

# Summary of Legislation Related to the Rights of LGBT, other MSM, and PLWH

## Georgia



Legislative Aspect	Law	Practice
Travel and Immigration Bans on People Living with HIV (PLWH)	PLWH may encounter problems when immigrating to Georgia.	One of the grounds for refusal of a residence permit is if the applicant has an infectious disease, the severity, longevity, and nature of which may threaten the population. HIV is included in this list of diseases, as established by the Ministry of Labour, Health and Social Affairs of Georgia.
Criminalization of HIV Transmission	Transmission of HIV is criminalized.	Knowingly subjecting another person to the danger of HIV infection is punishable by imprisonment of up to 5 years; infection of another person with HIV by someone who knows they are infected is punishable by imprisonment of up to 7 years; HIV transmission resulting from professional negligence of medical professionals is punishable by imprisonment of up to 3 years.
Ban on Blood Donation by MSM	MSM are prohibited from donating blood.	A ruling of the Constitutional Court amended the ban on blood donation to apply only to men who have sex with men (sexual behavior), rather than to homosexuals (sexual orientation).
Criminalization of Same-Sex Sexual Activity	Same-sex sexual activity is legal.	Same-sex sexual activity was decriminalized in 2000. Age of consent is 16 for both men and women.
Ban on "Homosexual Propaganda"	There is no ban on "homosexual propaganda".	
Laws on Gender Identity and Expression (changing one's legal gender and related procedures)	A person may change their legal gender according to existing legislation.	In order to change one's legal gender, a person must undergo irreversible sterilization, hormonal treatment, and other necessary surgical procedures. Gender reassignment procedures are available in the country, but are not covered by state medical insurance. Many Georgians cannot afford the costs related to these procedures.

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<b>SOGI Antidiscrimination Laws</b>	Georgia prohibits discrimination on the basis of sexual orientation and gender identity.	The relevant law was enacted in 2014, but continues to lack effective enforcement mechanisms. Procedures for bringing cases pursuant to the law are vague, and many law enforcement and judicial officials lack the proper training to adequately handle cases of discrimination, particularly when they concern sexual minorities. Enforcement remains low.
<b>Hate Crimes Legislation</b>	Aggravating criminal circumstances arise when a crime is committed on the basis of the victim's sexual orientation or gender identity.	Implementation of the relevant law remains ineffective. The necessary measures to equip law enforcement agencies and the judiciary with the knowledge and skills to identify hate crimes and support victims and witnesses have not yet been implemented.
<b>Recognition of Same-Sex Partnerships</b>	There is no recognition of any kind of same-sex partnership or union.	The Constitution of Georgia does not expressly define marriage as a union between a man and a woman. However, in practice, marriage is only available to opposite-sex couples.
<b>Adoption</b>	There is no legal act allowing LGBT people to jointly adopt children.	Single parents are eligible to adopt children. Thus, it is still possible for LGBT people to adopt.



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