign power. In view of the above, the Minister of Justice was instructed to amend the relevant order in such a way that the declaration submitted to the register does not make individuals' personal data (*name, surname, personal identification number and bank account number, etc.*) public.
- (2) On September 20, 2024, the Minister of Justice partially implemented the general proposal of the Public Defender, as a result of which, the above-mentioned organizations are no longer required to reflect the personal numbers, bank account numbers or financial institutions of its employees, as well as persons in other contractual relationships or beneficiaries, in the financial declarations submitted annually.⁴ The Public Defender positively assessed the aforementioned changes, as they significantly reduce the negative impact of the regulations on individuals, however, they cannot fully reflect and do not achieve the purpose of the proposal issued by the Public Defender, since the names and surnames of individuals are still indicated in the declarations submitted by the mentioned organizations.⁵ **Accordingly, the Public Defender believes that it is of utmost importance for the Ministry of Justice to ensure the full implementation of the recommendation issued.**
- (3) The reporting period coincided with an election year, which significantly increases the risks of discrimination on political grounds in the pre-election period.⁶ Against the backdrop of severe

² Public Defender's General Proposal to the Minister of Justice of August 30, 2024, available at: <https://bit.ly/3DCBSzQ>

³ Order No. 1019 of the Minister of Justice of August 1, 2024 "On the Approval of the Rules for Maintaining the Register of Organizations Pursuing the Interests of a Foreign Power, Submitting Financial Declarations and Monitoring"

⁴ Available at: <https://matsne.gov.ge/ka/document/view/6274057?publication=0>

⁵ Public Defender's Statement of September 30, 2024, available at: <https://bit.ly/4iO0B4j>

⁶ Public Defender's assessment regarding human rights violations during the pre-election period, available at: <https://bit.ly/3PaV1eM>

polarization in the country, publicly expressing different political views and civic positions made individuals easy targets of discriminatory treatment, and citizens also actively complained about alleged discrimination on the ground of political views.

Unlike previous election years, citizens did not apply to the Office with complaints about dismissal or harassment due to political views. However, the Office proactively responded on its own initiative to all the cases of alleged discrimination reported by the media or various public sources. For example, the Office requested information from the Ministry of Education and Science of Georgia regarding the dismissal of public school directors⁷ and a deputy director.⁸ During the examination stage, it became known that all three individuals had applied to the court, which made the Office unable to continue the examination of the issue.⁹ In addition, the Public Defender, on his own initiative, began examining two publicly reported cases, in which representatives of the academic staff of a higher education institution pointed to an allegedly politically motivated decision made in labour relations.¹⁰ In their response, the universities explained that the reason for not concluding an employment contract with the aforementioned individuals in the fall semester of 2024 was the lack of the need for the relevant workload. In addition to the above-mentioned cases, the Public Defender also appealed to the Mayor of Tetrtskaro municipality. The Tetrtskaro City Hall refused the Tetrtskaro Youth Center to extend the term of the free usufruct contract on property.¹¹ The organization had not registered as an organization pursuing the interests of a foreign power, while the director of the center had openly expressed her critical position regarding the Law of Georgia on Transparency of Foreign Influence.¹² It is noteworthy that in relation to all three cases, the Public Defender's Office had communication with the alleged victims of discrimination, however, they did not provide the Office with information or evidence necessary to continue the examination of the issue.¹³

During the reporting period, there were also cases of teachers being removed from the list of individuals to be awarded at the event dedicated to the National Teacher's Day, allegedly due to their political views.¹⁴ The case concerns an event organized by the Mestia City Hall and

⁷ Available at: <https://bit.ly/3zlRjuE>

⁸ Available at: <https://bit.ly/41LHQJ1>

⁹ **Note:** Based on Article 9 of the Law of Georgia on the Elimination of All Forms of Discrimination, the Public Defender shall suspend case examination if a court is considering a dispute over the same case of alleged discrimination, and terminate case examination if there is already a court ruling relating to the same case.

¹⁰ Available at: <https://tabula.ge/ge/news/723584-sadzaglishvili-tsu-m-chemtan-urtiertobis>
<https://www.facebook.com/100001611597991/posts/8775285092535123/?rdid=IIIhGak7ZTwS4BNb>

¹¹ Available at: <https://bit.ly/3VQSmLe>

¹² **Note:** According to the explanation of the Tetrtskaro City Hall, the operation of the Tetrtskaro Culture and Sports Center was planned in the mentioned area, which led to the refusal to extend the contract.

¹³ **Note:** In addition to the information received from the respondent agencies, it is necessary that alleged victims of discrimination present evidence, in order to assess or establish discriminatory motives.

¹⁴ Available at: <https://www.facebook.com/photo/?fbid=8075524389220933&set=a.510429739063807>

Mestia Public School No. 2, where three teachers from a predetermined list were replaced with other individuals. It should be noted that the examination of the case is still ongoing in the Public Defender's Office, which makes it impossible to draw preliminary conclusions.

The Public Defender emphasizes that preventing discrimination on political grounds and ensuring an equal environment during the pre-election period are fundamental prerequisites for the strength and legitimacy of the democratic process. An equal environment promotes active engagement of citizens and their participation in political processes, reduces polarization, and creates the necessary conditions for social stability. In addition, protection of equality contributes to the formation of a positive reputation of the country and strengthens public trust in state institutions. Accordingly, prevention of discrimination on political grounds is critically important not only for the protection of human rights, but also for the sustainability of a democratic state.

- (4) After the Government announced that it would not put the issue of opening negotiations with the European Union on the agenda until the end of 2028,¹⁵ a number of public servants openly distanced themselves from the mentioned decision and called on the Government to maintain its European course.¹⁶ This was soon followed by a response from the representatives of local and state authorities.¹⁷ After that, a package of amendments to the Law of Georgia on Public Service was introduced, to which the Public Defender responded with a public statement, noting that it significantly reduced the guarantees of labour rights of public servants and contradicted the principles of public service itself.¹⁸ It is also noteworthy that the legislative process was carried out in an accelerated manner, without the involvement of stakeholders or relevant specialists. Ultimately, the draft law was adopted in the third reading in 9 days, on December 13, 2024.
- (5) The draft law, even in its initial version, significantly limited the guarantees for the protection of public servants' rights, however, during the second reading, the draft law was substantially edited, and as a result, the heads of primary structural units and their deputies were defined as persons employed under an administrative contract instead of professional public servants, which significantly reduced guarantees for the protection of their labour rights and made them

¹⁵ Available at: <https://www.radiotavisupleba.ge/a/33219304.html>

¹⁶ Available at: <https://tinyurl.com/yb638fut>; <https://tinyurl.com/2jp4jx7a>; <https://tinyurl.com/43284w2h>; <https://tinyurl.com/2sbs3e27>; <https://tinyurl.com/5n6v3ybx>; <https://tinyurl.com/3nuz8xu7>; <https://tinyurl.com/4ddc5df5>; <https://tinyurl.com/4msuuxa9>; <https://tinyurl.com/52hb7b8p>; <https://tinyurl.com/2mkdnw3m>; <https://tinyurl.com/5n6b3xeh>; <https://tinyurl.com/mucaj38x>; <https://tinyurl.com/5yf94p3s>; <https://tinyurl.com/mumdvvf8>; <https://tinyurl.com/2e3nfmfy>; <https://tinyurl.com/4vr8yz4p>; <https://tinyurl.com/26jstknk>; <https://tinyurl.com/2pcb7sra>

¹⁷ Available at: <https://tinyurl.com/25nc9ncb>, <https://bit.ly/4go1Tl2>, <https://tabula.ge/ge/news/726736-kaladzem-tbilis-multipunktsiuri-bibliotekebis>

¹⁸ Available at: <https://tinyurl.com/5n7rcv58>

vulnerable to discrimination on the ground of dissent. Such interventions pose a serious threat to the institutional independence of the public service. It is also noteworthy that this regulation was extended to the persons employed at a similar level in legal entities under public law as well.

Following the expression of opinions openly by public servants and the adoption of the Law of Georgia on Public Service in the third reading, numerous reports were spread regarding the termination of employment relationships with public servants and persons employed under contracts in public institutions.¹⁹ Each dismissed employee cited the open expression of a critical position regarding the change in the country's European integration course as the basis for the termination of employment relationship.

Based on the above, the Public Defender considered it important to issue a public statement and call on the heads of public institutions to protect the principle of equality and freedom of expression.²⁰ The Public Defender emphasizes that it is inadmissible to dismiss public servants due to their openly expressed civic position or opinion. It is also inadmissible to give any kind of instructions regarding the voluntary resignation in order to create legal basis for a discriminatory action, as this contradicts not only the right to equality and the principle of non-discrimination, but also aims to restrict the exercise of freedom of expression.

Currently, the heads and specialists of the primary structural units of the House of Justice LEPL and the Research Center of the Parliament of Georgia have applied to the Public Defender with an application regarding the termination of employment relationship. All of them indicate that they had joined the statement issued in support of the European integration course and Article 78 of the Constitution of Georgia. It is noteworthy that the amendment to the Law of Georgia on Public Service served as the basis for the dismissal of the heads of the primary structural units of the House of Justice, on the basis of which, they were first granted the status of persons employed under an administrative contract, and within a few days they received a warning about the unilateral termination of the contract.²¹

¹⁹ Information available at: <https://tinyurl.com/nyncvhda>; <https://tinyurl.com/4ktjx94r>; <https://tinyurl.com/nha7jtet>; <https://tinyurl.com/2s36phbs>; <https://tinyurl.com/bdc35b4w>; <https://tinyurl.com/mrt87wmc>; <https://tinyurl.com/y5u2rmhf>; <https://tinyurl.com/48vkvkme>; <https://tinyurl.com/4wk4fpyh>; <https://tinyurl.com/muefd57f>; <https://tinyurl.com/yc6rsvvc>; Extensive information about the dismissals is available at: <https://tinyurl.com/msxkf9ea>

²⁰ Public Defender's statement of December 11, 2024, available at: <https://bit.ly/3P8HLYd>

²¹ The Public Defender also started examination of the case on his own initiative, based on information disseminated in the media, which concerned the dismissal of 7 employees by the employer (Blanc cafe) due to their participation in protests (available at: <https://tinyurl.com/mvt8bs2x>). In addition to the named cases, the Public Defender's Office is currently processing a case relating to the statement made by an employee of the Ministry of Finance and Economy of the Autonomous Republic of Adjara, which concerns alleged violations of labour rights and alleged discriminatory treatment based on dissent.

