



THEMATIC REPORT

ANALYSIS OF THE NATIONAL LEGISLATION OF GEORGIA RELATED TO SOGI AND HIV



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Author: Mariam Kvaratskhelia

Editing and translation: Oksana Serha

Design and layout: Anastasiia Danylevska



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ABBREVIATIONS

CEDAW Convention on the Elimination of All Forms of Discrimination Against Women

ECHR European Convention on Human Rights

ECtHR European Court of Human Rights

ECRI European Commission against Racism and Intolerance

FARA Foreign Agents Registration Act

GEO Georgian Elections Observatory

GYLA Georgian Young Lawyers' Association

HIV Human immunodeficiency virus

ICCPR International Covenant on Civil and Political Rights

LGBTQI Lesbian, gay, bisexual, transgender, queer and intersex people

NGO Non-governmental organization

OHCHR Office of the United Nations High Commissioner for Human Rights

**SOGI /
SOGIESC** Sexual orientation and gender identity
(expression and sex characteristics)

UPR Universal Periodic Review

WHO World Health Organization



EXECUTIVE SUMMARY

Between 2024 and 2025, Georgia adopted a cluster of laws that, taken together, mark one of the sharpest reversals of LGBTQI rights and civic freedoms anywhere in the Council of Europe region. The Law on Transparency of Foreign Influence (May 2024), the Foreign Agents Registration Act (2025), restrictive amendments to the Law on Grants (2025) and, above all, the Law on the Protection of Family Values and Minors (September 2024) have reshaped the environment in which lesbian, gay, bisexual, transgender, queer and intersex people live and in which the organizations serving them operate.

The cumulative effect has been corrosive to the right to health. Community-led and peer-based organizations have long been the principal providers of HIV prevention, testing, treatment support and psychosocial care for men who have sex with men (MSM) and transgender people in Georgia. The new legal framework has placed these very organizations under administrative pressure, surveillance risk and funding insecurity, while criminalizing gender-affirming healthcare outright and prohibiting legal gender recognition.

International scrutiny has been unusually direct. The Venice Commission found the constitutional ‘Family Values’ initiative incompatible with European human rights standards and recommended deleting its bans on gender-affirming surgery and legal gender recognition; it likewise found the foreign influence framework incompatible with the rights to freedom of expression, association and privacy. The European Court of Human Rights had already held, in *A.D. and Others v. Georgia*, that Georgia violated the Convention by failing to provide an accessible legal gender recognition procedure — a defect the 2024 legislation has now entrenched rather than fixed. The European Commission found that the same legislation, together with anti-EU rhetoric, had de facto halted Georgia’s accession process.

AT THE NATIONAL LEVEL, INTERNATIONAL HUMAN RIGHTS STANDARDS HAVE BEEN TRANSFORMED INTO THE FOLLOWING LAWS OF GEORGIA

LAWS	YES	NO
PROTECTION FROM DISCRIMINATION		
Provision on the prohibition of discrimination in the Constitution	 <i>Art. 11 of the Constitution (equality before the law; open list of grounds, SOGI not named explicitly).</i>	
Separate law on ensuring equality ¹	 <i>Law of Georgia on the Elimination of All Forms of Discrimination (2014), Art. 1 – sexual orientation explicitly listed; gender identity removed in 2025.</i>	
Provision on hate crimes in the Criminal Code ²	 <i>Art. 53¹ of the Criminal Code – commission of a crime on grounds of intolerance (incl. sexual orientation) is an aggravating circumstance. The term “hate crime” itself is not defined in law.</i>	
Official statistics on the number of hate crimes based on SOGI		
Investigation of crimes against LGBT people as HC		
FREEDOM OF SPEECH AND HATE SPEECH		
Law on the prohibition of gay propaganda / direct ban on freedom of speech for LGBT people	 <i>Law “On Family Values and Protection of Minors” (Sept. 2024) bans “propaganda” of same-sex relations and gender change in education, broadcasting, advertising and public assemblies.</i>	
Liability (civil, administrative or criminal) for hate speech based on SOGI		
Proper investigation of incitement to hatred based on SOGI		

¹ The law covers sexual orientation; “gender identity” was removed from the protected grounds in 2025.
² Sexual orientation is covered; “gender identity” was removed in 2025.

LAWS	YES	NO
LEGISLATION IN THE FIELD OF FAMILY LAW AND DOMESTIC VIOLENCE		
Law/regulation governing the legal status of same-sex couples		 Constitution (Art. 30) defines marriage as a union of a man and a woman; the 2024 law bans any recognition of same-sex unions, incl. those concluded abroad.
Law/regulation allowing adoption of children by same-sex couples		 Adoption and foster care by same-sex couples explicitly prohibited (2024 law).
Law on the prohibition of domestic violence	 Law on Elimination of Violence against Women and/or Domestic Violence (2006). The law does not include SOGI.	
RIGHT TO HEALTH		
Direct ban on entry for people living with HIV		
Conditions/restrictions for PLHIV to visit the country and/or immigrate, such as the requirement to disclose health information (and/or HIV status) when applying for a long-term visa or residence permit		
Criminal or other liability for intentional HIV transmission		
Criminal or other liability for unintentional HIV transmission		
Procedure for determining intent in cases of HIV transmission		
Restrictions on blood donation for gays and other MSM	 Government Decree No. 74 (2014, technical regulation for blood-transfusion institutions) still lists “sexual contact between men” as a high-risk behaviour for deferral, although the Constitutional Court found MSM bans unconstitutional (2014 and 13 July 2017).	
Questions about SOGI (or about “risky sexual behavior,” “sexual life” etc.) in screening procedures or donor forms	 Donor screening (Government Decree No. 74/2014) assesses epidemiological history incl. high-risk sexual behaviour (unprotected or paid sex).	

