PUBLIC DEFENDER (OMBUDSMAN) OF GEORGIA

Report Submitted within the Framework of the United Nations Universal Periodic Review (UPR)

Human Rights Council – United Nations
Fourth Cycle – 2026

Public Defender (Ombudsman) of Georgia

(A status NHRI)

საქართველოს სახალხო დამცველი

Submitted on 17 July, 2025

Contact Information:

Office of the Public Defender of Georgia

Irakli Paghava Street N6, Tbilisi, 0144, Georgia

Email: info@ombudsman.ge

Website: www.ombudsman.ge

Tel: +995 (32) 299 58 98

Submission of the Public Defender (Ombudsman) of Georgia to the Universal Periodic Review

51st Session (January-February 2026)

INTRODUCTION

1. In fulfilment of its mandate as Georgia's National Human Rights Institution, the Public Defender's Office of Georgia (hereinafter "PDO") submits the present report as its contribution to the Universal Periodic Review (UPR) of Georgia.

2. The PDO considers it essential to underline a range of critical human rights issues that require urgent and sustained attention from the Government. The report includes information on implementation, notably as linked to recommendations from the 3rd cycle. Unfortunately, by the end of the reporting cycle, a number of systemic problems still exist, and concrete, long-term measures remain essential to ensure Georgia's full compliance with its human rights obligations.

HUMAN RIGHTS ALONGSIDE THE OCCUPIED TERRITORIES BY THE RUSSIAN FEDERATION

3. In the reporting period, the human rights situation in Georgia's occupied regions and adjacent territories remained dire. In 2024 particularly noteworthy were the tragic deaths of five children in the village of Saberio (occupied Abkhazia), [1] that once again clearly demonstrated the difficult daily life of the conflict-affected population.[2]

4. Illegal detentions by the Russian Border Guards along the occupation lines, is one of the key security challenges that local communities are facing. In 2024, 70 individuals (including 2 women and 2 minors) were illegally detained near the occupation lines – 36 in the direction of Tskhinvali and 34 in Abkhazia. As of December 2024, 14 Georgian citizens remained in unlawful custody: 11 in Tskhinvali region (so-called "South Ossetia") and 3 in Abkhazia.

5. Conditions in detention facilities, especially in Abkhazia, amount to torture and inhuman treatment. The main problems include: lack of medical care, poor hygiene, inadequate food, overcrowding, psychological abuse and violence, particularly affecting women and minors.[3]

[1] A day of mourning has been declared in occupied Abkhazia due to the tragedy in Saberio. Radio Tavisufleba, Available only in Georgian, < https://shorturl.at/csRnN > [04.06.2025].

[2] Public Defender's Statement on Death of 5 Minors in Fire in Saberio Village of Occupied Gali District, 05.01.2025 < https://shorturl.at/5Ojmb > [04.06.2025].

[3] 2024 Parliamentary Report, Public Defender of Georgia, 2025, page 17.

6. Freedom of movement remains heavily restricted. So-called checkpoints are frequently closed without prior notice, particularly during public holidays and political events.

7. Ensuring access to education in the native Georgian language remains one of the most challenging issues in the occupied regions of Georgia. In the schools of occupied Gali and Akhalgori, teaching in Georgian has been entirely banned. Instead, the Georgian language has been reduced to a single subject, categorized as foreign language and literature, undermining the right to education of Georgian-speaking children. All subjects are taught in Russian using textbooks from the Russian Federation. Teachers and students are prohibited from communicating with the Georgian educational space. Russian-language education is forced in kindergartens and art schools as well. [4] In 2024, the last Georgian-language school in Akhalgori was closed due to the decline in student numbers.[5]

8. Poor medical services, inadequate infrastructure, and unqualified medical staff remain major challenges in the occupied regions of Georgia. Considering the existing situation, the "referral service" programme available in the territory controlled by Georgia is of vital importance for people living in the occupied territories. During 2024, 1,417 patients from the occupied territories were financed under this programme. The process of transferring patients to Tbilisi-controlled areas involves multiple bureaucratic stages and requires approval from de facto authorities, which often causes dangerous delays. [6]

9. Residents of villages alongside the occupation line continue to suffer from the effects of ongoing "borderization"-causing violation of their property rights and arbitrary detentions. They face socio-economic hardship including lack of jobs, lack of irrigation, inadequate healthcare and infrastructure, and limited access to public services. The absence of educational and cultural institutions contributes to youth migration and demographic decline.

