



Annual Report



MARKING THE 10TH ANNIVERSARY OF
OUR FIGHT FOR DEMOCRACY



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Donors

- **United Nations Association of Georgia (UNAG), USA Development Agency USAID**
- **East-West Management Institute (EWMI), PROLoG, USAID**
- **Open Society Foundations**
- **Civil Rights Defenders (CRD)**
- **Institute for War and Peace Reporting (IWPR), Program - Building Resilience in the Eastern Neighbourhood(BREN) / UK Government**
- **Human Rights House Tbilisi**
- **European Endowment for Democracy (EED)**
- **European Union for Georgia**
- **The Swedish Association for Sexuality Education (RFSU)**
- **Embassy of the Kingdom of the Netherlands in Georgia**
- **Atlas Network**

Coalitions

- **Media Advocacy Coalition**
- **Coalition for an Independent and Transparent Justice**
- **Coalition for Equality**
- **Civic Platform No to Phobia!**
- **Coalition for Euro-Atlantic Georgia**
- **Coalition Against SLAPPs in Europe (CASE)**

About Us

*” Our vision is to help create an environment where the state is formed by the people
and the state serves the individuals “*

Georgian Democratic Initiative (GDI) is an independent, non-governmental, and non-profit organisation founded on December 17, 2012.

The organisation’s goal is to:

- *Establish the rule of law in the country;*
- *Promote the raising of public awareness through civic education;*
- *Promote the development of democratic institutions;*
- *Promote the formation of a fair, equal, and tolerant environment;*
- *Promote the accountability and transparency of government branches.*

To achieve these objectives, the organisation sets out the following tasks: a) the promotion of human rights and the supervision of their implementation; b) the encouragement of an inclusive society and a tolerant environment; c) the strengthening of democratic governance and the rule of law; d) the promotion of accountability and transparency of public institutions. GDI serves these purposes through monitoring, public debate, evidence-based research, and policy analysis.

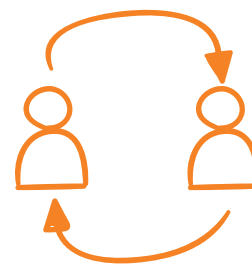
Within the scope of the main areas of its operations, the organisation brings together highly qualified professionals with extensive experience in research, advocacy, and monitoring. The expertise, experience, impartiality, and credibility of the team members determine the leading role of the Georgian Democratic Initiative in the discourse on human rights and democratic development policy in Georgia.

The supreme governing body of the organisation is the Constituent Assembly which is convened by the board or one of the founding members. The board, chaired by Eduard Marikashvili since January 2021, serves as the governing body of the organisation.

The organisation operates in four main directions:

- ***The rule of law;***
- ***Protection of civil and political rights;***
- ***Strategic litigation;***
- ***Civic education.***

Our Team



EDUARD MARIKASHVILI

Chairperson of Board



NINO TSAGAREISHVILI

Financial Manager



MARINE KAPANADZE

Civil and Political Rights Program
Director



GVANTSA TSULUKIDZE

Rule of Law Program Director



NINO EREMASHVILI

Public Relation/Civic education
Program Director



DAVID JANDIERI

Head of the International Litigation
Team



RAPHIEL KAKAVADZE

Lawyer



MARIAM KVARIANI

Lawyer



SALOME GOMARTELI

Lawyer



EKATERINE SUBELIANI

Lawyer



VASIL ZHIZHILASHVILI

Lawyer



MARIAM TAGANASHVILI

International Litigation Lawyer



VIKA KAKHIDZE

Administrative Assistant



ANA GAGNIDZE

Intern



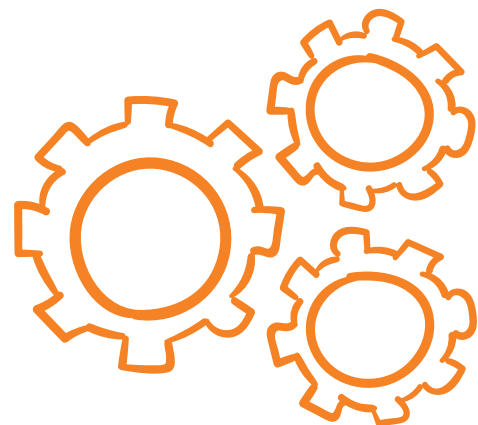
NINO SHELIA

Intern

GDI Board

GDI Board

- ▷ **EDUARD MARIKASHVILI**- CHAIRPERSON OF THE BOARD
- ▷ **GIORGI TUGHUSHI**- BOARD MEMBER
- ▷ **GIORGI MSHVENIERADZE**- BOARD MEMBER
- ▷ **GIORGI VASHAKIDZE** - BOARD MEMBER
- ▷ **NINO EREMASHVILI**- BOARD MEMBER



Address of the Head of the Organisation

MARKING THE 10TH ANNIVERSARY OF OUR FIGHT FOR DEMOCRACY

December 17, 2022, marked ten years since the establishment of the Georgian Democratic Initiative (GDI). Our team chose the headline "Marking the 10th Anniversary of Our Fight for Democracy" to celebrate the anniversary of our organisation together with our friends and partners. Since human rights and democracy have never been the subjects of consensus throughout the recent history of Georgia, the situation is more akin of a battlefield.

2022 was no exception in that regard. The unprovoked and completely unjustified war in Ukraine initiated by Russian Federation critically intensified threats to human rights from both an individual and a values perspective. This year, the attempt of autocracy to triumph over democracy became more tangible than in the past few decades, as authoritarian forces sought to convince people of the weakness and impotence of democracy.

However, currently, the world witnesses what a strong and consolidated democracy can achieve. The international community can stand up to the autocracy, the sole purpose of which is to sabotage the mechanisms of public control directed at the governments and trample human dignity under its feet.

The global events that brought about the change in the established world order also affected Georgia. The Georgian government, which had previously tried and successfully concealed its autocratic tendencies, was exposed. As the Russian Federation began its assault on democracy through autocratic means, the Georgian government was forced to take steps in pursuit of its true objectives. These events coincided with the openly expressed will and determination of the Georgian people to align with the democratic world and reject autocratic Russia together with its allies as we seek candidacy for EU membership.

2022 marked the Georgian government's disassociation from the West and renunciation of Western values. The government's proactive measures have impaired and continue to undermine the will and ambition of the Georgian people to establish democracy. The open denial of the concept of democracy has directly impacted the standard of human rights protection within the country and the underlying concerns that GDI has been addressing for several years.

We had to operate against the background of the abovementioned circumstances in 2022. The politically motivated arrest of the Director of TV company Mtavari Arkhi, Nika Gvaramia, further highlighted the authorities' initiation of a decisive battle aimed at dismantling the last effective mechanisms of public control, critical media, and civil society. The attack on the media was followed by laying the groundwork for an institutionalised assault on civil society organisations, including attempts to discredit them in the eyes of the public and prepare the population for new large-scale repressions. The materialisation of this objective was imminent at the beginning of 2023 if it were not for the vigorous actions of civil society that stood up against the adoption of the legislation reminiscent of the Russian practices in Georgia.