LAWS	YES	NO
RIGHT TO HEALTH		
Free and regular access to ART for immigrants	 Available to foreign citizens holding a residence permit, refugee status or appropriate medical documentation; tourists and undocumented migrants have no regular access.	
RIGHT TO HEALTH FOR TRANS PEOPLE		
Law/regulation governing the procedure for legal gender recognition		 Legal gender recognition is explicitly prohibited by the 2024 law
Requirement of surgical intervention to change the gender marker in the passport		 Not applicable – legal gender recognition is banned altogether by the 2024 law (before 2024 trans people had to undergo surgery/sterilisation).
Requirement to obtain a psychiatric diagnosis before accessing the legal gender recognition procedure		 Not applicable – no legal gender recognition procedure exists.
Adopted medical protocol for trans people		 No national protocol; gender-affirming medical care banned by the 2024 law.
FREEDOM OF ASSOCIATION AND NGO FUNDING		
Legal barriers and restrictions on the activities of NGOs that provide HIV prevention services for PLHIV and work with LGBT people	 Law on Transparency of Foreign Influence (2024); Foreign Agents Registration Act (2025, up to 5 yrs' imprisonment); 2024 “family values” law restricts LGBT-related content and assemblies.	
Possibility for NGOs that provide HIV prevention services for PLHIV and work with LGBT people to receive funding from national and/or local budgets ³	 Possible for HIV-prevention services	
Possibility to receive donor support from international organizations and foundations (but subject to strict public reporting requirements and fines)	 Each foreign grant needs prior Government consent (Law on Grants, amended 2025–2026); fines of double the grant amount and criminal liability (up to 6 yrs).	

³ LGBT NGOs can be registered in Georgia (no legal restriction on registration), but their activities and funding are restricted by the 2024–2025 laws (family values law, FARA, Law on Grants, Law on Transparency of Foreign Influence).

1

INTRODUCTION AND METHODOLOGY

This report assesses the human rights situation of LGBTQI people in Georgia with a deliberate focus on the right to the highest attainable standard of health and on the HIV response. It treats health not as a sector isolated from politics, but as a right whose realization depends directly on the legal status of affected communities, the operational space of civil society and the conduct of state institutions.

The analysis is built on a desk review of national legislation and amendments to it; the monitoring and service delivery data of Georgian community organizations; opinions of the Venice Commission; the case-law of the European Court of Human Rights; and the assessments of United Nations and Council of Europe human rights mechanisms. It also draws on the joint stakeholders' submissions prepared for Georgia's fourth Universal Periodic Review. Where individual cases are referenced, they reflect documentation by service providers; for security reasons, sources and testimonies recorded by those organizations have been anonymized.

The reporting period is 2024–2025. The most damaging measures were adopted in a compressed period around the October 2024 parliamentary elections, and their effects on health and safety were still unfolding through 2025.

2

BACKGROUND: SOGI, CIVIL SOCIETY AND HIV RESPONSE

Georgia is party to the principal international human rights instruments, including the International Covenant on Civil and Political Rights, the European Convention on Human Rights, the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child. In 2014, as part of its commitments under the Association Agreement with the European Union, Georgia adopted the Law on the Elimination of All Forms of Discrimination, which expressly listed sexual orientation and gender identity as protected grounds⁴.

That law was widely regarded as a milestone, but its promise was never carried into practice. Successive governments declined to prioritize LGBTQI equality at the level of national policy: the 2018–2020 Human Rights Action Plan briefly included a chapter on gender identity and equality, yet the 2022–2030 Human Rights Strategy and the 2024–2026 Action Plan omit LGBTQI issues altogether, leaving no entry point for addressing SOGI-based discrimination or violence⁵.

Against this backdrop of state inaction, civil society organizations, and LGBTQI community organizations in particular, became the de facto guarantors of the right to health for key populations. They deliver HIV prevention and care, voluntary counselling and testing, pre-exposure prophylaxis, psychosocial support, legal aid and human rights monitoring, partially compensating for gaps in the public system, especially for MSM and transgender people.

⁴ WISG (E. Skhiladze), *Eradication of LGBTQI+ Issues from State Policy: Challenges to Equality in Georgia*, 2025, pp. 4–6.

Available at: <https://wisg.org/Data/Eradication-of-LGBTQI-Issues-from-State-Policy-ENG.pdf>, accessed 17 June 2026.

⁵ Joint UPR submission of ILGA World, WISG, Tbilisi Pride and Equality Movement, July 2025, para. 5.

Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

Budget constraints and the absence of medical licences mean they cannot fully meet demand, but they remain the backbone of the community-led HIV response⁶.

It is precisely this civil-society infrastructure that the legislative changes of 2024–2025 have placed under threat, which is why an assessment of the HIV response cannot be separated from an assessment of the laws governing association, funding and expression.

2.1 POLITICAL INSTRUMENTALIZATION OF LGBTQI LIVES

The 2024 legislation did not emerge from a genuine child protection concern but from an electoral strategy. Independent analysis of the pre-election period documents how the governing party built a campaign around a vaguely defined notion of ‘LGBT propaganda’ — a term imported from the Russian Federation’s 2013 law — in the months before the October 2024 parliamentary elections. Senior figures publicly tied the need for a constitutional majority to banning same-sex civil partnership, adoption by same-sex couples, gender-affirming surgery and the recognition of genders beyond man and woman, framing all of these as a foreign-driven threat to the nation⁷.

