

Access to legal counsel and the right to defence under threat amid ongoing pro-EU demonstrations in Georgia

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Lawyers for Lawyers is deeply concerned about reports of improper interference in the professional activities of lawyers in Georgia, especially when representing individuals detained during the ongoing pro-democracy protests.

The mass protests that erupted in Georgia on 28 November, following the government's decision to suspend EU accession efforts until 2028, have been marred with violence. Hundreds of protestors, including media workers and lawyers, have [reportedly](#) been injured during demonstrations, with security forces using pepper spray, water cannons and chemical irritants. According to the numbers of the Georgian Ministry of Internal Affairs, around 400 protestors had been [detained](#) by 10 December, with more than half of them reporting ill-treatment and injuries. Various [UN experts](#) have repeatedly condemned the pattern of repression, including reports of disproportionate or unnecessary use of force by police forces, and [called](#) for the authorities to investigate such allegations and respect the rights to freedom of expression and peaceful assembly.

Arrest and sentencing of lawyer Giorgi Davituri

On the morning of 2 December, special police forces arrested Giorgi Davituri, lawyer at the Institute for Development of Freedom of Information (IDFI), while [surrounding](#) a protest on Rustaveli Avenue. Despite carrying his lawyer's licence and apparent compliance with police orders, Giorgi Davituri [reportedly](#) sustained facial injuries, visible marks from handcuffs on both wrists, and verbal abuse. Police allegedly failed provide any reasons for his arrest, which was initially sanctioned for 24 hours and later extended to 48 hours. On December 10, the Tbilisi City Court [found](#) Giorgi Davituri liable for 'petty hooliganism' and 'disobedience to a lawful request of a police officer', and imposed a fine of 2.200 GEL. In the absence of substantial evidence and amid inconsistencies in the case file, the ruling was primarily based on the testimonies of two police officers, raising serious doubts about compliance with international fair trial obligations, particularly on due process and evidentiary standards. Giorgi Davituri has appealed the decision.

Due process violations and interference with lawyers' activities

[Reports](#) of due process violations and interference with lawyers' professional activities are cause for serious concern. According to information received, lawyers have been denied timely access to their clients and refused information about their whereabouts on numerous occasions, significantly hindering their ability to prepare an effective defence. These concerns, also raised by the [Georgian Bar Association](#), are compounded by [reports](#) of detainees having been subjected to beatings, denied medical care, and threatened with sexual violence and other forms of ill-treatment. Moreover, recent [amendments](#) to the "Law on Assemblies and Demonstrations" appear to further criminalise the right to protest, extending administration detention from 15 to 60 days and introducing a criminal offence for 'insulting a public official'.

International obligations

As a State Party to the International Covenant on Civil and Political Rights and the European Convention on Human Rights, Georgia has an obligation to ensure, inter alia, that anyone charged with a criminal offence is granted all their rights to due process, including the right to legal counsel. Georgia also has the obligation under international human rights law to ensure that no-one is deprived of their liberty except on such grounds and in accordance with such procedures as are established by law.

Furthermore, pursuant to Principle 16 of the UN Basic Principles on the Role of Lawyers, lawyers must be able to perform all their professional functions without intimidation, hindrance, harassment or improper interference; and shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognised professional duties, standards and ethics. Every individual is entitled to call upon the assistance of a lawyer to safeguard their interests (Principle 1) and governments should ensure that all individuals arrested or detained have prompt access to a lawyer (Principle 7). This is reaffirmed by Article 9(3)(c) of the UN Declaration on Human Right Defenders, which holds that everyone has the right to offer qualified legal assistance to safeguard human rights and fundamental freedoms.

Call on the Georgian authorities

The above developments highlight a broader pattern of interference with lawyers' work amid the ongoing pro-EU demonstrations in Georgia, where both legal professionals and peaceful protesters face arbitrary arrests and excessive force. As protests continue for the 84th consecutive day, Georgia should fully comply with its obligations to uphold fair trial rights, by guaranteeing access to legal counsel and due process.

In light of the above, we urge the Georgian authorities to:

1. Ensure that all individuals arrested and detained during the exercise of their right to freedom of assembly, including lawyers, have prompt access to legal counsel of their choice and due process, in line with international fair trial standards.
2. Guarantee that all lawyers in Georgia are able to carry out their professional duties without fear of reprisals, undue restrictions, or judicial harassment, in compliance with the United Nations Basic Principles on the Role of Lawyers.