

Immigration and Refugee Board of Canada

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Responses to Information Requests

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Georgia: Situation of homosexuals, including societal attitudes and availability of state protection
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Legal Framework

Homosexuality was decriminalized in Georgia in June 2000 (Inclusive Foundation [n.d.a](#), 1). While Georgia meets European standards in its anti-discrimination legislation ([ibid.](#) [n.d.d](#), 9), the Constitution does not specifically provide for protection against discrimination based on sexual orientation ([ibid.](#), 2; [Global Rights n.d.a](#), 5). Georgian law does not recognize the rights of same sex couples nor does it provide benefit entitlements ([ibid.](#) [n.d.a](#), 3).

The Labour Code of Georgia, which was adopted in May 2006 (ILGA Europe/COC Netherlands [Aug. 2007](#), 43), now prohibits discrimination on the basis of sexual orientation ([ibid.](#); [Global Rights n.d.a](#), 3) but does not provide for a means of implementing this provision of the Code ([ibid.](#)). Furthermore, a joint fact-finding mission report by the European Region of the International Lesbian and Gay Association (ILGA Europe) and the COC Netherlands includes the observation that the Code does not address discrimination during the recruitment process (ILGA Europe/COC Netherlands [Aug. 2007](#), 43).

Societal Attitudes

The ILGA Europe and COC Netherlands fact-finding mission report describes homosexuals as the "most despised group in Georgian society" (ILGA Europe/COC Netherlands [Aug. 2007](#), 27). Sources report that homosexuality is commonly perceived as a "disease," "sin" or "perversion" (Pink News 25 [Oct. 2007](#); ILGA Europe/COC Netherlands [Aug. 2007](#), 24). In a poll taken by the Caucasus Research Resource Center in December 2006, 81.4 percent of respondents said that they "would not be on friendly terms with a homosexual" ([ibid.](#), 28).

An article in *The Villager* (New York) describes homosexuality in Georgia as a "considerable social stigma [that] remains very much closeted" (15-21 June 2005). ILGA Europe and COC Netherlands found that only those who live in Tblisi and are economically independent are able to live openly as homosexuals (ILGA Europe/COC Netherlands [Aug. 2007](#), 25). An anonymous commentator quoted in the ILGA Europe and COC Netherlands fact-finding mission report estimates that only five to ten percent of homosexuals are open about their orientation ([ibid.](#), 24). Furthermore, of the 120 respondents surveyed during the fact-finding mission, 13.3 percent had come out to their families whereas 33.3 percent had come out to friends ([ibid.](#), 27; Inclusive Foundation [Feb. 2006](#)).

Issues affecting the lesbian, gay, bisexual, transgender (LGBT) community

In a February 2006 study undertaken by the Inclusive Foundation, the first organization in Georgia devoted to

serving the needs of the lesbian, gay, bisexual, transgender (LGBT) population (Inclusive Foundation n.d.b; ILGA Europe/COC Netherlands Aug. 2007, 21), respondents from the LGBT community identified three main priorities: preventing HIV/AIDS infection, securing a meeting place and promoting lobby and advocacy efforts (Inclusive Foundation Feb. 2006).

In a 2005 report published by the United Nations Educational, Scientific and Cultural Organization (UNESCO), the authors determined that homosexual men have difficulty obtaining interventions for the prevention, treatment and care of HIV/AIDS due to the ongoing stigmatization by society and the consequent secrecy surrounding their sexual orientation (UN 2005, Sec. 1.6). Due to the social stigma, individuals are often reluctant to be tested or seek care (Global Rights n.d.a, 6). Article 6 of the Georgian Health Law on Health Protection bans discrimination based on HIV/AIDS status, but no legal bureau or penalties exist to deal with violations (*ibid.*).

LGBT persons have few support networks or meeting places in Georgia, but in their fact-finding mission report, ILGA Europe and COC Netherlands observed that there is "a growing momentum towards protection and equality" (Aug. 2007, 21). In contrast, it was noted in the 2005 UNESCO report that homosexual men were unable to openly organize associations and groups, and that attempts to open potential meeting places, such as gay bars and nightclubs, had been unsuccessful (UN 2005, Sec. 1.6). The situation remained unchanged in 2006 according to ILGA Europe's country-by-country guide, which noted that "[t]here are no official gay bars or clubs in Tbilisi" (Inclusive Foundation 23 Nov. 2006).

