

## **Punitive Fines for Road Blockades: Violation of Freedom of Assembly and Expression in Georgia**

In recent years, the Georgian government, led by the ruling party Georgian Dream, has escalated legal and financial pressure on protest participants through legislative amendments and arbitrary enforcement practices.

In 2023, amendments to Article 174<sup>1</sup> of the Administrative Offenses Code drastically increased fines for the spontaneous blocking of roads during demonstrations, multiplying the fine tenfold - from 500 GEL to 5,000 GEL (approx. from €170 to €1,700). This measure was passed in the wake of growing protest activity, particularly after mass mobilizations on and after November 28.

Law enforcement agencies have used facial recognition cameras as the primary and often sole source of evidence in these cases. Typically, a still image of a protester captured on camera is presented in court as sufficient proof of wrongdoing, even when no active participation in road blockage can be demonstrated.

One of the most alarming practices is that individuals have been fined even when arriving at the protest site long after the street was already blocked by police themselves, or in cases where they did not actively participate in the blockade at all. In several video recordings, protesters are shown asking police officers if crossing the road is allowed, to which the police respond affirmatively – yet for blocking the street on the same day after police allowing crossing people are later fined.

This enforcement approach constitutes a serious violation of the right to peaceful assembly and expression, particularly during spontaneous gatherings, which are protected under international law. Liability imposed on participants and organizers of an assembly must be proportionate and reflect the nature of the individual's conduct. The blanket and disproportionate use of 5,000 GEL fines fails this test of proportionality and necessity.

These punitive measures are especially damaging in Georgia's socio-economic context, where the majority of citizens cannot reasonably afford to pay such fines:

According to official data from the Revenue Service, as of December 2024, only 15% of all income recipients (185,470 people) earned more than 4,800 GEL per month. The vast majority - over 1 million people - earn less than that, with 314,836 people earning between 1,200–2,400 GEL, and nearly 294,000 people earning 600 GEL or less per month.

For most citizens, a 5,000 GEL fine equals two to eight months of income - rendering it not only punitive but economically devastating. This level of financial punishment for participation in or proximity to protests constitutes a form of financial repression, aimed at deterring dissent through fear of economic ruin.

Further compounding the problem is the vague wording of the law. Nowhere does the legislation define what constitutes a sufficient number of participants for an act to qualify as an unlawful road blockage. As a result, this judgment is left entirely to police discretion, enabling arbitrary and politically selective application of the law.