While navigating the challenging circumstances at hand, the GDI team dedicated significant efforts towards safeguarding media rights and journalistic freedoms, prioritising this objective as a crucial area of focus for the organisation. Pioneering a systematic approach in Georgia, we launched efforts to combat Strategic Lawsuit Against Public Participation (SLAPP), an emerging threat to media freedom. Additionally, we championed the rights of activists and peaceful protesters, recognising the

fundamental importance of freedom of expression for the sustenance of a democratic society.

With an unwavering commitment to advancing the right to equality at national and international levels, we persistently pursued our advocacy efforts. Operating under the auspices of the No to Phobia! platform, we collaborated with fellow members to combat discrimination and hate speech. Furthermore, we remained dedicated to empowering the LGBTQ+ community, recognising that promoting equality is a cornerstone of the rule of law and freedom.

Our determination and effort to improve the Georgian justice system have not wavered. We have dedicated ourselves to identifying and monitoring systemic issues while collaborating with partners to advocate for judicial reforms. Through the Know Your Judges initiative, we have introduced the public to judges whose adjudication affects them either directly or indirectly. We operate with the guiding principle that an independent and impartial judiciary is the bedrock of a democratic society.

Through strategic litigation, we have been trying to affect the existing legal reality to improve the human rights situation in Georgia. A strategic combination of knowledge of human rights and related legislation is a powerful approach towards effectuating tangible changes.

We persisted in our active pursuit of providing civic education to young people, as we firmly believe that individuals who are informed, engaged, and cognisant of their civic responsibilities possess the capacity to effect positive change. The events of March 2023 served as a testament to this belief.

We have been and continue actively advocating for Georgia's accession to the European Union. We strongly believe that Georgia's integration into the Euro-Atlantic community is a viable path with no alternatives that align with Georgia's history, constitution, and the unyielding determination of Georgian citizens.

Once more, we stood up for safeguarding human dignity and freedom as the most fundamental values.

I would like to express my gratitude to the GDI team and all those who have supported and stood by our side in this struggle.

The fight for freedom continues!

Eduard Marikashvili



Civil and Political Rights Program

The Civil and Political Rights Program combines three main areas of operation: strategic litigation, promoting the protection of civil and political rights, and advocating for the issues of equality. The program has been steadfast in its efforts to safeguard and fortify fundamental rights in Georgia, such as freedom of expression, freedom of assembly, freedom of religion, and non-discrimination. The organisation offers legal aid, strategic litigation, monitoring, advocacy, awareness-raising campaigns, and other measures to reinforce human rights in the country. Our focus is enhancing legislation, uprooting the detrimental practices of rights violations, and improving the legal landscape for vulnerable groups in Georgia.

1. Strategic Litigation

In 2022, GDI persisted in its strategic litigation efforts at the national level while also taking a more active approach towards the European Court of Human Rights appeal mechanism. Within the framework of strategic litigation, GDI's goal is to improve the legislation and administrative and judicial practices by bringing a significant number of cases before the courts, which ultimately results in higher standards for the protection of human rights.

1.1 Successful Cases

Makarashvili and Others v. Georgia

On September 1, 2022, the European Court of Human Rights upheld GDI's appeal in the case of Irakli Kacharava.¹ The decision concerns the mass arrests on November 18, 2019, at the protests held near

¹ Case of Makarashvili and others v. Georgia, Applications Nos. 23158/20, 31365/20, 32525/20.

the Parliament of Georgia.² The court found a violation of Article 6 and Article 11 of the Convention by the state against Irakli Kacharava and ordered the government to compensate for damages in the amount of 1,600 Euros.³ The court highlighted all the existing systemic mechanisms utilised by the Georgian authorities over the years to suppress peaceful assembly and demonstrations, both in terms of legislation and practice.⁴

Birzha Mafia Case

In December 2022, the 4-year-long dispute was successfully concluded in the Birzha Mafia case adjudicated by the general courts. The plaintiff, Giorgi Keburia, was represented by GDI. The lawsuit followed the arrest of Giorgi Keburia and Mishka Mgaloblishvili, members of Birzha Mafia, in June 2017, on charges of the illegal purchase and storage of large quantities of narcotics.⁵ The arrest followed the publication of a video clip by the Birzha Mafia. The video depicted the figure of a policeman in a creative context.⁶ The members of the Birzha Mafia argued that the actual reason for the arrest was their clip, in which the policeman is tied to a leash (depicted like a dog).⁷ On June 9, 2017, the Tbilisi City Court imposed pretrial detention on Giorgi Keburia as a preventive measure. However, on appeal, the Tbilisi Court of Appeal substituted the detention order with a release on bail in the amount of 20,000 GEL.⁸ The criminal prosecution against Keburia was terminated on December 15, 2017, based on the prosecutor's order, due to the absence of signs of the crime.⁹ GDI applied to the Tbilisi City Court for compensation for material and moral damages on behalf of Keburia. In 2021 the court granted the claim and charged the Prosecutor's Office of Georgia with compensation for moral and material damages.¹⁰ The courts of the second and third instances upheld the decision. In particular, the Supreme Court upheld the decision of the Court of Appeal of November 9, 2021, in the same case and ordered the Prosecutor's Office of Georgia to compensate for moral and material damages in the amount of 24,140 GEL in favour of Giorgi Keburia for illegal arrest, illegal imprisonment and criminal prosecution.¹¹

Case of Giorgi Lomidze v. NNLE Georgia's Reform Association

The GDI achieved a successful outcome in the Tbilisi City Court regarding the case of Giorgi Lomidze v. the NNLE Georgia's Reform Association (GRASS). The lawsuit was brought by Giorgi Lomidze to dispute reports mentioned in an [article](#) published on FactCheck.ge. The article alleged that Giorgi Lomidze's [video address](#) on the use of hydrogen peroxide (peroxide) in the course of the treatment of various diseases contained misinformation. The plaintiff demanded the rejection of the reports and 3 million GEL in moral damages. GDI represented GRASS in the proceedings. The court agreed with our arguments that the disputed statements did not harm the plaintiff's honour, dignity, and business

2 Georgian Democratic Initiative, Human Rights in Georgia, 2022, p. 16
3 Georgian Democratic Initiative, Human Rights in Georgia, 2022, p. 16
4 Georgian Democratic Initiative, Human Rights in Georgia, 2022, p. 16
5 The Prosecutor's Office stopped the prosecution of Giorgi Keburia, a member of Birzha Mafia, visit: <https://bit.ly/3k9WDt8>; GDI applied to the court for moral damages in the case of Birzha Mafia, visit: <https://bit.ly/3Qzx5l>
6 GDI: Keburia's 4-year-long dispute over Birzha Mafia concluded successfully, visit: <https://bit.ly/3XvUg2j>
The Prosecutor's Office stopped prosecuting Giorgi Keburia, a member of the Birzha Mafia, visit: <https://bit.ly/3k9WDt8>
7 GDI: Keburia's 4-year-long dispute over Birzha Mafia concluded successfully, visit: <https://bit.ly/3XvUg2j>
The Prosecutor's Office stopped prosecuting Giorgi Keburia, a member of the Birzha Mafia, visit: <https://bit.ly/3k9WDt8>
8 The court ordered the prosecution to pay 36,815 GEL in favour of Giorgi Keburia, visit: <https://bit.ly/3QGfAQu>
9 The Prosecutor's Office stopped prosecuting Giorgi Keburia, a member of the Birzha Mafia, visit: <https://bit.ly/3k9WDt8>
10 The court ordered the prosecution to pay 36,815 GEL to Giorgi Keburia, visit: <https://bit.ly/3QGfAQu>
11 GDI: Keburia's 4-year-long dispute over Birzha Mafia concluded successfully, visit: <https://bit.ly/3XvUg2j>

reputation. Therefore, the court dismissed the case entirely. We believe that the court's decision to dismiss Giorgi Lomidze's lawsuit will have a positive impact on the protection of freedom of speech and expression, particularly considering the high rate of settlements of defamation disputes in general courts.

