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Civil and Political Rights**

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**Consideration of reports submitted by States parties
under article 40 of the Covenant**

**Replies of Georgia to the list of issues in relation to its fifth
periodic report***

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* The present document is being issued without formal editing.



Reply to paragraph 1

1. The trainings/awareness-raising activities for judges, prosecutors, lawyers, law enforcement officers and the public in regards to the rights enshrined in the Covenant, of their applicability under domestic law, and of the available procedure under the Optional Protocol are carried out on a regular basis. The respective awareness-raising activities include, *inter alia*, the issues such as the domestic mechanisms for implementing the Views adopted by the Committee under the 2016 amendments to the Civil, Criminal and Administrative Procedure Codes.

Reply to paragraph 2

2. Although the Government of Georgia is deprived of possibility to exercise its legitimate jurisdiction over its regions of Abkhazia and Tskhinvali region/South Ossetia due to Russia's illegal occupation, the Government is doing its utmost to facilitate protection of fundamental human rights and freedoms in the occupied territories.

3. It is firstly notable that by 21 January 2021 judgment of the Grand Chamber of the European Court of Human Rights, which concluded a decade-long interstate litigation with a historic victory for Georgia, the European Court unequivocally established the existence of continuous occupation of the parts of Georgia's territory by the Russian Federation and the latter's responsibility, in respect of a number of human right violations, *inter alia*, the restrictions on freedom of movement.

4. The judgment of 21 January and the legal implications of the ECtHR's findings included therein (in particular those in relation to the existence of effective control by the Russian Federation over the occupied territories) will provide strong basis to support any future claim, either inter-state or individual that is derived from Russia's continuous administrative practice of human right violations.

5. As the same time in regards to the measures taken to monitor and ensure respect in connection with human rights conditions, the Ministry of Justice of Georgia lodged the fourth interstate application against the Russian Federation to the European Court on August 21, 2018 (Georgia v. Russia (IV)). The complaint concerns the administrative practice of harassment, arrests, assaults and killings of the Georgian citizens in the Russian-occupied territories of Georgia and along the occupation line. These actions intensified especially after the 2008 war and reached a critical point during the torture and murder of Archil Tatunashvili in February 2018.

6. Georgia demands that Russia be held accountable for violating several articles of the European Convention. In particular, Russia continues to violate articles of the European Convention such as the right to life, the prohibition of torture, the right to liberty and security, the right to protection of private and family life, the right to an effective remedy, the right to property, the right to education and freedom of movement.

7. Even the EU Monitoring mission, the only international monitoring mission on the ground, is still prevented from implementing its mandate fully on the whole territory of Georgia, including in the Abkhazia and Tskhinvali regions.

Reply to paragraph 3

8. In 2019, the Human Rights Secretariat of the Administration of the Government, presented the first-ever National Risk Assessment Methodology to the Anti-Corruption Council, which adopted it in December 2019. The approach ensures the identification of human and organizational risks at government agencies, assisting in the identification of risk-related areas. The methodology will make a substantial contribution to the development of integrity in state institutions and the establishment of a corrupt-free public service.

9. The statistics on detection and launching investigation by the Anti-Corruption Agency of State Security Service of Georgia as well as of charged individuals are annually published under the SSSG annual reports which *inter alia* cover the section on fight against corruption,

and are available online at the SSSG official web-page: <https://ssg.gov.ge/en/page/info/reports>.

10. The Prosecution Service of Georgia has a strict policy towards those charged with corruption. Within the scope of the anti-corruption policy, in 2016–2020, the Prosecution Service of Georgia launched investigations into 2978 criminal cases related to corruption. Criminal prosecution was initiated against 1844 persons in the same period. In 2020, judgments were delivered to 58 persons in corruption cases.

11. Law of Georgia on Conflict of Interest and Corruption in Public Institution defines “officials” who are subject to annual submission of asset and interest declaration. Public officials fill and submit declarations annually to the Civil Service Bureau (CSB) through the Online Asset Declaration Electronic System on a dedicated website (www.declaration.gov.ge). An official shall complete an official’s asset declaration once a year. The failure to submit an official’s declaration within the time limit is subject to a fine in the amount of GEL 1 000.

12. All declarations are public and after the submission they are published on the official webpage of the CSB within 48 hours.

13. Asset and interest declarations verification mechanism was established in 2017. The Civil Service Bureau was granted the authority to monitor declarations and to determine and verify the accuracy of information.

14. In 2020, as a result of verification, out of 349 monitored declarations 134 were assessed positively, 177 declarants were fined, and 29 officials were warned due to the existence of a minor violation. The monitoring procedure was terminated on 8 cases. 1 declaration was forwarded to the State Prosecutor’s Office for investigation.

15. The National Agency of Public Registry carries out registration of the land rights in accordance with the Law of Georgia on Public Registry and the instruction. The registration process is transparent and regulated by various laws of Georgia. All registration documents are public and available to all interested parties. Decisions made for registration are appealed to a higher administrative body as well as to a court. The registration process is monitored, controlled and supervised.

Reply to paragraph 4

16. As per the Public Defender’s Special Report on the State of Equality (2020), while 38% of recommendations issued by PD in 2020 were enforced by state agencies and enforcement of 12% is in progress, private respondents brought their activities in compliance with 36% of PD’s recommendations.

17. In 2018 the PD applied the mechanism of execution of recommendations through judiciary and referred the recommendation addressed to Kobuleti Municipality and Kobuleti Water Limited to Batumi City Court. According to the recommendation, the PD had called upon the respondents to provide water supply system for private premises owned by Muslim community. All three court instances upheld PD’s allegations and imposed relevant obligations upon respondents. Enforcement of court’s decision is pending.

18. A draft of legislative amendments is prepared by the MIA on crimes committed on the grounds of discrimination, which includes amendments to both the Criminal Code and the Code of Administrative Offenses. This package of legislative changes will ensure an effective response to crimes against LGBTIQI people.

19. One of the priority directions of the Human Rights Protection and Quality Monitoring Department of the MIA is the monitoring of hate crimes. The Department will ensure advancement of the quality of investigations on similar categories of crimes through permanent monitoring of criminal cases. In 2020, More than 150 investigators of MIA were trained on effective identification and investigation of hate crimes.

Reply to paragraph 5

20. The Government of Georgia elaborated the second National Human Rights Strategy of Georgia for 2021–2030. Out of the four key priorities of the document, one is dedicated to promoting equality, with special focus on the protection of rights of minorities and elimination of all forms of discrimination.

21. In 2020, Georgia has adopted the first-ever policy document on SOGI (sexual orientation and gender identity) rights as part of the National Human Rights Action Plan.

22. The eradication of discrimination is well-grounded in the Georgian school program, namely the national curriculum for general education which contains the teaching of human rights issues. It reflects the objectives and the principles of the Universal Declaration of Human Rights and relevant International Conventions.

