

# Georgia

## Submission to the Universal Periodic Review 51<sup>st</sup> Session

---

Report submitted on 17 July 2025

### Information on the submitting organisation:

**Lawyers for Lawyers (L4L)** is an independent, non-political and not-for-profit lawyers' organisation established in 1986. Its mission is to promote the independent functioning of lawyers and the legal profession across the world in accordance with internationally recognised norms and standards by supporting lawyers who are at risk as a result of discharging their professional duties. Lawyers for Lawyers was granted special consultative status with the UN Economic and Social Council in July 2013.

Contact: [info@lawyersforlawyers.nl](mailto:info@lawyersforlawyers.nl)

## **Introduction**

1. Lawyers for Lawyers welcomes the opportunity to submit written information to the UN Human Rights Council for the 4<sup>th</sup> cycle Universal Periodic Review of Georgia. This report is based on information collected through ongoing research, including interviews with legal professionals in Georgia, and engagement with and reports from lawyers and other local and international stakeholders.
2. Since the last UPR review, the right to an effective defence in Georgia has been subject to sustained and systemic erosion. Lawyers who represent opposition figures, protestors, and civil society actors increasingly face arbitrary detention, physical attacks, including by state officials, and persistent intimidation aimed at obstructing their professional duties. Access to clients and information is frequently delayed or denied, seriously compromising the right to a fair trial and due process guarantees. The adoption of numerous laws which undermine civil society, human rights, and the rule of law have further exacerbated the situation. Collectively, these developments point to a deliberate weakening of the legal profession's independence and a serious breach of Georgia's international obligations to uphold human rights and the rule of law, including the rights to access to justice and a fair trial.
3. The submission will focus on the following issues:
  - I. Legal and institutional framework
  - II. Restrictions on the right to an effective defence
  - III. Harassment and intimidation of lawyers
4. Relevant third cycle UPR recommendations not yet implemented include the following:
  - a. Recommendations supported by Georgia:
    - 148.129 Intensify the prevention of attacks and defamation against human rights defenders in collaboration with civil society and ensure that such violations, when they occur, are promptly, independently and effectively investigated (Switzerland);
    - 148.130 Further develop measures to ensure a safe environment for human rights defenders, including protection measures, as part of the national human rights action plan (Uruguay);
    - 148.133 Protect human rights defenders (France);
    - 148.134 Increase the efforts of political leaders to publicly acknowledge and protect the important role of human rights defenders and independent human rights institutions in the democratization process (Norway);
    - 148.136 Strengthen the independence and impartiality of the judiciary and law enforcement institutions to ensure the right to a fair trial in line with international human rights standards (Finland);

## **I. Legal and Institutional Framework**

---

5. The adequate protection of human rights and fundamental freedoms in Georgia is dependent on ensuring meaningful access to justice and independent legal representation. This requires lawyers, along with judges and prosecutors, to be able to perform their duties free from external influence. This follows, inter alia, from the Charter of the United Nations, the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights ('ICCPR'), which have all been ratified by Georgia. In particular, the protection and independence of justice actors is a key component in ensuring the proper functioning of the justice system and in combating impunity. It constitutes a necessary precondition for the effective realisation of the right to a fair trial, as guaranteed under Article 14 of the ICCPR.<sup>i</sup>
6. To ensure access to independent legal counsel and the right to an effective defence, the UN Basic Principles on the Role of Lawyers outline fundamental guidelines for guaranteeing the safety and independence of lawyers. They require governments to ensure that lawyers can perform all their

professional duties without intimidation, harassment, or improper interference. This includes, among other things, the duty to refrain from identifying lawyers with their clients or clients' cause, ensure access to clients and information, and respect the confidentiality of lawyer-client communications.<sup>ii</sup>

