



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities

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Consideration of reports submitted by parties to  
the Convention under article 35

## Replies of Georgia to the list of issues in relation to its initial report<sup>\*</sup>, <sup>\*\*</sup>

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\* The present document is being issued without formal editing.

\*\* The annexes to the present document may be accessed from the web page of the Committee.



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## **I. Abbreviations**

Convention – UN Convention on the Rights of Persons with Disabilities

CoE – Council of Europe

CEC – Central Election Commission of Georgia

H CJ – High Council of Justice of Georgia

EU – European Union

EUMM – European Union Monitoring Mission in Georgia

IDP – Internally Displaced Persons from the Russian-Occupied Abkhazia and Tskhinvali Regions

LAS – Legal Aid Service of Georgia

LEPL – Legal Entity of Public Law

MDF – Municipal Development Fund of Georgia

MIA – Ministry of Internal Affairs of Georgia

MoJ – Ministry of Justice of Georgia

NGO – Non-Governmental Organization

PDO – Public Defender’s Office of Georgia (Ombudsman)

PEC – Precinct Election Commission of Georgia

PSDA – Public Service Development Agency of Georgia

SIDA – Swedish International Development Cooperation Agency

SEN – Special Needs

UNDP – United Nations Development Programme

UNICEF – United Nations Children’s Fund

WHO – World Health Organization

PWD – Persons with Disabilities

## II. Introduction

1. This document contains responses of Georgia to the List of Issues (CRPD/C/GEO/Q/1 – 17 April 2020) raised by the Committee on the Rights of Persons with Disabilities in relation to the Initial Report of Georgia on the Implementation of the Convention on the Rights of Persons with Disabilities (CRPD/C/GEO/1) submitted in 2016.
2. Responses included hereby were prepared by the relevant governmental agencies of Georgia under the guidance of the Ministry of Foreign Affairs of Georgia. Relevant sectors of the Legislature and Judiciary submitted their responses as well. Responses are directly linked to the chapters provided by the Committee. There are two Annexes attached to the present document which relate to statistical information.

### A. Purpose and General Obligations (arts. 1–4)

3. Ministry of Justice elaborated new Law on the Rights of Persons with Disabilities, which was adopted by the Parliament in July 2020. The creation of solid legislative safeguards to protect the rights of PWD stems from the 2006 UN Convention on the Rights of Persons with Disabilities.
4. The adapted law is the result of the consensus of the parties, where the state agencies, organizations of PWD and international donors and experts reached an agreement through a hard work.
5. An important novelty of the new law is to shift from a medical approach to a bio-psychosocial model in determining the status of a person with a disability. It is an approach whereby a person's disability status and quality, together with medical testimony, are determined based on an assessment of their needs. The same principle determines the amount of relevant social security guarantees.
6. The Law recognizes “Georgian Sign Language” as a means of communicating with deaf and hard of hearing persons in Georgia, and obliges the state to create all necessary preconditions for its proper use by those who need it.
7. The Law pays particular attention to public awareness-raising measures to increase the protection of the rights and dignity of PWD in the public and to create an environment free of discrimination and stereotypes. The implementation of the law is divided in stages and will be completed in 2035.
8. The law obliges the executive government to ensure the development and approval of a unified strategy for 2021–2035 and annual action plans indicating the measures to be taken by the relevant institutions. Among other obligations are the establishment of an Interagency Coordination Committee responsible for the implementation of the Convention; Approval of the rule for granting the status of special plaintiff; Develop and approve a certification program for translators.
9. As of April 2021, the all ministries have already adopted the annual action plans for protecting rights of PWD.
10. The municipalities are obliged to regulate the legal and practical aspects of the provision of personal assistant services by January 2025, and to ensure the provision of personal assistant services from January 2025.
11. According to the Law of on the Rights of Persons with Disabilities “universal design” is the design of a product, environment, training, programs and services that allows all people to access it without special adaptations and special designs. Universal design does not preclude, if necessary, the use of assistive devices and/or various types of support by a particular group with disabilities, and “reasonable design” is the principle of making necessary and appropriate changes in each case to avoid disproportionate or excessive burden or obligation and ensures the realization of the rights and freedoms of a PWD on an equal terms with others.

12. The same law stipulates the obligation to implement these standards in both the public and private sectors. Administrative authorities are required to develop and approve an action plan for ensuring adaptation and universal design, indicating the measures to be taken and the relevant deadlines, and to ensure that its implementation is overseen. The subjects of private law are obliged to ensure the observance and fulfillment of the obligatory standards/norms established by the law and the administrative bodies on the basis thereof, taking into account reasonable adaptation.

