

GEORGIA

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Head of state:

Mikheil Saakashvili

Head of government:

Bidzina Ivanishvili (replaced Vano Merabishvili in October, who replaced Nikoloz Gilauri in July)

Parliamentary elections in October marked the first peaceful democratic transfer of power in Georgia's post-Soviet period. However, there were numerous violations of the right to freedom of expression before and after the election.

Background

In October, the Georgian Dream coalition, united around billionaire Bidzina Ivanishvili, won the general election, ending nine years of dominance by President Saakashvili's United National Movement (UNM). The months leading up to the elections were accompanied by reports of harassment of Georgian Dream activists and supporters. Following the election, scores of high-ranking officials and UNM party members were questioned and arrested. They included a former Minister of Defence and of the Interior, the Chief of the General Staff and the Vice-Mayor of Tbilisi, on charges such as possession of illegal drugs and weapons, abuse of office, illegal detention and torture. The arrests prompted international criticism and requests to the new government to avoid the selective targeting of political rivals.

Freedom of association

In the run-up to the elections, there were reports of harassment, intimidation, obstruction and unfair punishment of opposition members and supporters. Fines against Georgian Dream coalition supporters, organizations and individuals associated with them were often imposed unfairly. Attacks on opposition supporters were reported. They ranged from threats to physical beatings and violent assaults against opposition supporters and increased each month as the election approached.

Scores of public and private sector employees were dismissed allegedly for supporting or being related to the leaders of the opposition parties. Schoolteachers in the regions appear to have been specifically

targeted. In most cases the dismissals were decided after the individuals or their relatives made declarations about their political affiliations.

■ On 7 March, four teachers – Venera Ivanishvili, Nana Ivanishvili, Marina Nadiradze and Lela Khurtsilava – were dismissed from a secondary school in Samtredia in the Imereti region. Their contracts were terminated but no grounds were given for the dismissals. The teachers believed they were dismissed for signing a petition for the restoration of Bidzina Ivanishvili and his wife's citizenship in February.

■ In March, a large number of opposition party members and presumed sympathizers were summoned for questioning by the State Audit Agency empowered to investigate political party funding. The widespread summoning and questioning lasted several weeks; it was often carried out in an intimidating fashion and in violation of due process. Approximately 370 citizens were summoned and 295 people questioned in different, mainly rural, parts of Georgia.

■ Mamuka Kardava, the leader of the Khobi Branch of the Georgian Dream coalition, was attacked and beaten by four unidentified men on 20 May. Despite evidence that the marks on his back were likely to have been caused by a beating, the initial investigation was opened against Mamuka Kardava himself for violations of traffic safety rules. On 29 May, a formal investigation into allegations of assault was opened, but by the end of the year no progress was reported.

■ On 27 June, Ioseb Elkanashvili, a member of the Georgian Dream coalition in Gori, was attacked and beaten by five unidentified men, one of whom allegedly wore a police uniform. The case remained under investigation at the end of the year.

Freedom of expression – journalists

Journalists from pro-opposition media outlets were attacked on several occasions while covering campaign meetings and events. Pro-government journalists also reported attacks and verbal abuse. Investigations were initiated and several individuals, including a local government representative, were charged with administrative offences.

■ In Mereti in the Shida Kartli region, on 26 June journalists from Info 9, Channel 9 and Trialeti reported being physically and verbally assaulted when covering a meeting of the opposition with residents.

■ On 12 July, 10 reporters were injured and hospitalized following a clash between opposition

leaders and pro-government supporters in Karaleti village in the Shida Kartli region. The injured journalists were from national as well as local news agencies such as Trialeti, and Shida Kartli Information Centre. Saba Tsitsikashvili, one of the injured journalists, said that he recognized staff from the local municipal authority among his attackers.

Freedom of assembly

Freedom of assembly remained largely unrestricted, with representatives from both the UNM and the Georgian Dream coalition holding large-scale peaceful rallies in the capital Tbilisi as well as in the regions before the elections. However, a handful of incidents of violence and disruption were reported at smaller meetings, mostly in the regions.

■ In May, city authorities in Kutaisi used water cannon to prevent opposition activists from holding a peaceful candle vigil to mark the city day celebration.

■ On 26 June, a fistfight broke out before a meeting of the Georgian Dream coalition with local people in Mereti, preventing it from starting. As a result of the fight, several people, including a number of journalists, sustained injuries and two coalition supporters were taken to hospital for treatment. A video of the event allegedly showed several public employees involved in the incident.

Discrimination

Members of the majority Orthodox Christian religion clashed with minority religious groups in rural villages. Police intervened, and Muslim worshippers were able to conduct their prayers. However, the authorities failed to condemn the religious violence in unequivocal terms.

■ On 26 October, the majority Christian population of Nigvziani village, in the Lanchxuti region, threatened the Muslim population with expulsion and physical violence, demanding that they stop religious gatherings and group prayers.

■ On 30 November, in the village of Tsintsikaro, in the Qvemo Kartli region, the majority Christian population threatened and verbally abused Muslim religious followers, demanding that they stop their group prayers and the construction of a mosque.

Lesbian, gay, bisexual, transgender and intersex people

In Tbilisi, Orthodox Christians attacked LGBTI individuals.

■ On 3 May, a peaceful march in central Tbilisi marking the International Day against Homophobia and Transphobia came under attack when a group of Orthodox Christians and members of the “Orthodox Parents’ Union” began insulting and threatening protesters from IDENTOBA, a Georgian LGBTI rights organization. Police intervened after a scuffle broke out between the two groups. Five people were detained and were released shortly afterwards.

Amnesty International visits/reports

✈️ Amnesty International delegates visited Georgia in June, September and November.

📄 Georgia: A lot to contest – Rights abuses in the run-up to Georgia’s 2012 Parliamentary Election (EUR 56/005/2012)

GERMANY

FEDERAL REPUBLIC OF GERMANY

Head of state: **Joachim Gauck (replaced Christian Wulff in March)**

Head of government: **Angela Merkel**

The authorities failed to establish an independent police complaints body and ensure that all police officers on duty wore identity badges. The National Agency for the Prevention of Torture remained severely under-resourced. The authorities continued to return Roma, Ashkali and Egyptians to Kosovo, and to return asylum-seekers to Hungary despite risks of human rights violations there. The authorities refused to rule out seeking diplomatic assurances to facilitate the return of individuals to countries where they were at risk of torture or other ill-treatment.

Torture and other ill-treatment

The authorities continued to fail to address obstacles preventing effective investigation of allegations of ill-treatment by police. No federal state established an independent police complaints body to investigate allegations of serious human rights violations by police. Except for the federal states of Berlin and Brandenburg, police officers remained under no legal obligation to wear identity badges. Police officers in