General Proposal of the Public Defender in the Case of Lasha Chkhvimiani

The direct representation of GDI in the case of Lasha Chkhvimiani has resulted in a noteworthy general proposal from the Public Defender to the Ministry of Culture, Sports and Youth of Georgia. The case involves allegations of discrimination on the grounds of the difference of opinions made by three participants, including Lasha Chkhvimiani, during a selection competition for artistic directors of professional state drama theatres. After reviewing the application, the Public Defender issued a general proposal calling upon the Ministry of Culture, Sports, and Youth of Georgia to modify the regulations of the recommendation council for selecting artistic director candidates. The proposal also advised the utilisation of discretionary authority to appoint a director without competition only in exceptional cases. Despite the existence of such discretionary authority, the will of the legislator derived from the relevant provisions indicated the essential importance of the participation of specialists in the field while selecting candidates. Failure to do so may increase the risk of forming a favourable ground for interference in the rights to participate in professional and cultural life, freedom of thought, expression and creativity. Furthermore, this may give rise to allegations regarding the existence of subjective, biased, discriminatory treatment and interference in creative activities.

GDI, in collaboration with ISFED, persists in protecting the interests of Lasha Chkhvimiani before the Constitutional Court of Georgia. Specifically, we pleaded before the Constitutional Court to recognise as unconstitutional the legal provisions that grant boundless discretion to the Ministry of Culture, Sports, and Youth of Georgia to revoke the selection competition of artistic directors based on its own discretion. Under disputed norms, the minister retains the right to select a new artistic director unilaterally after the termination of the selection process. According to GDI, this confers the potential for discriminatory decision-making during the candidate vetting process.

Cases of Nino Gergedava

The cases of Nino Gergedava, the beneficiary of GDI, are associated with the incidents that unfolded at MacLaren's Irish Pub. Specifically, Nino Gergedava was present at the pub on September 30, 2018. She objected to the Russian music playing in the background. This led to a verbal dispute between her and the pub's management. Following the argument the security personnel were summoned to the premises. Nino Gergedava captured footage of the physical violence against her on her mobile phone, which is documented in a video. She shared a post on her personal Facebook page in response to the incident, where she voiced criticism towards the establishment. This post gained a significant amount of attention from the community, resulting in several users visiting the pub's page and leaving a rating of 1. Furthermore, the pub released a defamatory statement containing inaccurate information. Specifically, according to their post, Nino Gergedava had stood on a table in a drunken state, shouted and disturbed other visitors, necessitating her forcible removal. The pub also referred to Nino Gergedava's post as being defamatory.

GDI filed a lawsuit on behalf of Nino Gergedava with the Tbilisi City Court. We argued that the statement published by the pub was defamatory and requested the imposition of moral damages to the plaintiff. Nino Gergedava's request was satisfied by the decision delivered on November 3, 2022, by the Chamber of Civil Cases of the Tbilisi City Court. LTD Aigroup, the owner of MacLaren's Irish

Pub, also initiated a civil lawsuit against Nino Gergedava at the Tbilisi City Court, claiming that she disseminated fundamentally false and incomplete information about them. The suit alleged that her actions led to the formation of a negative public opinion and caused damage to the bar's business reputation.

LTD Aigroup sought to establish the harm caused to MacLaren's Irish Pub's business reputation, the fact of defamation, and to refute the allegations propagated by Gergedava through the same informational means. However, the Tbilisi City Court ruled in favour of Gergedava, despite the plaintiff's nonattendance at the trial, resulting in two decisions made in absentia.

1.2 Other Cases

Protection of Media Organisations and Journalists

It is worth mentioning that in 2022, GDI extended legal aid to approximately 60 media institutions and journalists and acted as their legal representative in dealings with government entities and judicial bodies.

Notably, GDI is currently involved in over 10 defamation cases against media representatives and broadcasters, typically instigated by government officials or individuals connected to them (including their close relatives, supporters, or donors of the Georgian Dream party). After receiving requests for legal assistance from several media outlets and journalists who had been sued for defamation by powerful individuals, GDI provided representation for the defendants in all three levels of the court. The organisation conducted thorough research and analysis of domestic/international legislation and legal practices to ensure the best outcome for the media organisations and individual journalists. GDI provided legal defence in all three instances for LTD Formula in a case brought by Grigol Liluashvili, while also representing LTD TV Pirveli in several defamation disputes initiated by influential individuals such as Kakha Kaladze, Davit Patsatsia, Jaba Putkaradze, and others. The court's rulings on such cases hold significant importance for safeguarding media freedom, particularly in situations where lawsuits are brought against media outlets that are critical of state institutions or individuals occupying prominent political positions.

Furthermore, GDI was extensively engaged in examining and analysing the regulatory and judicial practices pertaining to pre-election and political advertising during the reporting period. As an illustration, GDI represented the interests of LTD Formula before the National Communications Commission, which was challenged by the Georgian Dream party for placing pre-election and political advertisements outside the election period. Taking into account that the regulatory commission satisfied the request of the ruling party and recognised LTD Formula, LTD Mtavari Arkhi, and LTD TV Pirveli as violators, GDI appealed the decision of the commission to the court, where it will continue to defend the interests of the defendant.

So-Called Case of Surveillance

On September 13, 2021, allegations surfaced regarding covert monitoring and surveillance conducted by the State Security Service. The accusations suggest that private conversations of religious figures, politicians, journalists, legal professionals, members of the diplomatic community, and others were illegally intercepted by the State Security Service. The extent of the distributed material indicates that the illegal surveillance was conducted systematically. The legitimacy of the information presented in the disseminated records was confirmed by political figures and journalists.

To protect the rights of those affected, GDI has repeatedly urged investigative authorities to conduct a thorough and efficient investigation into the alleged secret surveillance and monitoring carried out by the State Security Service. GDI has also appealed to the State's Inspector to review the legality of the surveillance of individuals under our protection. The investigations showed that the right to privacy and freedom of expression of the petitioners were infringed upon by unauthorised monitoring. Moreover, the ongoing investigation has not been effective, further violating the privacy of the victims of the alleged surveillance denying them the opportunity to seek efficient legal remedies at the national level.