The Public Defender unequivocally notes that any decision relating to the personnel of the public service must fully comply with the constitutional guarantees of labour rights.²² It is necessary for the State to ensure solid mechanisms for the protection of human rights and a policy based on the principles of justice in order to prevent the risks of discrimination and promote the observance of the principles of equality. Analyzing the problem and taking effective preventive steps are critically important for maintaining democratic standards in the country.

Challenges relating to journalistic activities in the Parliament of Georgia

The practice of preventing journalists from working on the territory of the Parliament of Georgia was observed in the reporting year several times. On the one hand, the so-called yellow security level was introduced in the Parliament several times, during which online media representatives were prevented from entering the Parliament building. On the other hand, the Public Defender's Office received four applications regarding the suspension of accreditation for critical media representatives.

The Public Defender's Office began examining the issue of restriction of journalists' access to the Parliament building based on the collective application filed by representatives of five online outlets.²³ The applicants considered the practice to be discriminatory. Namely, **during the operation of the so-called yellow security level, restrictions did not apply only to TV broadcasters/telemedia outlets' accredited journalists.** Accordingly, online media journalists remained beyond the exception and were unable to carry out journalistic activities in the Parliament.

The examination of the issue made it clear that such restrictions had not affected media representatives (regardless of the platform of activity) until April 2024. In particular, media outlets were fully exempted from the restrictions in 2023, when the restricted regime of access to the Parliament building was implemented eight times, as well as during the restrictions imposed twice in February 2024.²⁴ The fact that the exception fully applied to them means that all accredited journalists had the opportunity to work in the Parliament building of Georgia, regardless of whether they represented television or online media.

²² Public Defender's statement, available at: <https://www.ombudsman.ge/geo/akhali-ambebi/sakhalkho-damtsvelis-gantskhadeba-sajaro-datsesebulebebshi-dasakmebulta-uflebebis-shesakheb>.

²³ Statement No. 687/2024.

²⁴ Parliament's statement of February 8, 2023, available at: <http://bit.ly/3PbFY4I>; Statement of March 5, 2023, available at: <https://bit.ly/49S7NbB>; Statement of March 6, 2023, available at: <https://bit.ly/41G3fTQ>; Statement of March 24, 2023, available at: <https://bit.ly/41LoP9i>; Statement of March 31, 2023, available at: <https://bit.ly/3P9l0U3>; Statement of June 30, 2023, available at: <https://bit.ly/49SUMik>; Statement of September 22, 2023, available at: <https://bit.ly/4iRfiDN>; Statement of October 18, 2023, available at: <https://bit.ly/4god3q3>; Statement of February 4, 2024, available at: <https://bit.ly/41OisCe>; Statement of February 21, 2024, available at: <https://bit.ly/3PfeOcZ>.

Contrary to the aforementioned practice, from April 15, 2024,²⁵ during the restricted regime, **only TV broadcasters/telemedia outlets' accredited journalists retained the opportunity to conduct journalistic activities in the Parliament building.**²⁶ A similar regime was in effect in the Parliament on April 15-19, April 29-30, May 1, for several days from May 13 to the end of the month, June 28, November 25-28, and December 6-12, 2024.²⁷ It is noteworthy that the Parliament imposed the red security level and a particular type of the yellow security level several times in May, within the framework of which, even TV broadcasters/telemedia outlets' accredited journalists were restricted from entering the building and carrying out journalistic activities.²⁸ During the yellow security level, online media outlets were allowed to carry out journalistic activities in the Parliament building only on December 14 through the groups that had received special one-time accreditation to cover the presidential elections.²⁹

The Public Defender's Office requested information from the Office of the Parliament of Georgia about the legitimate goals of the differentiated approach towards journalists based on their platform of activity (TV broadcasters/telemedia and online media).³⁰ However, in response, the Office was only informed³¹ about the normative provision that provides for the authority to restrict the entry of an accredited journalist into the building in the event of a risk of violation of the working environment and/or safety in the Palace of Parliament.³²

The Public Defender emphasizes the special role of online media in the modern world. Since the Internet, in terms of dissemination of information, has taken on an essentially inseparable place in the daily life of a large part of the population, it can be said that it is precisely the online outlets that are playing an essential role in providing information to the public in a fast and effective manner.

²⁵ The period of parliamentary sessions relating to the Law of Georgia on Transparency of Foreign Influence and protests related to the mentioned process.

²⁶ Statement of the Parliament of Georgia of April 14, 2024, available at: <https://bit.ly/3PnVwCy>.

²⁷ Ibid.; Parliament's statement of April 16, 2024, available at: <https://bit.ly/3PsQ01C>; Statement of April 17, 2024, available at: <https://bit.ly/4iZnuSy>; Statement of April 18, 2024, available at: <https://bit.ly/4a8gD5b>; Statement of April 18, 2024, available at: <https://bit.ly/4h6uPxT>; Statement of April 29, 2024, available at: <https://bit.ly/4h5EEfx>; Statement of April 29, 2024, available at: <https://bit.ly/420ybOP>; Statement of May 1, 2024, available at: <https://bit.ly/3DLu8M5>; Statement of May 12, 2024, available at: <https://bit.ly/4h9nOgl>; Statement of May 14, 2024, available at: <https://bit.ly/4gKLcjQ>; Statement of May 26, 2024, available at: <https://bit.ly/4h9fFrT>; Statement of June 27, 2024, available at: <https://bit.ly/42673hl>; Statement of November 24, 2024, available at: <https://bit.ly/40nzTZ8>; Statement of November 25, 2024, available at: <https://bit.ly/40sBWvm>; Statement of November 28, 2024, available at: <https://bit.ly/4jbfAWv>; Statement of December 6, 2024, available at: <https://bit.ly/4h8r638>; Statement of December 12, 2024, available at: <https://bit.ly/3ZZNNiI>.

²⁸ Parliament's statements of May 2, 2024, available at: <https://bit.ly/407xRuX>; <https://bit.ly/423HI7A>; Statement of May 3, 2024, available at: <https://bit.ly/40Az67D>; Statement of May 11, 2024, available at: <https://bit.ly/4fOMZ6n>; Statement of May 14, 2024, available at: <https://bit.ly/3WcEPH0>; Statement of November 29, 2024, available at: <https://bit.ly/4h8OU6G>.

²⁹ Statement of the Parliament of Georgia of December 14, 2024, available at: <https://bit.ly/40oygue>.

³⁰ Letter No. 2024/1355 of the Public Defender of Georgia of May 24, 2024.

³¹ Letter No. 4287/2-1/24 of the Head of the Office of the Parliament of Georgia of June 14, 2024.

³² Order No. 1/259/23 of the Chairman of the Parliament of Georgia of September 4, 2023, "On the Approval of Security Rules in the Palace of the Parliament of Georgia", Art. 8.2 ("B.G.").

Accordingly, considering that the absolute majority of journalists accredited to work in the Parliament of Georgia (290 journalists out of 340)³³ are representatives of TV channels, it is unclear what legitimate purpose is served by the restriction of journalistic activity in the Parliament building based on the platform of activity.

Regarding journalistic activities, the Public Defender's Office is also examining³⁴ cases of suspension of journalistic accreditation to work in the Parliament of Georgia for one month or six months for individual representatives of Formula, Mtavari Arkhi and TV Pirveli on the grounds of their persistent attempts to record an interview with a Member of Parliament despite his refusal to do so.³⁵

The Public Defender's Office requested detailed information from the Parliament of Georgia on the suspension of accreditation for journalists and the relevant procedures.³⁶ In particular, the Office was interested in: which media representatives had their accreditation suspended in 2023-2024, on the basis of whose application, and based on what factual circumstances; whether there was a case when a request to suspend the journalist's accreditation had not been satisfied; what the procedures are for considering such requests and whether journalists are given the opportunity to participate in the relevant process; whether journalists have the opportunity to appeal the decision on the suspension of accreditation and, in case of such appeals, what the results of the relevant internal or judicial proceedings were. **The Office has not received any response to this request so far.**

The Public Defender emphasizes that any measures taken against journalists must be based on the principle of equality and hopes that in the next reporting year, the practice of restricting journalistic activities in the Parliament of Georgia, which gives rise to the assumptions of discriminatory actions, will be completely eliminated.

Women's equality

In the reporting year, discriminatory treatment of women remained a significant challenge. Given the election year, the situation of women's political participation was relevant, which should be assessed unambiguously negatively due to the abolition of gender quotas. In addition, in one of the cases, the Public Defender established discriminatory treatment against an employee who took a pregnancy, childbirth and childcare leave, which formed the basis for an in-depth examination of the issue of taking this form of leave.³⁷

Considering that gender-based discriminatory treatment is largely conditioned by stereotypes and gender roles firmly rooted in society, the examination of cases relating to public school uniforms is

³³ See: Statement of Shalva Papuashvili of April 16, 2024, available at: <https://bit.ly/3DL7GCS>.

³⁴ Applications No. 2194/2024, No. 2196/2024, No. 2230/2024 and No. 2376/2024.

³⁵ Order No. 1/31/23 of the Chairman of the Parliament of Georgia of February 6, 2023 "On the Approval of the Rules for Accreditation of Mass Media Representatives to Work in the Parliament of Georgia", Art. 15.2("c").

³⁶ Letter No. 2024/2828 of the Public Defender of Georgia of July 15, 2024; Letter No. 2024/4486 of the Public Defender of Georgia of September 12, 2024.

³⁷ Recommendation of the Public Defender of February 8, 2024 <https://shorturl.at/JRdym>

noteworthy.³⁸ The Public Defender found the incitement to discrimination based on sex/gender in the Akhalsopeli public school of Khelvachauri municipality, where female students were prohibited from wearing trousers.³⁹ The Public Defender's Office was applied with regard to a similar restriction in another public school as well, where, according to the applicant, the ban also applied to teachers. Through relevant written and oral communication, directors of both schools were explained that any issue related to dress code were to comply with the principle of non-discrimination and that it was unacceptable for a school to arbitrarily determine the dress code for students and prohibit girls from wearing trousers. The respondents were instructed to implement an equality policy in schools and ensure students' freedom of choice regarding school uniforms.