Analysts situate this within what the political theorist Ruth Wodak terms the ‘politics of fear’: an illiberal playbook, visible earlier in Russia, Hungary and Poland, in which culturally divisive issues are used to consolidate power, distract from socio-economic and governance problems, attract an ultra-conservative electorate and divide society into ‘us’ and threatening ‘others.’ Claims that exposure to information can change a person’s sexual orientation or gender identity, or that visibility of LGBTQI people causes a falling birth rate, are contradicted by the WHO and professional bodies; they function as emotional manipulation rather than evidence. The Georgian Orthodox Church, among the most trusted institutions in the country, has reinforced such narratives⁸.

This framing matters for the right to health because it casts the very act of providing HIV services, psychosocial support or accurate information about SOGI as ‘propaganda,’ delegitimizing the organizations that deliver care and recasting the public health function as a political and even existential threat.

3 LEGISLATIVE ASSAULT OF 2024–2025

Four interlocking legislative developments define the period: the foreign influence framework, the new Foreign Agents Act, restrictions on foreign grants and the constitutional-level ‘Family Values’ law, accompanied by the removal of ‘gender’ from the statute book. Each is examined in turn.

⁶ Joint Stakeholders’ Submission (ECOM, Equality Movement, Tbilisi Pride) to the UPR of Georgia, paras. 6–7.

⁷ Georgian Elections Observatory (GEO), Pre-election Instrumentalization of Anti-LGBT Sentiments and Family Values, 5 October 2024.

Available at: <https://medialab.ug.edu.ge/en/research/anti-lgbt-sentimentebisa-da-ojakhuri-ghirebulebebis-inasaarchev-no-instrumentalizacia>, accessed 17 June 2026.

⁸ GEO, op. cit.; WISG, 2025, pp. 13–15 (political homophobia and discriminatory state discourse).

Available at: <https://wisg.org/Data/Eradication-of-LGBTQI-Issues-from-State-Policy-ENG.pdf>, accessed 17 June 2026.

Available at: <https://medialab.ug.edu.ge/en/research/anti-lgbt-sentimentebisa-da-ojakhuri-ghirebulebebis-inasaarchev-no-instrumentalizacia>, accessed 17 June 2026.

3.1 THE LAW ON TRANSPARENCY OF FOREIGN INFLUENCE (2024)

In May 2024, Parliament adopted the Law on Transparency of Foreign Influence, requiring every non-commercial legal entity and media organization that receives more than 20% of its annual income from foreign sources to register as an ‘organization pursuing the interests of a foreign power.’ The label attaches regardless of an entity’s objectives, governance or transparency, and non-compliance with the registration and reporting regime exposes organizations to substantial fines and possible dissolution. The framework is closely modelled on the Russian Federation’s ‘foreign agents’ law⁹.

The Venice Commission, in its urgent opinion of 21 May 2024, concluded that the law’s restrictions on freedom of expression, freedom of association and privacy were incompatible with international and European standards on democracy and non-discrimination, and recommended that the law be repealed in its existing form – a recommendation Parliament disregarded¹⁰.

Because LGBTQI health and rights services in Georgia are delivered almost entirely by NGOs that also receive foreign funds, the stigmatizing classification falls with particular weight on the community sector, undermining its credibility, its partnerships and its capacity to operate.

3.2 THE FOREIGN AGENTS REGISTRATION ACT (2025)

In April 2025, Parliament adopted a further ‘foreign agent’ instrument, entitled the Foreign Agents Registration Act, which took effect on 31 May 2025. It requires individuals and organizations that receive foreign funding and engage in vaguely defined ‘political activities’ to register as ‘agents of a foreign principal.’ In practice it leaves civil society organizations, media outlets and individuals with a stark choice: accept the foreign agent designation or face criminal penalties, including heavy fines and imprisonment of up to five years¹¹.

The introduction of criminal liability for civil society staff represents a qualitative escalation: it converts administrative harassment into a threat of prosecution, with foreseeable consequences for the willingness of professionals and volunteers to continue community-based work.

⁹ Joint Stakeholders’ Submission (ECOM/EM/Tbilisi Pride), para. 9.

¹⁰ Venice Commission, CDL-PI(2024)013, Urgent Opinion on the Law on Transparency of Foreign Influence, 21 May 2024; see also Joint UPR submission (ILGA World et al.), para. 6.

Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

Available at: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-PI\(2024\)013-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-PI(2024)013-e), accessed 17 June 2026.

¹¹ Joint Stakeholders’ Submission (ECOM/EM/Tbilisi Pride), para. 10; Civil.ge, ‘Georgian Dream’s FARA Takes Effect,’ 2025.

Available at: <https://civil.ge/archives/684669>, дата обращения: 17 июня 2026 г.

3.3 AMENDMENTS TO THE LAW ON GRANTS (2025)

Also in April 2025, amendments to the Law on Grants introduced a requirement of prior approval by the Georgian government, or a body it designates, before foreign donors may issue grants to local NGOs or individuals. A grantee who receives a ‘prohibited’ grant is fined twice the amount received. A subsequent amendment went further still, treating the sharing of skills and knowledge and the provision of technical support as equivalent to issuing a grant¹².

Observers note that this regime brings Georgia’s treatment of foreign assistance closer to that of Belarus, Turkmenistan, Azerbaijan and Uzbekistan, effectively suspending the fundraising activity of international donors and shrinking the pool of professionals able to support the LGBTQI community. In September 2025, the Anti-Corruption Bureau invoked the grants law to open monitoring of community organizations, including the Equality Movement, requesting extensive information about their activities; violations of the law’s new provisions now carry criminal rather than administrative liability¹³.

3.4 THE LAW ON THE PROTECTION OF FAMILY VALUES AND MINORS (2024)

The centrepiece of the anti-LGBTQI agenda is the Law on the Protection of Family Values and Minors. The constitutional-level initiative was registered in April 2024 by a group of 83 parliamentarians drawn almost entirely from the governing coalition, including the Speaker and the principal party leaders; the law itself was adopted on 17 September 2024 by 84 votes to none and entered into force on 2 December 2024¹⁴.