7. In July 2020, the UN Human Rights Council condemned the growing frequency of threats, intimidation, and interference directed at lawyers. Resolution A/HRC/44/L.7 called on all States to ensure that such conduct is investigated promptly, thoroughly, and impartially, and that those responsible are held accountable. As a member of the Council at that time, Georgia endorsed these commitments to uphold the independence and protection of its legal profession.<sup>iii</sup> In response to this trend, the Council of Europe recently adopted the Convention on the Protection of the Profession of Lawyer, a novel and legally binding instrument that codifies many of these obligations.<sup>iv</sup>
8. Initially, Georgia took commendable efforts in aligning its domestic legal framework with international norms. Since the last UPR cycle, however, the Parliament of Georgia has adopted legislation which violates international human rights norms. This includes the Georgian version of the Foreign Agents Registration Act ('FARA', 2025)<sup>v</sup>, the 2024 Law on Transparency of Foreign Influence ('Foreign Agent Law'),<sup>vi</sup> the 2025 Amendments to the Law on Grants,<sup>vii</sup> and the 2024 Law on Family Values and Protection of Minors.<sup>viii</sup> These laws adversely affect the work of civil society organisations (CSOs) and undermine the independent functioning of lawyers and fair trial guarantees.
9. The FARA, alongside the Foreign Agent Law, requires individuals or organisations to register as foreign agents if they operate under the 'influence' of, or receive funding from, a foreign principal. It also requires them to submit detailed information to the authorities and to label their public statements as issued by a 'foreign agent'. Failure to comply may result in sanctions, including criminal liability. Several lawyers work with CSOs that provide legal aid to clients as part of their mandate. These CSOs – and by extension the lawyers affiliated with them – may fall under the scope of FARA and the Foreign Agents Law due to receipt of foreign funding. In practice, this exposes both the lawyers and CSOs to various acts of harassment (see paragraph III of this submission), including the unfounded and stigmatizing designation of "foreign agent". Such labelling not only damages their reputation but also undermines the trust of (potential) clients. In March 2025, the bank accounts of two CSOs in Georgia were frozen for providing support, to detained protesters after their arrests, including legal assistance. Although this action was taken prior to FARA's adoption and based on the Criminal Code, it illustrates how the Georgian Authorities equate legal and social support to arrested protesters with the funding of violence.<sup>ix</sup>
10. Several human rights bodies have raised concerns that CSOs who refuse to register under FARA will ultimately be forced to abandon their work altogether.<sup>x</sup> CSOs in Georgia provide legal aid to a significant number of clients. Without their support, many people would be left without access to legal representation, especially in cases involving vulnerable populations or sensitive human rights issues. Although Georgia has a state-funded Legal Aid Service that offers free assistance, its mandate is limited, particularly regarding representation before the court. It does not cover all types of cases or serve all categories of clients, which leaves a significant gap that CSOs often fill.
11. The Amended Law on Grants also poses a threat to lawyers working with CSOs and representatives of civil society, such as journalists and activists. The law restricts the scope of work carried out by these organisations and introduces government interference in the grant application and allocation process, raising serious concerns about independence and operational freedom.
12. In addition, under several laws – including the Law on Grants – authorities can request information from CSOs, including sensitive or confidential information. When CSOs provide legal support to clients, this information may also fall into the scope of documentation or correspondence protected by lawyer-client confidentiality. In June 2025, for example, five CSOs – including legal aid providers – received court orders issued at the request of the Anti-Corruption Bureau, demanding unrestricted access to internal records and operational data as part of investigations into their activities. These demands extended to confidential data on individuals under their legal protection and are reportedly based on the Law on Grants, the Law on Political Associations of Citizens, and the Law on Combatting Corruption.<sup>xi</sup> Most of the targeted organisations provide legal aid services, including representation before administrative bodies, domestic courts, and international human rights mechanisms. Their appeal against the order, aiming to safeguard sensitive information and protect their clients' rights, was rejected by the Court of Appeal.