The Public Defender emphasizes the Council of Europe's statement that gender-based stereotypes and expectations affect girls' and boys' self-image, identity-building, health, skills acquisition, intellectual development, social integration and gender relations.⁴⁰ Accordingly, preventing gender-based discrimination in the school environment is particularly important, so that students can face the subsequent stages of public life as persons raised on the basis of the principle of equality, which will contribute to the prevention of future cases of discrimination.

Sexual harassment

In 2024, sexual harassment was detected in various spaces - in educational institutions, in the workplace, and in the process of receiving services. Alleged sexual harassment committed by a representative of an investigative agency needs to be particularly noted. Considering the subordinate relationship and the imbalance of power in educational space, the case of sexual harassment committed against a student by a university lecturer is also particularly noteworthy.⁴¹ The lecturer's interest in the details of the student's *private life, his actions such as inviting the student to drink, offering her to meet in a secluded apartment, and addressing her with a familiar term*, thus exceeding the standards of academic conduct and the limits of the relationship allowed between a student and a lecturer, constituted sexual harassment. It is noteworthy that the Georgian Agrarian University terminated a contract with the harasser, which is clearly welcome.

No less harmful are cases of sexual harassment in labour relations, which not only have a negative impact on the well-being of the victim, but also damage the organizational culture. A similar fact was established in relation to one of the private companies, the male head of which came out of the bathroom of a rented apartment owned by the company naked, with only a towel wrapped around his waist, which created a humiliating/intimidating environment for his female employee and, ultimately,

³⁸ Application No. 15031/23 and No. 497/2024.

³⁹ Public Defender's general recommendation of February 28, 2024 to the Director of Akhalsopeli Public School <https://bit.ly/408sBYb>.

⁴⁰ Information available at: <https://bit.ly/4a8AmSk>.

⁴¹ See the Public Defender's recommendation of February 26, 2024 to K.D. and the Rector of the Georgian Agrarian University, available at: <https://bit.ly/3BNs0TG>.

forced her to leave the workplace.⁴² Accordingly, the Public Defender called on the company head not to engage in sexual harassment in the workplace or in other relationships, and not to create an environment that is offensive, intimidating and/or inappropriate for people's dignity. In addition, he called for the development of an internal organizational document providing procedures for examining alleged sexual harassment cases with victim-centered approaches.

The Public Defender, on his own initiative, examined a case concerning alleged sexual harassment of a consumer by a security guard of a medical facility.⁴³ As a result of requesting information from the authorized bodies, it was established that the administrative proceedings initiated by the consumer on the basis of informing the patrol police ended with the Tbilisi City Court declaring the relevant person an offender and imposing a fine on him as an administrative penalty. It is welcome that the Ministry of Internal Affairs responded effectively to the case. However, as revealed as a result of communication with the citizen, timely provision of information about the relevant legal procedures and results was problematic.

Similar cases once again emphasize the importance of developing internal regulations related to the prohibition of and response to sexual harassment in public and private institutions, so that each employee is informed from the very beginning about the employer's intolerance of such actions and the relevant legal (disciplinary) consequences.

It is noteworthy that during the reporting period, the Public Defender of Georgia prepared a study on Sexual Harassment in Public Spaces,⁴⁴ which studied and analyzed the decisions (rulings) made by common courts throughout Georgia relating to the cases of sexual harassment in public spaces from May 3, 2019 to January 20, 2023.

Considering that the Ministry of Internal Affairs of Georgia is primarily responsible for responding to the cases of sexual harassment in public spaces, it is particularly problematic when alleged perpetrators of sexual harassment are representatives of law enforcement agencies. In 2024, there was a case studied by the Public Defender's Office, in which a female lawyer indicated that during the process of familiarizing herself with the materials of a criminal case, she became the object of an offensive message of a sexual nature from the investigator. As a result of the inquest, the General Inspectorate of the Ministry of Internal Affairs could not detect disciplinary misconduct.⁴⁵ However, the examination of the case continues in the Public Defender's Office. **The Public Defender hopes that the Ministry of Internal Affairs will provide more intensive trainings for its employees on issues of sexual harassment.**

The Public Defender's Office of Georgia is also examining publicly available information about the alleged sexual harassment of two women detained during a protest rally by employees of the Ministry

⁴² See the Public Defender's recommendation of February 27, 2024 to the Director of Subtropic City LLC, available at: <https://bit.ly/3DJqsL1>.

⁴³ Case No. N2024-1193.

⁴⁴ The study was conducted with the financial support from the United States Agency for International Development (USAID), available at: <https://bit.ly/4235kt1>.

⁴⁵ Letter MIA 5 24 02380830 of the Ministry of Internal Affairs of Georgia of August 5, 2024.

of Internal Affairs and an offensive attitude towards them.⁴⁶ It is noteworthy that according to the response received from the Special Investigation Service on December 13, 2024, an investigation is ongoing into criminal case No. 199191124002, relating to the violent abuse of official authority by employees of the Ministry of Internal Affairs of Georgia against participants in the protest rally and illegal interference with journalists' professional activities, with the elements of a crime provided for in subparagraph "b" of part 3 of Article 333 and parts 1 and 2 of Article 154 of the Criminal Code of Georgia. The alleged violent abuse of authority by N. Dz. is also being examined within the framework of the investigation of the aforementioned criminal case. In addition, in two cases being examined by the Public Defender of Georgia,⁴⁷ the applicants indicate sexist, insulting and degrading attitude by the employees of the Ministry of Internal Affairs of Georgia during questioning, which, according to their assessment, was aimed, among other things, at sexual harassment. Both cases are being examined by the General Inspectorate of the Ministry of Internal Affairs of Georgia.⁴⁸

The Office will monitor the response of the General Inspectorate to the above facts and, considering the results of the relevant proceedings, will issue recommendations on measures to be taken to prevent sexual harassment by law enforcement officers.

Women's political participation

The abolition of the temporary mechanism for the political empowerment of women on electoral lists, the mandatory quota system, was a step backward in the process of achieving women's equality. The Public Defender responded to the issue with a public statement,⁴⁹ emphasizing the need for implementing similar support measures to eliminate the invisible barriers that women face every day. As noted in the statement: "The gender quota mechanism is not a privilege granted to women, but an important tool for eliminating discriminatory attitudes towards women, combating stereotypes, and implementing international obligations."⁵⁰ In addition, based on the Public Defender's appeal,⁵¹ the OSCE/ODIHR prepared a legal opinion on the organic laws related to the abolition of gender quotas, negatively assessing them and finding them incompatible with international human rights standards related to the elimination of discrimination against women in political and public life.⁵²

⁴⁶ See: <https://bit.ly/3DMwrOZ>; See: <https://bit.ly/4a9RiYC>.

⁴⁷ Application No. 6328/2024 of October 7, 2024; Application No. 8945/2024 of December 19, 2024

⁴⁸ Ministry of Internal Affairs of Georgia, January 15, 2025, letter MIA 1 25 00094042; Ministry of Internal Affairs of Georgia, January 27, 2025, letter MIA 8 25 00210661

⁴⁹ Statement of the Public Defender of Georgia, April 2, 2024, available at: <https://bit.ly/3BXtKtx>.

⁵⁰ Ibid.

⁵¹ Statement of the Public Defender of Georgia, April 23, 2024, available at: <https://bit.ly/4hdbMCr>

⁵² Opinion on Two Organic Laws of Georgia Amending the Election Code and the Law on Political Unions of Citizens in Relation to Gender Quotas, Warsaw, June 11, 2024, Opinion-Nr.: ELE-GEND-GEO/501/2024 [ELD/NS]. See the OSCE/ODIHR legal opinion in English: <https://bit.ly/4jBzPMY>

The relevant draft laws were considered by the Georgian Parliament in an expedited manner, within 4 days, and adopted in the final, third reading on April 4 of this year, and later, on May 15, the veto used by the President of Georgia was overridden.

The importance of combating gender discrimination and gender stereotypes was once again highlighted by the legislative discussions on the abolition of gender quotas, which were characterized by obscene and insulting remarks directed at female MPs.⁵³

The Public Defender once again points out that **“it is necessary that women’s voices be clearly heard in the country’s legislative body and other policy-making bodies, so that women’s needs and measures promoting gender equality are on the agenda.”**⁵⁴

Persons with disabilities

Despite some positive measures taken by the State in recent years to protect the rights of persons with disabilities, significant challenges remain unresolved. In the wake of the recognition of international obligations and the improvement of national legislation, insufficient progress has been made in ensuring social inclusion and equality of persons with disabilities.

Problems are significant in terms of the realization of the right to work. It is a challenge to promote the competitiveness of persons with disabilities and their employment on the open labour market.⁵⁵ The implementation of the bio-psychosocial model is also being delayed, and most importantly, access to physical environment, information, means of communication and various services remains a problem for persons with disabilities.

For full realization of the rights of persons with disabilities, it is important for the State to ensure the establishment of an inclusive policy, accessibility of infrastructure and services, promote employment, raise public awareness and reduce stigma, which the State has not been able to do effectively so far. At the same time, it is necessary for private companies to contribute to this process and create an accessible working environment. As a result of coordinated efforts, persons with disabilities will be able to fully realize their rights and improve their quality of life.

Discrimination against persons with disabilities in the field of employment

As already noted, one of the main problems facing persons with disabilities are the difficulties in the field of employment. The low rate of their participation in the labour market is associated with both physical, infrastructural, systemic and socio-cultural barriers. The low level of awareness among employers, lack of information campaigns, absence of relevant guidelines, individual assistants and modern assistive technologies in the workplace significantly limit the economic independence and self-realization opportunities for persons with disabilities.

⁵³ See the public statement of the Public Defender of Georgia of April 3, 2024, available at: <https://bit.ly/4j1NGw1>.

⁵⁴ Public Defender’s statement of April 2, 2024, available at: <https://bit.ly/3BXtKtx>.

