



**HUMAN RIGHTS HOUSE
FOUNDATION**

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8 April 2011

Call for respect of the right to freedom of peaceful assembly

We, the undersigned members and partners of the Human Rights House Network (HRHN), condemn the recent repression of peaceful demonstrations in Tbilisi and call upon the Georgian authorities to fully ensure the right to freedom of peaceful assembly in practice and by law.

As a member of the Council of Europe, Georgia has committed itself to protect and promote human rights and fundamental freedoms, including the rights to freedom of expression and to freedom of peaceful assembly and association (Articles 10 and 11 of the European Convention for the Protection of Human Rights and Fundamental Rights (ECHR) of 4 November 1950). Such a commitment is also established in Article 7 of the Georgian Constitution.

Recent developments in Georgia indicate that authorities are set to reduce the right to freedom of peaceful assembly. Amendments to the Georgian Law on Assembly and Manifestations introduced in July 2009 restrict the right to assemble in front of official buildings and set a more burdensome procedure to receive an authorisation. Since then, several cases have demonstrated a negative impact of the amendments on the right to freedom of assembly.

On 23 November 2009, the leaders of the “7 November” movement were arrested for a peaceful sit-in on the sidewalk in front of the Georgian Parliament protesting against police violence and the killing of two young demonstrators, who voiced their demand for freedom of expression and media.

On 14 August 2010, peaceful protesters were arrested for expressing their demands to rename the George Bush Street in Tbilisi to Walt Whitman Street. Several poets were taken by police forces while reciting poems on a traffic island, although they were not blocking the traffic.

On 3 January 2011, a peaceful protest of war veterans on the Heroes’ Square in Tbilisi was violently dispersed by the Patrol Police. Protesters were physically assaulted by plain-clothes police officers who provided no identification. Subsequently, the Public Defender of Georgia addressed the Prosecutor General and the Minister of Internal Affairs in Georgia to take appropriate measures and to bring to justice those responsible for the violations.

Most recently, on 25 March 2011, a peaceful assembly was held in support of prisoners at the Ministry of Corrections, Probation and Legal Assistance, located at Kasbegi Avenue in Tbilisi. The assembly was violently dispersed and seven participants were arrested under the charges of breaching administrative law. As a consequence of taking part in these peaceful demonstrations, Merab

Chikashvili and Giorgi Kharabadze were sentenced to imprisonment of 20 days. Akaki Chikovani was sentenced to 10 days imprisonment. Giorgi Burjanadze, Otari Bekauri, Vladimir Sadgobelashvili and Besik Tabatadze were each fined 400 GEL (about 170 €). Notwithstanding the fact that the government facilities were blocked for a few minutes, such severe repression of demonstrators and use of harsh violence to disperse the above-mentioned assembly is a clear breach of the right to freedom of peaceful assembly.

The above-mentioned incidents illustrate the measures taken by the Georgian authorities to further diminish the right to freely express critical opinion in public and the right to peaceful assembly. At its Universal Periodic Review (UPR) in the United Nations Human Rights Council on the 28th of January 2011, Georgia has accepted to “safeguard full and unhampered enjoyment of freedom of expression” (recommendation 105.64 made by the Czech Republic). By allowing such a repression of demonstrators, the Georgian authorities clearly disrespect the rights to full and unhampered enjoyment of freedom of expression.

Further recommendations yet to be accepted by Georgia at the 17th session of the United Nations Human Rights Council in June 2011, are the recommendation 106.52 made by the Czech Republic (to “review the July 2009 Law on Assemblies and Manifestations imposing several restrictions on the right to assembly and to demonstrate in order to ensure free and unhampered enjoyment of this right.”), as well as the recommendation 106.42 made by the United Kingdom (to “ensure full accountability of law enforcement agencies, including by strengthening complaints procedures”). In light of the recent events, the necessity to accept these particular recommendations has become more pressing, in order to fight violent repression of demonstrations by police agents.

Concerned about the situation, we call upon the Georgian authorities:

- **To ensure and respect the rights to freedom of peaceful assembly and freedom of expression, provided in the ECHR and the Georgian Constitution;**
- **To immediately release the detained and imprisoned peaceful demonstrators and to cancel all administrative charges and fines against those who participated in the peaceful assembly on 25 March 2011. In addition, the State of Georgia is obliged to provide compensation to every detainee for the arrest or detention in contravention of the ECHR (Article 5 § 5):**
- **To take all necessary measures to protect those raising their voices publicly in peaceful demonstrations, including by accepting and implementing the UPR recommendations 105.64, 106.42, and 106.52.**

Belarusian Human Rights House in exile in Vilnius, Lithuania

Russian Research Center for Human Rights (on behalf of the following NGOs):

- Human Rights Network Group
- Independent Psychiatric Association of Russia
- Moscow Centre for Prison Reform
- Moscow Helsinki Group
- Mother's Right Foundation
- Non-violence International
- Right of the Child
- Right to Live and have Civil Dignity
- Social Partnership Foundation
- Union of the Committees of Soldiers' Mothers of Russia

Youth Human Rights Movement (the Russian Federation)

Human Rights House Tbilisi (on behalf of the following NGOs):

- Article 42 of the Constitution
- The Caucasian Centre for Human Rights and Conflict Studies (CAUCASIA)
- The Georgian Centre for Psychosocial and Medical Rehabilitation of Torture Victims (GCRT)
- The Human Rights Centre (HRIDC)
- Union 'Saphari' – Family Without Violence

Ukrainian Helsinki Human Rights Union

Human Rights House Sarajevo (on behalf of the following NGOs):

- Association of Female Citizens "Renaissance"
- Foundation CURE
- Helsinki Committee for Human Rights in Bosnia and Herzegovina
- Regional Co-ordinator for Youth Groups
- Serb Civic Council - Movement for Equality - The Council of the Sarajevo Canton
- Woman and Society Centre

Free Word Center (on behalf of the following NGOs):

- Article 19
- Index on Censorship

Helsinki Foundation for Human Rights (Poland)

Human Rights House Oslo (on behalf of the following NGOs):

- Health and Human Rights Info
- Human Rights House Foundation
- Norwegian Helsinki Committee

Copies sent to:

- UN Special Rapporteur on the rights to freedom of peaceful assembly and association, Geneva
- UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Geneva
- UN Special Rapporteur on the situation of human rights defenders, Geneva
- Directorate General of Human Rights and Legal Affairs of the Council of Europe, Strasbourg
- Office of the Commissioner for Human Rights of the Council of Europe, Strasbourg
- The Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe, Warsaw
- Mission of the Czech Republic to the United Nations at Geneva
- Mission of the United Kingdom to the United Nations at Geneva
- Members of the Parliamentary Assembly of the Council of Europe
- Delegation of the European Union in Georgia
- The Subcommittee on Human Rights of the European Parliament
- The Norwegian Ministry of Foreign Affairs
- The Standing Committee for Foreign Affairs of the Norwegian Parliament
- The Public Defenders Office in Georgia
- Members of the Parliamentary Assembly of the Council of Europe, Strasbourg

About the Human Rights House Network (www.humanrightshouse.org)

The Human Rights House Network is a forum of cooperation between established and emerging Human Rights Houses, uniting 70 NGOs in 15 countries in Western Balkans, Eastern Europe and South Caucasus, East and Horn of Africa, and Western Europe. HRHN's aim is to protect, strengthen and support human rights defenders and their organizations. The Human Rights House Foundation, based in Oslo (Norway) and Geneva (Switzerland), is the secretariat of the Human Rights House Network.