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GEORGIA 2022

Freedom of expression was further restricted. Selective justice and politically motivated prosecution of government opponents persisted. New laws increased the government's surveillance powers and further eroded independence of the judiciary and official watchdogs. Women and girls continued to suffer discrimination and high levels of violence. Failure to effectively investigate torture and other ill-treatment remained a concern in government-controlled and breakaway territories.

Background

Georgia continued to experience a protracted political crisis. Amidst such concerns, in June the European Commission deferred granting Georgia EU candidate member status, making it conditional on addressing 12 priority areas including democratic governance, judicial reform and respect for human rights.

The soaring remittances from Russia and the influx of more than 100,000 people from Russia following its full-scale invasion of Ukraine aided economic growth but apparently contributed to **an increased cost of living and economic inequality**. Dire labour market opportunities for youth drove **high levels of emigration**.

In March the European Committee of Social Rights expressed concern over **Georgia's insufficient measures to overcome environmental pollution and ensure access to safe drinking water**, as well as the failure to guarantee social security to all workers and their dependents.

Freedom of expression

Increasingly aggressive rhetoric from the authorities and defamation suits against critical journalists had a chilling effect on freedom of expression, as did the failure to effectively investigate crimes against journalists. In May the NGO Reporters Without Borders downgraded Georgia in its World Press Freedom Index, in part due to interference by public officials undermining freedom of expression and increasing threats against journalistic work, trends which continued throughout the year.

On 4 April, Tbilisi City Court sentenced six people to five years' imprisonment each for the violent attacks against journalists at the Tbilisi Pride march in July 2021, which resulted in the death of camera operator Lekso Lashkarava. The alleged organizers of the violent mob, however, were not prosecuted.

In July a former senior security services official published a letter from pretrial detention alleging that the kidnapping and rendition of Azerbaijani journalist Afgan Mukhtarli from Georgia to Azerbaijan in 2017 was carried out by Georgian security officials. Afgan Mukhtarli told Georgian-critical TV Pirveli in October that he recognized a senior Georgian security official from photos as one of his kidnapers. His kidnapping was not effectively investigated and no charges had been brought by year's end.

Right to privacy

On 6 September parliament overrode a presidential veto and adopted controversial amendments giving law enforcement authorities increased powers to conduct covert surveillance. The new law extended the scope and duration of covert investigative

activities and permitted an individual to be surveilled indefinitely without their knowledge.

Covert surveillance continued to be used against members of the opposition, critical media and NGOs. In July, pro-government media published a secretly obtained audio recording of employees of the critical Mtavari TV channel, discussing editorial matters. In September other leaked material, including audio and photos detailing information about their private lives, showed journalists, opposition party members and activists being allegedly spied on by the security services. An investigation into a potential “unauthorized recording and eavesdropping on a private communication” was opened by the newly created Special Investigation Service but no results were made public by the end of the year.

Unfair trials

Growing government influence over the judiciary, the use of selective justice and the politically motivated prosecution of political opponents and critical media remained ongoing concerns.

In January Mamuka Khazaradze and Badri Japaridze, leaders of the Lelo opposition party, together with Avtandil Tsereteli, founder of TV Pirveli, were each sentenced to seven years’ imprisonment on politically motivated fraud charges, but were allowed to walk free as the statute of limitations had passed at the time of the ruling. Badri Japaridze was stripped of his parliamentary mandate as a result of his conviction.

The trial of Georgia’s former president Mikheil Saakashvili continued as his health deteriorated. Despite medical reports pointing to possible “heavy metal poisoning” and a “significant increased risk of mortality”, by the end of the year a court in Tbilisi had not deferred serving his prison sentence on medical grounds. In March, the European Court of Human Rights admitted for review complaints over violations of the former president’s fair trial rights. In May Nika Gvaramia, director of Mtavari TV, was sentenced to 42 months’ imprisonment on unfounded charges of abuse of authority. The Court of Appeals upheld the sentence in November.¹

In June the Council of Europe’s Venice Commission noted that the speed and scope of 2021 amendments to the law on Common Courts may create a “chilling effect on judges’ freedom of expression and internal judicial independence” with a perceived aim to “control and silence” them. In April, five judges challenged the new law at

the Constitutional Court over violations of the constitutional protection of freedom of expression.

Torture and other ill-treatment

On 12 January the State Inspector's Service tasked with investigating human rights violations by the police was abolished and replaced with two new agencies. The moves were criticized by civil society as leading to less effective and less independent agencies, negatively impacting on the state's ability to effectively investigate human rights violations by police, including allegations of torture and other ill-treatment and deaths in custody, or to ensure justice for these crimes.

Rights of women and girls

Between January and September, 14 cases of murder and 23 cases of attempted murder of women were reported in the media, prompting concerns that femicide and other forms of gender-based violence continued to be on the rise. Measures to reduce infant and maternal mortality remained insufficient. Economic inequalities also remained alarming: in March the World Bank estimated that 50% of women were kept out of the labour force due to domestic tasks compared to only 5% of men, while women continued to earn roughly 16% less than men.

Abkhazia and South Ossetia/Tskhinvali Region

The human rights records of Georgia's two breakaway regions continued to deteriorate in several areas, including the right to freedom of expression. Impunity for past abuses persisted.

Torture and other ill-treatment

Gennady Kulayev, a resident of South Ossetia/Tskhinvali Region, died on 31 August from injuries sustained as a result of beating and other ill-treatment in detention in 2020. His case, and that of Inal Dzhabiev who died in custody in 2020 as a result of torture, remained without effective investigation.

The death of Anri Ateiba in custody in Abkhazia in 2021 also remained without effective investigation. Irakli Bebuia, imprisoned for burning the Abkhaz flag in 2020, was reportedly denied access to adequate care for his chronic illnesses.