

# Opinion – Georgia’s Embrace of Discrimination

Written by Jonathan Pettifer

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JONATHAN PETTIFER, SEP 29 2024

Tuesday, 17 September 2024, brought about the latest law change to severely curtail LGBTQ+ rights and freedoms in a growing trend of homophobia and transphobia across Europe and beyond. The Georgian Parliament, dominated by the populist Georgian Dream – Democratic Georgia Party (hereafter Georgian Dream), first came to power in 2012 with a focus on change. They campaigned on a promise to defrost relations with Russia following the 2008 war and resolve issues over successionist movements in various areas of the country. They were elected following a critique of the previous government’s practices, which they considered authoritarian, calling for justice and fairness in government, as well as discrediting the Georgian president, Mikheil Saakashvili, all the while maintaining a pro-EU image.

Georgia’s path to European integration is over two decades long. Included in the European Neighbourhood Policy program in 2006, it had steadily attempted to align closer with EU values and membership requirements. In 2023, 82% of Georgians were estimated to approve the government’s goal of joining the EU. In this process, the European Commission recommended that Georgia be granted candidate status as long as it addressed a number of priorities set out to bring the country more in line with EU standards and values. Along with improvements to the integrity of the judicial system, ensuring the independent and effective accountability and functioning of state institutions, and the commitment to a process of ‘de-oligarchisation’, Georgia was to better enforce its anti-discrimination laws and improve protections for the rights of the LGBTQ+ community.

Recent legal developments in Georgia contradict these policy objectives. When 80% of the country wants to join the EU, it is a strange move by a government that has been in power for over a decade and facing an election in a month’s time to so blatantly threaten the country’s prospects of accession.

Yet, this is not the first time the governing Georgian Dream Party has angered the EU. In April 2024, they introduced a law requiring nongovernmental organisations and media outlets who receive more than 20% of their annual revenue from abroad to register with the Georgian Ministry of Justice as an organisation that “serves” the interests of a foreign power. Many critics likened it to a similar law passed in Russia in 2022 that has allowed Putin to increasingly silence dissent. Georgian Dream argued it was necessary to prevent the promotion of LGBTQ+ propaganda.

Perhaps Georgian Dream’s recent targeting of the LGBTQ+ community is linked to concerns of electoral defeat in October, as anti-LGBTQ+ sentiment in the country reached concerning levels. ILGA-Europe, the European chapter of the International Lesbian, Gay, Bisexual, Trans and Intersex Association, an international civil society organisation to promote the rights of the LGBTQ+ community, noted a sharp rise in violence against LGBTQ+ people and their supporters in Georgia. The latest data from the International Social Survey Programme Survey reports that 84% of Georgians believe that same-sex sexual relations between two adults are always wrong, compared with an average of only 37% internationally.

Minority communities are often used as scapegoats by politicians to divert attention from other issues or garner support from wavering voters before elections. It seems that this may be no different in Georgia. Already in 2021, the Georgian authorities did not act to properly protect the Tbilisi Pride parade, forcing the cancellation of the event due to a mass of homophobic, far-right protesters gathering in the city, tearing apart Pride flags and attacking activists

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and journalists. Strong anti-LGBTQ+ rhetoric from the government and the powerful Georgian Orthodox Church have served to cement an atmosphere of homophobia in Georgia. In July 2023, the governing body of the church even called for a law to discuss “regulating queer propaganda”.

The Georgian Dream Party’s latest bill would ban pride marches, censor media that depicts same-sex couples, ban the public endorsement of LGBTQ+ relationships and people, deny gender-affirming care to trans people and outlaw same-sex marriage and adoption. It would seem the Party seeks to capitalise on anti-LGBTQ+ feeling for its political goals. The law itself goes against a wide range of EU policies and regulations which outlaw discrimination based on sexual or gender identity in member states, and by which candidate countries are expected to comply in advance of their accession to the Union. Georgia is acting in direct contradiction to the conditions placed on its future membership, and the EU must respond forcefully. The EU put a pause on Georgia’s accession process in July after the “foreign agents” law was passed. Yet, this seems not to have deterred the Georgian Dream Party from further upsetting the bloc.

If the EU truly wishes to practice what it preaches, it must decry such illiberal, anti-democratic laws that go against the fundamental values of Europe and take further action. It must go beyond tokenistic speeches of condemnation and introduce sanctions. By making an example of Georgia over its latest homophobic move, the EU can prove its commitment to promoting LGBTQ+ rights is steadfast in the face of populists.

“Europeanisation” has long been a popular word in academic studies of the European Union. It refers to a process in which the values, policies, norms and practices of the EU influence and shape those same values, policies, norms and practices of other member states and countries in the bloc, as well as those outside of it. It seems, however, that the process is not as clear as was initially expected. With LGBTQ+ rights being promoted strongly by the EU, candidate countries and member states are expected to properly implement protections for and promote acceptance of the LGBTQ+ community. Yet, Georgia is not the first nation in the EU zone of influence to fall short on LGBTQ+ rights, to say the least. Viktor Orbán and his Fidesz party have implemented a variety of law changes to curtail and infringe upon the rights of the LGBTQ+ community in Hungary, and Poland famously saw a third of the country declare itself an “LGBT-free zone” only four years ago.

Europeanisation has seemingly faltered in its attempts to promote a “European” value of being pro-LGBTQ+ in several countries. EU member states are contesting European values with legal changes, their societies express increased levels of intolerance towards the LGBTQ+ community, and the EU itself seems unable to properly get a handle on the issue.

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### About the author:

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