



საქართველოს ახალგაზრდა იურისტთა ასოციაცია

საიამ ე.წ „იდენტობის ჯგუფის საქმეებზე“ ევროპის
საბჭოს მინისტრთა კომიტეტს წერილობითი
კომუნიკაციით მიმართა

GYLA applied to the Committee of Ministers of the Council of Europe by a written communication on the so- called "Identoba Group cases"

On July 22nd, 2020, GYLA submitted written opinions to the Committee of Ministers of the Council of Europe on the fulfillment of the commitments made by the Georgian authorities in the form of general measures on the so-called "Identoba Group cases".

The Committee of Ministers has been supervising 4 decisions of the European Court of Human Rights against Georgia since 2007 ([*Case of Identoba and Others v. Georgia*](#), [*Case of 97 members of the Gldani Congregation of Jehovah Witnesses and four others v. Georgia*](#), [*Case of Begheluri and Others v. Georgia*](#), and [*Case of Tsartsidze and others v. Georgia*](#)) which is united under the so-called "Identoba Group". Case of Identoba concerns the state's inadequate protection of peaceful LGBT + activists from

violence by counter-demonstrators and the failure to conduct an effective investigation into the incident. The other three cases concern the use of force and attack against the Jehovah's Witnesses by various groups, including extremist Orthodox Christians and, in some cases, state officials, and the failure to conduct effective investigations into these incidents. The Committee of Ministers will consider the so-called cases of the Identoba Group from September 29 to October 1, 2020, within the framework of the working group.

As of today, the LGBT + community and Jehovah's Witnesses are one of the most vulnerable groups. Accordingly, in the submitted communication, GYLA highlighted the dire situation with regards to the legal rights in which these groups find themselves as well as the remaining challenges of the ineffectiveness of investigations into alleged crimes against the LGBT + community and Jehovah's Witnesses in the process of enforcing Identoba Group cases and failure to establish a discriminatory motive. [Despite the recommendation of the Committee of Ministers and the European Commission against Racism and Intolerance](#), a special unit has not yet been set up in the Ministry of Internal Affairs to combat hate crimes. The issue of exercising freedom of expression and assembly of the LGBT + community is also problematic. To date, there is no single statistical mechanism existed that would enable state structures to see the full picture of hate crimes. In addition, the problem is the lack of awareness-raising campaigns among the population, which would aim at eliminating the discriminatory attitudes and stigmas against the LGBT + community and Jehovah's Witnesses.

In the submitted document, GYLA provided the Committee of Ministers with a detailed analysis of the above-mentioned problems together with the relevant recommendations, the implementation of which is important for the state in order to properly and effectively enforce the cases of the Identoba Group. This will ensure the restoration of the violated rights and justice directly for the victims, as well as improve the legal status of the LGBT + community and Jehovah's Witnesses in Georgia in general.

The full text of the written opinions submitted by GYLA in English can be found in the attached file.