Accordingly, on July 7 and September 8, 2022, GDI lodged complaints with the European Court of Human Rights on behalf of several journalists and activists subjected to illegal surveillance and eavesdropping. The individuals included Ketevan Nadibaidze, Marta Kurasbediani, Nodar Rukhadze, Mariam Geguchadze, Nana Bregadze, and Tinatin Bokuchava.

GDI continues to protect journalists affected by illegal surveillance. In particular, the organisation has already started representing the interests of 39 journalists at the national level, in addition to Formula, Mtavari Arkhi, and TV Pirveli. If necessary, the proceedings will continue in the European Court of Human Rights.

Case of Tornike Mandaria

The Tbilisi City Court delivered its verdict on April 4, 2022, regarding the case pertaining to the violence inflicted upon journalists on July 5, 2021, during the March of Dignity rally. The case primarily concerns the criminal acts perpetrated by hate groups against journalists, the persecution of the LGBT+ community, and members of the media. Notably, GDI provided legal representation to Tornike Mandaria, the journalist from Radio Tavisupleba (Radio Liberty) who was injured during the incident. The court's ruling established that Giorgi Kakhiani committed 1) the offence of persecution against Tornike Mandaria, using violence and threats of violence, in relation to his professional duties, causing significant harm 2) the criminal offence that constitutes an illegal interference with professional activity, accomplished through acts of physical violence, such as beatings, causing the victim physical pain, but not resulting in the consequences set forth in Article 120 of the Criminal Code of Georgia. The act was committed by a group that the criminal legislation considers an aggravating circumstance.¹² GDI urged the Prosecutor's Office of Georgia to challenge the verdict as the reclassification of Giorgi Kakhiani's charges from participating in an organised group crime to group violence was erroneous. Moreover, Tornike Mandaria asserted that the Ministry of Internal Affairs should grant him compensation for moral damages resulting from the harm to his health inflicted during the physical assault by Kakhiani on July 5, 2021, owing to the state's breach of its positive legal obligation to safeguard the right to life and health.

Protection of Activists' Interests

The Legal Assistance Network for Activists project was extended into 2022. As part of the project, GDI collaborated with partner non-governmental organisations to provide legal consultations to activists during their interactions with law enforcement agencies and courts. We also represent our beneficiaries before the courts. The partner organisations handled a total of 70 criminal cases and 113 cases of administrative offences. It is worth noting that each organisation handled more cases than initially planned, resulting in a total of 183 cases addressed by the partner organisations, exceeding the original target of 132 cases. GDI itself handled a total of 35 cases, including 10 criminal cases and 25 cases of administrative offences.

12 A verdict of April 4, 2022, passed by a judge of the Tbilisi City Court's criminal chamber, Nino Chakhnashvili, in the case NN 1/4458-21, pp. 46, 48, 51

Case of Cartographers

In 2022, the Tbilisi City Court reopened the examination of the so-called cartographers' case.¹³ It involves the former head of the Border Relations Service of the Department of Neighboring Countries of the Ministry of Foreign Affairs of Georgia, Iveri Melashvili, as one of the defendants. GDI represents Iveri Melashvili's interests at both the national and international levels. He is facing a charge for an alleged act committed against Georgia that is intended to transfer the entire territory of Georgia or its part to a foreign country or to separate a certain part from the Georgian territory, under Article 308, section 1 of the Criminal Code of Georgia.¹⁴ Local non-governmental organisations and the Public Defender of Georgia have stated that the Cartographers' case is politically motivated.¹⁵

Friend of the Court (Amicus Curiae) opinion on the state inspector's case

On December 30, 2021, the Parliament of Georgia passed legislative amendments to abolish the State Inspector's Office and establish two new agencies, the Special Investigation Service and the Personal Data Protection Service. The authorities of the head of the State Inspector's Service, Londa Toloraia, and her deputies were automatically terminated on March 1, 2022.¹⁶ Londa Toloraya and the Public Defender of Georgia filed lawsuits in the Constitutional Court with the request to recognise the legislative changes as unconstitutional.¹⁷ The plaintiffs also requested the suspension of the contested norms.¹⁸ On February 16, 2022, GDI submitted an opinion acting as a friend of the court to the Constitutional Court.¹⁹ GDI submitted a document to the court providing a methodical examination of international precedents and past practices of the Constitutional Court concerning the suspension of legal norms. Drawing from this analysis, GDI put forth arguments endorsing the suspension of the disputed norms in the ongoing lawsuits.²⁰ It is noteworthy that, in February 2022, GDI further hosted a public discourse on the matter through an online discussion featuring guest speakers and GDI representatives, who underscored the significance of the case for the general public.

13 Georgian Democratic Initiative, Human Rights in Georgia 2022, p. 31;
After a pause, the review of the so-called Cartographer's case has been renewed, visit: <https://bit.ly/3P2G5yA>

14 Georgian Democratic Initiative, Human Rights in Georgia 2022, p. 31;
After a pause, the review of the so-called Cartographer's case has been renewed, visit: <https://bit.ly/3P2G5yA>

15 The case of cartographers - a politically motivated new investigation, visit: <https://bit.ly/3FsRGDM>; The opinion of the Public Defender of Georgia acting as a friend of the court in the case of cartographers, visit: <https://bit.ly/3Bcsgb>

16 Georgian Democratic Initiative, Human Rights in Georgia 2022, p. 38

17 Georgian Democratic Initiative, Human Rights in Georgia 2022, p. 39

18 Georgian Democratic Initiative, Human Rights in Georgia 2022, p. 39

19 The opinion of the friend of the court in the case of the state inspector, visit: <https://bit.ly/3Wkc7Z3>

20 The opinion of the friend of the court in the case of the state inspector, visit: <https://bit.ly/3Wkc7Z3>

2. Promoting the Protection of Civil and Political Rights and Raising Awareness

2.1. Safeguarding Freedom of the Media

Amendments to the Law of Georgia On Broadcasting.

On September 7, 2022, the deputies of the Georgian Dream party registered the draft law²¹ on Amendments to the Law of Georgia On Broadcasting in the Parliament which was subsequently adopted on December 22, 2022.²² The representatives of GDI were actively engaged in the process of consideration of the draft law, including attending the hearings. The organisation criticised the content of the legislative changes, namely the introduction of immediate enforcement of decisions of the National Communications Commission of Georgia and the extension of the Commission's mandate on the right of reply and hate speech. GDI has highlighted that the proposed legislation carries significant risks of exerting pressure on independent media and is inconsistent with priority 7 of the European Commission's opinion regarding the conferral of EU candidate status. GDI sent its position in the form of recommendations to the Parliament.²³ It's worth mentioning that the suggestions made by GDI closely align with the initial opinion expressed by the Council of Europe experts concerning the three principal aspects of the proposed amendments to the Law on Broadcasting. Furthermore, GDI has drafted a document that provides a brief overview of the assessments of both GDI and the Council of Europe experts regarding the proposed amendments to the Georgian Law on Broadcasting.²⁴

Monitoring the activities of the National Communications Commission

Given that the National Communications Commission has the authority to issue significant decisions related to media activities, GDI actively monitors its operations and makes relevant proactive announcements. During the reporting period, GDI implemented a number of activities aimed at raising awareness about the activities of the regulatory body. For example, during the reporting period, GDI used visual materials to inform the public about the activities of the National Communications Commission. Using social networks, the organisation created and published infographics showing how the US State Department *evaluates* the performance of the regulatory commission. Also, we published *statistics* on the organisation's Facebook page regarding broadcasters known to be violators of the law for posting political advertisements outside the pre-election period. Additionally, we posted a video depicting the chairperson of GDI *discussing* the National Communications Commission's response to Alt-Info claims.

