

ASSESSMENT OF LAW ENFORCEMENT ACTIVITIES

Response to Crimes Committed by
Law Enforcement Officers and Repressions
Against Protest Participants

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KEY FINDINGS

Violence and Ill-Treatment against Protest Participants

- Following the decision to suspend negotiations on Georgia's accession to the European Union, the state's dispersal of mass protests was marked by exceptional brutality. Protest participants were subjected to disproportionate use of force, ill-treatment and severe, widespread and systemic violence;
- Between November 28 and December 4, 2024, the state employed special means, such as water cannons, tear gas and pepper spray, to disperse protest demonstrations, in violation of both international and domestic legal standards. These measures were used without legal justification, in a disproportionate manner, at inappropriate times and on an excessive scale;
- A large quantity of tear gas capsules was deployed in areas where protest participants were tightly gathered, contained by law-enforcement officers, and/or lacked a viable means of exit. Additionally, law-enforcement officers deliberately directed tear gas toward demonstrators, resulting in physical harm and injury to their health;
- Pepper spray was used against detained individuals, including by being directly sprayed into their faces;
- Water cannons were deployed while the demonstration remained peaceful in nature. Moreover, the water was mixed with tear gas and other chemicals, causing significant harm to the health of protest participants. In several instances, the water cannons were used without prior warning and in locations where demonstrators had no viable means of dispersal or retreat;
- Almost all detained individuals were subjected to physical violence, inhuman and degrading treatment and in certain cases, to torture. Protesters were severely and deliberately beaten by law-enforcement officers in a demonstrative (in areas visible to cameras) manner both during arrest and while in custody: within police cordons, in vehicles and at police stations. These

acts were carried out collectively, using similar methods. The violence against detainees was widespread and systemic in nature. Physical abuse was accompanied by degrading treatment, humiliation, mockery, discriminatory behavior and verbal abuse. In addition, personal belongings were confiscated from detainees. Individuals who had been beaten were denied access to adequate medical care and were deprived of the opportunity to communicate with legal counsel or family members;

- During the course of the protests, so-called informal groups engaged in acts of physical and psychological violence against peaceful citizens, journalists, activists, representatives of political parties and other individuals associated with the protests. These groups carried out attacks while armed with batons and bladed weapons. The systemic and widespread nature of the violence, publicly available video footage showing clear instances of such criminal acts and the visible inaction of law-enforcement officers present at the scene, inadequate response and lenient treatment of the perpetrators by the law-enforcement system, suggests that these groups were operating under the direction of the state;
- Law-enforcement authorities widely employed the practice of so-called „stop and frisk“ against protest participants, often exceeding the legal limits prescribed by law. Specifically, video footage disseminated by the media shows police officers stopping protest participants without legal grounds, failing to inform them of the reasons for the stop and conducting frisks in clear violation of procedural safeguards. Although these actions were formally presented as „frisk,“ in substance they amounted to full-scale searches under criminal procedure law. Following these actions, officers failed to prepare any official documentation or search reports and in cases where individuals refused to submit to such unlawful searches, they were subjected to arbitrary arrest by the police;
- Law-enforcement officers engaged in verbal abuse, hostile and aggressive communication, and displayed overt misconduct toward protest participants, thereby violating the principle of political neutrality. In numerous instances, police officers directed degrading and threatening language toward demonstrators, particularly women, in a demonstrative manner and in front of cameras. These threats included explicit references to rape, murder and other forms of violence against the protesters and their family members.

State Response to the Unlawful Actions of Law-Enforcement Officials

- The Special Investigation Service (hereinafter SIS) initiated an investigation into the acts of violence perpetrated by law-enforcement officers against protest participants during the demonstrations, under Article 333 (3) (b) of the Criminal Code of Georgia (exceeding official authority through the use of violence);
- The SIS informed a public on the launching of the investigation late. The announcement on launching of the investigation was disseminated on November 30, 2024, even though violent actions by police officers began in the early hours of November 29;
- The SIS is conducting the investigation under an incorrect legal qualification and within a single criminal case. Publicly available information and video recordings unequivocally confirm that the actions of law-enforcement officers constitute, at a minimum, the crimes prescribed by Article 144³ (inhuman or degrading treatment), and in certain cases, by Article 144¹ (torture) of the Criminal Code of Georgia. Nevertheless, the SIS investigates only under Article 333 (exceeding official authority);
- The investigation into the above-mentioned case conducted by the SIS is ineffective. Not a single law-enforcement officer has been prosecuted for acts of ill-treatment committed against protest participants. No official has been held accountable, even in cases where identification was possible and conclusive evidence was publicly available. Furthermore, the SIS has not submitted a motion to the Prosecutor's Office of Georgia (hereinafter POG) to initiate proceedings against commanding officers, despite their apparent and visible participation in these processes;
- The Ministry of Internal Affairs (hereinafter MIA) and other state agencies have failed to cooperate with the SIS in obtaining evidence. The investigation has been largely unsuccessful in securing relevant video footage from various state agencies. Moreover, the MIA has not provided any information necessary to identify involved police officers. Despite these impediments, the SIS has issued no public statements informing the public about the obstacles it has faced in gathering evidence in this criminal case. In its 2024 annual report submitted to the Parliament, the SIS noted these challenges and attempted to justify its shortcomings by referencing similar investigative difficulties in European countries, including the assertion that police officers in Europe also exceed their authority and face minimal sanctions;

- More generally, it should be noted that the state's policy toward law-enforcement officers who violate the law has become increasingly lenient with each passing year, while the scale, severity, and systemic nature of such violations have become more pronounced annually;
- In recent years, the rate of disciplinary action against police officers has significantly declined. In 2024, the MIA recorded the lowest rate of disciplinary sanctions against its personnel in the past ten years;
- Each subsequent year has seen a decline in the rate of initiating criminal charges against law-enforcement officers for violent crimes committed in the course of their official duties. In 2024, this rate dropped to zero even though the most egregious and visible offenses occurred in that year;
- There has been a significant decrease in both the number of reports received by the SIS regarding crimes committed by law-enforcement officers and the number of investigations actually launched. The percentage ratio between complaints received by the SIS and the launching of investigations has also decreased by 3% since 2021. Specifically, investigations were initiated in: 270 cases in 2020, 365 cases in 2021, 237 cases in 2022 (from March to December), 257 cases in 2023, and only 189 cases in 2024;
- There is an annual decline in the number of investigations launched under legal qualifications of inhuman or degrading treatment and torture. In 2020, investigations for degrading or inhuman treatment were initiated in 27 cases (10% of all cases), in 2021 in 53 cases (15%), in 2022 in 10 cases (4%), in 2023 in 24 cases (9%), in 2024 in 14 cases (7%). As for torture, no investigations were initiated under this qualification at all in recent years;
- In parallel with the state's inaction regarding crimes committed by law-enforcement officials, high-ranking public officials have consistently made statements that encourage such unlawful behavior. More notably, while law-enforcement officers carried out systemic and brutal violence against civilians in the streets of Tbilisi, senior officials from the MIA, including the head of the Special Tasks Department, who was personally seen on camera assaulting protest participants, were awarded the State Medal of Honor of Georgia for their purported „exceptional contribution“ to the enforcement of legality and public order.

State Response to Violence Against Journalists and Interference with Their Professional Activities

- During the coverage of protest demonstrations, members of the media were subjected to verbal abuse, physical violence and interference in the exercise of their professional duties by law-enforcement officers and by members of so-called informal groups. There were also systemic cases of law-enforcement officers seizing or damaging journalists' professional equipment (such as cameras, video cameras, lenses, memory cards and mobile phones);
- During the course of the protest demonstrations, 38 journalists were injured as a result of the use of special means aimed at dispersing the rally (including water cannons, tear gas and pepper spray), 35 journalists were subjected to physical violence, 23 journalists were obstructed in the performance of their professional duties, 17 journalists had their equipment confiscated or damaged and 12 journalists were subjected to verbal abuse. The primary targets of unlawful actions by law-enforcement officers were journalists from TV Pirveli, Formula, Radio Free Europe/Radio Liberty, Publika and Mtavari Arkhi;
- Journalists who were covering the events at the protest and performing their professional duties were subjected to administrative detention by law-enforcement officers, even in cases where their professional status was clearly identified. Moreover, in several instances, the detentions occurred precisely because of their professional activity. 11 journalists were administratively detained during the protests;
- 2 journalists were criminally arrested during the protests. Charges brought against them and subsequent criminal proceedings are inconsistent with applicable criminal legislation and judicial practice. Furthermore, indications of evidence fabrication have emerged in these cases;
- Investigations into crimes committed against journalists were launched with incorrect legal qualifications, are being conducted ineffectively and the public lacks comprehensive information regarding the progress of these investigations, including statistical data;
- An investigation was initiated and is ongoing at the Special Investigative Service into incidents involving the abuse of official authority through violence against journalists and unlawful obstruction of journalists in the performance of their professional duties in the course of the protest demonstrations. The investigation is conducted under Article 333(3)(b) and Article 154(2) of the

