



NGOs Statement on the May 17 developments

By responding again to the developments taken place at the Freedom square and its nearby territories on May 17, 2013 the undersigned organizations want to attract attention of public on the significance of protecting constitutional equality principle, on the causes of such adverse acts and the negative effects that might follow them.

Firstly, as already mentioned in initial evaluation of the observer organizations, the measures which had been put in place by the police to ensure safety of participants at the rally on international day against homophobia and transphobia and selected strategy were inadequate. It is evident that the conduct of radical groups went far beyond the scope of “peaceful rally” and turned into illegal and violent conduct, which jeopardized public order and put at risk lives, health and security of individual citizens. Police response to the violence of counterdemonstrators was also ineffective that caused uncontrolled violence of different aggressive groups in Tbilisi Streets and embedded the fear of insecurity in population.

We think, that effective investigation should be conducted on the facts of violence revealed on May 17 and all law-breakers, especially organizers, should be revealed and punished adequately. As it is known, four persons were recognized administrative offenders, while two from clergy and two ordinary citizens were brought to justice. It means that the state attempts to implement some steps with a view to restore justice. We, however, opine that for effective and comprehensive investigation the process should go on and outcomes of investigation should be submitted to public on time. We welcome statements of the Prime Minister, the head of the Parliament and some politicians alleging that the state should have adequate response on the happened.

In view of the mass nature of demonstrated violence, punishment of offenders by the

state carries in the first place the preventive function. Inadequate response to the violence creates risks of turning mass nature of violence into a trend and in more aggressive conduct. Instances of violence and humiliation to the LGBT individuals and those with different dressing style following the May 17 event reinforce the risks. In view of recent developments human rights of other minority representatives might also be jeopardized, therefore complex measures need to be taken in that regard. Accordingly, it is crucial that the law enforcement agencies investigate the reported facts of violence efficiently and timely and identify and hold all offenders liable. Furthermore, for ensuring public security, it is decisive from the side of a police to work out and implement effective risk-response and security policy in terms of LGBT. Firstly, we would like to stress that according to the Constitution of Georgia, Georgia is a secular state, where the state authority and the church are separated and independent from each other. The state should undertake effective steps with a view to ensure implementation of the principle in practice and to bring the legislation and conduct of relevant state officials in line with the Constitutional standards. It should do its best to relieve state agencies from religious influence. In a secular state, the Constitutional order and guarantees prevail over religious beliefs or moral opinions of individual groups. The state should protect without discrimination and treat equally all individuals. In this context we are concerned with evaluation of some politicians reporting that religious dogmas are more important rather than legislation. Furthermore, homophobic statements from number of high officials and politicians are also alarming. We consider that relevant political responsibility should be imposed upon them.

We regret, that while airing the happened, part of mass media applied the language of hatred itself, while others served as a tool for transition of such language, which comes in conflict with standards of media ethics. May 17 demonstrated once again the necessity of enhancing public discussions for promotion of tolerant environment by civil society and media.

Undersigned organizations take into account the challenges faced by the state in this moment and within our resources and mandate, express readiness to promotion of pluralistic, tolerant and human rights' oriented environment.

Furthermore, Georgian Orthodox Church should also carry out effective preventive measures with a view to curb further violence from clergy and parish and should

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reinforce its efforts for introducing of values based on peace and solidarity in society.

With this statement we also call on all relevant state agencies to pay special attention to anticipated action “No to Theocracy” on May 24 and to ensure constitutional rights of rally participants.

Georgian Young Lawyers' Association

Transparency International Georgia

Georgian Democracy Initiative (GDI)

Human Rights Education and Monitoring Center (EMC)

Article 42 of the Constitution

International Society for Fair Elections and Democracy (ISFED)