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FREEMUSE
DEFENDING ARTISTIC FREEDOM

Joint Stakeholders Submission to the Universal Period Review of Georgia presented by Freemuse and International Association of Arts Critics (AICA)

For consideration at the 51st session of the Human Rights Council
Universal Periodic Review
(January to February 2026)

Freemuse and AICA Georgia welcome the opportunity to contribute to the fourth cycle review of Georgia, under the 51st session of the Universal Periodic Review. This submission focuses on Georgia's international human rights obligations relating to freedom of expression with a focus on freedom of artistic expression, and to the right to public assembly.

Third cycle recommendations

1. Georgia's third cycle review under the Universal Periodic Review Mechanism was held on 26 January 2021, during the 13th meeting of the 47th session. Under this review, 104 Member State delegations presented 295 recommendations for consideration by Georgia.[1] Of these, 267 recommendations were supported, and 28 noted.[2]
2. As organisations primarily concerned with the right to artistic freedom - a vital component of the broader right to freedom of expression - we note that six of the recommendations addressing this right focus specifically on freedom of the media, intrinsically linked to artistic freedom. All of these recommendations were accepted by the Georgian government. In light of the pattern of attacks on media, journalists, rights activists and artists engaged in peaceful protests, we note the recommendation from Belgium that extended its request to: *"Ensure effective and efficient investigations, prosecutions, sanctions and remedies in relation to all attacks against journalists or media workers as well as in relation to the excessive use of force by law enforcement agencies."*[3]
3. In relation to the right to public assembly, which has recently experienced an alarming deterioration, there were five recommendations related to this right. All but one were supported by the Georgian government. The exception was the Venezuelan delegation's call to: *"Ensure prompt and impartial investigations into all incidents of excessive use of force by law enforcement authorities against protesters and journalists."* [4]

Legislative protections of artistic freedom in Georgia

4. Georgia is bound by international and regional obligations to protect freedom of expression, as a party to the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the European Convention on Human Rights (ECHR). All these instruments contain protections to freedom of expression, the most explicit provisions protecting the freedom of artistic expression and creativity are to be found in article 15 (3) of ICESCR, under which States "undertake to respect the freedom indispensable for creative activity" and in article 19 (2) of ICCPR, which states that the right to freedom of

[1] Report of the Working Group on the Universal Periodic Review: Georgia, 1 April 2021, A/HRC/47/15
[2] Report of the Working Group on the Universal Periodic Review: Georgia – Addendum, 11 June 2021, A/HRC/47/15/Add.1
[3] Report of the Working Group on the Universal Periodic Review: Georgia, 1 April 2021, A/HRC/47/15, para 148.122
[4] Ibid para. 149.10

expression includes the freedom to seek, receive and impart information and ideas of all kinds "in the form of art."

5. The cultural sphere in Georgia is regulated by the Constitution of Georgia,[5] international treaties and agreements, the special law "On Culture," and other legislative and subordinate normative acts of Georgia.
6. The Constitution of Georgia both establishes freedom of expression and ensures freedom of creation[6]. The Georgian law "On Culture" obliges the state to comprehensively promote the development of culture, citizens' unrestricted participation in cultural life, the deepening and expansion of international cultural relations, and creative integration. According to this law, the principles of cultural activity include freedom and independence of creative activity, protection against monopolisation in the cultural sphere, accessibility to cultural and creative activity, and unrestricted access to publicity.[7]

Developments since the Third Cycle UPR

7. In Georgia, during 2024-2025, the state's repressive policies significantly impacted the activities of cultural institutions, the daily lives of artists, and the artistic expression of their work. The high level of civic engagement within the arts community in Georgia created a space for protest. Thirty-four years after the collapse of the Soviet Union, the repression and censorship of art and artists have been reactivated.