13. Finally, the Law on Family Values and Protection of Minors (the 'Anti-LGBTIQ+ law') has abolished nearly all rights for the LGBTIQ+ community. Consequently, lawyers are no longer able to provide meaningful legal assistance to them. For instance, offering legal assistance to transgender clients, particularly in matters involving identity recognition or changes to gender markers, could be viewed as facilitating prohibited actions under the new law. The chilling effect of the law may discourage lawyers from engaging in legitimate legal support, leaving LGBTIQ+ individuals without access to the protections they are entitled to.

## **II. Restrictions on the Right to an Effective Defence**

---

14. The harmful consequences of the new legislation discussed above also negatively affect the right to an effective defence. This right is further undermined by practices of the executive branch, including law enforcement officials, and members of the judiciary. Several examples are provided below.

### Denial of access to clients and case-related materials

15. Lawyers reported systematic violations of the right to access to legal representation in cases involving detained protesters and civil activists during the 2024–2025 demonstrations in Georgia. In nearly all such cases, lawyers faced significant obstacles in accessing their clients and related case materials. According to lawyers interviewed, detainees were frequently questioned by police and investigators without legal counsel present, who then obtained information during this critical early period in direct contravention of both national legislation and international human rights standards. These concerns have been echoed by international and local human rights organisations, including the Office of the Public Defender of Georgia and the Georgian Bar Association, which have repeatedly raised the issue in public reports and statements, characterizing the denial of access as a serious violation of the right to a fair trial.<sup>xii</sup>

16. One lawyer handling administrative offence cases related to the protests stated:

*"In almost every case, I was denied timely access to my clients and to essential case materials. Detainees were often taken without notifying their families, and police refused to provide their whereabouts to legal representatives. In many instances, we had to search for our clients across the city or even in regional detention centers. Despite submitting formal requests for information, we received no responses. Some clients remained in detention without legal counsel, under pressure, and in certain cases, reported being beaten. These conditions severely compromised the right to a fair trial and undermined the quality of legal defense. There is no effective mechanism ensuring access to detainees. Lawyers are at the mercy of law enforcement authorities to gain timely access to clients and their files."*

17. Another lawyer, representing clients in criminal cases arising from the protests, explained:

*"Although the law guarantees immediate access to a lawyer and the right to notify a family member upon arrest, this is routinely ignored during mass detentions. It was nearly impossible to locate my clients in a timely manner. Detention centers and police failed to provide any information. In some cases, my clients were physically assaulted in custody, and the authorities attempted to conceal this for as long as possible. On average, it took six to seven hours just to locate a detainee, during which time they had no legal representation. This delay has a direct and damaging effect on the client's physical and psychological well-being, and on their right to mount an effective legal defence."*

### Violation of the right to call upon the assistance of a lawyer of their choice.

18. In a few cases defendants were forced to accept the appointment of a public lawyer to represent them, while they were already represented by a lawyer of their own choice. For instance, in a statement of 25 June 2025, the Georgian Bar Association called on the members of the judiciary "not to introduce incorrect judicial practice in the case of the mandatory appointment of a lawyer".<sup>xiii</sup> This followed a decision by the Court during criminal proceedings on 24 June 2025, to allow a case to proceed in which the defendants were compelled to accept a public lawyer, despite having already pre-selected and trusted their own lawyers who were present in court.

### Physical and verbal abuse of lawyers

19. Lawyers interviewed reported instances of verbal abuse, intimidation, and discriminatory treatment by judges and opposite side during court proceedings, particularly in cases involving CSOs and protest-related charges. A lawyer working on criminal and administrative offence cases described repeated instances in which judges questioned his legitimacy and affiliation with an CSO during hearings. In one case, a judge publicly questioned whether the client had consented to being represented by a CSO affiliated lawyer. In administrative offence cases, judges have gone as far as to state openly in court that clients were fined due to their choice of legal counsel, thereby implying a punitive response to CSO involvement. Another lawyer reported that during hearings at the Tbilisi City Court, a judge pressured clients by suggesting that having legal representation from an CSO-affiliated lawyer would not be beneficial. Upon presenting the defence, the judge threatened to remove the lawyer from the courtroom and disrupted her legal arguments. These incidents undermine public confidence in judicial impartiality and discourage lawyers from representing clients in politically sensitive cases.