10. Under the conditions when the Public Defender of Georgia does not have access to the occupied territories, this situation once again emphasizes the need to allow international monitoring missions to operate in the occupied regions in order to fully study the situation on the ground and record human rights violations.

RIGHT TO LIFE

11. The right to life remains a severe challenge in the occupied territories of Georgia. The killing of Tamaz Ginturi by the occupation regime in 2023 was particularly alarming.[7] This is a reflection of the ineffective investigation of the murders committed in recent years with the involvement of representatives of the occupation regime, such as the murders of Davit Basharuli in 2014, Giga Otkhozoria in 2016, Archil Tatunashvili in 2018 and Irakli

[4] Information provided by a representative of the Gali resource centre of the ministry of education of the Abkhazian autonomous republic 12.01.2025.

[5] 2024 Parliamentary Report, Public Defender of Georgia, 2025, page 20.

[6] Ibid. page 22.

[7] Statement of the Public Defender of Georgia of November 6, 2023. < https://shorturl.at/WLLwE > [10.07.2025]

Kvaratskhelia in 2019, for which the Russian Federation bears responsibility. [8]

12. Preventing gender-motivated killings of women – femicide – and the effective implementation of justice and law enforcement functions in such cases continues to be a challenge throughout Georgia. The identification of gender-based motives is still a problem at both the investigative and judicial stages.[9]

13. On August 3, 2023, in Shovi, Georgia, a natural disaster resulted in the death of 32 people, while the body of one person has not been found and is still considered missing to this day. As a result of reviewing the case materials of the ongoing investigation, the PDO arrived at the conclusion that the ongoing investigation fails to determine whether the cause of the fatalities in Shovi due to the natural disaster was the result of state inaction.

14. The investigation has not yet established whether the state knew or should have known about the impending natural disaster in Shovi and whether it took all necessary and reasonable measures to prevent the violation of the right to life. The investigation has also not obtained detailed information about the state's obligations and their implementation with regard to the installation of early warning and alert systems to prevent the dangers posed by natural disasters.

15. According to Public Defender's assessment, the materials reviewed in the case point to several factors suggesting that the state may have had knowledge of a life-threatening situation or, alternatively, that it should have had such information. Consequently, it is critically important for the investigation to determine whether the state took any action based on this data to mitigate the risks of a natural disaster — and if not, what was the reasons of such inaction.[10]

16. In addition, problematic issues arise regarding the effectiveness of investigation, in particular, lack of concrete investigative actions hindering the investigation's ability to assess the rescue operations.[11]

PREVENTION AND INVESTIGATION OF TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

17. During the reporting period, Georgia has faced significant challenges in its administration of justice and law enforcement, marked by public protests, the use of excessive police force, and concerns over accountability. Particularly concerning were the human rights violations observed during the spring and winter protests of 2024. The PDO notes that instances of alleged ill-treatment by law enforcement officers against protesters, including journalists and politicians, appeared systemic and, at times, widespread.[12] Persons who were subjected to alleged ill-treatment mainly indicated deliberate physical violence by law

[8] The decision of the European Court of Human Rights of January 21, 2021, which unequivocally confirmed the effective control of the Russian Federation over the uncontrolled territories of Georgia and held Russia responsible for human rights violations on the ground. < https://shorturl.at/tCVZ6 > [20.02.2024].
[9] 2024 Parliamentary Report, Public Defender of Georgia, 2025, page 29.
[10] Ibid, page 26-27.
[11] Ibid, page 27.
[12] Ibid, page 61-62.

enforcement officers in retaliation for their expressed civil position. The PDO also points out that there were unidentified groups of individuals who used physical violence against the protestors and targeting journalists on site. The scale of police abuse, combined with the inaction of law enforcement on the ground, contributed to a climate of impunity. While hundreds of protestors have been detained under Administrative Offences Code and approximately 50 protestors have been arrested under criminal law, no police officers have been held responsible for their actions, despite some officers being easily identifiable. [13]

18. It is deeply concerning that the investigation conducted by the State Inspection Service (SIS) remains ineffective. In fact, it is episodic and revolves around the isolated members of police units while the focus should be the entire chain of command. At the same time, one of the aspects that objectively hinders the investigation is that the police units dispatched to disperse the demonstrations were unidentifiable as they do not carry any distinctive insignias.

