



GYLA Representative Informed the Committee of Ministers of the Council of Europe on the Status of Execution of Identoba Group Cases

Tamar Oniani, Head of GYLA's International Litigation Team, participated in a joint meeting of the Committee of Ministers of the Council of Europe and representatives of the applicants or non-governmental organizations, organized by the partner organization European Implementation Network.

At the meeting, the GYLA representative briefed the Committee of Ministers on the status of the execution of the **Identoba Group cases**, and, in addition, also reviewed the violent events of July 5, 2021.

GYLA called on the Committee of Ministers not to close its supervision of the group's cases, but to continue considering the cases under enhanced supervision and to reconsider them at an oral hearing as soon as possible. It also presented to the Committee of Ministers the recommendations, the implementation of which is important for the full and effective execution of the Identitoba Group cases.

The Identoba Group includes 5 cases related to the state's inadequate protection from the inhuman and degrading treatment of LGBT + activists and Jehovah's Witnesses by natural persons, in connection with which the state has not conducted effective investigations including failure to establish a discriminatory motive. Also, one of the cases concerns the ill-treatment of LGBTQ + individuals with discriminatory motives by law enforcement agencies, including in the investigation process.

The following significant challenges to the process of executing Identoba Group Cases remain:

- **The legal status of the LGBT + community and Jehovah's Witnesses:** Despite the steps taken by the state, the legal status of LGBT + individuals and religious minorities, including Jehovah's Witnesses, remains a significant challenge. Discrimination on the grounds of sexual orientation, gender identity, and religion, including the effective exercise of freedom of expression and assembly for LGBT + people and Jehovah's Witnesses, remains a challenge.

- Non-existence of a Special Unit to Combat Hate Crimes in the Ministry of Internal Affairs: Despite numerous direct demands of the Committee of Ministers and the recommendation of the European Commission against racism and intolerance, the establishment of a special body to investigate hate crimes is still not implemented by the state.

- An effective investigation of hate crimes and the absence of discriminatory motives in the Code of Administrative Offenses of Georgia.

Judgments/Rulings delivered by the European Court of Human Rights will have a real, tangible effect only if the state ensures its effective execution at the national level. To this end, GYLA submitted reports on the Identoba Group cases to the Committee of Ministers in both 2020 and 2021. GYLA continues to monitor the state of execution of this group of cases and will continue to provide relevant updated information to the Committee.