23. Fighting against crimes motivated by intolerance is another priority area of the Prosecutor’s Office of Georgia. In 2020, 22 individuals were prosecuted for hate crimes on the ground of SOGI elements, including 11 persons for discrimination on the ground of gender identity and 11 persons for discrimination on the ground of sexual orientation; 28 individuals were granted victim status, including 13 persons for discrimination on the ground of gender identity and 15 persons for discrimination on the ground of sexual orientation.

24. According to the Georgian legislation, if a person submits a document issued by a medical institution to the State Service Development Agency, which confirms the change of his/her biological sex, the person has the right to request a change of name/surname and make changes related to sex in the relevant act records.

Reply to paragraph 6

25. Legislative amendments on gender quotas resulted to formally 30 women in the Parliament of the 10th convocation, which is 3.4% more than the total number of women MPs in the previous, 9th convocation (16.6% of the total number of MPs in the 9th convocation were women. Whereas currently 20% of the total number are women). Following the adoption of the legislative amendments on gender quotas, no local self-government elections have been held yet. Therefore, the effect of the legislative amendments on women’s participation in local self-governments will be evaluated following the elections.

26. As a result of amendments to the Law of Georgia on “The Elimination of Domestic violence, Protection and Support of Victims of such Violence”, the law includes not only violence within the family, but also violence against women in general, whether in public or in private. Violence against women is defined as all acts of gender-based violence that resulted in or may result in physical, sexual, psychological or economic harm or suffering to women, including threats, coercion or arbitrary deprivation of liberty, whether or not the act of violence was committed in public or private life. The definition of a victim has changed substantially and it includes not only the family member but also a woman in general.

27. State entities began establishing sexual harassment response mechanisms, under the coordination of the Interagency Committee on Gender Equality. Eight state institutions have introduced such mechanisms within their agencies.

28. The Human Rights Protection and Quality Monitoring Department of the MIA has been actively working on raising awareness about sexual harassment in 2020. Investigators, police officers, patrol police officers, as well as community police officers have been trained on subject of sexual harassment, identification of such offences and effective investigation.

Reply to paragraph 7

29. In 2018–2020, the Prosecution Service of Georgia has had a strict criminal policy towards those charged with domestic crime and refuses to apply discretionary power to offenders of violence against women for any crime category. In 2020, criminal prosecution for domestic crime was initiated against 4633 persons and the portion of initiated criminal

prosecution against offenders of domestic crime was ¼ of the total number of initiated criminal prosecutions. The gender motivated intolerance was reflected in cases of murder of women in 2020 for the first time.

30. The functions of Witness and Victim Coordinators Service broadened. According to the recent amendments to Article 50 of the Criminal Procedure Code, the person conducting the questioning shall offer a close relative of a defendant in criminal cases opened due to Article 126¹ (domestic violence) or Article 11¹ (domestic crime) of the CCG, who suffered moral, physical or pecuniary damage because of this crime, consultation with a witness and victim coordinator and a 3-day deliberation period before exercising the right provided for by Article 50 of the CCPG.

31. The Human Rights and Investigation Quality Monitoring Department of MIA monitors cases of gender-based violence against women on a daily basis and oversees police actions on similar matters.

32. In March 2020, the Parliament adopted the Law on Combating Crimes against Sexual Freedom and Sexual Inviolability, which tightens the responsibility for perpetrators of crimes against sexual freedom and inviolability against minors. Those who commit crimes against sexual freedom and inviolability against minors will be deprived of certain rights under the law after a court judgment. For example, after leaving a penitentiary institution, perpetrators are prohibited from working in educational institutions, the right to stay within a radius of no more than 30 meters in the surrounding area, the right to be at children’s entertainment center, at a library for minors, etc.

33. Additionally, MIA is elaborating a database of persons convicted of sexual crimes, the purpose of which is to control the perpetrators of sexual crimes and protect minors from the expected sexual violence.

Reply to paragraph 8

34. In order to address and prevent sex-selection abortion (Gender Biased Sex Selection) Georgian Government continues to focus on: promoting gender equality, empowerment of women and girls, and fighting against negative gender stereotypes; guaranteeing for the women right to access modern reproductive technologies, by working with service providers and reproductive health specialist to engage them as partners and promote more ethical use of reproductive health care technologies; conducting communication campaign throughout the country with a slogan “do not differentiate, boy and a girl are both your future”.

35. The Ministry of Education and Science of Georgia has started to prepare learning course on sexual education and sexual offences within the framework of “Doctor’s Hour” for basic level.

36. The Order of the Minister of Labor, Health and Social Affairs on the “Approval of the Rules for Implementing Artificial Termination of Pregnancy” established the pre-abortion consultation/ interview procedure, which serves to fully inform the patient about the complications expected as a result of abortion. The Order prohibits selective abortion, except in cases where it is necessary to prevent a sexually transmitted disease.

37. Abortion complications are funded under the Universal Healthcare State Program. When a health care provider for any reason, refuses to perform an abortion, in accordance with the “National Protocol on Safe Termination of Pregnancy” he/she is obliged to refer the patient to another facility providing the service.

38. Significant decrease of maternal and child mortality has been approved by international agencies, such as WHO and Institute for Health Metrics and Evaluation. According to official statistics and international estimates, under-5 child mortality rate in Georgia met the MDG4 Goal.

39. In order to decrease number of mortality of mothers and children, also number of perinatal death from iron deficiency anemia, and number of early delivery and inborn anomalies, from June 2014 all pregnant population is provided with folic acid up to 13th

week of pregnancy and in case of iron deficiency anemia – with iron deficiency anemia medication from 26th week of pregnancy.

Reply to paragraph 9

40. On August 9, 2008, the Prosecutor General's Office of Georgia launched an investigation on crimes of genocide and premeditated violation of International Humanitarian Law and Georgian Criminal Law during the armed conflict in Georgia in 2008. About 6,000 citizens were interrogated, most of whom are recognized as victims. It is estimated that more than 2,000 civilians were killed and wounded during the hostilities and up to 200 civilians were detained. The military personnel, police officers and journalists were among the killed persons. According to the 2008 data of the Civil Registry Agency, the total number of registered IDPs from different regions of Georgia exceeded 130,000. At this stage, no criminal prosecution has been launched against certain individuals, the investigation is ongoing.

41. Currently, 486 cases are being investigated in the Department on Investigation of Offenses Committed in the Course of Legal Proceedings of the Prosecution Service of Georgia. In 2015–2021 the Department revealed 181 facts of forceful forfeiture of property from the citizens, 20 facts of beating-torture, inhuman treatment and violence, 52 public officials were exposed, including former General Prosecutor and his deputies, former Minister of Internal Affairs, high ranking officials of the Ministries of Internal Affairs and of Finances.