⁵⁵ Public Defender’s Report on the Situation of Human Rights and Freedoms in Georgia, 2023, p. 255, available at: <https://tinyurl.com/4petws8x>

In the reporting year, a teacher with a severe disability status,⁵⁶ employed in one of the public schools, filed an application with the Public Defender. She indicated that the school had ignored her individual needs, especially in the process of drawing up the class schedule, which had a negative impact on her working conditions. In view of the above, she requested compliance with the principle of reasonable accommodation, which included the compliance of working conditions with her health condition, including the optimization of class hours and provision of appropriate intervals for rest. After examining the case, the Public Defender concluded that, despite taking certain measures, the school administration failed to properly apply the principle of reasonable accommodation, and thus called on the school administration to take into account the individual needs of the applicant and ensure reasonable accommodation when drawing up the class schedule for the next academic year.⁵⁷

Accessibility of physical environment and services

Persons with disabilities continue to face serious problems in terms of accessibility of physical environment, information, means of communication and various services. A large part of public buildings, transport and infrastructure is still not accessible to people with mobility impairments, which reduces their ability to move independently and participate in public activities. Problems are also evident in adapting health care, education and household services to the specific needs of persons with disabilities. This is due to the lack of both inclusiveness of services, training of relevant personnel and acquisition of the relevant skills for communicating with persons with disabilities.

It is noteworthy that in the reporting year, Tbilisi City Hall considered the Public Defender's appeal⁵⁸ and switched the audible signal of the traffic light located on Ketevan Tsamebuli Avenue to the 24-hour working mode. The audible signal operates in the normal mode until 00:00, and from 00:00 to 07:00 at a relatively low sound (since the noise caused by traffic decreases at night). The applicant argued that, due to the complaints of the population, Tbilisi City Hall decided to lower the sound of audible signal from 22:00, and to turn it off from 23:30 to 07:00, which, in fact, excluded the possibility of blind persons to move independently at night.

With the involvement of the Public Defender, repair works have begun on a ramp installed at the entrance to the Lagodekhi service center of the Georgian Post LLC, which had been installed without complying with technical requirements.⁵⁹ The above will ensure access to services for wheelchair users.

⁵⁶ **Note:** The applicant has been granted disability status for life and a recommendation has been given on creating favorable sanitary and hygienic conditions, a shortened working day and part-time workload in the profession.

⁵⁷ Public Defender's appeal No. 13-2/3065 of March 27, 2024 to the public school director

⁵⁸ Public Defender's appeal No. 13-2/12252 of December 20, 2023 to the Tbilisi Mayor

⁵⁹ Letter No. 2024/3531 of the Public Defender's Office of August 6, 2024

Note: The applicant was unable to use the Lagodekhi Service Center of the Georgian Post LLC, as the ramp at the entrance to the building was not designed in accordance with the technical requirements and he was unable to use it with a wheelchair either independently or with the help of another person. He was forced to ask the service center manager to provide the service on the street, which he was refused and was offered to send the parcel with the help of another person

An accessibility problem was identified with a toilet located in one of the shopping centers. The applicant indicated that the toilet specifically intended for people with disabilities was used as a storage room and was constantly closed. The Public Defender considered this to be inconsistent with the principles of equality and addressed the shopping center with a letter explaining international and local standards, calling on it to take measures to solve the problem.⁶⁰ In response to the letter, the shopping center informed the Public Defender that the toilet intended for people with disabilities would no longer be closed and its use would be possible without hindrance.

The Public Defender, based on information disseminated on social media, began to study the issue of accessibility of the swimming pool located in a sports complex. The parent indicated that a person with disabilities was denied access to the swimming pool located in the complex on the grounds that another swimming pool was designated for persons with disabilities, which was closed due to repairs. The Public Defender's Office contacted the parent, who confirmed the changed environment in the sports complex, in which, under the current circumstances, persons with disabilities are given the opportunity to use the swimming pool under similar conditions as other children. Accordingly, due to the elimination of the consequences of discrimination, the Office closed the case.

Access to medical services also remains a challenge for persons with disabilities. In the reporting year, two cases were identified when persons with mental health problems⁶¹ and autistic spectrum disorders were unable to use medical services, since medical institutions were unable to provide services tailored to their needs. The stereotypical attitude of medical personnel was also identified as a problem. For years, the Public Defender has been drawing attention to the barriers and challenges existing in terms of access to medical services, including medical infrastructure, for persons with disabilities (including persons with mental health problems). The Public Defender pointed out the need to take additional measures to realize the right to health of persons with disabilities in his parliamentary report as well⁶² and recommended that the Minister of IDPs from the Occupied Territories, Labour, Health and Social Affairs investigate the needs of persons with disabilities in terms of access to medical institutions and services. He also took effective steps to overcome stigma towards mental health and persons with mental health problems and to raise awareness among medical personnel.

Access to infrastructure, services and health care is critically important for the full realization of the rights of persons with disabilities and their full participation in society. This will contribute to their social inclusion, economic independence and improved quality of life. It is necessary to continue working on physical accessibility, develop special services, ensure inclusiveness of health care services,

⁶⁰ Letter No. 2024/3531 of the Public Defender's Office of August 6, 2024

⁶¹**Note:** It is noteworthy that as a result of the efforts of the Public Defender's Office, the person in question finally managed to receive the medical services he needed

⁶² Public Defender's Report on the Situation of Human Rights and Freedoms in Georgia, 2023, pp. 262-263, available at: <https://tinyurl.com/4petws8x>

raise public awareness and effectively implement state policies so that persons with disabilities have equal opportunities and become an active part of society.

Equality of the LGBTQI+ community

The policy of combating discrimination and protecting equality in the country remains a significant challenge.

Of particular note in the reporting year was the Law of Georgia on the Protection of Family Values and Minors,⁶³ along with the accompanying amendments to 18 normative acts.

After the introduction of the aforementioned legislative package, the Public Defender of Georgia held meetings in the Parliament of Georgia to express his position on the draft law. The issues discussed included, among others, possible restrictions on freedom of expression and assembly, the impact on academic freedom, and the exercise of the mandate and powers by the Public Defender.

Amendments made to the draft law added the definition of “popularization” and the clarification of Article 11 of the law, which created a potential threat to the exercise of the mandate by the Public Defender. In addition, the law no longer applies to the cases where a person’s gender that was different from his/her biological sex had already been indicated in the civil registry.

However, it is worth noting that the definition of the concept of “popularization” in the law fails to meet the requirement of foreseeability established by the Constitution of Georgia or the European Convention and creates a high risk of arbitrariness.

In November 2024, the Public Defender of Georgia held a meeting with representatives of LGBT+ community organizations to discuss the potential threats of the draft law to the rights of members of the LGBT+ community. At the meeting, non-governmental organizations working on the protection of the LGBT+ rights focused on the ambiguity of the law in terms of the realization of the constitutional right to assembly and expression.

The LGBTQ+ community in Georgia did not enjoy the constitutional right to assembly and demonstration in 2024.⁶⁴ In the context of the right to assembly and demonstration, Article 10 of the Law of Georgia on the Protection of Family Values and Minors is noteworthy, which, among other things, prohibits assemblies aimed at promoting relationships between members of the same biological sex, expressed on the basis of sexual orientation. Although according to the legislative regulation, only the kind of information and actions that present specific issues positively and/or as exemplary are considered popularization,⁶⁵ the exact scope of the prohibition remains unclear, which has a deterrent effect in terms of exercising freedom of expression. Even if, in the future, the legislation specifies that the ban does not apply to expressions with a neutral context, in practice it will be impossible to comply

⁶³ Law of Georgia on the Protection of Family Values and Minors, 17/09/2024: <https://bit.ly/3ZVKedk>

⁶⁴ Tbilisi Pride statement: <https://bit.ly/3BOeMG1>

⁶⁵ Law of Georgia on the Protection of Family Values and Minors, Article 3.

with such a neutrality requirement when it comes to expressing opinions or even stating facts, since even the absence of a negative connotation may be perceived as expressing a positive attitude.⁶⁶

Of particular note is the introduction of criminal liability for the violation of the requirements provided for in the Law of Georgia on the Protection of Family Values and Minors, especially when the sanction is imprisonment for a term of up to 2 years. In addition, the legislator declared the repeated commission of certain actions after the imposition of a penalty for an administrative offence as a crime.⁶⁷ Such actions are: spreading ads, entering information in a (higher) educational programme and/or disseminating or facilitating the dissemination of information by an employee, which is aimed at popularizing a person's affiliation with no biological sex and/or affiliation with a sex different from his/her biological sex, relationships with a sign of sexual orientation between representatives of the same biological sex, or incest.

Thus, the law criminalizes dissemination and provision of information to adults if it is aimed at popularizing the above-mentioned actions.

As noted, the law contains a definition of the term of “popularization” and describes it as “portraying something as positive or exemplary”. Nevertheless, the aforementioned norms fail to meet the requirement of foreseeability established by the Constitution and the Convention for a law providing for criminal liability and create a high risk of arbitrariness. Due to the vagueness and indefiniteness of the norm, the objective composition of a criminal act may extend to the implementation of academic, artistic, scientific activities, publishing books and other activities permitted by law. It is unacceptable for the criminal liability and the possibility of imposing criminal liability for the realization of the rights guaranteed by the Constitution (freedom of assembly, freedom of expression, freedom of creativity, academic freedom, private life and the right to free development) to depend on the interpretation by a person imposing the norm.

It is important to emphasize the impact of the law on the right to life and health. According to Article 6 of the law, it is prohibited to perform a surgical operation or to use any other medical manipulation in order to assign a person to a gender different from his/her biological sex. This restriction is not limited to surgical operations and applies to all types of medical interventions, which poses serious challenges for people undergoing gender-affirming surgery, since access to medical services is critically important for their life and health, which will be at risk if medical personnel refuse to provide necessary medical services on the grounds of non-compliance with the law. The right to health implies access to necessary medical care without discrimination.

It is noteworthy that on January 24, 2025, the Public Defender of Georgia submitted a communication to the Committee of Ministers of the Council of Europe on the execution of the judgments of the European Court of Human Rights relating to the cases of the Identity Group. The Public Defender's communication responds to the recent decision of the Committee of Ministers on the execution of the cases of the Identity Group, the action plans submitted by the Georgian authorities, and assesses the

⁶⁶ Ibid., para. 75.

