

# URGENT ACTION

## STOP AMENDMENT BANNING SAME-SEX MARRIAGE

The ruling coalition in Georgia introduced a bill on 14 March to amend the Constitution and define marriage explicitly as a union between a man and a woman. The amendment discriminates against LGBTI people in the enjoyment of their family life and all social rights associated with marriage.

The Prime Minister of Georgia, Giorgi Kvirikashvili, announced on 7 March that the ruling coalition "Georgian Dream" had agreed to go ahead with their plans to amend the Constitution and define marriage as explicitly a union between a man and a woman. The Prime Minister explained this change to be in "the defence of such an important value as marriage". Eighty out of 150 Members of Parliament signed the amendment proposal which was submitted to the Bureau of the Parliament on 10 March and registered on 14 March.

Article 36 of the Constitution of Georgia currently states that "marriage is a voluntary union based on equality between the spouses." By limiting the constitutional definition of marriage to couples of the opposite sex, the amendment directly discriminates against LGBTI people who live or wish to live in a same-sex union, and denies them the enjoyment of their right to family life, the right to marry and all the economic and social rights associated with marriage. According to the Civil Code of Georgia, same-sex partners do not currently have the right to marry or register and exercise their right to family life, but an explicit ban on marriage equality in the Constitution would aggravate the situation as it would prevent legislators from extending marriage to same-sex couples in the future and will run counter to the emerging global trend of recognition of marriage equality.

NGOs working on LGBTI rights in Georgia issued a joint statement on 17 February condemning the plan to narrow the definition of marriage to exclude same-sex couples. The statement also explained that due to the existing levels of hatred, discrimination and violence towards LGBTI people, Georgian LGBTI activists had never taken the decision to campaign for marriage equality, and that the public discussion created by the proposal will further marginalize LGBTI people in Georgia. The passing of the amendment will have a long-term chilling effect on human rights of LGBTI people beyond the right to family life and the right to marry as it will entrench the discrimination that same-sex couples experience in everyday life in Georgia.

### Please write immediately in Georgian, English or your own language:

- Calling on the coalition "Georgian Dream" to withdraw the amendment aimed at restricting the constitutional definition of marriage as this would effectively discriminate against same-sex partners;
- Urging the Georgian authorities to respect, protect and fulfil the rights of all people in Georgia regardless of sexual orientation and gender identity.

### PLEASE SEND APPEALS BEFORE 28 APRIL 2016 TO:

Prime Minister and Head of the coalition  
"Georgian Dream"  
 Giorgi Kvirikashvili  
 7 Ingorokva St, Tbilisi 0114, Georgia  
 Facebook:  
 facebook.com/KvirikashviliOfficial  
 Twitter: @KvirikashviliGi  
**Salutation: Dear Prime Minister**

Speaker of the Parliament  
 David Usupashvili  
 26 Abashidze St, Kutaisi 4600, Georgia  
 Email: contact@parliament.ge  
 Facebook:  
 facebook.com/DavidUsupashviliOfficial  
 Twitter: @D\_Usupashvili  
**Salutation: Dear Speaker of the Parliament**

**And copies to:**  
President of Georgia  
 Giorgi Margvelashvili  
 1 Abdusheishvili St  
 Tbilisi 0103, Georgia

**Also send copies to diplomatic representatives accredited to your country.** HIS EXCELLENCY DR REVAZ GACHECHILADZE, Embassy of Georgia, 4 Russell Gardens W14 8EZ, 020 7348 1941, Fax 020 7603 6682, embassy@geoemb.plus.com, www.uk.mfa.gov.ge

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Non-discrimination on grounds of sexual orientation and gender identity is an internationally recognized principle, affirmed by the international community for more than a decade. As a cross-cutting principle, it applies to the full range of human rights guaranteed in international standards. Many countries have brought their domestic laws into line with this principle in a range of spheres including partnership rights. Denial of equal civil recognition of same-sex relationships prevents many people from enjoying a whole range of other rights, such as rights to housing and social security, and stigmatises those relationships in ways that can fuel discrimination and other human rights abuses against LGBTI people.

Amnesty International opposes discrimination in civil marriage laws on the basis of sexual orientation or gender identity and calls on states to recognise families of choice, across borders where necessary.

On 25 December 2015, a Georgian man self-identifying as gay, filed a complaint to the Constitutional Court of Georgia, appealing to the Court to rule that his inability to marry his same-sex partner under the current legislative framework, namely the Civil Code of Georgia, was unconstitutional. The Georgian NGOs working on LGBTI rights distanced themselves from this complaint, calling it a provocation that could be used as a ground to amend the Constitution and define marriage as explicitly between a man and a woman.

LGBTI people often face discrimination, hate speech and violence in Georgia, while the authorities consistently fail to effectively investigate crimes motivated by homophobic and transphobic hatred. On 17 May 2012, a peaceful march in central Tbilisi marking the International Day against Homophobia and Transphobia (IDAHOT) came under attack when a group of Orthodox Christians began insulting and threatening LGBTI activists. On 17 May 2013, the IDAHOT public protest was thwarted by a violent attack by thousands of demonstrators while the police failed to ensure participants' safety. None of the attacks on the IDAHOT assemblies have been investigated effectively.

Name: LGBTI people in Georgia

Gender m/f: all

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