

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Joint Statement of the Non-Governmental Organizations Regarding May 17

May 17, 2013 has become an important event in our socio-political environment. The counter-demonstration of the the clerics and various social groups, conducted against the planned International Day Against Homophobia and Transphobia (IDAHOT) turned into a broad-scale violence. Hence, the counter-demonstration was in conflict with the existing legislative order and liberal-democratic values, which is based on the ideas of secularization of the public-political environment and protection of freedom, dignity and equality of humans, recognizing their supreme value. Unfortunately, on May 17,

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the state was not able to protect the principles of secularization and freedom of manifestation of the IDAHOT participants. Ineffective policy of the state, implemented for combating the violence and for imposing the responsibility on the violators was the precondition for the increase of hate-motivated violence against various discriminated groups (among others, against the religious minorities). It is notable, that following the May 17, 2013, the cases of violence against the LGBT representatives have increased.

In the existing circumstances, the major community organizations, working on the LGBT rights had to refrain from publicly conducting IDAHOT on May 17 of this year and from enjoying the freedom of manifestation. This, on the one hand, reflects the weakness of the state to genuinely protect the freedom of expression of the LGBT persons, while on the other hand, reflects violent and intolerant attitudes existing within the public, which requires proper consideration by the state, church, media, and civil society.

It is notable, that despite the fact that the major community organizations working on the LGBT rights have refrained from conducting the public manifestation, the clerics, as well as other public and political groups, plan to conduct a number of demonstrations on May 17 in Tbilisi. It is planned to celebrate May 17 as the Day of a Family, especially established as such by the church a while ago, and to protest the enactment of the law on Elimination of All Forms of Discrimination by the parliament.

Considering the risks related to the concentration of a large number of groups in the public locations and their violent attitude, we call upon the government to implement the measures to protect the order, peace and human rights on May 17 of this year. The negative experience of May 17, 2013 is especially to be considered, when, following the evacuation of the IDAHO participants, the counter-demonstration groups moved around the streets of the capital uncontrollably and expressed violence against various persons (whom they identified with the LGBT group). At the same time, the police did not have a specific plan to organize their conduct and to implement preventive measures. It is notable, that the individual cases of persecution and chasing of the LGBT persons continued for days after May 17.

Considering the above, we call upon the following subjects to implement various activities to protect the order and human rights on May 17:

•The Ministry of Internal Affairs, to conduct effective activities to protect public order and human rights, among others, to ensure:

- Effective and intensive patrolling in the streets of the capital, among others, in locations around those objects/buildings, where the risks of violence against the LGBT persons may be high;
- To introduce special telephone hotlines, which will give individuals a possibility to receive adequate legal response in the cases of the rights' infringement, and to receive protection of the law-enforcement forces;
- To designate the contact persons, with which the the rights' protection organizations and institutions will have the possibility of an unrestricted and timely communication;
- To conduct timely and effective investigation into the concrete cases of violations (if such occur);
- To ensure that its employees respect human rights and especially, emphasize on the rights of the LGBT persons.

•The Members of the Parliament, to support security, peace and fairness through the political statements, and to conduct effective parliamentary control of the policy, implemented by the Government;

•Political parties and individual politicians, to conduct the adequate evaluations of the May 17 and related events and not to support inflating the hatred and violence within the public, especially, considering the pre-election context;

•Media, to cover May 17-related events with high standards of responsibility, to refrain from disseminating incorrect and ambiguous information and hatred-motivated evaluations;

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•Organizers of the May 17 demonstration, to ensure that the participants of the demonstration maintain public order and protection of human rights. In this regard it is important for the demonstration organizers to undertake all the measures to maintain peaceful intentions and conduct by all the participants of the demonstration;

•To the LGBT activists, to demonstrate maximum caution and considering the existing threat, to refrain from such actions, which might provoke violence.

We hope that on May 17 the state will properly respond to the existing challenges and will undertake all measures to protect human rights and secularity of the state.

Georgian Young Lawyers' Association (GYLA);

Human Rights Education and Monitoring Center (EMC);

Article 42 of the Constitution;

Georgian Democracy Initiative (GDI);

Identoba;

Women's Fund in Georgia;

Taso Foundation;

Media Development Fund (MDG);

Union Saphari;

Tolerance and Diversity Institute;