42. Since creation of the Department, 407 individuals were granted victim status, 293 of which have regained back (or the proceedings of receiving are ongoing), as a result of final decision delivered by the Prosecution Service, from the Ministry of Economy and Sustainable Development of Georgia movable and immovable property worth approximately 57,750,000 Georgian Laris.

43. As of today, the Department has adopted decision to apply to the court on revision of the judgment with respect to 103 convicts, 18 of which had political prisoner statuses. To date, the court has delivered acquittals in relation to 85 individuals.

44. As a result of work of the Department, substantial violation of rights was established against 14 persons, 12 of which were recognized as political prisoners, based on which, charges against them were withdrawn and they were acquitted.

45. On crimes committed against prisoners placed in penitentiary establishment №5 (Ortachala prison, currently abolished, so called "prison riot" case), prosecution was launched against 3 individuals, under articles 144³ and 333 of the Criminal Code of Georgia. All three defendants were found guilty as charged.

46. On crimes committed against prisoners placed in penitentiary establishment №8, prosecution was launched against 41 individuals, including under articles 138 (Another action of a sexual nature), 144¹ (Torture), 144³ (Inhuman or degrading treatment), 333 (Exceeding official powers) of the CCG.

47. On crimes committed against prisoners placed in penitentiary establishment №15, under articles 144³ (Inhuman or degrading treatment), and 342 (Neglect of official duty) of the CCG prosecution was launched against 5 individuals, including 1 governor of prison and 3 heads of unit. The first instance court acquitted all defendants regarding charge under article 144³. The acquittal was upheld by the Appellate and Cassation courts. A person charged under article 342 of the Criminal Code of Georgia was found guilty with the judgment of the court.

48. On crimes committed against prisoners placed in penitentiary establishment №2, prosecution was launched against 8 individuals, including 2 governors of prison. 7 defendants were found guilty as charged, however 1 defendant was acquitted. At this stage the investigation is in progress on 9 cases.

49. On crimes committed against prisoners placed in penitentiary establishment №6, prosecution was launched against 8 individuals, under articles 144¹ and 144³ of the CCG. All

defendants were found guilty as charged. 82 individuals were granted victim status. Currently, the investigation is in progress on 24 cases.

50. On crimes committed against prisoners placed in penitentiary establishment №16, prosecution was launched against 5 individuals, under article 144¹ of the CCG. All defendants were found guilty as charged. 149 individuals were granted victim status.

51. On crimes committed against prisoners placed in penitentiary establishment No. 4, prosecution was launched against 9 individuals, under article 144³ of the CCG, including 1 – head of the Penitentiary Department, 1 – deputy head of the Penitentiary Department and 2 heads of unit. All defendants were found guilty as charged by the first instance court. The Appellate court overturned that decision and acquitted all defendants. The prosecution party lodged appeal with the Supreme Court of Georgia.

52. On the case of dispersal of peaceful manifestation on 7 November 2007, the General Prosecutor's Office launched investigation in 1 case (all other cases related to the violent acts of 7 November were joined with this case). As a result of investigation, prosecution was launched against 3 individuals. Currently the case is being examined on the merits in the court.

53. With regard to 15 June, 2009, in order to fulfil undertakings of the Georgian Government deriving from the European Court of Human Rights judgment delivered in 2015, approximately, 70 witnesses were questioned/interrogated, documents relevant for investigation were requested from various organizations, photo-video material illustrating dispersal of rally was obtained from media-outlets and various web-pages, habitoscopic and forensic medical examinations were assigned and conducted. 37 individuals participating in 15 June 2009 rally were granted victim statuses. Inquiry and collection of additional pieces of evidence is in progress for legal assessment of actions committed by identified individuals.

54. In respect of 3 January, 2011, on the basis of the European Court of Human Rights judgment delivered on 4 April 2017, with a view to fulfil undertakings of the Georgian Government, 34 individuals were questioned/interrogated, in total 72 individuals were interrogated as a witness. 12 individuals were granted victim status. Documents valuable for investigation were requested from various agencies, photo-video material depicting dispersal of rally was obtained from media-outlets, comprehensive habitoscopic and phonetics forensic examination was assigned. The investigation is in progress.

55. During meeting of coalition “Georgian Dream” with local population, in village Mereti of Gori municipality On 26 June 2012, on the fact of verbal altercation between supporters of “the National Movement” and “Georgian Dream”, 2 individuals were administratively arrested for disorderly conduct, 1 individual was arrested for disorderly conduct and non-compliance with a lawful order of a police officer. Administrative detention with the term of 10 days was applied to all 3 offenders.

56. For disorderly conduct committed against journalist and tele-operator of media agency “info 9” on 12 July 2012, in Karaleti IDP settlement near Gori city, 5 individuals were administratively arrested, who were subjected to Administrative detention with the term of 15 days.

Reply to paragraph 10

57. The Office of the State Inspector is independent in the exercise of its powers and is not subject to any body or official. Any influence or unlawful interference with the State Inspector, an employee of the State Inspector's Office or an investigator in their activities is prohibited and punishable by law.

58. The State Inspector's Service is authorized to carry out full-scale investigation and apply operative and investigative actions in the cases of crimes within its competence. The procedural guidance and supervision of cases investigated by the Service, as well as criminal prosecution, is carried out by the Prosecutor's Office of Georgia.

59. In 2020, the State Inspector's Service received 2622 crime reports. The investigation was launched into 270 criminal cases, among them, investigation into 27 criminal cases provided under 144³ of the CCG (Degrading or Inhuman Treatment).

60. In relation to Temirlan Machalikashvili case, it should be noted that on 23 December 2017, Tbilisi City Court issued a ruling on the detention of Temirlan Machalikashvili. In accordance with the above judgment, on December 26, 2017, at night, during a special operation in the village of Duisi in Akhmeta district, the Officer of the Special Operations Department of the State Security Service shot and wounded Temirlan Machalikashvili, because of his attempt to activate the hand grenade, who died later, on January 10, 2018.

61. To determine whether the officer of the Special Operations Department was acting properly and whether the shot was urgent, the Tbilisi Prosecutor's Office conducted a thorough and comprehensive investigation. In particular, 124 persons were interviewed as witnesses, dozens of investigative or procedural actions were carried out, more than a dozen different forensic examinations were conducted on the criminal case.

62. The Prosecutor's Office of Georgia made a summary judgment and the investigation into the case was terminated on January 25, 2020. Investigation has proven that the officer of the Special Operations Division was in a state of necessary repulse, the threat was real, imminent, and the only purpose of his action was to protect the life and health of himself and those around him. It was also confirmed that neither of the members of the Special Forces nor any senior official committed any unlawful or criminal activity. Therefore, the Government requests the Committee to take into consideration the above and to avoid the classification of this case as the killing by the State Security Service officers (as indicated in paragraph 10 of the List of Issues).

Reply to paragraph 11

63. Georgia informed the Secretary-General of the UN about the right of derogation exercised by Georgia under the ICCPR by the Note N19/9860 of 21 March 2020.