### **III. Harassment and Intimidation of Lawyers**

---

#### Arrest, detention, and criminal prosecution of lawyers

20. Lawyers in Georgia have faced unlawful arrests and administrative sanctions while peacefully exercising their right to freedom of expression, particularly during public demonstrations. Several notable cases illustrate this troubling pattern:
- Eduard Marikashvili, a lawyer, member of the Georgian Bar Association, and human rights defender, was arrested during a peaceful protest in June 2023. He is also the head of the NGO Georgian Democracy Initiative (GDI).<sup>xiv</sup>
  - Giorgi Davituri, a lawyer affiliated with the Georgian Bar Association and the NGO Institute for Development of Freedom of Information (IDFI), was arrested during a peaceful protest in Tbilisi in December 2024.<sup>xv</sup>
  - Shota Tutberidze, a lawyer and human rights defender, member of the Georgian Bar Association, has been arrested multiple times. He has represented opposition politicians, arrested activists, and protesters.<sup>xvi</sup>

#### Defamation and smear campaigns against lawyers

21. Lawyers interviewed reported facing defamation and targeted smear campaigns because of their professional work, particularly in politically sensitive cases. These attacks intensified following the adoption of the initial Law on Transparency of Foreign Influence in 2023, before being reintroduced in 2024. Since then, pro-government media outlets and public figures affiliated with the ruling Georgian Dream party have increasingly labelled lawyers affiliated with CSOs or political opposition as 'foreign agents'.
22. A lawyer handling both criminal and administrative cases reported:
- "Two years ago, while representing several individuals in a high-profile case involving the State Security Service, I was publicly branded an 'agent' by pro-government media outlets and political commentators. The attacks extended to social media, where anonymous accounts and online trolls targeted me because of my legal work. These actions were clearly intended to discredit me and intimidate others in the legal profession."*
23. This is not an isolated case. Multiple lawyers stated that those who represent human rights defenders, opposition figures, or clients in politically sensitive cases are frequently subjected to orchestrated smear campaigns. Pro-government outlets often blur the distinction between lawyers and their clients, portraying legal representatives as complicit in their clients' activities. The use of defamatory language, 'foreign agent' labelling, and online harassment, including by inauthentic social media accounts, creates a hostile environment and aims to discredit, delegitimize and stigmatize lawyers working in politically sensitive areas, undermining access to justice.

## V. Recommendations

---

24. Lawyers for Lawyers calls on UN member states to make the following recommendations to Georgia during its fourth cycle Universal Period Review:

- Refrain from any actions that may constitute harassment, persecution, or undue interference in the work of lawyers, including their arrest or criminal prosecution on improper grounds such as the expression of critical views or the nature of the case that the lawyer is involved in.
- Within six months, ensure mechanisms are in place to hold judges accountable for inappropriate conduct or discriminatory remarks directed at lawyers during court proceedings which may unduly interfere with the exercise of their professional duties and undermine equality of arms.
- Ensure the immediate and unconditional release of lawyers and human rights defenders who are arbitrarily detained and prosecuted for carrying out their legitimate professional duties.
- Promptly repeal laws that impede human rights and the rule of law by targeting or stigmatizing individuals and organizations, such as lawyers or legal aid CSOs, including the *FARA*, the *Law on Transparency of Foreign Influence*, the *Law on Grants*, and the *Law on Family Values and Protection of Minors*, or amend them to bring them in line with international human rights standards.
- Take immediate measures to ensure that lawyers have full access to their clients and to restore and ensure full confidentiality of communication between lawyers and their clients, including when clients are held in pre-trial detention.
- Take immediate action to guarantee due process and fair trial rights, including by providing lawyers with full access to their case files without undue delay or restrictions, both in law and practice.