According to the ILGA Europe and COC Netherlands fact-finding mission report, the LGBT community in Georgia is too fearful to organize and advocate for their rights (ILGA Europe/COC Netherlands Aug. 2007, 38). Support from outside Georgia is also difficult to obtain as the rights of sexual minorities are not perceived as a priority by international agencies when compared to other human rights concerns in the country (*ibid.*). Following the fact-finding mission, the president of COC Netherlands announced that it had joined ILGA Europe in initiating a five-year project supporting empowerment and HIV/AIDS prevention among the LGBT population in the South Caucasus (Pink News 25 Oct. 2007).

Resistance to LGBT culture and lifestyle

According to information compiled by the Inclusive Foundation and posted on ILGA Europe's website, a gay scene is developing in major cities (Inclusive Foundation 23 Nov. 2006); however, the website includes a warning that "[c]ruising in any sense, whether in [b]ar, bath or parks is considered a very bad tone" and is particularly dangerous on the streets or in parks (*ibid.*). The article indicates that patrol police do not harass gay men (*ibid.*).

Georgia's first LGBT publication, "Me Magazine," was launched in 2006 and covers topics ranging from human rights and health to art and culture (Inclusive Foundation 23 Nov. 2006; Inclusive Foundation n.d.c.). The quarterly publication is available online and is supported by the Inclusive Foundation (*ibid.*).

Several attempts at establishing websites for the LGBT community have faced difficulties, including the website www.gay.ge, which had to be discontinued after a year due to the hostility of a national newspaper (ILGA Europe/COC Netherlands Aug. 2007, 25). As of May 2008, the website appeared to be functioning; however, the content is in Georgian and could not be verified by the Research Directorate.

In 2007, a planned event called "All Different, All Equal" celebrating tolerance and cultural dialogue was cancelled following opposition by the Orthodox Church and condemnation aimed at the event in the Georgian media due to a perception that it promoted homosexuality (Global Rights n.d.a, 11; BBC 24 July 2007; Pink News 15 Oct. 2007).

Also in 2007, a contestant on a popular reality TV show was expelled after the first episode of the program for revealing his sexual orientation (RFE/RL 21 Oct. 2007; Civil Georgia 14 Oct. 2007). The revelation was the first televised admission of homosexuality in Georgia (*ibid.*; *The Messenger* 19 Oct. 2007). The General Director of the network acknowledged that the contestant's subsequent expulsion was due to his "on-air candour" (Civil Georgia 14 Oct. 2007) and made reference to the contestant's "social problem" (RFE/RL 21 Oct. 2007).

Violence against the LGBT population and state response

According to a British Broadcasting Corporation (BBC) article, homosexuals in Georgia are frequent targets of abuse and physical violence (24 July 2007). ILGA Europe featured an article about a 25-year-old homosexual man, who was the victim of a physical attack based on his sexual orientation (ILGA Europe Spring 2006, 4). The victim stated that violence directed against the LGBT community is common but that victims rarely report such incidents due to fear of police harassment and the revelation of their sexual orientation (*ibid.*). The victim in the above case did file a report with police but they "refused, however, to document the case as a hate crime or discrimination, arguing that there is no relevant legislation in Georgia" (*ibid.*). The case was treated as a robbery, but the investigation was suspended (Global Rights n.d.a, 8). A subsequent telecast documenting the incident provoked revulsion from the public toward the victim rather than sympathy (*ibid.*).

According to the ILGA Europe and COC Netherlands fact-finding mission report, with the exception of this

incident, "there are no officially reported incidents of harassment, discrimination or violence against members of the LGBT population in Georgia" (ILGA Europe/COC Netherlands Aug. 2007, 35). However, the report does refer to another complaint based on sexual orientation which was made to the Office of the Public Defender (*ibid.*, 36). The Inclusive Foundation documented six cases of discrimination in its 2006 survey of the LGBT community, but added that the reports had been made to "NGOs, International human rights organizations, Ombudsman, Police or Media" (Feb. 2006). The Inclusive Foundation maintains that victims are generally too intimidated to file a report and lack confidence that the authorities will respond (ILGA Europe/COC Netherlands Aug. 2007, 35).