64. On 21 March 2020, the President of Georgia declared the state of emergency on the territory of Georgia in order to limit the spread of the Covid-19 and ensure protection of public health. Initially, the state of emergency was instituted for 30 days starting from 21 March 2020 effective until 21 April 2020. However, considering the growing dynamics of the Covid-19 spread, it was later prolonged until 22 May 2020.

65. The measures adopted included establishment of special rules of isolation and quarantine, suspension of international air, land and sea traffic, suspension of visiting of penitentiary institutions, restriction of assembly, gathering and manifestation, establishment of the rules and conditions for online education, restriction on the right to property.

66. Application of these measures gave rise to derogations under the ICCPR. Namely, in accordance with Article 4, Para 3 of the Covenant, Georgia derogated from Articles 9, 12, 17 and 21 of the ICCPR. Georgia duly informed the Secretary-General of the UN about these derogations.

67. On 22 May 2020, the Parliament adopted and the President approved the special emergency legislation which established remote court hearings and introduced special rules on isolation and quarantine until 15 July 2020. The special emergency legislation was extended several times and now remains in force until 1 January 2022. Accordingly, the derogations have been extended until that time.

68. Georgia informed the Secretary-General of the UN about the right of derogation exercised by Georgia under the ICCPR by the following Notes: N19/9860 of 21 March 2020, N19/11359 of 22 April 2020, N19/13537 of 23 May 2020, N19/18571 of 15 July 2020, N19/34515 of 31 December 2020 and N19/18004 of 30 June 2021.

69. As Georgia underscored in its communications to the Secretary General of the UN, these derogations apply to the obligations only to the extent strictly required by the exigencies of the persisting situation with the coronavirus. Georgia shall inform the Secretary-General of the United Nations when these measures cease to operate.

Reply to paragraph 12

70. The Parliament of Georgia plans to adopt a new Code of Administrative Offenses. The new Code will systematically regulate the existing norms and develop clear regulations regarding the relevant legal relations. All this will be done in accordance with international human rights standards. Currently, there are no plans to abolish administrative custody.

71. According to the Georgian legislation, the maximum period of administrative detention is 12 hours and persons should be brought before the court; however, a person whose administrative detention takes place in non-working hours may be detained in a TDI until a competent authority examines the case. In this case, the overall detention period shall not exceed 48 hours. The maximum timeframe for administrative custody is 15 days.

72. Access to a lawyer for administrative detainees, is fully granted at any time of day and night, without any limitations. The right to a lawyer is explained in the list of rights and obligations, which is handed to all detainees upon their entrance in a TDI.

73. A special form was developed in compliance with the Istanbul Protocol and medical examination of detainees is conducted only in accordance with the mentioned document.

74. When a doctor documents possible ill-treatment committed against a detainee, he/she immediately notifies the State Inspector's Service. The notification is sent even in the occasion when the detainee has not reported any acts of violence, but the doctor has reasonable suspicion that such facts might have taken place.

75. In 2020, medical staff was additionally employed in 5 TDIs throughout the country. Currently, medical units are functioning in 22 isolators out of 30.

76. Since 2020, one TDI was fully renovated. Necessary maintenance works were undertaken in 19 isolators. In August 2020, the new TDI and institution for persons in administrative custody were opened in Tbilisi. Both facilities fully comply with existing standards.

Reply to paragraph 13

77. On March 5, 2021, the Parliament of Georgia adopted legislative amendments to the Law of Georgia on Narcotic Drugs, Psychotropic Substances, Precursors and Narcotic Aids, which newly defined the amounts of 8 substances under special control and their doses. This was due to the widespread use of these drugs in practice and the fact that possession of even the smallest dose led to liability provided for the illegal purchase/possession of large quantities of drugs. As a result of the change, possession of specific drugs were defined as small, initial and large amounts of criminal liability. The law was given retroactive effect and was considered as a newly identified circumstance to review judgments rendered before the law was adopted.

78. Georgia prioritizes the importance of development of an evidence-based drug policy. To address the aforementioned priority, Georgia's Minister of Justice issued an Order on January 16, 2020, establishing the National Drug Observatory which serves as an institutional guarantee for collecting and analyzing scientifically valid data on drugs and drug addiction issues.

79. NDO is composed of experts in prevention, treatment and rehabilitation, harm reduction, supply reduction, addictology, sociology or epidemiology and representatives from the state agencies.

Reply to paragraph 14

80. In 2020, 640 IDP families were provided and 1,820 IDP families will be provided with long-term accommodation in 2021–2022.

81. Despite the Covid-19 pandemic restrictions more than 3,000 internally displaced families were provided with a house in their possession in 2020 within the scope of different state programs.

82. The Livelihood Agency provides occasional financial assistance for IDPs and monthly rental funds for the families. In 2020, 12,384 IDPs were provided with occasional financial assistance and 1,462 families were provided with rental funds for their temporary housing.

83. According to the research conducted within the beneficiaries of different programmes implemented by the Agency annually, the income of 86% of the beneficiaries have increased due to positive impact of the programmes and it varies from 300 to 1,500 GELs.

84. To partially mitigate the negative effects of the pandemic for the most vulnerable families and persons of the internally displaced community, the Agency carried out various activities during 2020, such as: 1050 preselected internally displaced families were provided food products and consumables; 1000 most vulnerable families were provided with food and different hygiene products with support from the UNHCR; 126 collective settlement of IDPs were completely disinfected with the assistance of the central government, municipal institutions and several NGOs.

Reply to paragraph 15

85. Georgian asylum system guarantees access to the asylum to all aliens and stateless persons who claim for international protection either at the border or on the territory of Georgia.

86. The applications on international protection by Syrian, Eritrean and Yemeni asylum seekers, like rest of the application from other countries of origin, are examined individually, objectively and impartially by competent officials of the MIA carefully assessing all the relevant facts and information.

87. Any decision made by the MIA during the Asylum Procedure, including rejection based on national security considerations, can be appealed within one-month period after official notification of the decision to the asylum-seeker.

88. Court has full access to the security information based on which negative decision on international protection was made. Before a final decision of the Court, asylum-seekers and beneficiaries of international protection enjoy the rights and guarantees provided by the Law including access to free legal aid regarding negative decisions on their asylum applications as well as regarding the revocation or cancelation of their status.

89. If the first instance Court rejects the claim of the asylum-seeker/beneficiary of international protection, she/he is allowed to appeal the decision in the second instance Court, which renders final decision regarding the case.

90. Georgia has an effective birth registration procedure in place that avoids unregistered births, therefore eliminating the possibility of a child becoming stateless on this basis. The civil acts registration authority records the birth of a child born in Georgia, as well as the birth of a child born abroad to a Georgian citizen or the birth of a child of a stateless person having legal standing in Georgia.