The law prohibits the dissemination of information said to ‘promote non-traditional sexual relations,’ which in effect outlaws public visibility of LGBTQI identities, educational content on SOGI, affirming media and even direct communication with minors on these topics. It bans same-sex marriage and forbids LGBTQI individuals from adopting or fostering children. It restricts freedom of assembly, prohibiting gatherings that ‘popularize’ same-sex relationships or gender transition. Critical for the right to health, it criminalizes gender-affirming medical interventions, including hormone therapy and surgery, even with the individual’s informed consent, and it bans legal gender recognition¹⁵.

¹² Joint Stakeholders’ Submission (ECOM/EM/Tbilisi Pride), para. 11; Civil.ge, ‘GD Parliament Further Amends Law on Grants,’ 2025.

Available at: <https://civil.ge/archives/686104>, accessed 17 June 2026.

¹³ Equality Movement, Annual Report 2025, Letter from the Executive Director; Joint UPR submission (ILGA World et al.), para. 6.

Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

Available at: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2024\)021-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2024)021-e), accessed 17 June 2026.

¹⁴ Venice Commission, CDL-AD(2024)021, paras. 6–7; WISG, 2025, p. 8.

Available at: <https://wisg.org/Data/Eradication-of-LGBTQI-Issues-from-State-Policy-ENG.pdf>, accessed 17 June 2026.

Available at: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2024\)021-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2024)021-e), accessed 17 June 2026.

¹⁵ Joint Stakeholders’ Submission (ECOM/EM/Tbilisi Pride), para. 12; Joint UPR submission (ILGA World et al.), paras. 7, 17–18.

Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

Under Article 7, state and local government documents may record only a person's biological sex, and Georgian courts are forbidden from granting legal gender recognition or recognizing such decisions issued by foreign courts. An amendment to the Criminal Code makes the performance of surgery or other medical procedures to assign a sex different from a person's biological sex punishable by a fine, disqualification from office for up to three years or imprisonment of one to four years; a parallel amendment to the Law on Health Care prohibits such interventions outright¹⁶.

Article 11 erodes workplace protection by exempting employers from anti-discrimination obligations connected to gender identity and by voiding any labour agreement refraining from the use of terminology implying biological sex. Many of the law's key terms, such as 'popularization' foremost among them, are drafted so vaguely that their meaning, scope and enforcement remain difficult to ascertain, compounding their chilling effect¹⁷.

3.5

ERASURE OF 'GENDER' AND 'GENDER IDENTITY' FROM THE LEGAL ORDER

On 2 April 2025, Parliament adopted amendments that removed the terms 'gender' and 'gender identity' from a wide range of statutes, among them the Law on Gender Equality (renamed the Law on Equality Between Women and Men), the Law on the Rights of Persons with Disabilities, the Law on the Elimination of All Forms of Discrimination and the law on the prevention of violence against women and domestic violence. The Criminal Code was amended to remove gender identity as a basis for aggravated hate crimes; sexual orientation remains an explicitly protected ground, but gender identity does not¹⁸.

As a result, it makes transgender, non-binary and gender-non-conforming people legally invisible, stripping them of protection against discrimination and violence. The same package abolishes the parliamentary Gender Equality Council, dismantling even the limited institutional machinery that previously existed. These changes stand in direct tension with Georgia's obligations under the Istanbul Convention and CEDAW¹⁹.

¹⁶ Joint UPR submission (ILGA World et al.), paras. 16–18, citing the Law on the Protection of Family Values and Minors (arts. 6–7), the Criminal Code (art. 176¹) and the Law on Health Care (art. 14¹).

Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

Available at: <https://matsne.gov.ge/en/document/view/6283110?publication=0>, accessed 17 June 2026.

¹⁷ Joint Stakeholders' Submission (ECOM/EM/Tbilisi Pride), para. 12; Joint UPR submission (ILGA World et al.), para. 7.

Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

¹⁸ Joint Stakeholders' Submission (ECOM/EM/Tbilisi Pride), para. 13; Joint UPR submission (ILGA World et al.), para. 9; WISG, 2025, p. 8.

Available at: <https://wisg.org/Data/Eradication-of-LGBTQI-Issues-from-State-Policy-ENG.pdf>, accessed 17 June 2026.

Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

¹⁹ WISG, 2025, pp. 8–10; Joint Stakeholders' Submission (ECOM/EM/Tbilisi Pride), para. 13.

Available at: <https://wisg.org/Data/Eradication-of-LGBTQI-Issues-from-State-Policy-ENG.pdf>, accessed 17 June 2026.

The 2024–2025 legislation did not pass without scrutiny. International and regional bodies such as the Venice Commission, the European Court of Human Rights, the European Union, and United Nations and Council of Europe mechanisms assessed the measures and found them, in their key respects, incompatible with binding standards.

4.1 THE VENICE COMMISSION ON THE ‘FAMILY VALUES’ LAW

At the request of the Parliamentary Assembly’s Monitoring Committee, the Venice Commission examined the draft constitutional law and adopted its opinion (CDL-AD(2024)021) on 25 June 2024. The Commission’s analysis was unsparing, both on process and on substance²⁰.

In the process, the Commission found that the public consultation failed to involve the groups most directly affected, that there was no apparent participation of representatives of sexual and gender minorities, and that no genuine impact assessment, comparative review or expert input had informed the drafting. It stressed that, for constitutional amendments above all, the law-making process must be transparent, inclusive and accountable, and recommended that a thorough, public impact analysis be carried out before adoption²¹.