Foreign Agents Registration Act – Impact on Arts and Culture Sector

8. The first attempt to adopt Georgia's foreign agent law came in 2023, when the ruling Georgian Dream party (GD) proposed legislation 'On the Foreign Agents Registration Act' (FARA). The bill required civil society organisations (CSOs) receiving more than 20% of their income from abroad to register as "foreign agents" or face fines. The proposal generated widespread demonstrations and was quickly repealed. However, it was reintroduced in April 2024 and finally adopted. The law affects many of Georgia's roughly twenty-six thousand NGOs. According to a 2020 report by the Asian Development Bank, Georgian civil society organisations receive more than of their 90% funding from abroad[8]. Failure to register by 1 September could result in fines of up to US $9,300. As a result, many CSOs were forced to close. The FARA legislation has already had a significant impact on Georgia's arts and culture scene, as most creative production in Georgia was generated with financial and/or professional assistance from foreign institutions, and many of which have ceased their operations as a result.
9. Georgian Dream passed a second, FARA-inspired version of the law in 2025, but without enacting or repealing the first. It went into force on 31 May 2025. Unlike the first foreign agent law, which imposes severe administrative fines on foreign-funded organisations that fail to register, the second law extends to individuals and provides for criminal penalties for noncompliance. These range from fines of up to GEL 10,000 (US $ 3,650) to criminal charges carrying up to five years in prison, or both. In addition, noncompliant foreign nationals face deportation.

Repressive Legislative Changes and Their Impact on the Cultural Sphere

10. Since 2024, a number of laws have been adopted in Georgia that contradict the Constitution of Georgia and the regional and international human rights obligations undertaken by the country. The political and civil crisis was triggered by the Prime Minister's statement on 28 November 2024, announcing the suspension of Georgia's EU accession process until the end of 2028, contrary to pre-election promises.

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[5] Constitution of Georgia, Article 20, available at: https://www.constcourt.ge/en/court/legislation/constitution-text

[6] Ibid. Article 16

[7] Ibid. Article 15.

[8] Asian Development Bank, "Civil Society Brief: Georgia", June 2020 available at https://www.adb.org/publications/civil-society-brief-georgia

11. The package of amendments initiated by the Parliament of Georgia regarding "Assemblies and Demonstrations" contradicts national and international standards on freedom of expression.[9] The proposed restrictions include requirements for immediate notification for spontaneous gatherings,[10] a general ban on gatherings in enclosed spaces[11] or buildings without prior written consent from the owner,[12] prohibition on erecting temporary structures, and a broad ban on covering one's face with a mask. These measures, along with disproportionately large fines, constitute a gross violation of the freedom of peaceful assembly[13] and could directly impact forms of creative expression.

Additional Restrictions and Their Implications

12. The legislation concerning assemblies and manifestations also added an obligation to warn the administrative body within a reasonable timeframe for spontaneous gatherings or manifestations. This new requirement contradicts a decision of the Constitutional Court of Georgia.[14]

13. Furthermore, a blanket ban on wearing any mask during a peaceful assembly constitutes a disproportionate restriction on the freedom of assembly. Under international law, wearing a mask at a gathering can be a form of expression and communication, and is therefore protected by the freedoms of speech and assembly.[15] The proposed amendments to the Code unjustifiably restrict protest and political expression concerning individuals holding political office. Specifically, they criminalise verbal abuse directed at Georgian state-political officials and/or public servants while performing their duties or in connection with their official activities.[16]
14. The law "On the Protection of Family Values and Minors" is also concerning. It leads to unjustified restrictions on fundamental human rights, including freedom of expression and assembly, by imposing censorship on activist, creative, and scientific activities. It prohibits "LGBT propaganda" in educational institutions, broadcasters' editorial offices, and in the placement of creative works. The law defines this as "intimate relationships or incest expressed on the grounds of sexual orientation between individuals of the same biological sex." This law is therefore inconsistent with Georgia's human rights obligations to protect artists from censorship, pressure, and all forms of intimidation.

Targeted Harassment of Professionals During Protests

15. Artists and cultural workers were among the victims of unlawful detention, searches, inhuman treatment, and torture during the protests in Tbilisi in November and December 2024. The majority of those were intentionally targeted in these attacks.
16. On 28 November, a multi-thousand-person protest began in Tbilisi. Law enforcement agencies of the Ministry of Internal Affairs unjustifiably dispersed a peaceful demonstration using disproportionate force. According to human rights non-governmental organisations, there was no legal basis for dispersing the rally. The Georgian Young Lawyers' Association (GYLA) assessed the government's dispersal of protests from November 28th to December 7th as a "criminal operation."[17]
17. Within the framework of these "police punitive measures," GYLA documented inhuman and degrading treatment of a broad group of demonstrators, violations of the rules for using special means in ways dangerous to life and health (such as water cannons, tear gas, and pepper spray), attacks by informal criminal groups, illegal search and seizure operations in apartments and offices