A report by Global Rights, an organization that describes itself as motivated by a vision of a "just society worldwide built on the fundamental principles of human rights" (Global Rights n.d.b), concludes that police investigations involving crimes against members of the LGBT population are "inadequate, if not discriminatory" (Global Rights n.d.a, 13). A source from the Inclusive Foundation advised Global Rights that hate crimes are not defined under Georgian legislation and therefore, they are categorized as "regular physical assault or robbery [or] murder" (*ibid.*, 8). ILGA Europe and COC Netherlands corroborate the absence of hate crime legislation in Georgia in their joint fact-finding mission report, which also makes note of informal reports of violence directed toward the LGBT community, much of it in "cruising areas" (Aug. 2007, 35).

Nevertheless, in the Inclusive Foundation survey conducted in February 2006, seventy percent of 120 respondents reported that they had not experienced any threats or harassment or been the victim of an assault based on their sexual orientation (Feb. 2006; ILGA Europe/COC Netherlands Aug. 2007, 35). The majority of those who answered in the affirmative had suffered verbal abuse or threats rather than physical harm (Inclusive Foundation Feb. 2006). However, ILGA Europe and COC Netherlands note that the proportion of respondents who had suffered some form of harassment is nonetheless "disturbingly high" (Aug. 2007, 35).

The Inclusive Foundation contends that homophobia is "endemic in Georgian politics" (N.d.a, 1). The ILGA Europe and COC Netherlands fact-finding mission report includes the observation that levelling accusations of homosexuality at political rivals is an effective means of discrediting reputations and damaging careers (Aug. 2007, 29). In a commentary on homosexuality in Georgian politics, freelance writer Paul Rimple was quoted in the following excerpt from the report:

"Fewer things are more scandalous than homosexual activity in a traditional, homophobic country like Georgia. ... It exists but isn't talked about. People know about it but don't want to believe it. ... The families would be dishonored, an unbearable reality in this part of the world." (ILGA Europe/COC Netherlands Aug. 2007, 29)

In 2005, during an interview with the Akhali Taoba newspaper, the Chairperson of the Parliamentary Committee for Human Rights and Civil Integration, Elene Tevdoradze, stated that the government "'neither infringes nor defends'" the rights of sexual minorities (ILGA Europe/COC Netherlands Aug. 2007, 30). She also expressed dismay over young people changing their sexual orientation (*ibid.*; Global Rights n.d.a, 7; Inclusive Foundation n.d.a, 4) which in her opinion, could lead to a possible "catastrophe" (Global Rights n.d.a, 7; Inclusive Foundation n.d.a, 4). Tevdoradze added that "[a] mass change of sexual orientation could be more harmful than our youth embarking on the road to organised crime" (*ibid.*; Global Rights n.d.a, 7; OSCE 2007, 75). During a televised program on 28 May 2006, another public official, Sozar Subari, the Public Defender of Georgia (Ombudsman), stated that he thought it unnecessary to offer his support for LGBT demands for equality (Inclusive Foundation n.d.a, 3-5).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

British Broadcasting Corporation (BBC). 24 July 2007. Matthew Collin. "'Gay' Rally in Georgia Cancelled." <<http://news.bbc.co.uk/2/hi/europe/6914355.stm>> [Accessed 30 Apr. 2008]

Civil Georgia. 14 Oct. 2007. "Gay Man Expelled from TV Show." <<http://www.civil.ge/eng/article.php?id=16021>> [Accessed 30 Apr. 2008]

Global Rights. N.d.a. *Violations of the Rights of Lesbian, Gay, Bisexual and Transgender Persons in Georgia: A Shadow Report*. <http://www2.ohchr.org/english/bodies/hrc/docs/ngos/GRPJ_Georgia.pdf> [Accessed 2 May 2008]