On substance, the Commission’s central conclusions were that:

- ✓ the absolute prohibition of gender-affirming surgery (Article 1.3) cannot be reconciled with Article 8 ECHR, since the lack of any lawful route to such care creates distressing uncertainty about a person’s identity; the Commission recommended deleting the provision, noting that a constitutional instrument should not impose a blanket ban in all circumstances;
- ✓ the requirement that documents record sex ‘in compliance with genetic data’ (Article 1.4) is directly inconsistent with the European Court’s judgment in *A.D. and Others v. Georgia*, because it makes legal gender recognition not merely unavailable but legally prohibited; the Commission recommended deleting it and establishing a precise, expeditious and accessible procedure for changing the registered sex marker;
- ✓ the word ‘genetically’ in the marriage provision (Article 1.1) should be removed, since the Court held that ‘man’ and ‘woman’ cannot be defined by purely biological criteria;
- ✓ the text should be modified to allow legal recognition of same-sex couples, the absence of which engages Article 14 read with Article 8 ECHR; and
- ✓ the provision invalidating decisions that restrict ‘concepts defined by sex’ is so imprecise as to offend the principle of foreseeability and, as applied to private persons, would interfere with freedom of expression under Article 10 ECHR.

²⁰ Venice Commission, CDL-AD(2024)021, Opinion on the Draft Constitutional Law on Protecting Family Values and Minors, 25 June 2024, paras. 1–5.

Available at: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2024\)021-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2024)021-e), accessed 17 June 2026.

²¹ Venice Commission, CDL-AD(2024)021, paras. 15–25.

Available at: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2024\)021-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2024)021-e), accessed 17 June 2026.

In short, the Commission recommended deleting or fundamentally redrafting the provisions that most directly target transgender people and same-sex couples. Parliament proceeded with the law regardless²².

It should be noted that Georgia's ruling party, Georgian Dream, failed to secure the votes needed for a constitutional majority in parliament during the 2024 elections, and was therefore unable to adopt the draft as a constitutional law. Instead, it adopted an ordinary law containing the exact same articles and content as the constitutional law draft that had been critically assessed by the Venice Commission.

4.2

THE EUROPEAN COURT OF HUMAN RIGHTS: A.D. AND OTHERS V. GEORGIA

In *A.D. and Others v. Georgia* (1 December 2022), the European Court of Human Rights held that Georgia had violated Article 8 of the Convention because it lacked a quick, transparent and accessible procedure for legal gender recognition. Although the right to change one's gender entry had nominally existed in Georgian law since 1998, it was not applied in practice, and the imprecision of the framework left authorities with excessive discretion. The Court required Georgia to establish clear legislative and administrative measures for recognition. The 2024 law not only failed to comply but expressly entrenched the prohibition²³.

4.3

EUROPEAN UNION AND COUNCIL OF EUROPE BODIES

In its 2024 enlargement assessment, the European Commission found that the adoption of the foreign influence law and the 'family values' package, together with strident anti-EU rhetoric from officials, had de facto halted Georgia's accession process, and it explicitly called on Georgia to repeal both. The Commission recorded that, as a result of the legislation and persistent homophobic hate speech, LGBTQI people in Georgia face an increasingly hostile and stigmatizing atmosphere, that the authorities not only fail to address but amplify discrimination, intolerance and systemic violence, and that the investigations into the organization of the 2021 and 2023 Pride violence had still not been concluded²⁴.

The European Parliament went further, in its resolution of 25 April 2024, urging the governing majority to withdraw the proposed constitutional legislation curtailing LGBTQI rights as an attack on the LGBTQI community and on a free civil society, and subsequently condemning the anti-LGBTQI legislation as mirroring Russian-style policy, calling for its repeal and for the reinstatement of the electoral gender quotas abolished in 2024.

²² Venice Commission, CDL-AD(2024)021, paras. 35, 41, 48, 56, 62–64.

Available at: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2024\)021-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2024)021-e), accessed 17 June 2026.

²³ ECtHR, *A.D. and Others v. Georgia*, applications nos. 57864/17, 79087/17 and 55353/19, 1 December 2022; Joint UPR submission (ILGA World et al.), para. 15.

Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

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²⁴ European Commission, 2024 Communication on EU Enlargement Policy — Georgia report, SWD(2024)697, 30 October 2024; EEAS, 2024 enlargement report on Georgia (assessment of steps/priorities). The Commission's 2025 follow-up reiterated these findings.

Available at: https://enlargement.ec.europa.eu/document/download/7b6ed47c-ecde-41a2-99ea-41683dc2d1bd_en?filename=Georgia+Report+2024.pdf, accessed 17 June 2026.

The Council of Europe Commissioner for Human Rights had earlier, in March 2024, condemned the political manipulation of LGBTQI-phobia in the run-up to the elections and the harm to LGBTQI people and human rights defenders²⁵.

These assessments also expose the hollowing-out of Georgia's own human rights architecture: the National Strategy for the Protection of Human Rights for 2022–2030 and the Action Plan for 2024–2026 omit LGBTQI issues entirely, providing no entry point for addressing SOGI-based discrimination — a gap the EU has repeatedly asked Georgia to close, without effect²⁶.

Earlier Council of Europe assessments anticipated these developments. ECRI's 2023 report and the Commissioner's 2022 report following her visit both recorded that hate speech and incitement to discrimination and violence against LGBTQI people had been growing online, in privately owned media, and among some clergy, politicians and public officials²⁷.

5

IMPACT ON CIVIL SOCIETY AND HIV RESPONSE

The foreign influence framework has produced a demonstrable chilling effect on the viability and standing of civil society. The 'foreign power' label has caused reputational harm and institutional delegitimization; government bodies have suspended cooperation with registered organizations, and prospective donors cite legal uncertainty and the risk that grant-supported work could be criminalized. Documented oversight practices include unannounced inspections, burdensome demands for internal records and compulsory disclosure of sensitive personal data about staff, volunteers and beneficiaries — requirements that frequently exceed accepted standards of administrative transparency and carry the threat of heavy fines or criminal liability²⁸.

For the HIV response, the consequences are direct. Community-based and peer-led organizations that had been at the forefront of HIV service provision report sharp reductions in outreach, declining participation by beneficiaries who fear surveillance or legal reprisal, and rising stress and burnout among staff.

²⁵ European Parliament resolution of 25 April 2024 (2024/2703(RSP)), para. 18; European Parliament report A10-0110/2025 on the 2023 and 2024 Commission reports on Georgia; Venice Commission, CDL-AD(2024)021, paras. 8–9.

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²⁶ National Strategy for the Protection of Human Rights of Georgia 2022–2030 and Action Plan 2024–2026 (matsne.gov.ge); WISG, 2025, pp. 6–8; Joint UPR submission (ILGA World et al.), para. 5.

Available at: <https://wisg.org/Data/Eradication-of-LGBTQI-Issues-from-State-Policy-ENG.pdf>, accessed 17 June 2026.

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²⁷ Venice Commission, CDL-AD(2024)021, para. 11, citing ECRI's 2023 Report on Georgia and the Commissioner's 2022 report.

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²⁸ Joint Stakeholders' Submission (ECOM/EM/Tbilisi Pride), paras. 15–16.

Some organizations have pre-emptively suspended or restructured services to avoid exposure, with immediate effects on the continuity of care for hard-to-reach and stigmatized populations. Critically, the legislation lacks safeguards against the misuse of data on sexual orientation, gender identity or HIV status, and provides no independent oversight or redress²⁹.

And yet the community response has not collapsed. Despite the pressure, organizations continued and in places expanded essential services in 2025. The Equality Movement — the largest community-based LGBTQI organization in the South Caucasus — reported that over the year 12,665 beneficiaries received a basic package of HIV- and STI-prevention tools; 8,247 received voluntary counselling and testing for HIV, hepatitis B and C, and syphilis; and 513 new beneficiaries were enrolled in pre-exposure prophylaxis, with PrEP and infectious-disease consultations offered twice weekly at its community centre from May. In total, 2,158 beneficiaries received consultations, laboratory tests and prescriptions from infectious-disease specialists; 132 received psychological or psychiatric care; some 367–500 were supported by social workers; and roughly 230 received legal assistance³⁰.

These figures illustrate both the scale of community need and the dependence of the entire HIV response on the same foreign-funded, community-led organizations now targeted by the foreign influence, FARA and grants laws. Undermining the organizations is, in effect, undermining the HIV response.

6

THE RIGHT TO HEALTH: HIV, GENDER-AFFIRMING CARE AND MENTAL HEALTH

6.1

HIV PREVENTION AND TREATMENT FOR KEY POPULATIONS

Community-led, rights-based approaches are internationally recognized as essential to an effective HIV response. In Georgia, the cumulative effect of the foreign influence and ‘family values’ laws has weakened exactly these approaches through legal uncertainty, institutional disengagement and reduced civil society capacity. ECOM’s partners documented 204 MSM, 31 gay men and 17 transgender people among 233 victims of rights violations recorded in 2023 alone — figures that point to a sharp deterioration in safe service access for key populations³¹.

Fear is itself a barrier to prevention and treatment. As beneficiaries withdraw from services for fear of exposure, and as outreach contracts, the conditions for sustaining testing, treatment adherence and PrEP coverage erode — precisely the gains that the community sector had built.

²⁹ Joint Stakeholders’ Submission (ECOM/EM/Tbilisi Pride), paras. 17, 20.

³⁰ Equality Movement, Annual Report 2025: Unified Organizational Statistics for 2025; Medical Component; PrEP Program; Psychosocial and Legal Direction.

Available at: <https://equality.ge/wp-content/uploads/2026/05/Equality-Movement-report-2025-ENG.pdf>, accessed 17 June 2026.

³¹ Joint Stakeholders’ Submission (ECOM/EM/Tbilisi Pride), paras. 18–19, citing ECOM’s regional report on violations of the right to health.

6.2 THE DE FACTO DENIAL OF GENDER-AFFIRMING CARE

The criminal prohibition of gender-affirming procedures, including hormone therapy and surgery, amounts to a de facto denial of essential healthcare for transgender people. The ban is inconsistent with international human rights and public health standards, including guidance from the World Health Organization and the OHCHR, which affirm the right to the highest attainable standard of health without discrimination on grounds of gender identity. By exposing clinicians to prosecution, the law discourages the continuation or development of any trans-specific care; community organizations report that some providers began practising self-censorship even before the law took effect, and that LGBTQI-friendly clinics have closed or stopped offering services. Trans people are left with untreated need or driven toward unsupervised, black-market hormones³².

6.3 MENTAL HEALTH

The mental health toll has been severe. Social isolation, exposure to state-sponsored stigma and the erasure of community spaces have driven a documented rise in depression, self-harm and suicidal ideation, with transgender youth among the most affected. Provider hesitancy and beneficiaries' reluctance to disclose SOGI-related information compound the barriers to psychological and psychosocial support. Community organizations report a sharp increase in demand for these services even as the space to provide them narrows — a demand reflected in the Equality Movement's expanding psychosocial caseload³³.

This is a sensitive area. Where this report references self-harm and suicidal ideation, it does so to document a public health consequence of the legal environment; it is not a discussion of methods, and the underlying need is for accessible, non-discriminatory mental health care.

