



განცხადება

**საია მოუწოდებს შსს-ს უზრუნველყოს ბარემოს
დაცვისა და სოფლის მეურნეობის სამინისტროსთან
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შეკრების თავისუფლება**



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**GYLA calls on the Ministry of Interior
Affairs to ensure the freedom of
assembly of persons participating in**

a peaceful protest at the Ministry of Environmental Protection and Agriculture

As it is known to the public, the residents of Racha, their supporters and the movement "For Saving the Rioni Valley" [demand the full cancellation of the 49-year license](#) for Davit Khidasheli on 97,000 hectares of forest in the Racha-Lechkhumi and Kvemo Svaneti region. From September 27, 2023, they [set up a tent in Oni, in front of the city hall](#). As it is clear from the position of the organizers of the rally, after about 2 months of fruitless protest, they decided to move the same tent in front of the building of the Ministry of Environment Protection and Agriculture (hereinafter referred to as the Ministry) in Tbilisi, and to continue the protest in front of the relevant body of the executive authority against the licensing of Racha forests. This protest moved to Tbilisi today, November 18. Now [Hundreds of people have gathered](#) near the ministry.

According to publicly available sources, the situation at the Ministry has been tense, which was manifested in the following facts: the participants of the rally could not enter the yard from the main entrance of the Ministry. The purpose of entering the courtyard was to raise a tent and hold a peaceful protest, and after the police objected to the above, the protestors decided to raise a tent near the fence of the Ministry. However, in the same period, the Ministry of Internal Affairs began to [detain protestors administratively](#). According to the latest information of the Ministry of Internal Affairs, [13 individuals](#) have been detained administratively based on Articles 166 and 173 of the Code of Administrative Offenses of Georgia. It should be noted that the Ministry of Internal Affairs arrested not only the participants of the rally, but also the [organizers](#) of the rally, in particular, Varlam Goletiani, Nugzar Godoladze and Gela Ketelauri were detained at the rally. A representative of the media was also among the persons [arrested](#) under the Administrative Offenses Code. Specifically journalist of the [Akhikartuli](#) Rati Ratiani was arrested, who was performing professional activities during the action, was arrested.

The developments once again confirm that the state excessively restricts the freedom of assembly, and it does so on the basis of the Code of Administrative Offenses.

During the current protest at the Ministry, the policemen should have been given the opportunity [to set up a tent for the protestors](#). Georgian legislation, constitutional and general court [practices](#) recognize the right to set up a tent as an area protected by freedom of assembly. Therefore, according to the established practice, "the right to assemblies and demonstrations includes the right to choose the place, time, form and content of the assembly, which considers the possibility of placing temporary structures". Considering the surrounding circumstances of the given case, including the location of the Ministry, day and time, the legitimate goal that would justify the interference with the basic right, namely, the limitation of the right of the participants of the action to set up a tent, both in the yard of the Ministry and outside it, is unclear; also, the arrest of the organizers of the action / journalists. According to publicly disseminated sources the need for intervention could not be confirmed, which would justify the action of the representatives of the Ministry of Internal Affairs, namely (1) not allowing the participants of the rally to set up a tent; (2) In order to weaken the charge of the protest action and limit public awareness, arrest the organizers of the action/journalist. In connection with this, it should be noted that it has a negative effect on the freedom of expression, and another indicator of the deterioration of the ecosystem of media freedom is the harmful practice of arresting journalists during demonstrations. The above-mentioned has already taken place in [2023](#) many times. Arresting a media representative who is engaged in journalistic activity is a practice of deliberately hindering/obstructing journalistic activity and a criminal offense.

We call on the Ministry of Internal Affairs::

- To follow the requirements established by the Constitution of Georgia and the law on gatherings and demonstrations; to give the participants of the rally the opportunity to set up a tent and continue the peaceful protest;
- To liberate detained persons under Administrative Code of Georgia;
- To refrain from illegally interfering in the activities of the media and immediately release the arrested journalist.

Special investigative service:

- To study the facts of illegal interference in the professional activities of media representatives in a timely manner and to respond accordingly.

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION

