



On behalf of the Human Rights House Tbilisi, member organizations respond to the incident of physical and verbal abuse against the human rights defenders Ana Subeliani and Tamaz Sozashvili near Amirani cinema on November 8, 2019, as well as to the fact of thwarting the films screening at Amirani cinema, perceived as a restriction of freedom of expression, and call the government of Georgia as well as the law enforcement agencies to:

- Ensure effective investigation on the incidents of physical abuse against the human rights defenders as well as on the facts of interference with the exercise of the freedom of speech; verify the investigation is run under the Article of organized group violence;
- Publicly condemn the violent actions, harassment and prosecution against the human rights defenders in Georgia;
- Develop the politics and regulations to protect the human rights defenders, in accordance with the international principles;
- Protect and ensure the freedom of expression as a constitutional right and prevent the organization of the acts of violence.

Hours before the premiere of the Georgian-Swedish film *And Then We Danced*, homophobic groups gathered outside a number of cinemas in Tbilisi and Batumi to thwart the films screening on November 8, 2019. The protest was particularly crowded at Amirani cinema in Tbilisi where civil activists Ana Subeliani and Tamaz Sozashvili accompanying the LGBT community members at the film screening became the victims of intentional aggression and threats. Activist were attacked on purpose, as human rights activists. Ana Subeliani was later taken to the hospital where she got seven stitches on the eye damaged by a heavy object thrown towards her. Along with the incidents of violence, the facts of restriction and illegal interference with the exercise of the freedom of speech also took place.

Article 17 of the Constitution of Georgia ensures freedom of expression. The same article guarantees the right to freely receive and disseminate information. These rights may be restricted only on the basis of the limits and purposes defined by the law.

In addition, under the Article 153 of the Criminal Code of Georgia, “illegal interference with the exercise of the freedom of speech or of the right to obtain or disseminate information, which has resulted in considerable damage, or performed by abusing one's official position” shall be punished.

Investigation on the cases of injured activists is launched under the Part 1 of Article 118 of the Criminal Code of Georgia (intentional less grave bodily injury). The interests of both activists are defended by the lawyers of the Human Rights Center, member organization of Human Rights House Tbilisi.

Even though Ana Subeliani has been granted victim status and the accused person is already detained, it is very important that the case is properly qualified and the investigation is run not only on intentional less grave bodily injury, but the motive of hate causing the accused person to commit a crime is also outlined. In addition, it is important that the investigation is run on organization of group violence (Part 1 and Part 2 of Article 225, Criminal Code of Georgia) and on illegal interference with the exercise of the freedom of speech (encroachment upon freedom of speech – Article 153, Criminal Code of Georgia).

The role of human rights defenders in the development of society and democracy is recognized worldwide. Principles protecting human rights defenders, including UN Declaration on Human Rights Defenders do exist. Accordingly, we call the Government of Georgia to ensure an effective protection of human rights defenders and to guarantee a safe and free environment for them to implement their activities without any intervention.

Member organizations of the Human Rights House Tbilisi:

- Human Rights Center
- Article 42 of the Constitution
- Media Institute
- Sapari
- The Georgian Center for Psychosocial and Medical Rehabilitation of Torture Victims