91. The Organic Law on Citizenship of Georgia defines the several options for obtaining Georgian citizenship including when: she or he is the child of a stateless person in Georgia; one of her/his parents is a stateless person in Georgia, and the other parent is unknown.

92. A child residing in Georgia with unknown parentage is presumed to be a Georgian citizen unless proven differently.

93. The Organic Law on Georgian Citizenship defines the facilitated naturalization for the stateless child born in Georgia. A stateless child born in Georgia will be granted Georgian citizenship if she or he satisfies only one of the requirements: five years of residency in Georgia. A stateless child's naturalization does not need legal residency in Georgia.

94. A child who has not obtained Georgian citizenship by birth will be granted Georgian citizenship if one of his/her parents is a Georgian citizen as well as a child adopted by a Georgian citizen.

Reply to paragraph 16

95. The acquittal rendered by the jury is final and will not be appealed.

96. The Code of Criminal Procedure provides for specific exceptions in which a conviction may be appealed, namely: a party may appeal a conviction to the Court of Appeals (valid for one occasion), if: a) Chairman of the session made an illegal decision on the admissibility of evidence; b) Chairman of the session made an illegal decision during the consideration of the motion filed by the party, thus substantially violating the principle of adversarial proceedings; c) Chairman of the session made a substantial mistake while giving explanations before leaving the jury deliberation room; d) The presiding judge in whole or in part did not rely on the verdict rendered by the jury when passing the verdict; e) Chairman of the session relied on the verdict issued in violation of the requirements of this Code when making a judgment; f) The ruling is illegal and/or clearly unjustified; g) Presiding judge did not take into account the recommendation by the jury to reduce or aggravate the sentence. If the cassation appeal provided for in subparagraphs (a) to (e) is upheld, the case shall be remanded to a new panel of jurors for reconsideration.

97. In case of reversal of the sentence of the jury on the grounds provided for in subparagraphs (f) and (g), the Court of Appeals shall issue a new sentence. In this case, the judgment of the Court of Appeals is final and will not be appealed.

98. Legal Aid Service (LAS) offers free legal aid to the vulnerable and disadvantaged citizens and makes its support available through its 14 bureaus and 25 consultancy centers across the whole country.

99. Legal counseling is available on any criminal, civil or administrative issue free of charge to any person. As for preparing legal documentation and representation in court, only socially vulnerable citizens, who are not able to pay for attorney's services, are provided with such services.

100. Beneficiaries registered in the unified database of socially vulnerable households with the ranking score of 70 000 and less, as well as individuals falling under specific categories with the ranking score of 100 000 or less are eligible to free legal services at the Legal Aid Service.

101. In exceptional cases, the director of the Legal Aid Service may assign a public attorney to the individual who is not insolvent, but cannot afford counseling services because of poor socio-economic standing if such inability is well documented.

Reply to paragraph 17

102. According to the legislative amendments, the representatives of other branches of the Government have been excluded from the composition of the High Council of Justice (HCJ).

103. The constitution of Georgia has envisaged the accountability of the HCJ only before the Conference of Judges – the self-governing body of judges of the Common Courts, which further ensures independence of the Council from any kind of external influence or interference.

104. As a result of the legislative amendments of 2019, it became mandatory for the HCJ to reason its decisions, including, the decisions on appointment of judges and court chairpersons.

105. The adoption of the Law on Mediation and enlargement of the range of disputes subject to mediation have to be highlighted as well in terms of the measures undertaken to reduce the case flow in courts. The activities of the HCJ such as approving the "Court Mediation Program" and its action plan, establishing mediation centers in courts, etc., will

ultimately have a positive impact on reducing caseload and increasing the efficiency of the judiciary.

106. Since 1 January 2018, the cases have been assigned to judges through the electronic system, according to the principle of random allocation.

107. To ensure an objective examination of alleged disciplinary misconducts of judges, an institute of Independent Inspector has been introduced since 2017. The Independent Inspector operates independently from the HCJ. Currently, only the Inspector is entitled to initiate the disciplinary proceedings and conduct the preliminary examination and investigation of alleged disciplinary misconduct.

108. The duration of the initial training program for judicial candidates has been increased from 10 to 16 months and components of the learning program have been refined, which ensures deepening of theoretical knowledge of candidates and developing the skills essential for judicial activities.

109. The introduction of the system of lifetime appointment of judges has been a crowning achievement of the past judicial reforms. Article 63(6) of the Constitution of Georgia prescribes that judges of the common courts (including the Supreme Court judges) shall be appointed for life until they reach the age established by the organic law. In accordance with the legislation, appointment for a 3-year period may be applied only in cases of initial appointment and until 31 December 2024.

110. There are two different procedures for the evaluation of a candidate for a judge: with prior judicial experience and without prior judicial experience. Evaluation of both types of candidates for a judge is conducted by the HCJ based on two main criteria - integrity and competence.

111. Compliance of a candidate for a judge without prior judicial experience with the prescribed criteria is evaluated based on the interviews conducted with them, and the information obtained (background checks). After the interview, each member of the HCJ shall complete the evaluation sheet of each candidate, in which the results of the evaluation of a candidate for judge according to the criteria will be entered. Whereas acting and former judges are evaluated based on the examination of 5 randomly chosen cases, the points-based assessment system and the evaluation sheet filled out by the members of the HCJ independently after the interview.

112. After the HCJ votes for the assignment of a judge to office, reasoning for the decision shall be published on the webpage of the HCJ. The reasoning should include the description of the procedure and profile of the appointed judge, including the scores obtained by him/her and the conclusions on his/her integrity. Furthermore, publishing a dissenting opinion of a member of the HCJ is mandatory.

113. A candidate for a judge has been granted the right to appeal the decision of the HCJ on the refusal to appoint him/her on the position of a judge to the Qualification Chamber of the Supreme Court of Georgia.

114. The constitutional reform of 2017 entitled the HCJ (instead of the President of Georgia) to select and nominate candidates of judges of the Supreme Court before the Parliament.

115. Based on the legislative amendments of 2019, 2020 and 2021 years, the detailed procedure and the criteria for the selection of candidates of judges of the Supreme Court have been prescribed by the Organic law of Georgia on Common Courts.

116. The amendments have determined the obligation of the HCJ to conduct an open recruitment, determine applicants' eligibility, conduct background checks, and interview each candidate individually at a public hearing. The scores obtained by the candidates, reasoning for these scores, evaluations of each characteristic of integrity and reasoning of these evaluations shall be published on the webpage of the HCJ together with the identities of the members of the HCJ.

117. The legislative framework allows the candidates with the best results to be presented to the Parliament. The shortlist of candidates is determined by the HCJ according to their

rating, *i.e.* candidates who have gained the highest scores in competence criterion move to the next stage of selection.

118. A member of the HCJ may render a dissenting opinion in a written form which shall be submitted to the Parliament and shall also be published on the webpage of the HCJ.