⁶⁷ Article 172¹⁰ of the Administrative Offences Code of Georgia.

general measures taken to execute the judgments. It is noteworthy that the communication deals with the following issues: risks related to the Law of Georgia on the Protection of Family Values and Minors, the problematic exercise of freedom of assembly, the progress of investigation of hate crimes, and data production.⁶⁸

It is important for the State to implement policies promoting the creation of an equal, safe environment for LGBT+ people and their full participation in social, economic, and cultural life.

Discrimination in labour relations

Alleged discrimination in labour relations continues to be one of the most common types of disputes with regard to which citizens most frequently apply to the Public Defender's Office. They point to actions such as disciplinary action, removal from duties, victimization, termination of employment relationship, etc. According to the practice of previous years, complainants mainly cite the expression of different opinions and trade union activities as grounds for discrimination. In addition, there have been cases where complainants linked the restriction of labour rights to the provision of specific information to the Public Defender's Office.

In 2024, significant attention was paid to the protests and strikes staged by employees of various sectors. The Public Defender called on employers to actively communicate with employees in case of disagreement or expression of dissatisfaction arising within the framework of labour relations, to use all available mechanisms to achieve consensus, and to avoid actions that undermine the dignity of employees or constitute an example of discriminatory treatment. It was particularly emphasized that employers should refrain from using radical measures such as termination of labour relations. In addition, the Public Defender called on Evolution Georgia LLC, in accordance with the requirements established by labour legislation, to immediately begin cooperation with the striking employees and ensure timely and effective conduct of conciliation procedures in order to promptly provide employees with decent working conditions and restore access to health insurance services provided for in the labour contract.⁶⁹

It is noteworthy that on November 1, 2024, the Public Defender of Georgia addressed Evolution Georgia LLC with a general proposal on the prevention of discrimination and measures to be taken against it.⁷⁰

⁶⁸ Communication of the Public Defender of Georgia concerning the Identoba group cases, made under Rule 9(2) of the Rules of the Committee of Ministers for the Supervision of the Execution of Judgments and of the terms of Friendly Settlements, 24 February 2025.

⁶⁹ Public Defender meets with striking employees of Evolution Georgia, 22.08.2024. Statement available at: <https://bit.ly/41KuNYe>; Public Defender responds to the strike of employees of Evolution Georgia LLC, 25.07.2024. Statement available at: <https://shorturl.at/xSquf>; Statement of the Public Defender regarding the working conditions of employees of Evolution Georgia LLC, 10.07.2024. Statement available at: <https://shorturl.at/y4v3y>

⁷⁰ General Proposal No. 2024/5994 on Preventing and Combating Discrimination, 01.11.2024, available at: <https://shorturl.at/8LcXd>

As is known to the public, one of the company's employees anonymously provided the online platform Mautskebeli (Broadcaster) with managers' correspondence, which contained calls for physical violence, humiliating, racist, sexist and derogatory attitudes towards employees because of their appearance. In order to assess the environment inciting discrimination in the workplace at Evolution Georgia, the Public Defender's Office launched proceedings on its own initiative, based on information publicly disseminated on July 8, 2024. In addition, the following day, on July 9, 2024, the LABOR, a trade union, also addressed the Office with a request to study the issue.

Based on the analysis of the materials requested and received from Evolution Georgia LLC and the Labour Inspection Service, the Public Defender assessed the potential impact of alleged discriminatory practices on the quality of working conditions of employees of the company and the factors inciting discrimination. The Public Defender explained that in terms of effectively combating discrimination, in parallel with establishing discrimination, no less importance was the detection and prevention of cases that facilitate and incite discrimination.

It is commendable that the **company terminated legal relationship with all active employees responsible for the discriminatory actions, who were involved in the publicly released correspondence.** However, the Public Defender noted that the content of these facts, especially the discriminatory actions of individuals in managerial positions, indicates that there are a number of problems in the company regarding the discriminatory environment and that the measures taken to protect employees from discrimination are insufficient. For the purpose of ensuring the creation of a discrimination-free environment in the company and strengthening the principles of equality, the Public Defender called on Evolution Georgia LLC to inform candidates, before concluding employment contracts, not only about the legislative provisions on the principle of equal treatment of persons, but also about the available protection mechanisms and legal consequences in case of violation of the principle of equality, to systematically retrain employees on the issues of the principle of equality and the fight against discrimination, and to timely and effectively bring internal organizational acts and policies into compliance with the Law on the Elimination of All Forms of Discrimination.

It is also noteworthy that the Public Defender examined cases of discrimination against individuals employed through the platform in this reporting period as well.

In particular, on January 30, 2024, the Public Defender addressed Wolt Georgia with a recommendation to eliminate discrimination on the ground of dissent in labour relations. According to the case materials, due to publicly speaking about problems related to labour conditions and other protest activities, the company blocked one of the couriers from accessing the application, however, it indicated the failure to fulfill labour duties for 2 weeks as the official reason.

Based on the latest standards developed by international institutions and courts of various countries, the Public Defender, similar to the already established practice, considered that couriers working through the platform, regardless of their status as "partners", are persons in an employment relationship with the company and, accordingly, they have the right to enjoy the guarantees provided for by labour legislation. In addition, the Public Defender considered problematic the condition specified in the

company's contract, according to which, the employee can terminate the contract if the courier does not fulfill his labour duties within 2 weeks. Accordingly, the contract gives the employer the right to terminate the employment relationship with all those persons who refuse to use the application due to protest for the improvement of working conditions.

The Public Defender considers that this entry in the contract may have a discriminatory effect on couriers. It is worth noting that the reason for the termination of the employment contract named by the company contradict the position of Wolt itself that the couriers' schedule is free and they can determine their working hours according to their wishes. The Public Defender appealed to Wolt Georgia to immediately restore the courier's access to the application; and in the future, to prevent discriminatory treatment due to different opinions and/or other grounds in labour relations and to ensure the implementation of the equality policy in the company.⁷¹

In addition, on February 9, 2024, the Public Defender applied to Schirnhofen LLC relating to discrimination on the ground of dissent. According to the applicant, the company's branches were selling expired products on the instructions of the company's managers. According to the applicant, when she expressed dissatisfaction with this, the managers told her that if she did not like working under the existing conditions, she could quit. In addition, the employer changed the applicant's workplace, confiscated the equipment necessary for performing her work, and disconnected her corporate phone number without warning. Ultimately, the applicant was dismissed. The Public Defender applied to Schirnhofen LLC with a recommendation to consider the possibility of restoring labour relations with the applicant and to create policy documents for combating and preventing discrimination in the workplace and to establish an effective anti-discrimination mechanism.⁷²

It is commendable that the company, in accordance with the recommendation, created a policy document on combating and preventing discrimination and began to consider the principles of equal treatment in employment contracts.

In addition to the above, the Public Defender established discrimination on the ground of dissent in the case of a former employee of the National Museum and addressed the Minister of Culture, the National Museum of Georgia and the National Agency for Cultural Heritage Preservation of Georgia with a recommendation to eliminate discrimination. It is noteworthy that the applicant had repeatedly criticized the decisions of the Minister of Culture and the new administration of the National Museum.

The Public Defender called on the Georgian National Museum to ensure that winners of the grant competitions of the Shota Rustaveli National Science Foundation were granted access to the working rooms of the National Museum and to facilitate the implementation of scientific and research activities by them; In addition, the Public Defender appealed to the National Agency for Cultural Heritage Preservation to issue a permit to the applicant for the archaeological works requested by him at the

⁷¹ Recommendation of the Public Defender to Volt Georgia LLC on establishing direct discrimination in labour relations on the grounds of dissent, 30.01.2024, available at: <https://bit.ly/3BMpCfK>

⁷² Recommendation of the Public Defender to Schirnhofen LLC on establishing direct discrimination in labour relations on the grounds of dissent, 09.02.2024, available at: <https://bit.ly/3DurWs9>

Orozmani archaeological site, in accordance with the requirements of legislation, and appealed to the Minister of Culture, Sports and Youth of Georgia, as the supervisory agency, to monitor the implementation of the recommendations issued by the Public Defender of Georgia towards legal entities under public law within its jurisdiction and to ensure compliance of internal organizational acts and policies with the Law on the Elimination of All Forms of Discrimination, and in the absence of such policy documents, to ensure their timely development.⁷³ According to the Ministry, the applicant will be allowed into the National Museum and the Ministry is also developing internal organizational acts and policy documents.

Investigation of hate crimes

With regard to hate crimes, similar to last year, problems were identified in terms of investigation of crimes allegedly committed with the motive of intolerance and launch of criminal prosecution. The basis for this was, on the one hand, the improper fulfillment of positive obligations to protect the equality of vulnerable groups by law enforcement agencies, and, on the other hand, the use of offensive and homophobic terminology by law enforcement agencies.

On March 21, 2024, the Chairman of the Administration of the Christian Congregation of Jehovah's Witnesses in Georgia applied to the Public Defender's Office regarding the attacks on Jehovah's Witnesses carried out in 2023.⁷⁴ According to the application, the Special Investigation Service does not respond effectively to the facts of attacks; inter alia, the Service did not even launch an investigation into several cases, citing jurisdiction as a reason, and the case materials were sent to the Ministry of Internal Affairs. The applicant also points to the problem of classification of criminal cases. In particular, an investigation was launched in two criminal cases relating to unlawful interference with the performance of religious rites, with elements of a crime provided for in part 1 of Article 155 of the Criminal Code of Georgia, and in one criminal case, an investigation was launched into the physical assault on a Jehovah's Witness under part 1 of Article 126 of the Criminal Code of Georgia, which was later reclassified to subparagraph "a" of part 2 of Article 156 of the Criminal Code, persecution on the ground of religion, committed with violence and threats of violence. On the same day, the criminal case was transferred to the Investigation Department of the Special Investigation Service.

