



საქართველოს
ახალგაზრდა
იურისტთა
ასოციაცია

საია შუქრუთელების შეკრების თავისუფლების დარღვევას ეხმიანება

GYLA addresses the violation of the freedom of assembly of Shukruti residents

[According to widespread reports](#), the residents of Shukruti village, who are protesting the damage caused to their living environment by the activities of "Georgian Manganese," have been prevented by the police from setting up their tents. Despite the rain, the demonstrators were not allowed to pitch their tents, even on the night of September 16.

We remind the Ministry of Internal Affairs that raising a tent is protected under the right to freedom of assembly and demonstration. The unjustified restriction of this right contradicts established [practices](#) of both the Constitutional and general courts, which affirm that "the right to assembly and demonstration includes the right to choose the place, time, form, and content of the assembly, including the possibility of erecting temporary structures." Given that the protest is peaceful and the raising of a tent at the protest site does not result in the artificial blocking of roads, disruption of traffic, or any other form of disturbance, it is clear that the police's blanket prohibition on setting up tents violates the freedom of assembly of the protestors.

It is also important to note that, given the prolonged hunger strike and adverse weather conditions, pitching a tent may be essential for protestors to exercise their freedom of assembly while minimizing health risks. [According to media reports](#), five participants of the protest have been on hunger strike for 16 days, and the health of 28-year-old Jambul Macharashvili deteriorated yesterday, requiring his temporary transfer to the hospital by emergency medical services.

This is not the first time the state has unjustifiably restricted the right to set up tents at protest rallies as a means of limiting the freedom of assembly. In 2023, the Parliament adopted amendments to the Law on Assembly and Manifestations and the Code of Administrative Offenses, which drew criticism from the civil sector, [the Public Defender of Georgia](#), and the international community, including the [OSCE/ODIHR](#). These legislative changes are currently subject to a presidential veto. If the veto is

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overridden and the changes are implemented, the [legal standards](#) governing the right to assembly and demonstration, particularly in the workplace, will be significantly weakened.

We call on the Ministry of Internal Affairs of Georgia to abandon the illegal practice of blanket bans on raising tents at protest rallies and to cease violating the right to assembly and demonstration of Shukruti residents.

1. For example, see [Statement](#) of the Public Defender on September 12, 2018; [Statement](#) of the Public Defender of Georgia of June 2, 2023; [Statement](#) of the Public Defender of Georgia of November 23, 2023;