



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination 108th session

14 November–2 December 2022

Item 4 of the provisional agenda

**Consideration of reports, comments and information submitted
by States parties under article 9 of the Convention**

List of themes in relation to the combined ninth and tenth reports of Georgia

Note by the Country Rapporteur*

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session¹ that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 4, 6 and 7)

2. State of the ratification of the amendment to article 8 (6) of the Convention adopted on 15 January 1992.² Information on the update of the common core document.³

3. Incorporation of the Convention into domestic law of the State party, and examples of cases in which courts, tribunals or other bodies have applied or reflected the Convention in their decisions. Measures to raise awareness of the Convention and the anti-discrimination legislation among the judiciary, lawyers, law enforcement officials and among the population.

4. Compliance of the Law of Georgia on Elimination of All Forms of Discrimination with all provisions of the Convention.⁴

5. Details on the mandate of the Public Defender of Georgia on regarding racial discrimination issues, and more specifically its Equality Department.⁵ Relations between the Public Defender of Georgia and the judicial bodies of the State party. Cases in which courts, tribunals or other bodies have applied the Public Defender's recommendations.⁶

6. Impact of the measures taken by the State party in the areas of culture and human rights education under article 7 of the Convention, especially regarding public awareness

* The present report was submitted after the deadline in order to reflect the most recent developments.

¹ [A/65/18](#), para. 85.

² [CERD/C/GEO/9-10](#), para. 251.

³ *Ibid.*, para. 252.

⁴ *Ibid.*, para. 7.

⁵ *Ibid.*, para. 29.

⁶ [CERD/C/GEO/CO/6-8](#), paras. 6–7; and [CERD/C/GEO/9-10](#), para. 30.



campaigns, school programmes, the revision of school textbooks and training offered to law enforcement officials and teachers. Steps taken to make such training mandatory.⁷

7. Practical measures implemented by State agencies as a result of the 2018–2020 action plan of the national strategy for the protection of human rights in Georgia.⁸

8. Steps taken to implement the Durban Declaration and Programme of Action at a national level.⁹

Racist hate speech, incitement to racial hatred and hate crimes (arts. 2, 4 and 6)

9. Steps taken to adopt specific provisions prohibiting racist hate speech and hate crimes and to ensure their full compliance with provisions of article 4 of the Convention.¹⁰ Reasons for postponing the adoption of a provision in the Criminal Code expressly prohibiting racist hate speech and hate crimes. Application of the provision prohibiting public incitement to acts of violence and cases in which judicial bodies have applied this provision.¹¹

10. Cases in which judicial bodies have applied provisions of article 531 of the Criminal Code of Georgia¹² on aggravating circumstances, including for racist motives.

11. Application of article 23 (3) of the Constitution, which prohibits the establishment and activity of a political party that propagates war or violence or incites national, ethnic, provincial, religious or social strife and information on cases in which judicial bodies have applied this provision.¹³

12. Updated statistical data on prosecutions, investigations and outcomes of discriminatory acts.¹⁴ Measures to ensure the effective and thorough investigations and prosecutions of racist hate speech and hate crimes. Steps taken to ensure victims have access to legal proceedings and receive adequate reparation, as appropriate.¹⁵

Situation of ethnic minorities (arts. 2 and 5)

13. Demographic data on the ethnic composition of the population and its geographical distribution, including the numerically smaller groups, such as the Kurds, Jews and people of African descent and of African origin.¹⁶

14. Information on the representation of ethnic minorities in the executive branch, parliament, political parties and other public bodies.¹⁷ Steps taken to increase the political participation of ethnic minorities, including information on the implementation of the State strategy for civic equality and integration for 2015–2020 and its action plan.¹⁸ Measures to prevent expressions of racist hate speech during electoral campaigns and the sanctions foreseen.¹⁹

15. Update on measures to ensure access to quality health care for ethnic minorities, including in rural areas.²⁰

16. Access by ethnic and national minorities to employment, including in rural areas. Impact of programmes and strategies implemented in that regard since 2015.²¹

⁷ CERD/C/GEO/9-10, paras. 33–73.

⁸ Ibid., para. 9.

⁹ CERD/C/GEO/CO/6-8, para. 25.

¹⁰ Ibid., para. 9 (b); and CERD/C/GEO/9-10, para. 280.

¹¹ CERD/C/GEO/9-10, para. 280.

¹² Ibid., para. 7.

¹³ Ibid., para. 282.

¹⁴ Ibid., paras. 23–28.

¹⁵ CERD/C/GEO/CO/6-8, para. 9 (a); and CERD/C/GEO/9-10, paras. 13–22 and 296.

¹⁶ CERD/C/GEO/9-10, para. 78.

¹⁷ Ibid., para. 105.

¹⁸ Ibid., para. 85.

¹⁹ Ibid., para. 112.

²⁰ Ibid., paras. 115 and 124–127.

²¹ Ibid., paras. 116–123.

17. Steps taken to reduce the economic inequality and avoid the reduction of income of members of ethnic minorities, including during the coronavirus disease (COVID-19) pandemic.²²

18. Update on minorities' access to quality education and higher education,²³ including in rural areas.

19. Update on measures to enhance efforts regarding access to identification documents by the Roma population²⁴ and the enrolment of Roma children in schools.²⁵ Preventive measures against forced and child marriage among minority groups and information on the application of article 150 of the Criminal Code in that regard.²⁶

Non-citizens, including refugees, asylum-seekers and stateless persons (arts. 2 and 5)

20. Data on non-citizens, including migrants, asylum-seekers, refugees and stateless persons, and their situation in the State party.

21. Measures taken to ensure all persons in need of international protection have access to a fair, transparent and efficient asylum procedure. Detailed information on the assessment of potential threats to the State security of Georgia as a basis for denial of international protection by the Ministry of Internal Affairs and compliance with international standards.²⁷

22. Update on the reformed legal aid system, especially regarding access to free legal representation for asylum-seekers and stateless persons.²⁸

23. Measures taken to ease the conditions necessary for stateless persons to acquire Georgian citizenship and to identify children born in the State party who would otherwise be stateless. Update on the amendment of the Organic Law of Georgia on citizenship.²⁹

24. Steps taken to expedite the process of repatriation of persons who were forcibly removed from Georgia by the former Union of Soviet Socialist Republics. Information on measures to facilitate their access to citizenship, education, employment, health care and social assistance.³⁰

²² Ibid., para. 300.

²³ Ibid., paras. 89–99.

²⁴ Ibid., paras. 156–172.

²⁵ Ibid., paras. 173–181.

²⁶ Ibid., paras. 192–193.

²⁷ CERD/C/GEO/CO/6-8, para. 21; and CERD/C/GEO/9-10, para. 230.

²⁸ CERD/C/GEO/9-10, paras. 235–236.

²⁹ Ibid., paras. 243–247.

³⁰ CERD/C/GEO/CO/6-8, para. 17; and CERD/C/GEO/9-10, paras. 203–208.