

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Initial evaluation of observer organizations on the scheduled rally on May 17, the International Day against homophobia and transphobia

On May 17, the state failed to ensure conduct of the scheduled event for marking the day against homophobia and transphobia, and thus rights of rally participants to assembly and manifestation were grossly violated.

In view of the number of counterdemonstrators, their uncontrolled conduct and possible risks, selected police strategy was inadequate and ineffective for ensuring security of rally participants.

According to information submitted by our observers and the released footage, counterdemonstrators managed to push their way through police barriers without resistance. Police gave opportunity to clergymen (who represented counterdemonstrators' side) to be at the scene of scheduled event, whereas they failed to curb further flow of demonstrators.

Counterdemonstrators started to move to the direction of rally participants aggressively, in crowds and managed to occupy the whole space intended for the rally. Only some participants were successful to flee from the scene safely.

At this moment we can submit our initial observations and findings, namely:

- The Ministry of Interior failed to assess adequately anticipated risks from the counterdemonstrators and fell short to elaborate the relevant security strategy. Even from the start of the event, small number of mobilized policemen at the rally territory, applied measures and conduct against lawbreakers were considered ineffective;
- Police conduct was uncoordinated and often they were unable to protect freedom of expression. Furthermore, there was such an impression, as though the Ministry of Interior was mainly focused to take rally participants from the territory safely, rather than to protect the right to assembly. Police failed to reveal sufficient try for ensuring safety of rally participants in the process of assembly;
- After occupying the scene of action by the counterdemonstrators the police became completely incapable and thus counterdemonstrators were given chance to move uncontrollably. As a result the chance of individual retribution to rally participants has increased and it really took place.

Police attitude to rally participants is especially alarming. All observers confirm that in private communications policemen tend to be cynical and humiliating to the rally participants and in some way sympathized counterdemonstrators. Such attitude was also reflected in their conduct.

By this moment, number of counterdemonstrators, distinguished with extreme aggressiveness to rally participants, are still in the streets. We regret that police

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conduct is inadequate even in this case and is limited only to resolution of conflicting situations.

In view of above, we call on the Ministry of Interior:

to carry out effective measures immediately with a view to ensure protection of public order and security;

to bring to justice those responsible officials who failed to assess adequately possible risks and could not or did not ensure exercise of the right to assembly and manifestation, as well as security of rally participants;

to investigate and bring to justice everyone, who disallowed citizens to conduct a rally against homophobia, who were hostile to the individuals with different opinions and abused them physically and verbally.

Observer organizations are implementing monitoring mission until now and will submit comprehensive information and evaluation to public later.

Transparency International - Georgia

Georgian Democracy Initiative (GDI)

Human Rights Education and Monitoring Center (EMC)

Georgian Young Lawyers' Association

Article 42 of the Constitution

International Society for Fair Elections and Democracy