Into another case of violence, an investigation was launched under subparagraph "c" of Article 126 (1¹) of the Criminal Code of Georgia. By the prosecutor's decision of December 6, 2023, the case was reclassified and the investigation continued under subparagraph "a" of part 2 of Article 156 of the Criminal Code of Georgia, into persecution committed with violence and/or threat of violence, and the case was transferred to the Special Investigation Service for investigation on December 11, 2023. In addition, an investigation is ongoing into the incident that occurred on September 7, 2023, in Zgvisubani, Tbilisi, with elements of a crime provided for in subparagraph "a" of part 2 of Article 156 of the Criminal Code of Georgia; within the framework of the same case, an investigation is underway

⁷³ Recommendation of the Public Defender of April 1, 2024 on establishing discrimination on the grounds of dissent, available at: <https://bit.ly/4fzbg07>

⁷⁴ Application No. 3533/24.

regarding the episode that occurred on September 10, 2023, on I. Vekua Street, Tbilisi. An investigation is also ongoing into the fact of persecution on the basis of the above-mentioned article regarding an incident that occurred in Kobuleti, in the vicinity of the City Hall, on October 20, 2023.

The Public Defender's Office is also examining a case of interference by Orthodox clergy with the conduct of religious services by local Muslims in the Adigeni municipality on March 8, 2024.⁷⁵ On March 19, 2024, the Public Defender's Office requested information from the Special Investigation Service.⁷⁶ By a letter of March 28, 2024,⁷⁷ the Special Investigation Service informed the Public Defender's Office that on March 13, 2024, the Special Investigation Service was contacted by the Social Justice Center regarding the above case, which was forwarded to the Samtskhe-Javakheti Police Department of the Ministry of Internal Affairs of Georgia for further response. On April 18, 2024, the Public Defender's Office addressed the Administration of the Ministry of Internal Affairs regarding the above issue.⁷⁸ By a letter received from the Administration on April 22, 2024,⁷⁹ the Public Defender's Office was informed that it was necessary to search for information/documentation in the relevant structural units of the Ministry and that the requested information would be provided to us as soon as possible. **Unfortunately, the requested information has not been provided to date.**

On June 7, 2024, the Public Defender's Office of Georgia received applications from the political union - United National Movement. The applications indicate that on June 1, 2024, a group attack was carried out on the central office of the United National Movement, as a result of which, the glass facade of the first floor of the building owned by the party was damaged.

The application notes that the attack was politically motivated and aimed at intimidating members and supporters of the opposition party. According to the application, the attackers were armed with wooden and iron blunt objects and stones. The application also notes that an appeal sent to the Special Investigation Service concerning the alleged participation of a police officer was forwarded to the Ministry of Internal Affairs. The Ministry of Internal Affairs launched an investigation into the fact of group damage to the office of the United National Movement under subparagraph "c" of part 2 of Article 187 of the Criminal Code of Georgia. The application also emphasizes that they do not know why the criminal case did not fall under the jurisdiction of the Special Investigation Service.

According to the information received from the Ministry of Internal Affairs, an investigation is ongoing into the criminal case of group damage to the office of the United National Movement political party located on 45 Kakheti Highway in Tbilisi under subparagraph "c" of part 2 of Article 187 of the Criminal Code of Georgia. A number of procedural and investigative actions were carried out in the criminal

⁷⁵ Application No. 3114/23.

⁷⁶ Letter No. 13-1/2740.

⁷⁷ SIS 2 24 00005561.

⁷⁸ Letter No. 2024/433.

⁷⁹ Letter MIA 5 24 01210398.

case, relevant expert examinations were appointed, and persons related to the case were questioned. The criminal case is under investigation.⁸⁰

On May 7, 2024, according to the reports,⁸¹ Giorgi Kldiashvili, Executive Director of the Institute for Development of Freedom of Information (IDFI), and the crew of the Formula TV company were attacked. According to the information requested from the Special Investigation Service,⁸² the Special Investigation Service launched an investigation into the violence committed against Giorgi Kldiashvili and the illegal interference with the professional activities of the journalists of the Formula TV company, with elements of a crime provided for in part 1 of Article 126 and part 1 of Article 154 of the Criminal Code of Georgia. In addition, a number of investigative and procedural actions were carried out in the aforementioned criminal case; Giorgi Kldiashvili was recognized as a victim in the criminal case; **and the investigation into the case is ongoing.**⁸³

The Public Defender's Office also received an application relating to the case of Babutsa Patariaia, Executive Director of the Sapari NGO.⁸⁴ According to the application, the Executive Director of Sapari is persecuted by various individuals, which is related to her professional and public activities. In particular, various individuals are intensively making offensive inscriptions in Babutsa Patariaia's work and residential areas. In addition, unwanted communication is taking place on her personal phone and various applications. Due to the intensity of communication, Babutsa Patariaia was forced to delete the Viber application from her personal phone. In addition, unwanted offensive communication by strangers is intensively taking place on the phones of Babutsa Patariaia's family members. According to the same application, on May 9, 2024, on the door to the yard of the Tbilisi Human Rights House NGO, three individuals placed posters with offensive inscriptions and images of Babutsa Patariaia and directors of two non-governmental organizations, aimed at persecution due to their professional activities. On May 11, obscene inscriptions were made on the walls of the entrance to Babutsa Patariaia's residential building, on May 31 - on the inner and outer perimeter of the yard of the Sapari office, and on June 1 - on the territory adjacent to the office.

In addition, according to the application, on June 1, 2024, Member of Parliament Dimitri Samkharadze, in his Facebook post, referred to specific hostile non-governmental organizations, including Sapari. **Babutsa Patariaia's representative applied to the Special Investigation Service with the above information, however, the statement was sent to the Ministry of Internal Affairs for further response.**

Another application was filed with the Public Defender's Office of Georgia by Lela Tsiskarishvili, Chairperson of the Board of the Tbilisi Human Rights House, relating to the fact of persecution due to professional activities.⁸⁵ According to the application, since May 2024, various individuals had been persecuting the leaders of the Tbilisi Human Rights House, its member NGOs (Human Rights Center,

⁸⁰ Letter MIA 3 24 01811524, 18/06/2024.

⁸¹ Available at: <https://shorturl.at/mtOwT>

⁸² Letter No. 2024/1045, 13.05.2024.

⁸³ Letter SIS 9 24 0000986 of the Special Investigation Service, 23.05.2024.

⁸⁴ Application No. 2841/2024, 26.06.2024; No. 3036/2024, 02.07.2024.

⁸⁵ Application No. 3165/2024, 05.07.2024.

Rights Georgia, Media Institute, Sapari) and employees of the organization, which is related to their professional and public activities. According to the application, persecution is carried out through the placement of various offensive inscriptions on the territory of the organization, as well as threatening and offensive communication on mobile phones and phone applications. According to the applicant, on May 9, 2024, three individuals placed posters with photographs of the Executive Director of Sapari, Babutsa Patariaia, the Director of the Human Rights Center, Aleksandre Tskitishvili, and the Director of Rights Georgia, Vladimer Mkervalishvili. On June 1, offensive inscriptions were made in the territory adjacent to the office. The applicant, **based on the above information, applied to the Special Investigation Service with a letter on June 6, 2024, however, in this case too, the application was forwarded to the Ministry of Internal Affairs for further response.**

In order to respond to the applications of Babutsa Patariaia and Lela Tsiskarishvili, the Office addressed the Special Investigation Service and requested information. According to the response received, the aforementioned applications were sent to the Ministry of Internal Affairs of Georgia, Tbilisi Police Department, for further response.⁸⁶

In addition to the above-mentioned cases, the Public Defender's Office, on May 7, 2024, launched proceedings on its own initiative relating to the case of Lado Apkhazava.⁸⁷ In particular, according to media reports,⁸⁸ several people attacked and physically abused teacher Lado Apkhazava in Lanchkhuti. The attack was reportedly related to his publicly stated position regarding the Law on Transparency of Foreign Influence and his participation in protests. In order to verify information, a telephone conversation was held with Lado Apkhazava, who confirmed the fact of physical violence against him and explained that on April 5, 2024, in the evening hours, he saw a car near his house, with several people from his neighborhood in it, including an ambulance driver. The aforementioned individuals verbally abused him (cursed him) and called him a supporter of the National Movement, after which they took out wooden sticks from the trunk and physically injured him and his companion, a former foster child from a small group home, who is currently under the care of Lado Apkhazava, is 20 years old and has mental health problems. In order to respond to the aforementioned fact, Lado Apkhazava contacted 112 and called the patrol police.

On May 13, 2024, the Public Defender's Office applied to the Prosecutor General's Office of Georgia.⁸⁹ According to the response received from the Prosecutor's Office on May 16, 2024,⁹⁰ in a criminal case being conducted by the Ministry of Internal Affairs of Georgia, Vladimer Apkhazava and L.F. have been recognized as victims, and one person, K.F., has been charged with a crime containing the elements provided for in subparagraph "c" of part 11 of Article 126 of the Criminal Code of Georgia.

On August 7, 2024, the Public Defender's Office was contacted by the Social Justice Center regarding the alleged abuse of authority by police officers. In particular, according to the application, on July 9,

⁸⁶ Letters: 1) SIS 2 24 00013300, 11/07/2024; 2) SIS 0 24 00013993, 22/07/2024.

⁸⁷ Protocol No. 964/o2024.

⁸⁸ Available at the link: <https://shorturl.at/wWPnb>

⁸⁹ Letter No. 2024/1038.

⁹⁰ Letter No. 13/32005.

2024, a citizen was standing at a bus stop on Gobronidze Street in the Mukhiani settlement of Tbilisi when three people in plain clothes approached him and requested him to present his identification document. The citizen asked them to show the relevant document to make sure that they were indeed law enforcement officers. After the citizen made sure that they were law enforcement officers, he presented his ID card to one of the police officers. Since the manner and tone of the police officers' conversation were rude, unethical and degrading, the citizen began to record the communication between them by his mobile phone. The above turned out to be unacceptable for the police officers, so the citizen was arbitrarily detained by using disproportionate force. On the way to the police station, while in a police car, the police officers verbally abused the citizen, while illegally searching his personal belongings. As they arrived at the police station, the police officers used clearly hateful phrases towards him, relating to his sexual orientation, his position on abortion and the killing of animals. While at the police station, the citizen was forced to delete the video he recorded at the bus stop. After that, the citizen was detained and taken to the Gurjaani temporary detention center. According to the application, during that period he was not allowed to contact his lawyer or family members. On July 22, 2024, Tbilisi City Court considered the administrative case of citizen L.K., in which he was accused by the Ministry of Internal Affairs of an act provided for in part 1 of Article 173 of the Administrative Offences Code, disobedience to the lawful order of the police and verbal abuse. The court issued a verbal reprimand, explaining that there had been no disobedience to the lawful order of the police, but found him guilty of verbal abuse.

On July 18, 2024, the Special Investigation Service launched an investigation into the alleged abuse of authority by police officers under subparagraph “b” of part 3 of Article 333 of the Criminal Code, which pertains to abuse of official authority with violence or use of weapons. According to the response received from the Special Investigation Service, 7 people were questioned, including L.K. and 6 people related to the case.⁹¹

Another case being processed by the Public Defender concerns the homophobic and insulting attitudes shown by law enforcement officers.⁹² According to the applicant, on July 19, 2024, at approximately 00:00, citizen V.Kh. accompanied her friend to the 7th police department of Batumi, where a gray-haired policeman under 40, who introduced him as the head of the department and was known for his homophobic statements, insulted her, which was followed by laughter from other police officers. According to the application, in connection with this, V.Kh. called the General Inspectorate hotline the same night, which further aggravated the situation.

Regarding the above issue, on August 9, 2024, the Public Defender's Office applied to the Ministry of Internal Affairs to request case materials and information.⁹³ According to the Ministry's response of November 26, 2024, as a result of the inquest conducted by the General Inspectorate of the Ministry of Internal Affairs, they could not detect any disciplinary misconduct committed by the employees of the 7th department of the Batumi City Police Division. In addition, within the framework of the

⁹¹ Special Investigation Service's response SIS 8 24 00016079, 22/08/2024

⁹² Application No. 4034/2024.

⁹³ Letter No. 2024/3647.

proceedings, a telephone conversation was held with the initiator of the notification, who explained that she did not need to be informed about the results of the inquest conducted by the General Inspectorate of the Ministry.⁹⁴

On October 20, 2024, a transgender woman, Nata Talikashvili, was attacked in the Ortachala parking space in Tbilisi. The Public Defender's Office appealed to the Ministry of Internal Affairs regarding this fact.⁹⁵ According to the Ministry's response⁹⁶ of October 23, 2024, an investigation is ongoing in the 3rd Division of the Isani-Samgori Main Police Department into a criminal case of violence against Nata Talikashvili, a crime provided for in part 1 of Article 126 of the Criminal Code of Georgia. Based on the evidence gathered, D.F. was charged with part 1 of Article 126 of the Criminal Code of Georgia and **the indictment indicates the motive of intolerance based on gender identity.**

Incitement to discrimination

Similar to previous years, various cases of incitement to discrimination were identified in the current reporting year, which negatively affects the establishment of an equal and inclusive environment. Sexist rhetoric against women involved in political life was still actively used, which aimed to diminish their role and restrict their participation in public discourse. The spread of homophobic narratives was also noticeable during the pre-election period. Statements containing stigma against persons with disabilities were also identified. These cases clearly indicate the need for a more active and principled fight against discrimination.

Immediately after the start of the pre-election period, the Public Defender openly called on political party members to ensure an election environment free from hate speech and to conduct a businesslike, election programme-oriented discussion.⁹⁷ In a statement, the Public Defender emphasized that inciting discrimination and using hate speech not only violated the principles of equality and democracy, but also undermined the legitimacy of a fair electoral process. The use of hate speech for political purposes is unacceptable and the responsibility for its elimination lies both with political actors and the media, who must contribute to the formation of an equal and fair electoral environment through joint efforts.

The Public Defender has been drawing attention to the vicious practice of using sexist attitudes and phrases against women involved in public and political life as a weapon of political struggle for years. The use of phrases with sexual connotations by opponents towards women involved in political life and in this way attempting to portray them as unworthy women is particularly concerning, as it negatively impacts women's equality, creates a dangerous precedent of instrumentalization, and diminishes the importance of women's participation in the decision-making process.⁹⁸

⁹⁴ Letter MIA 1 24 03591714.

⁹⁵ Letter No. 2024/5572.

⁹⁶ Letter MIA 6 24 03238540.

⁹⁷ Public Defender's statement of September 2, 2024, available at: <https://bit.ly/49PHov0>

⁹⁸ Public Defender's statement of April 3, 2024, available at: <https://tinyurl.com/5dz8xbs2>

The use of sexist and offensive terms against women involved in civic activism and public life was also observed during the reporting period.^{99 100}

Cases of inciting discrimination on the basis of disability were also identified in the reporting period, which has been a significant challenge in public discourse for years. The Public Defender has repeatedly responded to the spread of statements containing stigma against persons with disabilities by politicians and high-ranking officials, emphasizing the inadmissibility of discriminatory rhetoric and the importance of protecting equality.¹⁰¹

The use of mental health as a tool to professionally or personally discredit a person, which incites fears and negative attitudes towards persons with mental health problems, needs to be emphasized. It also reinforces stigma, which creates additional barriers for people with mental health problems to participate in public life and receive the support they need. It is essential that mental health issues be used responsibly and ethically in public speeches to avoid spreading stigma and discrediting individuals because of their health condition.

Public Defender's activities in the direction of protection of the right to equality

Examination of individual cases

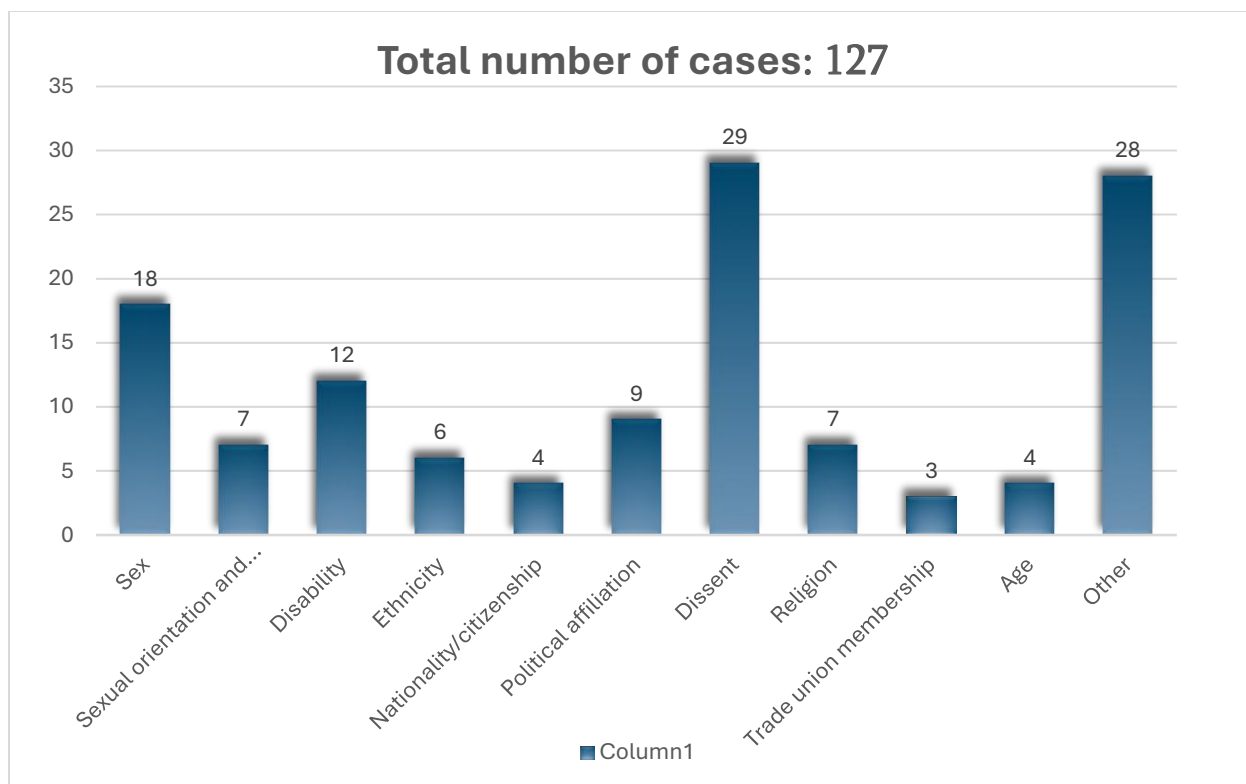
In 2024, the Public Defender examined a total of **127 cases** of alleged discrimination, of which, **in 10 cases**, the Public Defender launched proceedings on his own initiative.

The largest number of cases examined - 29 - concerned alleged discrimination on the ground of **dissent**, followed by cases of discrimination on the ground of **sex/gender** - 18 cases, of which, in 7 cases the applicants indicated **sexual harassment**. Then comes discrimination on the ground of **disability** - 12 cases, followed by cases of discrimination on the ground of **political opinion/affiliation** - 9 cases. The Public Defender examined 7 cases of discrimination on the grounds of **sexual orientation and/or gender identity**, 7 cases of discrimination on the ground of **religion**; 6 cases were related to **ethnic affiliation**; 4 cases were related to **nationality/citizenship**, 4 cases - **age**, 3 cases - **trade union membership**; 28 cases - **other grounds**.