Criminal Code of Georgia, consolidated within a single criminal case, notwithstanding that these offenses were committed at different times, locations and against different individuals;

- Some journalists were subjected to inhuman and degrading treatment, which constitutes a crime under Article 144³ of the Criminal Code of Georgia; however, the SIS is investigating the case solely under Article 333 of the Criminal Code;
- Between November-December 2024 and the first quarter of 2025, the POG recognized granted victims' status to 41 journalists under Article 154 of the Criminal Code (obstruction of journalistic activity). Nevertheless, it remains unclear how many cases of violence against journalists and obstruction of journalistic activities are under investigation by the SIS;
- No criminal charges have been brought against any individual for obstruction of journalistic activity or for abuse of official authority through violence against journalists by representatives of law-enforcement agencies. Similarly, no criminal charges have brought regarding acts of violence against journalists perpetrated by so-called informal groups;
- No investigations are being conducted into the unlawful arrest of journalists or into allegations of evidence fabrication in criminal cases initiated against them, matters which fall under the exclusive prerogative of the POG.

Repressions against Protest Participants

- The state actively employed mechanisms of criminal prosecution as well as administrative liability against participants of the protests;
- In parallel to the repressions, law-enforcement agencies actively engaged in shaping public opinion in favor of the ruling party. Law-enforcement agencies issued numerous statements (a total of 58) concerning the anticipated legal consequences of the protesters' alleged violations, their arrests, charges brought against them and the outcomes of their conduct during the protests. In these statements, the actions of protest participants were characterized as „violent“ and „radical.“ Emphasis was placed on the political affiliations and prior convictions of the defendant (including references to specific crimes), aiming to cultivate a negative public perception of the protesters.
- The POG brought criminal charges against 54 protest participant;

- Criminal cases against protest participants were mass-produced with substantial violations of criminal procedural law: charging decisions were inconsistent with legal standards, arrest periods and procedures were breached, detainees were denied access to communication with defense lawyers and family members as prescribed by law and evidence was collected (including investigative actions such as expert examinations, interrogations, searches, seizures, line-ups and requests for video recordings) with significant procedural violations;
- During the investigation of the cases, there was coordinated interaction between the investigative authorities, the POG, the courts, the National Bureau of Forensics and pro-government media to expedite decision-making and the execution of necessary measures for the criminal prosecution of protest participants, including the collection of documents and materials;
- Neither the courts nor the POG exercised any meaningful oversight over the investigation process. The courts unconditionally granted all motions filed by the POG, even when such motions lacked proper justification, did not comply with criminal procedural law and were based on evidence obtained in violation of the law (including unlawfully conducted searches);
- In all criminal cases, the courts granted the POG's motions on pre-trial detention (the most severe preventive measure) and it was imposed against 46 defendants. Only in one case was bail applied to eight defendants and that was at the POG's request. Notably, the motions requesting detention were generally formal and failed to provide specific circumstances or evidence justifying the necessity of detention;
- Accurate information regarding the number of protest participants subjected to administrative liability is not publicly available. This number is estimated to be at least 1,084 individuals, of whom 486 were detained. The state primarily charged protest participants under the following articles: Article 174¹ (violation of the procedure for organizing or conducting assemblies or manifestations), Article 166 (Petty hooliganism), and Article 173 (disobedience to lawful orders or demands of a law-enforcement officer);
- Administrative proceedings by the MIA against protest participants were carried out with substantial violations of procedural law: periods of administrative detention were unlawfully extended, detainees' lawyers and family members were not notified of the detention, ministry officials provided inconsistent explanations regarding appeal deadlines to those subjected to administrative liability, in most cases defense counsel was not provided with copies of case materials, administrative offense protocols contained inaccuracies;

rate information about the circumstances of detention and the identities of the arresting officers, incomplete (edited) video footage was submitted as evidence to the court and documents related to the identification process of individuals subjected to administrative liability were missing from case files;

- The courts reviewed administrative cases against protest participants in a biased and expedited manner, sometimes within minutes, even when a single case consolidated several dozen individuals. The courts imposed harsh sanctions, predominantly large fines and in some cases, detention.