119. The candidates have the possibility to challenge the decision of the HCJ at any stage of the selection process to the Qualification Chamber of the Supreme Court.

120. The nomination is followed by the interviews at a parliamentary committee. Those who receive a majority of votes of the full composition of the Parliament are finally appointed to the Supreme Court.

121. The Constitution of Georgia determines that a judge may be removed from consideration of a case, dismissed or moved to another position only in cases defined by the Organic Law. In particular, a judge shall be withdrawn from hearing a case and exercising other official powers from the moment of: a) initiating criminal prosecution against the judge; b) making the decision by the Disciplinary Panel to dismiss a judge, until the final resolution of the case. Recusing a judge from hearing a case shall automatically recuse the judge from other official powers.

122. The judges of the Supreme Court may be dismissed by the Parliament of Georgia by way of impeachment, while the judges of the first and second instance courts are dismissed by the HCJ based on the detailed grounds set forth in Article 43 of the Organic Law on Common Courts. In case of committing disciplinary misconduct, the relevant submission of the Disciplinary Panel of judges of common courts shall be necessary for the HCJ to dismiss a judge.

Reply to paragraph 18

123. The Child Referral Center has been operating under the LEPL Agency for Crime Prevention, Non-custodial Sentences, and Probation (Agency) from January 1, 2020. It is the first time in Georgia when systematic and complex work with juveniles in conflict with the law under the age of criminal responsibility (under 14 years) has begun.

124. Work has also been initiated with 10–18 years old adolescents who are demonstrating various challenging/difficult/antisocial behaviors. Based on an evaluation of their specific requirements, juveniles participate in rehabilitation services such as psychological service, psychosocial training, and other programs.

125. In terms of the impact of programs on juveniles, from the founding of centers in 2020 to the present, the individual support plan has been completed successfully in 19 cases, and the rehabilitation improvement process is being undergone in other cases.

126. Juveniles in the Agency participate in the following types of re-socialization-rehabilitation programs: Anger management; Human trafficking; a healthy lifestyle; personal values; a community integration program; Training program on human rights and tolerance development for vulnerable groups; Effective communication; Module for self-evaluation and promotion of new possibilities; Adaptation to the social context; knowledge of criminal activity; etc.

127. Pursuant to Article 15 of the Juvenile Justice Code, at any stage of criminal proceedings, an accused/convicted/acquitted minor and a minor victim shall be provided with the free legal aid unless a defence lawyer (defence by agreement) hired by the minor participates in the proceedings.

128. As regards the minor interviewee/witness, he/she can also apply for free legal aid, if he/she is unable to pay or should be interviewed with regard to the crimes against life, health, sexual freedom and sexual inviolability, torture or inhuman treatment. If any of these conditions are met and a minor interviewee/witness of his/her legal representative asks for appointing a lawyer at the expense of a state, such request is satisfied. There is no exception from this rule in judicial practice either.

129. Social workers are involved in all juvenile justice proceedings and present an individual assessment of a minor to the court. Furthermore, in all cases when a judge considers it to be in the best interests of a minor, a psychologist is involved in a procedural action performed in relation to a minor. A psychologist assesses the needs of a minor and provides psychological support during the proceedings.

Reply to paragraph 19

130. Operative Technical Agency of Georgia, which has exclusive authority to carry out electronic surveillance measures, enjoys high degree of independence, has no investigative, intelligence or counterintelligence functions.

131. The Agency conducts covert investigative activities only upon a request of the law-enforcement and security services, based on respective judicial authorization (and only in exceptional cases of urgency – upon prosecutor’s motion which has to be approved by the judge within maximum 48 hours).

132. The new legislative package has significantly enhanced the external oversight mechanisms over the activities of the Agency. The Government, Parliament’s Defense and Security Committee (in particular by the Group of Trust), Courts, General Prosecutor’s Office, the State Inspector and the State Audit Office implement the oversight.

133. The State Inspector has been granted the authority to conduct oversight on the process of covert investigative activities (communications surveillance) as well as on the process related to electronic communications identification data, through the electronic monitoring and special electronic monitoring systems, via inspecting the legality of the basis for processing the information as well as being able to suspend the process at any stage in case of detecting any inconsistency. Since the establishment of the Agency, 10 scheduled and unscheduled inspections have been carried out.

134. According to recent amendments to the Law of Georgia on Information Security, the Operative-Technical Agency (OTA) will be responsible for ensuring informational security in governmental agencies, while the private sector shall fall under the domain of LEPL Digital Governance Agency of the MoJ. OTA will not be entitled to have a direct access to the content of the communication performed by those governmental agencies and its activities shall be subjected to comprehensive oversight mechanisms, including the Parliament, the Prime-Minister and the State Inspector.

135. The Law on State Security Service of Georgia prescribes relevant mechanisms for ensuring the independence and political impartiality of the Service¹ and guarantees the protection of the Service from any undue influence.²

136. A separate chapter under the Law on State Security Service of Georgia is devoted to the external oversight mechanisms over the activities of the SSSG, including: the Parliamentary, Court oversight, the Prosecutorial, the State Audit Service control. In addition, oversight functions of the Ombudsman and State Inspector and their access to state secrets are worth mentioning, in terms of conducting monitoring over the activities of the SSSG.³

Reply to paragraph 20

137. Georgia is not the legal successor of the Soviet totalitarian regime and has no obligation to compensate the damage caused to religious associations by the Soviet

¹ The Head of the Service shall neither be a political figure nor a member of the Government.

² The Head of the Service is elected and dismissed only by the Parliament, and the 6-year election term of the Head doesn’t coincide with either the Parliamentary and the Presidential terms or the terms of the Government in office.

³ According to the law, the Ombudsman is granted a guaranteed right to security clearance, upon his/her election at the post. Hence, the Ombudsman within his/her competence, is authorized to have access to any information, including the information containing state secrets and thus, to conduct oversight over the activities of the SSSG.

totalitarian regime. However, the Georgian state continues to return those cult buildings to religious associations that became state-owned property after the restoration of independence.

138. As part of this policy, since 2014 to present, about 200 mosques – both Sunni and Shiite – have been returned to the Muslim community; 20 synagogues were fully restored to the Jewish community. The church and the nearby cemetery (5500 m².) in Tbilisi were returned to the Georgian Evangelical-Lutheran Church.

139. From January 1, 2019, the decision of the Constitutional Court came into force and, if previously the privileges applied only to the Orthodox Church, the VAT exemption without the right of deduction, affected the construction, restoration and painting of temples and churches of all religions. (Judgment of the Constitutional Court of Georgia of July 3, 2018 No. 1 / 2/671).

140. According to the decision of the Constitutional Court, from January 1, 2019, all other religious denominations were equated with the Georgian Orthodox Church and the opportunity of transferring the state property in ownership, free of charge was given to all religious associations (Judgment of the Constitutional Court of Georgia of July 3, 2018 No. 1 / 1/811).