---

<sup>i</sup> The UN Human Rights Committee has affirmed this in its General Comment No. 32, underscoring that lawyers must be able to carry out their professional functions without undue interference, as such conditions are essential to safeguarding the fairness and integrity of judicial proceedings, UN Human Rights Committee, *General Comment No 32: Article 14 (Right to Equality before Courts and Tribunals and to a Fair Trial)* (23 August 2007) UN Doc CCPR/C/GC/32, paras 10, 32 and 34.

<sup>ii</sup> The UN Basic Principles on the Role of Lawyers provide a concise description of international norms relating to the key aspects of the right to independent counsel. The Basic Principles were unanimously adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba on September 7, 1990. Subsequently, the UN General Assembly “welcomed” the Basic Principles in their ‘Human rights in the administration of justice’ resolution, which was adopted without a vote on December 18, 1990, in both the session of the Third Committee and the plenary session of the General Assembly.

<sup>iii</sup> See UN Human Rights Council, ‘Independence and Impartiality of the Judiciary, Jurors and Assessors and the Independence of Lawyers’ (22 June 2017) UN Doc A/HRC/RES/35/12, paras 10–11.

<sup>iv</sup> Council of Europe, ‘Convention on the Protection of the Profession of Lawyer’ (CETS No 226, opened for signature 13 May 2025, not yet in force) <https://rm.coe.int/1680b4c6be>.

<sup>v</sup> Also known as the Georgian FARA, The Foreign Agents Registration Act, 01.04.2025, <https://matsne.gov.ge/document/view/6461578?publication=0>, [15.05.2025].

<sup>vi</sup> Also known as the Russian Law, The Law on Transparency of Foreign Influence, 28.05.2024, <https://matsne.gov.ge/document/view/6171895?publication=0>, [15.05.2025].

<sup>vii</sup> The Amendments to the Law on Grants, 16.04.2025, <https://info.parliament.ge/file/1/BillReviewContent/386799>, [15.05.2025].

