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*Working Session 3: Freedom and Assembly and Association*

*Nazibrola Janezashvili, Executive Director*

*Georgian NGO 'Article 42 of the Constitution'*

I would like to express concerns of Georgian Human Rights NGO Article 42 of the Constitution as a member of Human Rights House Tbilisi, about the increased tendency of the violation of the right to freedom of peaceful assembly and association in Georgia.

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. Such a commitment is also guaranteed by the Georgian Constitution.

Recent developments in Georgia indicate that authorities are set to reduce the right to freedom of peaceful 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 Police.
- On 25 March 2011, a peaceful assembly was held in support of prisoners at the Ministry of Corrections, Probation and Legal Assistance, located in Tbilisi. The assembly was violently dispersed and seven participants were arrested under the charges of breaching administrative law.

Most recently, on 25 and 26 May 2011, hundreds of opposition supporters gathered in front of the Parliament building at Rustaveli Avenue in Tbilisi and were violently dispersed when their rally permit expired at midnight. During this events policemen, journalists and civilians were injured while more than 100 persons were arrested. Furthermore, some of those detained were reportedly beaten in custody and not given the possibility to communicate with their relatives and lawyers. Many were transferred several times to different temporary detentions without further notice to their respective families or lawyers raising fears about their safety.

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.

Concerned about mentioned situation in Georgia, we ask upon the OSCE to monitor:

- That right to freedom of peaceful assembly and association guaranteed by the international conventions and constitution of Georgia is ensured and respected by the government of Georgia.