141. Under the discretion of the state, within the framework of the Resolution N117 of the Government of Georgia of January 27, 2014, four religious confessions – Islamic, Jewish, Roman Catholic and Armenian Apostolic religious associations are symbolically and partially compensated for the damage caused during the Soviet totalitarian regime. Since 2014 to date, the symbolic and partial compensation for the damage has reached 32,250,000 GEL: in particular, Muslim community – 19 800 000 GEL, Roman Catholic community – 3 900 000 GEL, Armenian Apostolic Community – 5 700 000 GEL, Jewish community – 2 850 000 GEL.

142. Issuance of construction permits (including religious buildings) in Georgia is regulated by law and religious minorities have complete freedom to build their own religious buildings in accordance with applicable law.

143. In general education area and in public schools specifically, religious neutrality and protection of learning process from all types of religious indoctrination and proselytism is governed by the Law of Georgia on General Education.

144. National curriculum, as the primary document for teaching/learning, covers items associated with violence and hate speech, human rights and tolerance within relevant subjects in public schools.

Reply to paragraph 21

145. In 2016–2020 prosecution was launched against 9 individuals for unlawful interference with the journalist’s professional activities, under article 154 of the CCG; as concerns other crimes committed against journalists, in 2016–2020 prosecution was launched against 22 individuals, under articles 126, 150, 156, 187 and 239 of the CCG.

146. In 2021, legal qualification was altered in a case of unlawful deprivation of Afgan Mukhtarli’s liberty and for today the investigation proceeds under article 143 §3 (a) (committed with a prior agreement by a group of persons) of the CCG. In the process of investigation of this case law enforcement agencies have questioned up to 400 individuals; video surveillance camera footages have been requested and examined; the relevant forensic examinations have been conducted.

147. On 7 April 2021, Afgan Mukhtarli arrived in Georgia. After his arrival, he was questioned as a witness and an investigative experiment was conducted with his participation. Currently, subsequent operative-investigative activities are planned and being conducted, deriving from Afgan Mukhtarli’s testimony, witnesses specified by the latter are being questioned, additional mutual legal assistance request was sent to Azerbaijan.

148. In April 2021 Afgan Mukhtarli was granted victim status, to this date the prosecution has not been launched against particular person. The investigation is in progress.

149. On 17 July 2020, the Parliament adopted amendments to the Law on Electronic Communications which introduce novel regulations regarding execution of the decisions of the Georgian National Communications Commission – a national regulatory authority in the fields of broadcasting and electronic communications. Under the new law legal acts of the ComCom in the field of electronic communications shall stand, unless the court decides otherwise and suspends their enforcement.

150. The measures provided under the new law include mechanism of the special manager, which is appointed in the telecom operator, if the operator persistently violates legislation and refuses to enforce regulatory decisions regarding mergers and acquisitions and SMP obligations. The special manager may be entrusted with managerial powers of the operator, except the power to sell shares/assets of the operator. The special manager mechanism is terminated once the initial decision is enforced.

151. The regulation was deemed necessary to fill the gap in the Georgian legislation, which did not provide for effective enforcement mechanism of the decisions of ComCom. The legislation provides safeguards to ensure, that the special manager is not allowed to influence the editorial policy of the telecom operator with broadcasting activities and also prevents the infringement of the net neutrality principle.

Reply to paragraph 22

152. The General Prosecutor's Office is investigating the case of exceeding official powers, using violence and weapon by specific law enforcement officers participating in the protection and restoration of public order on 20–21 June in Tbilisi, crime prescribed under article 333 §3 (b) of the CCG. More than 1000 investigative and procedural actions have been conducted; about 800 individuals were questioned; processed and unprocessed video and photo material demonstrating events of 20–21 June, as well as medical documentation were collected; forensic medical examination is ongoing in relation with 340 individuals, forensic traceologic examinations were also commenced. All weapons used during events of 20–21 June, as well as sample cartridges were seized and subsequently forensic ballistics and forensic chemistry examinations were conducted.

153. The investigation has obtained photo and video material amounting to more than 10 terabytes. Currently, the investigation and analysis of seized material is under way, with a view to establish each particular episode and to identify the relevant persons.

154. 13 individuals were granted victim status, including 3 journalists. The prosecution was launched against 3 employees of the MIA, under article 333 §3 (b) of the CCG. Their cases are being examined on the merits in the Tbilisi City Court. The investigation is monitored by the office of the Public Defender of Georgia.

155. With respect to the events of June 20-21, 2019, the General Inspection of the MIA initiated disciplinary proceedings against 11 employees of the Ministry and applied following disciplinary punishments: rebuke – was applied to 2 employees; reprimand – was applied to 8 employees; Severe reprimand – was applied to 1 employee.

156. The State Inspector's service of Georgia is investigating 8 cases on the facts of exceeding official powers, using violence, by the law enforcement officers against participants of protest rally in Tbilisi in November 2019, crime prescribed under article 333 §3 (b) of the Criminal Code of Georgia. All urgent, necessary and subsequent investigative and procedural actions were conducted on the said cases, including assignment of relevant forensic examinations. At this point, particular person has not been recognized as a victim or as a defendant. The investigations are ongoing.

Reply to paragraph 23

157. In 2020 the General Prosecutor's Office of Georgia examined cases regarding crimes prescribed under article 140 (Penetration of a sexual nature into the body of a person below 16 years of age) and 150¹ (Forced marriage) of the CCG, as well as cases regarding illegal

deprivation of liberty and developed the Guideline for the Offenses Punishable under Article 140.

158. The Police departments are creating and adapting an environment tailored to the best interests of the child to minimize the victimization of juveniles involved in the proceedings. The child-friendly rooms already exist in five divisions and by the end of 2021 similar spaces are planned to double in number as well.

159. Additionally, in 2020, the Main Unit of Juvenile Affairs has been launched at the Tbilisi Police Department and is staffed with specialized investigators. The Unit responds to crimes and administrative offenses committed by/against juveniles.

160. Each year, Human Rights Protection and Quality Monitoring Department monitors all cases across the country, for which the possible motive is child marriage and prepares special reports. A special instruction for investigators on the standards for the investigation of crimes of child marriage has been elaborated, the active use of this instruction is monitored by the Department. To avoid repeated violence against the victim, simultaneously with the launch of an investigation on the same crimes, in all necessary cases restraining orders are issued against perpetrators, including gender discrimination. Furthermore, juveniles are referred to public services for psychological, social or legal assistance.

161. The MIA periodically conducts an information campaign called “Do not take away childhood” in order to eliminate crimes of child marriages and raise public awareness on the issue, as well as to provide timely reporting to the police about the crime.

162. On 13 July, 2020 the Parliament of Georgia adopted the legislative amendments in 4 legislative acts aiming at restricting the measures against child sexual abuse and sexual exploitation.