[9]Draft Law on Amendments to the Law of Georgia "On Assemblies and Manifestations." Available at: https://info.parliament.ge/#law-drafting/30045, 05.02.2025 (in Georgian)
[10] Ibid. Article 5.
[11]Ibid.
[12]Ibid, Article 11.
[13]Ibid.
[14]Ibid Article 8.
[15] Ibid.
[16] Georgian Young Lawyer's Association (GYLA), Review: Repressive Legislative Changes to the Law "On Assembly and Manifestations" Adopted in Third Reading, 7 February 2025, Available at: https://shorturl.at/okcSW.

and unlawful administrative detentions, which affected 500 individuals.[18]According to the Public Defender's assessment, the alleged ill-treatment, including torture and inhuman and degrading treatment of participants, was systemic and, in some cases, widespread.[19]

18. Artists and cultural workers reported that special forces representatives either photographed them or specifically sought them out visually to isolate them from other demonstrators. The majority of those interviewed stated that they experienced harsher treatment from law enforcement officers after their professions were revealed.
19. Detainees reported physical abuse, psychological intimidation, and humiliating treatment by police. Individuals were beaten during arrest and transport, often despite complying with police orders. Allegations also include degrading insults and threats of sexual violence, prolonged interrogations under duress, and unnecessary physical strain such as being forced to stand for hours or transported long distances in painful restraints. Families and legal representatives were frequently denied information about the detainees' location, with some only learning of their relative's whereabouts many hours after arrest. In some cases, access to legal counsel was actively obstructed.
20. The Code of Administrative Offenses has been used for years as a repressive tool against demonstrators. Court proceedings were conducted with a disregard for fair trial principles. Judges either completely ignored or partially disregarded evidence proving the unreliability of testimonies from police officers acting as false witnesses.[20]The detention period was extended to 48 hours based on unsubstantiated justifications. Detainees reported inadequate medical assistance, even during outpatient services. Detained individuals who were victims of ill treatment or torture indicated insufficient medical care in hospitals and the presence of inaccurate medical reports.
21. Only a few cases have resulted in an investigation being launched by the Special Investigation Service.[21]Of these, only one person was granted victim status. The investigations are not being conducted under articles related to torture, threat of torture, or inhumane and degrading treatment. Instead, they are being pursued under articles concerning the violent abuse of official authority, which does not adequately reflect the intensity and severity of the widespread ill-treatment.[22]

Cases of censorship

22. Authoritarian regimes often view art not merely as creative expression, but as a powerful instrument for ideological control and propaganda. For them, censorship in the arts is therefore one of the primary mechanisms for maintaining power and controlling the public narrative. The "chilling effect" of these laws contributes to self-censorship, censorship, and the restriction of artistic expression.
23. The European Court of Human Rights (ECtHR) notes that a "chilling effect" of prohibitive laws occurs when "an individual resorts to self-censorship out of fear of inadequate sanctions or on the basis of unjustifiably broad legislation, in order to avoid criminal prosecution. Such a 'chilling effect' is detrimental to the entire society."[23]
24. This effect is being felt in Georgia. In March 2025, an exhibition titled "My Mother's," organised by the ***Musa-Um of Resistance***, was closed on its opening day. The exhibition aimed to raise awareness about verbal aggression in the Georgian lexicon, which is often followed by physical aggression. The audio and video installation included an obscene remark by President Kavelashvili during a parliamentary debate and excerpts from interviews with Bidzina Ivanishvili, the honorary chairman of the Georgian Dream party. After visiting the exhibition, the director of the new platform asked the responsible parties to stop the exhibition. According to a statement later released by the director of the platform's space, the exhibition was presented as "provocative" and had "political"

[18]Starting from 28 November 2024, the state's use of force against peaceful protesters was, as a rule, preceded by a false statement from the Ministry of Internal Affairs claiming that the demonstration had exceeded the requirements of the Law on Assemblies and Manifestations and had become fully violent. GYLA*: Civil Rights, Facing Increasing Police Terror.* 2024.", 27 December 2024 Available at: https://gyla.ge/en/post/mzardi-sapolicio-terori

[19]Public Defender's Office: On the State of Human Rights and Freedoms in Georgia", March 2025. Available at (in Georgian): https://www.ombudsman.ge/geo/saparlamento-angarishebi .p..78.

[20]GYLA.p..73.

[21]When writing the report, the independent investigative service joined the Prosecutor's Office, which significantly reduces the guarantees of the service's independence.

[22]Public Defender's Office: 20025.supra note 31.p.77.

[23] ECtHR, Macatė v. Lithuania, op. cit., para. 182

undertones. The statement also noted that the exhibition was cancelled at the request of "contractors."