19. Unfortunately, opposed to UPR recommendations (148.103; 148.104; 148.105; 148.106) given to Georgia from the third review cycle calling to strengthen the SIS, including by ensuring its independence in the investigation of crimes by law enforcement officials, on June 24, 2025 the Parliament of Georgia adopted a law that abolished SIS and transferred its functions to the Prosecutor's Office. [14] The Public Defender negatively assesses this fact and calls it a significant step backwards.

20. In most reviewed cases, including ongoing and closed investigations (excluding 2024 protests), SIS maintained appropriate standards of competence, thoroughness, and timeliness. Despite its shortcomings, abolishing the SIS is unjustified and risks weakening human rights protections.

21. In addition, SIS stood out for its transparency and victim-centered approach. Unlike other investigative bodies, SIS allowed victims—regardless of their procedural status—access to case files, ensuring their engagement in the process.

NATIONAL MINORITIES

22. It is important to note that existing consultative mechanisms in Georgia do provide a platform where representatives of national minorities can express their concerns and interests. However, the said mechanisms do not meet the standards set by the Advisory Committee of the European Framework Convention for the Protection of National Minorities. There is no legislative obligation for state authorities to cooperate with or consult these bodies. Moreover, their involvement in decision-making processes is not regular. As a result, the work of consultative mechanisms in Georgia lacks an institutionalized form of dialogue with the highest bodies of legislative and executive power. Therefore, concrete steps must be taken to strengthen these mechanisms and ensure their effectiveness.

[13] December 2, 2024, Public Defender's Statement on Detentions and Use of Disproportionate Force against Detainees, Available at: https://shorturl.at/vGU7k [10.07.2025]

[14] Legislative changes are available only in Georgian language at: https://info.parliament.ge/#law-drafting/30773 [11.07.2025]

23. Unfortunately, linguistic and informational barriers remain the primary challenges that have hindered members of national minorities for years across multiple areas. To achieve full civic integration of national minorities, it is essential to strengthen the teaching of the state language at both the preschool and general education levels. As of November 1, 2024, there are 65 public preschool institutions in Georgia composed of non-Georgian speaking groups, but the bilingual program is implemented in only 34 of them. It is also significant that only 169 public schools were participating in the bilingual education model, out of a total of 290 non-Georgian-language schools or sectors in Georgia.[15]

24. While the LEPL Zurab Zhvania School of Public Administration offers representatives of national minorities the opportunity to learn the state language through its Language Teaching and Integration Program, the program does not offer the possibility to acquire professional qualifications in the state language. This limitation ultimately hinders the competitiveness of national minority representatives in the labor market. In addition, there is necessity to carry out active and widespread dissemination of information to the public about the work of the LEPL Zurab Zhvania School of Public Administration.

25. To achieve the full civic integration of national minorities, it is also important to preserve and promote their cultural heritage. Unfortunately, the number of activities carried out specifically for the promotion of national minority cultures remains low.[16]

ECONOMIC AND SOCIAL RIGHTS

26. Regrettably, despite some minor improvements in certain areas, the country still lacks a unified vision regarding steps to prevent homelessness. The causes and scale of homelessness remain unstudied, and there is no centralized database of homeless individuals.

27. Despite numerous proposals and recommendations over the years, a legislative framework ensuring the realization of the right to adequate housing has yet to be adopted. Moreover, Georgian legislation still lacks a legal definition of homelessness. It is also noteworthy that the law does not set minimum standards for the provision and arrangement of social housing intended for homeless individuals.

28. The situation remains critical in social housing facilities (located in the municipalities of Gori, Kutaisi and Ozurgeti), where conditions are severely inadequate. In some cases, living in these facilities poses a threat to life and/or health.

29. In terms of targeted social assistance, systemic issues persisted throughout the reporting period. One significant problem was the lengthy delay in the process for assigning subsistence allowances, which takes more than three months. Additionally, beneficiaries of these allowances are entitled to a range of supplementary benefits and services, such as access to free canteens, medicines, student grants, firewood, and subsidized utility bills, as well as transportation subsidies. These additional supports, however, are also affected by delays.[17]

[15] 2024 Parliamentary Report, Public Defender of Georgia, 2025, pages 276-277.
[16] Ibid, page 271.
[17] Ibid, 226-227.

30. The state has still not developed unified minimum standards for soup kitchen services, and the menus remain outdated and fail to meet beneficiaries' diverse nutritional needs.

FREEDOM OF EXPRESSION & FREEDOM OF ASSEMBLY

31. The PDO's human rights monitoring and reporting has found evidence of laws, policies and/or state measures that negatively impact on freedom of association, freedom of assembly and freedom of expression.

