



GENEVA CENTRE FOR HUMAN RIGHTS
ADVANCEMENT AND GLOBAL DIALOGUE

UNITED NATIONS HUMAN RIGHTS COUNCIL

High Commissioner's Oral Update on Georgia

(UNHRC resolution 57/33)

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PRESENTATION OF THE ORAL UPDATE

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On behalf of the High Commissioner, Ms. Maarut KOHONEN SHERIFF provides an oral update to the UNHRC on the implementation of its resolution 57/33 on cooperation with Georgia, adopted on 11 October 2024. OHCHR encourages Georgia to strengthen its commitment to human rights by supporting an independent Public Defender's Office, promoting a vibrant civil society, and implementing the country's National Human Rights Action Plan.

OHCHR draws the Council's attention to several recent developments related to the situation of human rights in Georgia, including in the adoption of specific legislative changes that took place in 2024, followed by **ongoing public protests** since November 2024. These are outlined in this update, which includes human rights issues and challenges in Abkhazia, Georgia, but also in the Tskhinvali region, South Ossetia, Georgia, as requested by the UNHRC.



OHCHR is concerned that the Law on Transparency of Foreign Influence, adopted on 14 May 2024, carries serious **risks to civic space, freedoms of expression** and association. The Law on Family Values and on the Protection of Minors, adopted on 17 September 2024, may encourage hate speech, lead to more incidents of violence, and reinforce stigma, intolerance and misinformation. It may also pose a risk to a wide range of human rights. In April 2024, Parliament **abolished 25% gender quotas** ahead of the October 2024 parliamentary elections, and a process has been initiated to replace the word gender with equality of women and men in all laws.

Other legislative amendments to the Code on Administrative Offences, to the Criminal Code and the Law on Assemblies and Manifestations were adopted on 13 December 2024. These include provisions that impose **penalties on protest activities**, such as fines for traffic disruptions, restrictions on protest materials and preventive detention measures. These laws and initiatives must be reviewed to align with Georgia's obligations under international human rights law.

Human rights violations committed since 28 November 2024 in the context of **public protests** in the country remain of serious concern. These include the arrests of protesters and journalists, allegations of unnecessary disproportionate use of force by law enforcement, attacks against journalists and media workers covering the protests, and lack of due process rights for those detained. It is essential that all allegations are promptly, independently and thoroughly investigated, and that those responsible are held accountable. Those arbitrarily detained for exercising their human rights must be released.

The security situation in **Abkhazia and South Ossetia** remains relatively stable, with sporadic tensions and incidents. However, there has not been any tangible progress in terms of human rights protection improvements in humanitarian conditions of the affected population. OHCHR continues to receive allegations of human rights violations particularly affecting **ethnic Georgians** in Gali and Akhalkalaki districts and those living in the areas adjacent to the administrative boundary lines and displaced people. These include violations of the right to life, torture and ill-treatment, arbitrary detentions, violations of property rights, the right to receive an education in native language, restriction of freedom of movement and discrimination on ethnic grounds.

Continued **movement restrictions** and the closure of crossing points at the administrative boundary lines with Abkhazia and South Ossetia continue to negatively impact freedom of movement, access to health services, livelihoods, as well as preserving family and social ties. OHCHR reiterates its calls for the lifting of all undue closing of border crossings, movement restrictions and for the full reopening of crossing points at the administrative boundary line without further delay.

OHCHR calls on all involved to ensure that **independent, impartial and thorough investigations** into the cases of alleged violations of the right to life take place. OHCHR reiterates the need to address the alleged cases of arbitrary deprivation of liberty, of ethnic Georgians by the authorities in controlling Abkhazia and South Ossetia in line with international human rights law. Sustainable solutions are needed for securing personal identity and other documents which are essential for accessing various rights and facilitating freedom of movement.



The continued **lack of progress in finding political solutions**, coupled with the absence of effective remedies and confidence-building measures, hampers the protection of human rights in Abkhazia and South Ossetia and adjacent areas under the control of the Georgian Government. The situation is further exacerbated by the **lack of access for international human rights organisations and mechanisms**. Regrettably, OHCHR's repeated requests for unimpeded access to Abkhazia and South Ossetia as outlined in UNHRC resolution 57/33 have also not been granted. In conclusion, OHCHR calls upon all concerned to prioritise the implementation of the recommendations outlined in the reports.

STATEMENT BY THE COUNTRY CONCERNED

Thanking OHCHR for his follow-up to the UNHRC resolution 57/33 in cooperation with the country concerned, the delegation of **Georgia** stresses that since its adoption in 2017, this humanitarian resolution focusses on the human rights of the people residing in the **Russian-occupied Abkhazia and Tskhinvali regions** of Georgia. It aims to provide immediate and unimpeded access OHCHR and other international regional human rights mechanisms to those regions. This is especially important given that both Georgian regions remain closed for the international monitoring mechanisms by the Occupying Power.

As outlined in the oral update, the basic rights of the people residing in occupied regions of Georgia are violated on a daily basis. They continue to suffer from ethnic discrimination, face torture and ill-treatment, arbitrary detentions and kinetics. Infringements of the right to health, education in native Georgian language and restrictions of the freedom of movement are part of everyday life of conflict-affected individuals. Violation of the right to property is also among an exhausted list of those infringements. The **responsibility for the human rights violations** happening in these occupied regions rests on the Russian Federation as they are under Russia's effective control, which was duly attested by the decisions issued by the ECtHR and the ICC.

Most tragically, the heavy toll of the Russian occupation also manifests itself through the **violations of right to life** of peaceful Georgian citizens. The impunity for brutal murder, killing and death of Georgians suggests that these murders are used as tools by the Russian Federation and its occupation regimes in both Abkhazia and Tskhinvali regions for intimidation that certainly affects the lives of people. Against this background, hundreds of thousands of **internally displaced persons and refugees** still remain deprived of their fundamental right to return to their homes and the gravity of the situation on the ground poses a threat of a new wave of forced displacement.

Russia's continuous steps towards **annexation of Georgia's occupied regions**, including the unlawful functioning of Sukhumi airport and the recent launch of unauthorised flights between Moscow and Sukhumi, is a blatant violation of international law, of the sovereignty and territorial integrity of Georgia, as well as Chicago Convention of ICAO, further compounding the dire situation on the ground. There is an urgent necessity for a continuous call on Russia to stop the human rights abuses in these regions, implement the EU-mediated ceasefire agreement of 12 August 2008 and withdraw its illegally stationed troops from the occupied territories of Georgia.

The **right to participate in public affairs** is an essential element of democratic governance. On October 26th last year, numerous international and local observers had an opportunity to witness



two million Georgian citizens making their free political choice. Yet, speculations around the parliamentary elections in Georgia still continues. The optimisation of manipulations aimed at creating an artificial crisis and destabilisation of the country must be halted and the results of the democratic choice of people must be respected.

Georgia believes that its efforts for achieving lasting peace, ensuring the rule of law and economic development can guarantee the greater protection of human rights. Georgia's **reforms in the justice sector** since 2012 translated into the declining trend in applications against Georgia at the ECtHR - 3,045 cases filed against Georgia in 2011 compared to 175 applications under consideration by the Court as of July 2024. This marks a remarkable decrease.

In the last few years, Georgia achieved significant economic growth and progress in establishing inclusive access to the economy. Georgia strongly believes that the development of **urgent social programmes and services** is crucial in protecting the vulnerable population. In conclusion, the delegation stresses that Georgia will pursue its active engagement in the UNHRC and close cooperation with OHCHR towards this end.