



Human Rights House Tbilisi: There was no reason for starting the dispersal of the November 8 rally with water cannons

Human Rights House Tbilisi, on behalf of the member organizations, expresses its concern over the use of disproportionate and unjustified force against the activists peacefully gathered in front of the Central Election Commission of Georgia on November 8, 2020.

Parliamentary elections were held in Georgia on October 31, 2020. Various observer organizations described the election process as the one with the most flaws and with the “low level of democracy”. The problems were identified both in the [pre-election period](#) and during the elections. Parallel vote count revealed imbalance in election protocols at [8% of the polling stations](#).

Opposition parties, civil society activists and citizens staged a joint protest on November 8 amid the above-mentioned violations. In the evening, the rally moved from the Parliament building to the Central Election Commission (CEC) building. Most of the protesters were still on their way from Rustaveli to the CEC building when the authorities dispersed several dozen people gathered near the CEC building without any warning, using water cannons. Several activists, who were near the CEC at the time, were pushing the fence of the building. According to the Ministry of Internal Affairs, this became the basis for the authorities to use special means of coercion. Authorities also reportedly [used gas](#) to disperse protesters. However, this information was not confirmed by the Ministry of Internal Affairs. According to their information, the so-called [pepper spray](#) may have been used while the protest near CEC.

The right to peaceful assembly and demonstration is guaranteed by a number of international instruments, including the Article 11 of the European Convention on Human Rights as well as the Constitution of Georgia. This right should be restricted considering only the appropriate legal basis, and the principles of proportionality and necessity. The rally near the CEC on November 8 did not initially go far beyond the law on peaceful assembly. In addition, law enforcers should have given a reasonable time to the protesters to meet their demands - this was possible because only a few dozen people were gathered in front of the CEC building and a large number of mobilized law enforcers had the opportunity to avoid any serious consequences.

There was no legal basis for the first use of water cannons by law enforcement, nor it was used proportionally - activists were not warned before using the water cannon, which is a mandatory action under the [Police Law of Georgia](#). This provoked even greater protests, followed by the second wave of the police force used, already aimed at dispersing the rally. These facts are confirmed by the video materials provided by various media, showing that the water cannon for the first time was used against a small, mostly quiet group of people who could not resist the law enforcers. The rally was monitored by the Human Rights Center, a member of Human Rights House Tbilisi, which [made a statement](#) about the use of disproportionate force during the rally.

In addition, it should be noted that the water cannon was used on a November night, in the conditions of low temperature. Due to the crisis epidemic situation in the country amid the coronavirus, the government was obliged not to use the special force that would potentially result more health problems for more people. It is particularly alarming that a number of people were injured as a result of the use of force - people injured their eyes, one activist broke his arm, and so on.

While an effective investigation on the proportionality and misconduct of force used during the rallies on June 20 and November 18 of 2019 is still on, another case of the use of disproportionate force against peaceful activists is particularly alarming. Accordingly, the signatory organizations call on the authorities to:

- Ensure the fulfillment of the obligations under international instruments and the legislation of Georgia and protect the freedom of expression and assembly;
- Ensure a transparent and effective investigation to determine the proportionality of force used during the November 8 rally, including the identification of injured activists as victims and the compensation for the physical or moral damage they need.

on behalf of Human Rights House Tbilisi member organizations:

- **Human Rights Center**
- **Rights Georgia**
- **Media Institute**
- **Sapari**
- **Georgian Centre for Psychosocial and Medical Rehabilitation of Torture Victims (GCRT)**