Raising Awareness

In addition to the practices of the National Communications Commission, GDI has been particularly concerned about the increased rate of defamation litigation against critical media. As already mentioned, the initiators of such disputes are mainly government officials or people/entities related to them. In 2022, the number of lawsuits filed in court against critical media reached as high as 32. As a result, Georgia has witnessed an increase in the misuse of the legal system and the prevalence of what is known as SLAPP (Strategic Lawsuits Against Public Participation) cases. These lawsuits are often filed to silence journalists or media outlets and infringe upon the fundamental right to freedom

21 The draft law can be found at: <https://bit.ly/3Jk4MpB>

22 The Law of Georgia Regarding Amendments to the Law of Georgia on Broadcasting, visit: <https://bit.ly/3Hgi84C>

23 GDI addressed the Parliament with comments and recommendations on the Broadcasting draft law, visit: <https://bit.ly/3Hllgv3>

24 GDI calls on the Parliament to refuse to adopt the amendments to the Georgian Law on Broadcasting against media freedom, visit: <https://bit.ly/3XH0GyD>;

GDI and Council of Europe experts' evaluations regarding amendments to the Georgian Law on Broadcasting, visit: <https://bit.ly/3XrAJ3>

of speech and expression.

Given the increased number of SLAPP lawsuits, it is crucial to raise public awareness in this regard. That is why GDI shared the *statistics* about the number of said lawsuits with the public as early as 2021 via its Facebook page. In addition, GDI published an *infographic* comparing arguments presented in a defamation case reviewed by the Tbilisi City Court Judge, Gocha Didava, with those set forth by the European Court of Human Rights. In addition, we posted a *video* on our official Facebook Page depicting the director of GDI's Civil and Political Rights Program discussing the concept of defamation and the increasing trend of lawsuits filed by influential people on respective grounds.

The organisation conducted several meetings with representatives of various regional media as part of its awareness-raising efforts. For instance, within the reporting period, meetings were held with local media representatives from *Telavi*, *Gori*, *Zugdidi*, and *Batumi*. During these meetings, the organisation's legal experts discussed challenges facing media freedom, including legal disputes initiated against journalists based on allegations of defamation.

GDI also prepared a report on Media Freedom in Georgia 2021-2022, which presents the results, main findings and current challenges under the project implemented by GDI aimed at improving the media environment in Georgia in 2021-2022 (the period until June 2022). The report focuses on several issues threatening the freedom of the media. The presentation of the said report was attended by various representatives of the diplomatic corps, the Public Defender's Office, critical media and the National Communications Commission.

Finally, GDI's active involvement in the Coalition for Media Advocacy is worth noting, as it participates in the preparation of coalition statements and reports and regularly attends coalition sessions and other meetings.

International Litigation

It is important to note that Strategic Lawsuits Against Public Participation (SLAPPs) are prevalent in other countries as well, prompting plans to address this issue internationally. To this end, a committee of experts has been established to formulate a draft version of the recommendation for the Committee of Ministers of the Council of Europe concerning strategic litigation against public involvement. It is expected to be completed by the *end of 2023*. Given the significance of the Georgian context in developing this recommendation, GDI is actively engaged in international advocacy efforts to raise awareness of the current trends in Georgia at the European level.

To this end, GDI became a member of the European Anti-SLAPP Coalition of Non-Governmental Organisations (CASE). GDI, together with other parties, is actively involved in the anti-SLAPP campaign in Europe and the development of anti-SLAPP mechanisms at the international level. In addition, the organisation submitted a report prepared by GDI on SLAPP lawsuits in Georgia with the coalition, where it provides a detailed examination of the most significant SLAPP disputes. GDI maintains an active collaboration with the coalition providing regular updates on the status of media freedom and SLAPP cases in Georgia.

On October 20, 2022, GDI Chairman Eduard Marikashvili and Civil and Political Rights Program Director Mari Kapanadze participated in the first European Anti-SLAPP Conference, supported by the Council of Europe, as part of the organisation's international litigation efforts. The conference aimed to discuss regional and European initiatives against SLAPPs, as well as the role of civil society organisations in combating this problem. The issue of SLAPP lawsuits is currently being actively discussed at both the

European Union and the Council of Europe levels. During the conference, GDI representatives shared information about the situation in Georgia and provided their European colleagues with an overview of the current statistics and trends related to defamation lawsuits.

GDI remains actively engaged in international advocacy, intending to highlight the current trend in Georgia at the European level and ensure that the Georgian context is accounted for in the package of recommendations set to be adopted by the Council of Europe.

2.2 Annual Report on Human Rights in Georgia

GDI released its annual report on human rights protection in Georgia on December 10, 2022, dedicated to International Human Rights Day. The report provides a thematic review of the main events and prominent cases in 2022, indicating the extent to which the Georgian government has fulfilled its human rights and rule of law obligations. GDI's annual reports aim to assess and present the latest pictures related to the said areas in Georgia to both the local and international communities. It is worth emphasising that GDI's annual reports often serve as one of the main sources of information or evaluations for international partners.

3. Advocating for Equality

3.1 Project Equality Through Diversity

In 2022, GDI joined the Civil and Political Integration Program initiated by USAID. The Project aims to promote the integration of religious and ethnic minorities into Georgian social, economic and political life. In particular, the objective is to enhance their participation in the development of state policies and services as well as strengthen mutually beneficial socio-economic ties between the majority and minority communities. Within the framework of the program, GDI, as one of the partners, will continue to coordinate the coalition of non-governmental organisations "No Phobia!" and implement various activities (regional meetings, public discussions, monitoring of hate speech and discrimination, etc.) to increase the participation of minorities in state policies and services. Additionally, in 2022, within the scope of the project, GDI started developing a new strategy for No Phobia! together with other members of the coalition.

3.2 Activism Camps for Strengthening the LGBTQ+ Community

To combat homophobia and discrimination still prevalent in Georgian society and to empower the LGBTQ+ community, GDI arranged two activity camps.

GDI, in collaboration with Tbilisi Pride and under the auspices of the United Nations Development Program (UNDP), organised the first activism camp from April 26 to 28, 2022, aimed at empowering the LGBTQ+ community by providing training and disseminating knowledge on various topics, including the history and significance of activism, LGBT activism, queer experience, legal culture, mechanisms for protecting their rights, etc. It is noteworthy that the project participants continue to maintain communication with each other and the organisers of the project and actively apply the knowledge acquired during the camp.

GDI and Tbilisi Pride collaborated to hold the second school of activism from November 25 to 29.