163. As a result of the legal amendments in 2016–2021 the LELP PSDA operating under the MoJ issued temporary identification documents for 41 children (28 homeless and 13 victim of violence) based on the application of Agency for State Care. 13 Identity Cards and 1 temporary residence permit for 14 homeless children and children victims of violence and biometric passports for 13 children were also issued by PSDA.

164. The role of social worker has been increased. In particular, the social worker is authorized to remove the child from family or environment where the violence was committed. This also includes the case when the violence against child takes place in the street.

165. The Child Protection Referral Mechanism expanded the responsible entities for referring child violence cases to the relevant agencies. In particular, all governmental institutions and their structural units, medical institutions and local municipalities have become obliged to refer the possible case of child violence to the Agency for State Care and the police. The failure to report such cases to the relevant state bodies by persons involved in the child referral mechanism will invoke administrative liability.

166. In 2018–2020 10 children were identified as statutory victims of human trafficking by their involvement in begging. 6 traffickers were prosecuted and 5 were convicted for forced begging of children. 1 prosecution is still ongoing.

167. Forced labour, including, child labour is being monitored by the Labour Conditions Inspecting Department since 2016. In 2020, only one case of forced labour was revealed and was referred to the MIA for further investigation.

Reply to paragraph 24

168. For 31 October 2020 Parliamentary Elections, the Constitution of Georgia and the Organic Law of Georgia “Election Code of Georgia” were amended, which substantially changed the electoral system.

169. The number of deputies to be elected by the majoritarian system has been reduced, respectively, the Parliament, as a result of the 2020 Parliamentary Elections, consists of 120

members elected by the proportional system and 30 members elected by the majoritarian system.

170. The election threshold has been decreased and the electoral registration procedure of the party has been simplified.

171. Temporary rule for the participation of wheelchair user voters in the 2020 Parliamentary Elections of Georgia was defined.

172. For the first time, the principle of compulsory gender quotas was established in the Georgian election legislation in relation to electoral lists, in particular, a mandatory quota related to gender balance in the party list was defined for party registration and participation in the elections.

173. Previously, vote buying below 100 GEL was in the Administrative Code of Offences, while vote buying above 100 GEL was part of the Criminal Code. According to the new record, vote buying below 100 GEL also becomes the criminal offence.

174. Article 26 (6) of the Organic Law of Georgia on “Political Associations of Citizens” was amended and it was determined that the first name, last surname, personal number of the donor is public.

175. The amendment to paragraph 2 (b) of Article 25 of the Organic Law of Georgia on “Political Associations of Citizens” clarifies the criteria for a donor legal entity – a donor can only be a legal entity registered in Georgia and whose partners are only Georgian citizens and those legal entities registered in Georgia, whose final beneficiaries are Georgian citizens only.

176. The following services were available to persons with disabilities at all electoral precincts during 28 October 2018 Presidential Elections and 31 October 2020 Parliamentary Elections of Georgia: wheelchair user voters – at accessible electoral precincts the special voting booths, voters with visual impairment – two magnifying sheets, blind voters – tactile ballot guide. For deaf and hearing-impaired voters as well as beneficiaries of support was posted the poster depicting the polling process in all polling stations.

177. According to Article 24 (2) of the Constitution of Georgia, a citizen who has been recognized by a court decision as a beneficiary of support and admitted to an inpatient care facility, shall not have the right to participate in elections and referendums. Therefore, the given restriction refers only to beneficiaries of support being held in inpatient care facility, while those who are not held in the inpatient care facility, may enjoy active suffrage.

Reply to paragraph 25

178. One of the key instruments of civic equality and integration policy is the State Strategy for Civic Equality and Integration and respective Action Plan which aims to equal and full-fledged engagement of ethnic minorities in social-political, civic and cultural processes, provision with quality education, including the improvement of the knowledge of state (Georgian) language and preservation of cultural identity.

179. On 13 July, 2021 a Strategy document for 2021–2030 and respective Action Plan for 2021–2022 was adopted by the Government.

180. Representation of ethnic minorities in local self-government is proportional to the percentage of the population; ethnic minorities have equally and fully participated in the elections (parliamentary, presidential, local self-government) held in Georgia. Election documentation was translated in Armenian and Azerbaijani languages, information/awareness arising campaigns were conducted, non-Georgian language members of Election Commissions got trainings.

181. In the regions densely populated by ethnic Armenians and Azerbaijanis population faces no language-related difficulties while applying to the local authorities. Communication of ethnic minority representative with public authorities and local self-government as well as translation of applications and complaints submitted to the local self-government bodies by ethnic minority representative and translation of responses are provided.

182. Public Advisory Councils composed of ethnic minority representatives are operational at regional administrations of Kvemo Kartli and Kakheti regions. This format of communication/consultancy contributes to improve involvement of ethnic minority representatives in decision making processes at local level.

183. Since 2017 a special internship program for ethnic minority students, beneficiaries of “1+4 Program”, in public sector successfully operate. The program implies recruitment of ethnic minority students for enhancing their knowledge and skills that contributes to their employment opportunities and civic integration process. Number of beneficiaries of internship program has increased up to 300.

184. Most of Roma are registered with appropriate legal status, the process of their registration and ensuring their legal support is in progress. Roma community representatives regularly participate in cultural activities aimed at popularizing cultural diversity of the country. During COVID-19 pandemic information/awareness raising campaign for Roma population on coronavirus-related issues have been conducted; also 380 parcels with food and hygienic items have been delivered to Roma families countrywide.

185. Smaller ethnic minority groups, among them Kists, Avars, Yezids, Assyrians, Udis are under special focus. They are supported through tailored to the needs programs and activities aimed at active participation in civic, political, social-economic processes as well as further promotion of their culture.

186. Live re-broadcasting of Georgian version news program with simultaneous translation in Armenian and Azerbaijani languages is operational on daily basis through regional TV channels. The web-portal launched under the umbrella of the Public Broadcaster is available in seven-languages, including minority languages. Armenian and Azerbaijani language newspapers are published with the state support.

187. Cultural diversity of Georgia is well-encouraged and supported. The state supports theaters, museums and cultural centers of ethnic minority representatives as well as various cultural activities through “Supporting Ethnic Minority Culture” Program, which aims at promoting and popularizing cultures and traditions of ethnic minority groups, as well as inter-cultural dialogue.

188. Information/awareness raising campaigns on state programs and services, educational programs, acute topics, including Georgia’s European and Euro-Atlantic integration processes, disinformation and propaganda, have been conducted in the regions of compact settlement of ethnic minority representatives, also in their native (Armenian, Azerbaijani) languages.

189. Since the start of COVID-19 pandemic in Georgia, pro-active concrete measures have been successfully undertaken to ensure protection and support of ethnic minority representatives through: access to information (text-messages, video-clips, social media, online meetings, over half a million printed materials in minority languages), services and basic subsistence items (1434 parcels have been delivered to socially vulnerable ethnic minority families), access to health and education.