- viii Law of Georgia on the Protection of Family Values and Minors, 17.09.2024, <https://matsne.gov.ge/en/document/view/6283110?publication=0>, [03.10.2024].
- ix Front Line Defenders, 'Prosecutor's Office freeze Bank Accounts of Five Human Rights and Civil Society Organisations' (18 March 2025) <[www.frontlinedefenders.org/en/case/prosecutors-office-freezes-bank-accounts-five-human-rights-and-civil-society-organisations](http://www.frontlinedefenders.org/en/case/prosecutors-office-freezes-bank-accounts-five-human-rights-and-civil-society-organisations)>.
- x See for instance: Human Rights Watch, 'Georgia: Drop Repressive "Foreign Agents" Bill' (26 March 2025) <[www.hrw.org/node/390897/printable/print](http://www.hrw.org/node/390897/printable/print)>; OMCT, 'Georgia: Adoption of the new Foreign Agents Registration Act' (30 April 2025) <[www.omct.org/en/resources/statements/georgia-adoption-of-the-new-foreign-agents-registration-act](http://www.omct.org/en/resources/statements/georgia-adoption-of-the-new-foreign-agents-registration-act)>; OSCE Office for Democratic Institutions and Human Rights (ODIHR), 'Georgia's foreign agents legislation raises concerns over negative impact on civil society, OSCE human rights office says' (2 April 2025) <[www.osce.org/odihr/588667](http://www.osce.org/odihr/588667)>.
- xi Civil Georgia, 'Five Organizations Report Being Inspected Under "Russian Laws"' (18 June 2025) <<https://civil.ge/archives/687395>>.
- xii Coalition of human rights organisations, 'Human Rights Crisis in Georgia Following the 2024 Parliamentary Elections (28 November 2024 - 28 February 2025)' (2025) p 84 at <[https://admin.gyla.ge/uploads\\_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf)>; Amnesty International, 'Georgia: Protesters face arrests, abuse, and denial of fair trial rights' (2 December 2024) <[www.amnesty.org/en/latest/news/2024/12/georgia-protesters-face-arrests-abuse-and-denial-of-fair-trial-rights/](http://www.amnesty.org/en/latest/news/2024/12/georgia-protesters-face-arrests-abuse-and-denial-of-fair-trial-rights/)>; The Public Defender of Georgia, 'On the State of Human Rights and Freedom Protections in Georgia' (2024) pp. 14 and 69 <<https://ombudsman.ge/res/docs/2025040121291438156.pdf>>; Civil Society Foundation, 'Evaluation of repressive measures taken by the illegitimate authorities against peaceful demonstrators from November 28 to December 2' (2 December 2024) <<https://csf.ge/en/evaluation-of-repressive-measures-taken-by-the-illegitimate-authorities-against-peaceful-demonstrators-from-november-28-to-december-2/>>; Georgian Democracy Initiative, 'The Coalition Addresses the Cases of Individuals Arrested and Imprisoned as a Part of the Systemic Repression' (13 December 2024) <<https://gdi.ge/en/news/koalitsia-ekhmianeba-sistemuri-represiebis-farglebshi-dakave>>.
- xiii Georgian Bar Association, "Bar Association Statement on Incorrect Practice of Court-Appointed Protection" (25 June 2025) <<https://qba.ge/ka/%E1%83%9B%E1%83%94%E1%83%93%E1%83%98%E1%83%90-%E1%83%AA%E1%83%94%E1%83%9C%E1%83%A2%E1%83%A0%E1%83%98/%E1%83%A1%E1%83%98%E1%83%90%E1%83%AE%E1%83%9A%E1%83%94%E1%83%94%E1%83%91%E1%83%98/%E1%83%90%E1%83%93%E1%83%95%E1%83%9D%E1%83%99%E1%83%90%E1%83%A2%E1%83%97%E1%83%90-%E1%83%90%E1%83%A1%E1%83%9D%E1%83%AA%E1%83%98%E1%83%90%E1%83%AA%E1%83%98%E1%83%98%E1%83%A1-%E1%83%92%E1%83%90%E1%83%9C%E1%83%AA%E1%83%AE%E1%83%90%E1%83%93%E1%83%94%E1%83%91.html-7>>; also posted on Facebook on 25 June 2025 (18:03 local time) <<https://www.facebook.com/GeorgianBarAssociation/posts/pfbid02EYvzDEgtN6qwikZ8MJQ9Hs41Cmxa762M2979tFdZ7tr8i4RQAzeYoT51caVc1l>>.
- xiv Lawyers for Lawyers, 'Statement on the Arbitrary Arrest of Georgian lawyer Eduard Marikashvili' (22 June 2023) <[www.lawyersforlawyers.org/statement-on-the-arbitrary-arrest-of-georgian-lawyer-eduard-marikashvili/](http://www.lawyersforlawyers.org/statement-on-the-arbitrary-arrest-of-georgian-lawyer-eduard-marikashvili/)>; Front Line Defenders, 'Court Relies on Scant Evidence in Attempt to Justify Eduard Marikashvili Hooliganism Charge' (13 November 2023) <[www.frontlinedefenders.org/en/case/court-relies-scant-evidence-attempt-justify-eduard-marikashvili-hooliganism-charge](http://www.frontlinedefenders.org/en/case/court-relies-scant-evidence-attempt-justify-eduard-marikashvili-hooliganism-charge)>.
- xv Lawyers for Lawyers, 'Day 84 of Pro-EU Protests in Georgia: Access to Legal Counsel and the Right to Defence under Threat' (19 February 2025) <[www.lawyersforlawyers.org/day-84-of-pro-eu-protests-in-georgia-access-to-legal-counsel-and-the-right-to-defence-under-threat/](http://www.lawyersforlawyers.org/day-84-of-pro-eu-protests-in-georgia-access-to-legal-counsel-and-the-right-to-defence-under-threat/)>.
- xvi Civil Georgia 'Activists Detained on June 2 Rally Released' (5 June 2023) <<https://civil.ge/archives/546624>>.