The program featured experienced speakers and focused on topics such as the history of LGBTQ+ activism, effective LGBTQ+ campaigns, and the use of art, multimedia, and social media to effect positive social changes. In addition, the project participants received information from experts in the field about defining the strategy of organisations and movements, planning projects, advocating and lobbying. Based on the knowledge and experience acquired during the training, the participants are expected to design and conduct campaigns promoting LGBTQ+ rights, equality, and civil activism implementing them in the form of grant projects. The Activism camp was organised within the framework of the Institute for War & Peace Reporting (IWPR) project Strengthening Resilience in the Eastern Neighbourhood (BREN) supported by the British government.

3.3. Report to ODIHR on Hate Crimes

The OSCE Office for Democratic Institutions and Human Rights (ODIHR) has developed a dedicated website (www.hatecrime.osce.org) to compile and disseminate information on hate crimes reported by its member states, civil society actors, and international organisations. ODIHR has announced a call for civil society submissions for the 2021 (reporting) period (2021 Call for Civil Society Submissions). Consequently, in April 2022, the GDI sent a report/information to the ODIHR on the 5 July 2021 hate crimes inflicted on the victims under GDI's representation.

3.4 Report for ECRI's 6th Monitoring Cycle

GDI has submitted a report to the European Commission against Racism and Intolerance (ECRI) for the Commission's 6th monitoring cycle of Council of Europe member states. The GDI report addresses LGBT+ equality, discrimination on religious grounds, hate speech and hate crimes. In terms of the equality of the LGBT+ community, the report discusses the challenges to the realisation of freedom of assembly and expression by the community, hate speech and hate crimes, the use of the sexual minority as a tool of populism, public attitudes toward them and the social situation of the LGBT+ community. In terms of discrimination on religious grounds, the report addresses issues such as the transfer of forests to the Orthodox Church, discriminatory anti-Covid regulations against religious minorities, and conflicts between Christian and Muslim communities. As for hate speech and hate crimes, GDI provided ECRI with information on the dangers associated to current trends for regulating and criminalising hate speech at the legislative level, the code of conduct for public officials and its implementation/enforcement.

3.5 Recommendations regarding the National Strategy for Human Rights Protection for 2022-2030

GDI submitted recommendations to the Georgian Government Administration/Human Rights Secretariat regarding the National Human Rights Protection Strategy developed by the government for 2022-2030. GDI's recommendations cover various issues. These are as follows: bringing privacy legislation in compliance with constitutional and international standards; protecting the LGBT+ community's right to assembly and manifestation and ensuring effective legal responses to possible violations; promoting political pluralism and an equal, free, and fair electoral environment by improving electoral legislation and its implementation; maintaining high standards of freedom of expression in media regulation; assessing the actual extent of human rights protection during the pandemic; creation of a separate chapter on the rights of the LGBT+ community in the relevant legislation; producing effective policies to combat hate groups; reforming educational system to eliminate social stigma and negative prejudices; improving prevention and victim-centred responses to discrimination and crimes incited by intolerance; and detecting and analysing changes in societal attitudes towards minorities. GDI also actively advocated for the inclusion of LGBT+ issues in the National Human Rights Strategy.



Rule of Law Program

The Rule of Law Program undertakes various contemporary issues concerning the Georgian justice system and actively engages in advocating for the institutional reformation of the judicial system. The program concentrates on enhancing public and judicial awareness, particularly the judges of the general courts and the Constitutional Court of Georgia, and concurrently strives to reinforce the capacity of individual judges.

1. Raising Public Awareness

The program undertook various initiatives to increase public awareness and knowledge of current developments in the Georgian justice system. These are:

1.1 Update to Website www.judges.ge

The website www.judges.ge²⁵ has undergone a comprehensive reconstruction, and now it offers a variety of interesting and essential information. Visitors to the site can explore and become familiar with

- *Up-to-date information about the education, experience, financial status, and public activity of the judges of the General and Constitutional Courts of Georgia as well as decisions delivered by them, etc.; The desired judge can be searched through various filters, such as first name, last name, court, collegium/chamber, method of appointment and high-profile decisions;*
- *Information about the location of the courts and their contact;*
- *The most important and frequently asked questions and answers related to the judicial system, available in Georgian, Armenian and Azerbaijani languages;*

²⁵ The updated website will be available from March 1, 2023.

- *Public interviews of current judges given as candidates for Supreme Court justices at the Supreme Council of Justice and the Legal Affairs Committee of the Parliament of Georgia, and others.*

1.2 Podcasts

GDI recorded two podcasts²⁶ regarding important decisions delivered by the Constitutional Court of Georgia:

- *Secularism in liberal democracy. Special guest Giorgi Mshvenieradze;*
- *The legacy of the Soviet Union and the constitutional order. Special guest - Irakli Khvadagiani;*

1.3 Online Public Discussion

An online public discourse²⁷ took place regarding the subject of covert eavesdropping/surveillance in Georgia and the existing laws related to it. The event featured Eduard Marikashvili (Chairperson of GDI), Davit Jandieri (PhD in Law), Giorgi Davituri (Director of IDFI's Rule of Law Program), and Giorgi Burjanadze (Deputy Public Defender of Georgia).

2. Strengthening of individual judges

In terms of strengthening individual judges, information cards on 18 important decisions delivered by Georgian judges were identified and prepared.²⁸

26 Podcasts are available on GDI's Facebook page: <https://www.facebook.com/gdi.ge>

27 The public discussion is available on GDI's Facebook page: <https://bit.ly/3CVYYyu>

28 Cards are available on the Facebook page Know Your Judges: <https://www.facebook.com/Judges.ge>

Civic Education Program

In 2022, GDI continued to prioritise the instruction of civic education and the promotion of knowledge expansion. One of their key endeavours in this area involved enhancing the online platform for civic education civiceducation.ge (civic education for all). The platform witnessed a noticeable increase in users reaching a total of 23,000 individuals in 2022. Notably, the number of users accessing the platform in Armenian and Azerbaijani languages showed a substantial increase.

1. Civic Education Olympiad

GDI organised the 5th Online Civic Education Olympiad within the framework of the Civic Education for All (civiceducation.ge) online platform and declared the victors.

The first place in the Online Olympiad was awarded to Gela Kukhianidze, a 12th-grade student of Kutaisi Georgian-American School Progress. The second place went to Salome Lomidze, a 12th-grade student of Tserovani village N3 public school of Mtskheta Municipality, and two students tied for the third place - Ekaterine Giorgadze, a student of 11th grade of Tbilisi N85 Public School and St. Nino Maisuradze, a student of 11th grade of Rustavi N10 public school.

As per the rules of the Olympiad, the teacher of the winning student from the first round, Gogi Lataria (a civic education teacher from the 85th public school in Tbilisi), was awarded a personal computer as a prize.

Certificates and other gifts were sent to the students finishing in 4th to 9th places. Among the ten winners were students of grades 7th to 11th of Kaspi, Rustavi, Zestafoni, Sachkhere, Tsalenjikha, and Kobuleti schools. Commemorative gifts were also sent to students with the best results in the Armenian and Azerbaijani Olympiads in Gardabani and Akhalkalaki Municipalities.