⁹⁹ At the meeting with the media held by the Prime Minister of Georgia, Irakli Kobakhidze, Beka Odisharia responded to the question asked by journalist Eka Mishveladze with the following phrase - "You have seen thousand of balls, Mishveladze", available at: <https://tinyurl.com/2r6pbar2>

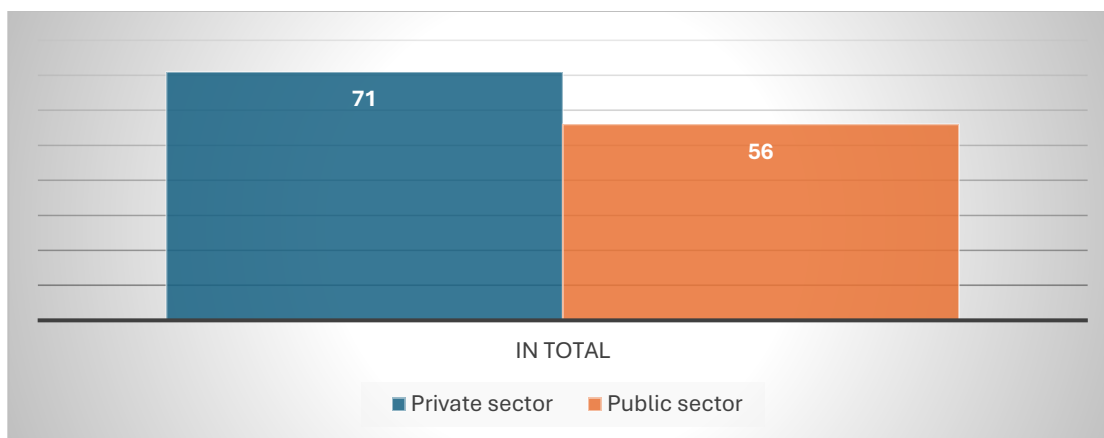
¹⁰⁰ Head of the Samegrelo-Zemo Svaneti Administration Lasha Gvasalia addressed the women activists - "Street women, you are shit left to the dogs", available at: <https://tinyurl.com/4xnx4fzy>

¹⁰¹ Public Defender's Statement of June 20, 2024, available at: <https://tinyurl.com/3n4x4nbp>; Public Defender's Statement of August 27, 2024, available at: <https://tinyurl.com/yck256h4>; Public Defender's Statement of May 24, 2024, available at: <https://tinyurl.com/2uf2rnb6>



In terms of representation, it is noteworthy that in the reporting year, the majority of applicants still applied to the Public Defender without a representative. Out of the 127 cases, a representative was involved only in **28 cases**. Of these, member organizations of the Coalition for Equality¹⁰² represented applicants in 13 cases. It is noteworthy that, unlike previous years, cases of alleged discrimination in the private sector exceeded those in the public sector for the first time this year. In particular, the majority of cases - **71 cases** - concerned alleged discrimination committed in the private sector and/or by individuals, and **56 individuals** indicated unequal treatment in public institutions.

¹⁰² Members of the Coalition for Equality are: Open Society Foundation Georgia (OSFG); Social Justice Center; Rights Georgia; Sapari; Georgian Young Lawyers Association (GYLA); Women's Initiatives Supporting Group (WISG); Partnership for Human Rights (PHR); Georgian Democracy Initiative (GDI); Tolerance and Diversity Institute (TDI); Human Rights Center (HRC); Equality Movement



In 2024, the Public Defender prepared 7 recommendations and 4 general proposals on equality issues. He also concluded a settlement act in relation to 2 cases.¹⁰³ It is worth emphasizing that since 2014, after the Law of Georgia on the Elimination of All Forms of Discrimination came into force, the Public Defender achieved a settlement between the parties for the first time, as provided for in paragraph 3 of Article 8 of the same law.

Educational activities

In terms of protection of the right to equality, the Public Defender's activities, in addition to examination of cases, included a number of educational activities.

The total number of participants in the meetings **amounted to 407**. The aforementioned meetings and trainings significantly contribute to the deepening of the principles of equality among various groups of society and prevention of discrimination, which is one of the main goals of the Department's activities.

During the reporting year, employees of the Equality Department successfully conducted **up to 20 information meetings and trainings**, which aimed to raise awareness among representatives of various social groups and professional circles and provide information about the principle of equality and relevant legal regulations. Meetings/trainings were held with **113 representatives of the private sector**, who were provided with information about the equality standards and the importance of preventing discrimination; **73 students; 124 schoolchildren**, for whom the training courses were adapted to their age and aimed at promoting tolerance and inclusive values; **19 teachers**, who were introduced to the methods of integrating equality principles into the educational process; **15 representatives of various**

¹⁰³ Available at: <https://tinyurl.com/4fjsnnj8>; <https://tinyurl.com/3dzdx85d>

religious organizations; Supreme Court judges and 20 members of the Bar Association, who, through the trainings, acquired new knowledge about legal instruments for combating discrimination.

Meetings were also held with members of the governmental delegation from the Republic of Armenia¹⁰⁴ and representatives of the Human Rights and Equality Institution of Turkey (HREIT).¹⁰⁵ The meetings aimed to introduce them to the mandate and case examination methodology of the Public Defender, as a mechanism for combating discrimination, and to discuss best practices relating to the cases of discrimination identified in various areas.

It is noteworthy that promoting equality and preventing discrimination in the private sector were among the Public Defender's priority areas. Special attention was paid to raising awareness among private companies in order to make equality principles and issues of prevention of sexual harassment more accessible and understandable to their employees. Two private companies – Atlantic Georgia LLC and Tegeta Holding – expressed their willingness to have the Public Defender's representatives conduct trainings for their employees, with focus on the essence of equality, prevention of sexual harassment, and the practical implementation of the legal standards relating to these issues.¹⁰⁶ This initiative highlights the willingness of the private sector to raise awareness and strengthen an inclusive and safe working environment, which the Public Defender welcomes.

In addition to the above, in cooperation with the Labour Inspection Service and with the support of the Council of Europe, employees of the Equality Department held a training session with representatives of the private sector and public institutions from various sectors of economy - "The Right to Equality and Elimination of Discrimination: Prevention and Response Mechanisms".¹⁰⁷ Within the framework of the training, the participants received detailed information on the essence of equality, the principle of non-discrimination, its forms and main characteristics.

The Public Defender also paid special attention to improving the skills and professional qualifications of employees, for which, with the support of the USAID Rule of Law Program, trainings were conducted for the employees of the Equality Department on mediation¹⁰⁸ and legal writing.¹⁰⁹ The organization of the mediation training was conditioned by the fact that one of the important powers of the Public Defender, as the national mechanism for combating discrimination, is to conduct oral hearings and achieve a settlement between the parties. Effective conduct of this process requires full possession of practical mediation skills, which is a prerequisite for protecting the interests of the parties and resolving conflicts fairly. The legal writing training aimed to improve legal writing standards and

¹⁰⁴ Available at: <https://tinyurl.com/4nmv8yft>

¹⁰⁵ Available at: <https://tinyurl.com/mrv474nm>

¹⁰⁶ Available at: <https://tinyurl.com/4ah54y9w>

¹⁰⁷ Available at: <https://tinyurl.com/yvjj3xpa>

¹⁰⁸ Available at: <https://tinyurl.com/3hfmzkkk>

¹⁰⁹ Available at: <https://tinyurl.com/mw6hnt5a>

deepen practical knowledge. The development of these skills significantly contributes to improving the quality of legal processes and raising the standards of the Department's activities.

In order to strengthen the capacity of the Public Defender as a national equality mechanism, the acting Head of the Equality Department participated in a joint meeting organized by the Albanian Commissioner for Protection from Discrimination, the European Network of Equality Bodies (Equinet) and the Technical Assistance and Information Exchange (TAIEX) Instrument of the European Union on the topic: “Standards of equality bodies”¹¹⁰ and a seminar organized by the Council of Europe - “The role of equality bodies in combating hate speech and hate crimes”.¹¹¹ The meetings aimed to discuss challenges and necessary legislative changes at the national level and to share best practices.

Conclusion

The adoption of the Law of Georgia on the Elimination of All Forms of Discrimination made it possible to eliminate a number of cases of alleged discrimination. In addition, after receiving the recommendations of the Public Defender, the respondents ceased discriminatory actions.

It is important to ensure that the progress achieved so far in the direction of equality is not jeopardized as a result of new legislative initiatives, and for the State to have a systemic policy relating to the right to equality, within the framework of which, the political will of the State to contribute to the construction of a free, equal, diverse and inclusive society is clearly manifested.

Recommendations

To the Parliament of Georgia/Speaker of the Parliament of Georgia:

- Amend the Law of Georgia on the Protection of Family Values and Minors to bring it into line with human rights standards;
- Considering the importance of access to public information and public interest, during the operation of the yellow security level, in accordance with Order No. 1/259/23 of the Chairman of the Parliament of Georgia of September 4, 2023 “On the Approval of Security Rules in the Palace of the Parliament of Georgia”, allow media representatives, regardless of their activity platform, to enter the Palace of the Parliament and carry out their activities;

¹¹⁰ Available at: <https://tinyurl.com/38tsth4r>

¹¹¹ Available at: <https://tinyurl.com/4zsauxcn>

- Ensure the practical implementation of the Code of Ethics within the framework of an effective mechanism and, in the event of the use of language inciting discrimination by Members of Parliament, implement disciplinary sanctions provided for by the Code of Ethics.

To the Parliament of Georgia and local self-government bodies:

- Ensure the restoration of special temporary measures - gender quotas or the establishment of other effective mechanisms recognized by international practice - in order to ensure increased representation of women in the Parliament and city councils.

To the Ministry of Justice of Georgia:

- Amend Order No. 1019 of the Minister of Justice of August 1, 2024 “On the Approval of the Rules for Maintaining the Register of Organizations Pursuing the Interests of a Foreign Power, Submitting Financial Declarations and Monitoring” so that the names and surnames of individuals, including employees, indicated in the declarations submitted by organizations are not made public.

To the Prosecutor’s Office of Georgia:

- Ensure continuous retraining of the employees in order to improve their qualifications in the investigation of crimes motivated by intolerance.

To the Ministry of Internal Affairs of Georgia:

- Ensure intensive and continuous retraining of the employees of the Ministry of Internal Affairs on issues of sexual harassment in public spaces;
- Develop internal regulations/practices so that to ensure that victims of sexual harassment in public spaces are informed about the results of the relevant administrative proceedings.

To the Ministry of IDPs, Labour, Health and Social Affairs of Georgia:

- Develop a national accessibility plan in a timely manner to ensure physical access to buildings/structures and infrastructure for persons with disabilities, as well as relevant standards for information and communication tools;

- Examine the accessibility needs of medical institutions and the services they offer for persons with disabilities, including those with mental health problems; ensure the retraining of a significant number of persons involved in medical activities on aspects of appropriate communication with persons with any disabilities, especially those with mental health problems.

To the Employment Promotion Agency LEPL:

- Strengthen efforts to raise awareness among employers, inter alia, relating to the application of the principle of reasonable accommodation; introduce individual support services/modern assistive technologies in the workplace for persons with disabilities and develop temporary incentive mechanisms.