25. It is worth noting a second case. On 16 November 2024, Gori Art House - a free space created by Gori volunteers - held an exhibition/installation that featured Georgian protest posters and slogans from various periods, including the phrase “A city destroyed by war does not apologise.” At the request of Gori City Hall, both the exhibition and Gori Art House were shut down.

Attacks on theatre productions

26. Another instance of attack due to dissenting views targeted the Royal District Theatre, which resumed performances in 2025. Director Data Tavadze's play "Liberté" explores themes of freedom and the search for identity. The play incorporates "loud exclamations," "bold language," and specifically "actions inappropriate for biological sex." The performance is restricted to viewers aged 18 and over and recording it with a phone is prohibited.
27. Despite these restrictions, excerpts from the play were broadcast by the pro-government TV channel "Imedi," ostensibly to illustrate that "Liberté" offends a segment of society. The Georgian Patriarchate denounced the play as a "blasphemous performance" and "sacrilege." Gathered outside the theatre, protestors demanded the director remove the play. This incident could have been interpreted solely as religious censorship, were it not for the fact that the play's director openly opposes the ruling government. Consequently, a double layer of censorship emerges both religious and state-governed, impacting creative freedom.
28. Additionally, according to the recommendation of the then UN Special Rapporteur in the field of culture, Farida Shaheed in her 2013 report, states should ensure the participation of representatives from independent artists' associations in decision-making related to the arts. States are also obligated to refrain from nominating or appointing cultural administrators or directors of cultural institutions based on their political, religious, or corporate affiliations.[24]According to Shaheed, policies aimed at increasing art's appeal to a broad audience should be encouraged. However, this should not mean excluding controversial works simply because an unprepared audience might encounter them. It's crucial to improve art education, which can be considered a strong and effective alternative to censorship[25].

Conclusion

29. Georgia saw its height of government turmoil and power consolidation in 2024. There was an intentional weakening of self-governing institutions. The ruling administration viewed art as particularly harmful because of its direct and collective nature. The Ministry of Culture was entirely subservient to the one-man administration, which also persecuted and harassed "rebellious" cultural representatives and artists. Repressive measures spread from the Ministry of Culture to the executive branch, causing the current political and social crises.
30. The laws “Assemblies and Manifestations" and "On Family Values and Protection of Minors" were amended in 2024-2025, limiting artistic expression and censoring creative and scientific endeavours. The law’s' prohibitions contradict the criteria of proportionality and necessity established in national and international law. Numerous incidents of artist repression and art censorship demonstrate the unavoidable "reverberating effect" of legislation.
31. As of November-December 2024, multiple incidences of violence against artists by law enforcement agencies and their affiliated unlawful groups had been identified. Artists who have been victims of violence have endured long-term consequences, and others may be permanently unable to fully express their creative abilities due to the physical and material harm they have sustained.

[24] Farida Shaheed, Report of the Special Rapporteur in the field of cultural rights, “The right to freedom of artistic expression and creativity* 21 March 2013, A/HRC/23/24
supra note 14. Chapter10.
[25]Ibid. para 86

32. The Ministry of Culture has not responded to reports of torture and abuses of the rights of cultural representatives.
33. Furthermore, the Ministry of Culture looks to be a punitive institution that targets professionals for political reasons. Many cases of censorship of the arts by state and religious rulers have been documented, including the closing of exhibitions and gallery spaces, as well as the criticism of theatrical performances.
34. Georgia today functions under a centralised totalitarian governance in which free expression and creative activities are criminalised. Creative freedom is essential to the survival and development of a democratic state.

Recommendations

35. Freemuse and AICA make the following recommendations to Georgia:

    a) **Release** all political prisoners held in violation of their right to freedom of expression and peaceful assembly, many of whom are artists and cultural workers.
    b) **Repeal or amend** the 2024–2025 amendments to the laws on "Assemblies and Manifestations" and "On Family Values and Protection of Minors" to ensure full compliance with international standards on freedom of expression, peaceful assembly, and cultural rights.
    c) **Investigate all reported cases** of violence, harassment, and repression against artists and cultural figures, including those involving law enforcement or affiliated groups, and hold perpetrators accountable through independent and transparent legal processes.
    d) **Guarantee** and protect the right to produce and present artistic work without undue state or religious censorship, including ensuring that exhibitions, performances, and publications are not shut down for political reasons.
    e) **Repeal** the Foreign Agents Registration Act to uphold the right to freedom of association and eliminate the chilling effect its application has on freedom of expression, notably in the arts.
    f) **Pursue** decentralisation and independence of cultural institutions that support creativity and free artistic expression.