1440 students participated in the Olympiad, including 1282 in Georgian, and 158 in Armenian and Azerbaijani languages.

The 2022 Civic Education Online Olympiad was held within the framework of the project *Combating*

Discrimination and Promoting Gender Equality through Civic Education.

2. Trainings

In 2022, 10 cycles of two-day online trainings were conducted for civic education teachers registered on civiceducation.ge on the 4th chapter of civiceducation.ge (I, family, society), as well as on issues of disinformation and propaganda. 353 teachers of civil education participated in the trainings.

GDI hosted four webinars on issues of disinformation, sex education, homophobia, and human rights. About 150 civil education teachers participated in the webinar, and the number of views for the recordings on social networks exceeded 2000.

In 2022, in order to promote civiceducation.ge, civic education teachers conducted 79 meetings in the following regions: Kvemo Kartli, Samtskhe Javakheti, Guria, Samegrelo and Adjara.

Trainings, webinars and meetings will be held within the framework of the project, Combating Discrimination and Promoting Gender Equality through Civic Education.

3. Competitions

3.1 Student Competitions

Within the framework of the project, the Fight Against Discrimination and the Promotion of Gender Equality through Civic Education, two competitions took place for teachers of civic education. The competitions aimed at revealing the two best event planners for celebrating the International Day of Health Protection and Human Rights Day. Within the framework of the same project, a blog competition was held for teachers on the issues of misinformation, homophobia, discrimination, sexual education, and reproductive health.

Within the framework of the competition to identify the author of the best event celebrating the International Day of Health Protection, civic education teachers, with the participation of students, held events on April 7-10, 2022, the purpose of which was to raise awareness among students in terms of reproductive health. 17 teachers from different regions of Georgia participated in the competition. Four members of the commission reviewed the videos, photos and other materials depicting the events carried out within the competition separately and identified 4 winners:

1st place - Inga Gegeshidze - LEPL N16 Batumi Public School

2nd place - Mary Bezhuashvili - LEPL #7 Gori Public School

3rd place - Nona Fifia - LEPL #10 Tbilisi Public School of Tbilisi City and Maya Arakhamia - LEPL Chkhori Village Public School of Zugdidi Municipality

Within the framework of the competition to identify the author of the best event to celebrate Human Rights Day among civic education teachers, with the participation of students, civic education teachers held events on December 10, 2022, the purpose of which was to raise civic awareness among students about the importance of human rights and to promote their formation as responsible citizens. 46 teachers from different regions of Georgia participated in the competition. Four members of the commission reviewed the videos, photos and other materials of the events carried out within the competition separately and identified 3 winners:

1st place - Zaira Tkabladze - LEPL #7 Kutaisi Public School

2nd place - Dali Kekelidze - LEPL #1 Public School of Shulaveri, Marneuli Municipality

3rd place - Eter Kachkachishvili - Arli Public School of Adigeni Municipality

9 teachers participated in the blog competition. The best blogs have been published on the new GDI website.

3.2 Essay Competition for Students

GDI, under the auspices of the United Nations Development Program (UNDP) and the Swedish government, organised an essay competition for students. The purpose of the competition was to analyse the dangers caused by homophobia, which lurks in the background of anti-Western propaganda. It is through the manipulation of this topic that young people are misled and homophobic sentiments are strengthened.

The 10 best essay authors were identified and awarded with certificates and commemorative souvenirs.

48 students from Zugdidi, Tsalenjikha, Chkhorotsku, Sachkhere, Senaki, Khoni, Tetrtskaro, Lagodekhi, Telavi, Batumi, Kharagauli, Khashuri, Gurjaani, Poti, Aspindza, Mtskheta, Chiatura, Kaspi and Bolnisi municipalities, and Tbilisi participated in the competition.

4. Debate Tournament

26 teams from different regions of Georgia participated in the Debating Championship 2022 within the framework of the project *Fight Against Discrimination and the Promotion of Gender Equality through Civic Education*.

In the final round, the teams of LEPL #182 Tbilisi Public School named after Gogita Kiknadze and LLC School Tamarioni competed against each other. The team LLC School Tamarioni got first place in the debate tournament.

5. Other Activities

To mark various important dates during 2022, GDI prepared 7 cards with the best quotes selected from digitised publicist letters. The cards were distributed through the social network both on the GDI Facebook page (with 26,000 followers) and in a private group created for civic education teachers. By the end of 2022, 1593 teachers had joined the Facebook Group.



Media and Public Relations

Similar to previous years, in 2022, GDI's activities garnered significant attention from the media who frequently sought the organisation's viewpoint on current events and challenges in the country. GDI's presence was not limited to news coverage but extended to a variety of analytical and thought-provoking programs.

Apart from conventional means of disseminating information, GDI actively employs social media for communication. With 26,000 subscribers on its Facebook page, GDI not only shares information but also provides aid to citizens who reach out to the organisation regarding important or problematic issues.

At the end of 2022, the new official website of the organisation was launched. The website presents detailed information about the organisation's team members, current and completed projects and activities. Democratic Initiative of Georgia manages the following four websites:

gdi.ge

civiceducation.ge

judges.ge

hrm.org.ge



GDI on International Platforms

1. Human Rights Defenders Day

2 On October 10-14, 2022, GDI participated in one of the largest forums for human rights defenders - Defenders Day. The Chairperson, Eduard Marikashvili, and the head of the international litigation team, Davit Jandieri, represented GDI at the forum which was held in Stockholm, Sweden, attended by approximately 200 human rights defenders from 50 countries.

The Forum of Human Rights Defenders aims to recognise the role of human rights defenders in establishing and safeguarding human rights and democratic values in the world and facilitating a platform for individuals to connect and foster relationships across the globe.

GDI participated in this forum for the first time. It would not have been possible if not for the support of our friend and partner organisation, Civil Rights Defenders.

2. First Anti-SLAPP Conference

With the support of the Council of Europe, GDI participated in the first European Anti-SLAPP Conference in Strasbourg on October 20, 2022. Eduard Marikashvili, the chairperson of GDI, and Mari Kapanadze, the director of the Civil and Political Rights Program, represented the organisation at the conference.

GDI representatives drew attention to the increasing occurrence of SLAPP lawsuits and stressed the need to factor in the Georgian context at the regional level.

3. Liberty Forums

On September 29-30 and November 16-17, 2022, GDI participated in the Asia Liberty Forum in Manila and the Liberty Forum in New York, organised by Atlas Network. Mari Kapanadze, director of the Civil and Political Rights Program, presented GDI at the Liberty Forums.

The Atlas Network unites organisations working for individual freedom and economic prosperity globally and supports the promotion of liberal values and the elimination of obstacles to personal growth.

GDI joined the international network in May 2022.

4. European Policy Dialogue Forum

On November 9-10, 2022, GDI participated in the fourth consecutive European Policy Dialogue Forum - Social Inclusion in Cities: Strengthening Multi-stakeholder Partnerships to Bring Communities into Dialogue conducted in Barcelona.

The Forum brought together religious leaders, media and civil society representatives from Europe, who discussed ways to combat hate speech through media and cultural events for four days.