7 VIOLENCE, HATE CRIMES AND ACCESS TO JUSTICE

Official hate crime statistics for crimes motivated by sexual orientation or gender identity have declined on paper, from 48 gender-identity and 58 sexual-orientation cases recorded in 2021 to far smaller figures by 2024, but community organizations attribute this to under-reporting rather than to any improvement on the ground. The obstacles are well documented: delays in opening investigations and in granting victims 'aggrieved party' status, misqualification of cases, and a lack of sensitivity among police, prosecutors and investigators³⁴.

³² Joint Stakeholders' Submission (ECOM/EM/Tbilisi Pride), para. 21; Joint UPR submission (ILGA World et al.), paras. 17–18.

Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

³³ Joint Stakeholders' Submission (ECOM/EM/Tbilisi Pride), para. 22; Joint UPR submission (ILGA World et al.), para. 8; Equality Movement, Annual Report 2025, Psychosocial and Legal Direction.

Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

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³⁴ Joint UPR submission (ILGA World et al.), para. 10, citing the National Statistics Office of Georgia.

Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

The human reality is starker than the statistics. The day after the Law on the Protection of Family Values and Minors was adopted, the prominent transgender woman, model and influencer Kesaria Abramidze was found murdered, the killing carried out with aggravating cruelty on the basis of gender identity. About a month later a well-known transgender activist was attacked and struck with a brick, sustaining a concussion; a TikTok figure was told during a live broadcast that he would ‘be the next Kesaria.’ In 2024 the Equality Movement provided legal assistance to roughly 50 people subjected to SOGI-based hate crimes and recorded an escalation in transphobic physical attacks, including a pattern of assailants luring victims through dating applications³⁵.

Distrust of the authorities means most incidents recorded by community organizations in 2024 were never reported to police, owing to fear of secondary victimization, indifference or hostility. One documented case involved an LGBTQI activist visible in anti-government protests whose dormant 2018 death-threat complaint was abruptly reactivated; she described an investigator openly disclosing a hostile attitude and pressing her to withdraw the complaint, which she ultimately did to avoid legal jeopardy. Lawyers report that human rights protection mechanisms, including the Public Defender’s Office, have effectively ceased to function in this area, citing institutional desensitization, personnel turnover and politicization³⁶.

The pattern of impunity is long-standing. Following the 2023 Pride attack, perpetrators were acquitted by an appellate court despite documented violence — reinforcing impunity and undermining the right to an effective remedy under Article 2(3) ICCPR. This echoes the violence of 5 July 2021, when far-right mobs forced the cancellation of the March for Dignity, assaulted more than 50 journalists and ransacked the offices of Tbilisi Pride and partner organizations; the cameraman Aleksandre ‘Lekso’ Lashkarava died days after being beaten, and the Public Defender later assessed the investigation as ineffective. On 8 July 2023, a far-right mob stormed the Pride Festival at Lisi Lake while police failed to hold the perimeter³⁷.

The institutional homophobia that drives these patterns extends well beyond the LGBTQI community. During the mass protests of late 2024 and early 2025, a coalition of eleven Georgian human rights organizations — including GYLA, the Social Justice Center, WISG and others — documented widespread torture and ill-treatment by police and special forces against demonstrators between 28 November 2024 and 28 February 2025. *Their report records a distinct category of discriminatory violence motivated by anti-European narratives and homophobia: ‘less masculine’ detainees were singled out for high-intensity beatings and homophobic slurs, and such language was also directed at women, children and journalists during arrests and humiliation.* The European Commission separately recorded reports of physical assaults, sexual harassment and threats of rape or death by law enforcement officials against women participating in the demonstrations³⁸.

35 Joint UPR submission (ILGA World et al.), para. 11, drawing on Equality Movement documentation; Civil.ge, 2024. Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

36 Joint UPR submission (ILGA World et al.), para. 12. Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, дата обращения: accessed 17 June 2026.

37 Joint Stakeholders’ Submission (ECOM/EM/Tbilisi Pride), para. 23; Joint UPR submission (ILGA World et al.), paras. 21–25. Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, accessed 17 June 2026.

38 Georgian Young Lawyers’ Association et al., Human Rights Crisis in Georgia Following the 2024 Parliamentary Elections (28 November 2024 – 28 February 2025), 2025, esp. section 2.4.1; European Commission, Georgia enlargement report, SWD(2024)697 and 2025 follow-up. Available at: https://enlargement.ec.europa.eu/document/download/7b6ed47c-ecde-41a2-99ea-41683dc2d1bd_en?filename=Georgia+Report+2024.pdf, accessed 17 June 2026. Available at: https://socialjustice.org.ge/uploads/products/pdf/HUMAN_RIGHTS_CRISIS_IN_GEORGIA__1747299469.pdf, accessed 17 June 2026.

The fact that homophobia served as a tool of repression against the broader protest movement underscores the report's central point: the legal and rhetorical war on LGBTQI people is inseparable from the wider erosion of civic freedoms in Georgia.

7.1 SURVEILLANCE AND DATA PROTECTION

The foreign influence law has intensified concerns about state surveillance. Civil society actors have documented instances in which police and security services used the law's broad mandates to intimidate activists, monitor LGBTQI organizations and, in some cases, access private communications and internal records without adequate judicial oversight — raising serious concerns under Article 17 ICCPR. Georgia lacks effective safeguards against the unauthorized collection, retention or disclosure of sensitive data on sexual orientation, gender identity or health status, including HIV status, leaving victims of outing or blackmail with little recourse³⁹.

8 LEGAL GENDER RECOGNITION AND TRANS RIGHTS

Even before 2024, legal gender recognition in Georgia rested on vague norms and invasive practice: applicants were in effect required to submit a medical certificate confirming gender reassignment surgery to the Public Service Development Agency, conditioning recognition on sterilization or extensive medical procedures. Community organizations and human rights experts long criticized this as a violation of self-determination and bodily autonomy, and the European Court confirmed in *A.D. and Others v. Georgia* that the absence of a transparent procedure breached Article 8 ECHR⁴⁰.