32. The Parliament of Georgia adopted significant legislative amendments, several of which do not comply with human rights standards. Amendments to the Administrative Offenses Code,[18] significantly increased fines and penalties for various violations, particularly in relation to protests. Specifically, fines for blocking traffic (ibid, Article 125 (6^1), graffiti (ibid, Article 150), vandalism (ibid, Article 166(2), and carrying prohibited items during demonstrations have been sharply increased (ibid, Article 174-1(4), and penalties for repeat offenses also increased. Further, the new amendments reduced the possibility of criticizing government officials.[19]In certain instances, administrative arrests have also been introduced. (ibid, Article 150.4., 166^2).

33. The amendments to the Law on Assemblies and Demonstrations expand the list of prohibited items during rallies while banning the covering of faces. (The Law on Assemblies and Demonstrations Article 11(2)). Although similar restrictions are common in many Western countries, in most cases, the legislation of these countries, international human rights standards and the practice of the European Court of Human Rights indicate that this ban is not unconditional or blanket. It is important, in this case, for legislation to ensure and protect the balance between freedom of expression and security interests.

34. Moreover, an amendment to Article 244 of the Administrative Offence Code expands the police's scope for arbitrary detention, including allowing detention to "timely" bring the offender to court or to "prevent" the offender from protracting court proceedings, from avoiding participation in administrative proceedings, or from repeating an administrative offence. The Public Defender believes that the amendments lack sufficient clarity and foreseeability. Such vague legislative provisions create substantial risks of imposing disproportionate restrictions on human rights.

35. Based on the request of the Public Defender, the abovementioned amendments made to the Law of Georgia on Assemblies and Demonstrations and the Administrative Offences Code were assessed by the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR). According to the report, some of the new legislative amendments, including the requirement of immediate notification for spontaneous assemblies, general prohibition of holding assemblies inside closed spaces or buildings without the owner's prior written

[18] Legislative changes available only in Georgian at: < https://matsne.gov.ge/ka/document/view/6330635 > [11.07.2025]

[19] Amendments are available at: < https://bit.ly/3CZJ5ud > [28.02.2025].

agreement, content-based restrictions on assemblies, the prohibition to erect temporary structures or blanket prohibition to cover one's face with masks or by other means, as well as severe administrative or criminal sanctions, should be removed or reconsidered entirely.[20]

36. Furthermore, the draft law on "Transparency of Foreign Influence" was initiated in the Parliament of Georgia in 2023. The draft law was criticized by the PDO claiming that it significantly affected freedom of association and expression as well as, by implication, limited the access to foreign funding. [21] The bill was withdrawn after large protests on 7-9 March 2023, however in 2024 the government reinitiated and then the parliament adopted the bill on the same subject with minor changes. [22] The parliament also adopted the Law on Transparency of Foreign Influence, which the law was passed in parallel with widespread public protests. The PDO points out that the authorities have violently dispersed those demonstrations.[23]

37. A new wave of protests has been unfolding for over three months, starting in the capital and various regions on November 28, 2024, after the decision of the government to suspend EU integration process till 2028. In some cases, authorities responded to demonstrations with excessive force, using water cannons, tear gas, leading to numerous injuries, hospitalizations. Public Defender raised concerns regarding failure to apply targeted and individual restrictive measures against violent participants of the manifestations, rather than the dispersal of entire rallies by the Police. [24]

[20] OSCE/ODIHR Urgent Opinion of 6 March 2025 on the Amendments to the Law of Georgia on Assemblies and Demonstrations, the Administrative Offences Code and the Criminal Code, available at: < bit.ly/4bJeLkl > [21.03.2025].

[21] Statement of Public Defender's Office on Draft Law of Georgia on Transparency of Foreign Influence, 17.02.2023. < https://shorturl.at/pqKPj > [11.07.2025]

[22] LAW OF GEORGIA ON TRANSPARENCY OF FOREIGN INFLUENCE, available at: https://matsne.gov.ge/ka/document/view/6171895?impose=translateEn [11.07.2025] 2024 Parliamentary Report, Public Defender of Georgia, 2025, page 161.

[23] Initial Monitoring Results of April 16-17 Protests, Statement of Public Defender of Georgia, 17.04.2024, < https://shorturl.at/PF8jy > [11.07.2025]

[24] 2024 Parliamentary Report, Public Defender of Georgia, 2025, pages 142-143.