Mari Kapanadze, director of the Civil and Political Rights Program, represented GDI at the forum.

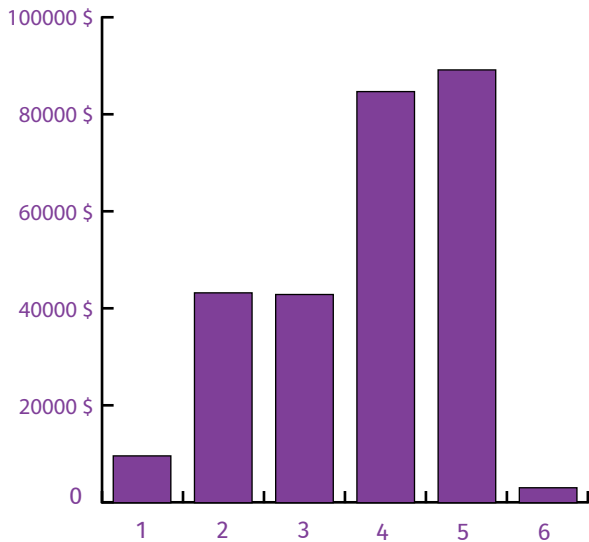
5. OSCE Conference on Migration Issues

On June 27-28, 2022, GDI Civil and Political Rights Program Director Mari Kapanadze participated in the conference "Migration, Human Rights and Inclusion: Assessing the Role of Civil Society in the OSCE" organised by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in Warsaw.

Mari reported on Georgia and talked about the problems of racism, xenophobia and hate crimes against migrants and refugees.

Organisation Finances

US DOLLAR
TOTAL 273081

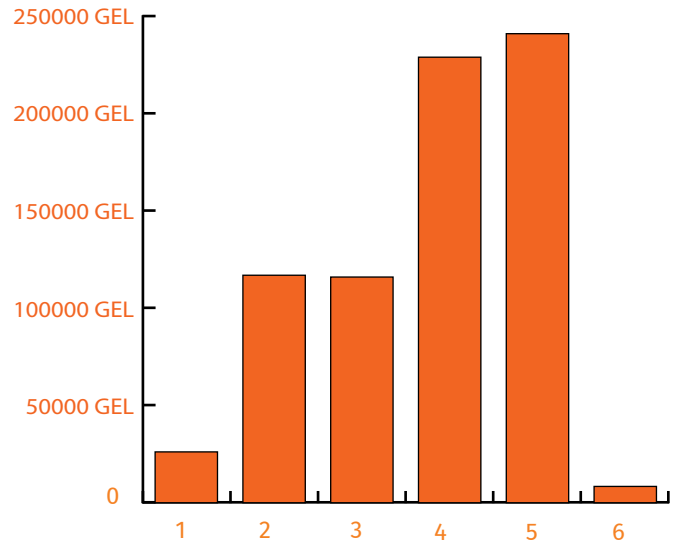


1. Development of the Organisation

2. Strategic Litigation

3. The Rule of Law

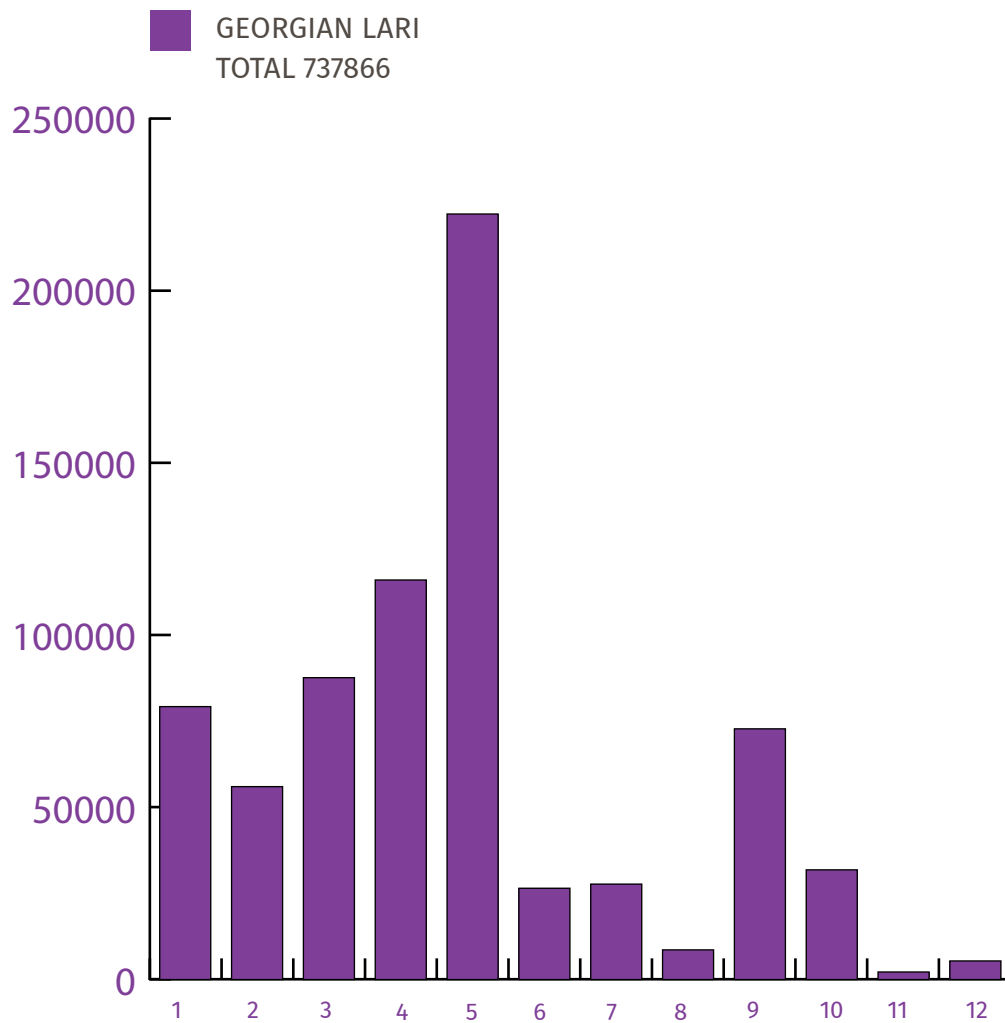
GEORGIAN LARI
TOTAL 737866



4. Civil Education

5. Civil and Political Rights/Media Freedom

6. Research Activities



1. *Civil Rights Defenders (CRD)*
2. *Open Society Foundation*
3. *European Endowment for Democracy (EED)*
4. *East-West Management Institute (EWMI)*
5. *Swedish Association for Sexuality Education (RFSU) / Swedish International Development Cooperation Agency (SIDA)*
6. *United States Agency for International Development (USAID) and the United Nations Association of Georgia (UNAG)*
7. *United Nations Development Program (UNDP)*
8. *Human Rights House/Sapari*
9. *Institute of War and Peace Reporting (IWPR)*
10. *East-West Management Institute (EWMI) - ISFED*
11. *Atlas Network*
12. *Donation to GDI*