Rather than remedy the defect, the 2024 law abolished the possibility altogether. Article 7 confines official documents to a person's biological sex, the Law on Civil Status Acts and the law on registration and identity documents were amended to prohibit any change to the gender entry, and Georgian courts are barred from recognizing foreign recognition decisions.

The limited unofficial practice that had occasionally allowed post-surgical document changes has been eliminated. Most transgender people therefore hold identity documents that do not reflect their lived gender, exposing them to daily humiliation, privacy violations and barriers to employment, healthcare, housing and travel⁴¹.

³⁹ Joint Stakeholders' Submission (ECOM/EM/Tbilisi Pride), paras. 24–25.

⁴⁰ Joint Stakeholders' Submission (ECOM/EM/Tbilisi Pride), para. 21; WISG, 2025, pp. 7, 19; Joint UPR submission (ILGA World et al.), paras. 14–16.

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⁴¹ Joint UPR submission (ILGA World et al.), paras. 14, 16; Venice Commission, CDL-AD(2024)021, paras. 49–56.

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Intersex people remain almost entirely unaddressed in law and policy. The absence of regulation means that life-altering, non-consensual interventions on intersex infants are neither prevented nor monitored, and no Georgian study has assessed such practices against international standards — a silence that reflects the same rigid gender binary underlying the broader legislative agenda⁴².



CONCLUSIONS

The years 2024 and 2025 represent a coordinated, multi-layered regression. The foreign influence and foreign agent laws and the restrictions on grants attack the civil society infrastructure on which the HIV response depends; the Law on the Protection of Family Values and Minors attacks the visibility, family life, expression and bodily autonomy of LGBTQI people directly; and the erasure of ‘gender’ and ‘gender identity’ from the statute book removes the legal categories through which transgender people might claim protection at all. These measures reinforce one another.

The right to health sits at the intersection of all of them. Criminalizing gender-affirming care denies transgender people essential treatment and drives them toward unsafe alternatives; stigmatizing and surveilling community organizations disrupts HIV prevention and care for MSM and transgender people; and the climate of fear deters people from testing, treatment and mental health support. The Equality Movement’s continued, and in places expanded, service delivery in 2025 demonstrates the resilience of the community sector, but resilience is not a substitute for a lawful, enabling environment.

International bodies have been clear. The Venice Commission recommended deleting the bans on gender-affirming care and legal gender recognition; the European Court of Human Rights has already found Georgia in violation for the absence of a recognition procedure; and Georgia has failed to implement essentially all of the SOGIESC recommendations it accepted at its last review. The gap between Georgia’s commitments and its conduct is now wide and, on current trends, widening.

• ⁴² Joint UPR submission (ILGA World et al.), para. 19.
• Available at: <https://tbilisipride.ge/wp-content/uploads/2025/07/UPR2025-HR-of-LGBTI-people-Georgia-21-25.pdf>, ac-
• cessed 17 June 2026.
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TO THE GOVERNMENT AND PARLIAMENT OF GEORGIA

- 1** Repeal the Law on Transparency of Foreign Influence and the Foreign Agents Registration Act in their entirety, eliminating stigmatizing classifications and disproportionate restrictions on civil society, and guaranteeing the rights to freedom of association, expression and privacy.
- 2** Repeal the Law on the Protection of Family Values and Minors and the associated amendments to existing laws, and guarantee freedom of expression, peaceful assembly and access to education, healthcare, employment and information for all persons regardless of SOGI.
- 3** Lift the criminal ban on gender-affirming healthcare and reinstate access in line with WHO and OHCHR guidance, on the basis of informed consent, with explicit protection for clinicians against criminal or administrative sanction.
- 4** Establish a rapid, accessible legal gender recognition procedure grounded in self-determination and free of medical, surgical or psychiatric requirements, in compliance with *A.D. and Others v. Georgia*.
- 5** Reverse the amendments removing ‘gender’ and ‘gender identity’ from national legislation, and ensure that the law expressly prohibits discrimination on grounds of sexual orientation, gender identity, gender expression and sex characteristics across health, education, employment and housing.
- 6** Repeal the 2025 amendments to the Law on Grants and guarantee unrestricted access to international funding for civil society.
- 7** Strengthen data protection laws to safeguard information on SOGI, HIV status and political beliefs, with independent oversight and redress for breaches.
- 8** Ensure prompt, impartial and effective investigation and prosecution of violence, hate crimes and threats against LGBTQI people and human rights defenders, with effective remedies for victims, consistent with the ICCPR, CAT and CEDAW.
- 9** Develop mandatory SOGI-sensitive training for healthcare professionals, law enforcement, the judiciary and other public officials, designed and delivered with the meaningful involvement of LGBTQI-led organizations.

TO THE INTERNATIONAL COMMUNITY, DONORS AND COUNCIL OF EUROPE / EU INSTITUTIONS

- 1** Maintain and increase flexible, rapid-response funding for Georgian LGBTQI and HIV-service organizations operating under legal and financial pressure, including mechanisms resilient to the grants-approval regime.
- 2** Sustain coordinated diplomatic pressure for the repeal of the foreign influence, FARA and ‘family values’ laws and integrate SOGIESC benchmarks explicitly into enlargement and human rights dialogue.
- 3** Support the implementation of the European Court’s judgment in *A.D. and Others v. Georgia* through the Committee of Ministers’ supervision process.
- 4** Protect at-risk activists and human rights defenders, including through emergency relocation and protection measures where necessary.



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