_____. N.d.b. "About Global Rights." <http://www.globalrights.org/site/PageServer?pagename=index_3> [Accessed 2 May 2008]

Inclusive Foundation. 23 November 2006. *Country-by-country: Basic Information Georgia*. (ILGA Europe) <http://www.inclusive-foundation.org/home/files/discrimination_survey_results_en.pdf> [Accessed 4 Apr. 2008]

_____. February 2006. *Discrimination Survey Conducted among 120 LGBT in Georgia - February 2006*. <http://www.inclusive-foundation.org/home/files/discrimination_survey_results_en.pdf> [Accessed 4 Apr. 2008]

_____. N.d.a. *Homophobic Statements by Public Officials in Georgia*. (ILGA Europe) <http://www.ilga-europe.org/europe/guide/country_by_country/georgia/homophobic_statements_by_public_officials_in_georgia> [Accessed 4 Apr. 2008]

_____. N.d.b. "Foundation." <http://www.inclusive-foundation.org/home/?page=about_foundation&lang=en> [Accessed 4 Apr. 2008]

_____. N.d.c. "'Me' Magazine." <http://www.inclusive-foundation.org/home/?page=publications_me&lang=en> [Accessed 2 May 2008]

_____. N.d.d. *Overview of Georgian Legislation in Relationship to LGBT Human Rights*. <http://www.inclusive-foundation.org/home/files/legal_overview_en.pdf> [Accessed 4 Apr. 2008]

ILGA Europe. Spring 2006. Maxim Anmeghichean. "Overcoming Fear." *ILGA Europe Newsletter*. <http://www.ilga-europe.org/europe/publications/newsletter/2006/spring_2006> [Accessed 12 Mar. 2008]

ILGA Europe / COC Netherlands. August 2007. Sheila Quinn. *Forced Out: LGBT People in Georgia*. <www.ilga-europe.org/content/download/9372/55934/version/3/file/georgia.pdf> [Accessed 12 Mar. 2008]

The Messenger [Tbilisi]. 19 October 2007. "Week in Brief." <http://www.messenger.com.ge/issues/1467_october_19_2007/wk_1467_brief.html> [Accessed 12 Mar. 2008]

Organisation for Security and Co-operation in Europe (OSCE). 2007. Office for Democratic Institutions and Human Rights (ODIHR). *Hate Crimes in the OSCE Region: Incidents and Responses*. <http://www.osce.org/publications/odihr/2007/09/26296_931_en.pdf> [Accessed 4 Apr. 2008]

Pink News [London]. 25 October 2007. "LGBT Discrimination in Europe's Margins." <<http://www.pinknews.co.uk/news/articles/2005-5857.html>> [Accessed 30 Apr. 2008]

_____. 15 October 2007. Tony Grew. "Gay Man Expelled from Reality TV Show for Coming Out." <<http://www.pinknews.co.uk/news/articles/2005-5749.html>> [Accessed 12 Mar. 2008]

Radio Free Europe / Radio Liberty (RFE/RL). 21 October 2007. Salome Asatiani. "Georgia: TV Show Reveals Country Changing Mores." <<http://www.rferl.org/featuresarticle/2007/10/8D13EFE1-2B1D-4A6A-920D-476761394AB8.html>> [Accessed 12 Mar. 2008]

United Nations (UN). 2005. George Nijaradze, Ketevan Stvilia and Khatuna Todadze. UN Educational, Scientific and Cultural Organization (UNESCO). *HIV and AIDS in Georgia: A Socio-Cultural Approach*. <<http://unesdoc.unesco.org/images/0014/001411/141169m.pdf>> [Accessed 30 Apr. 2008]

The Villager [New York]. 15-21 June 2005. Johanna Petersson. "For Some Gay Partners, Europe Offers a Safe Haven." <http://www.thevillager.com/villager_111/forsomegaypartners.html> [Accessed 30 Apr. 2008]

Additional Sources Consulted

Internet sources, including: Amnesty International (AI), Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), Findlaw, Gay Republic, Global Gayz, Law Library of Congress (Washington, DC), Parliament of Georgia, United States (US) Department of State, Web Portal on Human Rights in Georgia.

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