13. Yet another important novelty of the law is to expand the coverage of the Legal Aid Service. As a result, all PWDs in Georgia have access to free legal aid services.

14. In June 2020, the Parliament officially addressed the Government and adopted resolution recommending initiation of the process on the ratification of the Optional Protocol to the Convention. Government approved the recommendation and tasked the Ministry of Foreign Affairs to prepare the case. Ministry of Foreign Affairs of Georgia, with other relevant field ministries has conducted the procedure according to the law on international treaties of Georgia. The process of the ratification of the Optional Protocol was completed in March 2021, establishing yet another vital mechanism for protecting the rights of PWD in Georgia.

## **B. Specific Rights (arts. 5–30)**

### **Equality and non-discrimination (art. 5)**

15. The Constitution prohibits discrimination on all grounds, including on the grounds of disability. In 2017, amendments were made in order to eliminate de facto discrimination, indicating that the state creates special conditions for the realization of the rights and interests of PWD. Article 3 of the Law on Persons with Disabilities strengthens the right to equality at the level of principle, and in particular provides for protection against discrimination of women and girls with disabilities.

16. Article 142<sup>2</sup> of the Criminal Code declares it a crime to refuse to exercise the right granted to a person with a disability by law and/or an international agreement of Georgia, which substantially violates his/ her right.

17. According to Article 53<sup>1</sup> of the Criminal Code, committing a crime, including on the grounds of disability (motive of intolerance) is an aggravating circumstance for liability for all crimes. Term of imprisonment for such an offense shall be at least 1 year longer than the minimum term of the sentence for the offense committed.

18. Legal Aid Service provides free legal services within its mandate. Free consultation is provided to all PWD irrespective of their social status.

19. Discrimination as a crime is an area of responsibility for law enforcement. On the other hand, the Public Defender supervises the elimination of discrimination (including unreasonable refusal of reasonable accommodation) as defined by the Anti-Discrimination Law.

20. Law on Persons with Disabilities has introduced the institution of a special plaintiff, which also provides an additional mechanism for protecting the rights of PWD. The special plaintiff is authorized to file administrative and civil disputes, as well as to apply to the relevant agencies with a statement and a complaint/suit, if the case concerns the elimination of discrimination against PWD and/or is important for the development of legal practice in this area.

21. In 2016 Division of Human Rights Protection of General Prosecutor’s Office of Georgia developed and distributed to prosecutors and investigators “Recommendation on Investigating Criminal Cases Involving Persons with Disabilities” in order to implement the standard provided by article 13 of the Convention.

22. This instrument reviews national and international legislation and standards related to PWD, covers issues of a legal representative, an interpreter and other matters which may

arise before a prosecutor and an investigator in the course of investigation and prosecution involving PWD.

#### **Women with disabilities (art. 6)**

23. Article 6 of the Law on Persons with Disabilities marks out women with disabilities, and in this way the framework document forms the basis for the main-streaming of women and girls with disabilities. Any action taken against such persons must comply with the principles of gender equality, taking into account the specific needs of women and girls. At the same time, the Law on Persons with Disabilities explicitly states that the state facilitates access to reproductive healthcare for women with disabilities without discrimination.

24. Women, girls and children with disabilities, domestic violence victims with disabilities are recognized as particularly vulnerable group according to the criminal justice policy of the Prosecutor General's Office, and irrefragable protection of their rights is guaranteed.

25. More data on access to sexual and reproductive rights for women with disabilities was created by UNFPA's research "Young Persons with Disabilities". Presented high-level report serves as an important source for further evidence-based policymaking.

#### **Children with disabilities (art. 7)**

26. The Child Rights Code was adopted in 2019. Governmental Ministries as well as UNICEF, non-governmental organizations, PWD and their organizations were involved in the process of elaboration. It establishes a system of protection tailored to the individual needs of children with disabilities and system of support for children with disabilities.

27. Introduction of new system of Social assistance in 2005, maximized the distribution of state resources to the extremely poor families. It used methodology of welfare assessment – indirect method of estimating families, statistical model, formula, through which it is possible to rank families according to their well-being. The system has been revised for several times.

28. Given that the category of children/PWD is one of the most vulnerable in society and has more needs, the coefficient of equivalence defined for them is also higher compared to other categories, which makes it possible to obtain a subsistence allowance.

29. In November 2018, the rule of referral between social agents and social workers of the LEPL Social Service Agency came into force; Each family with a child under 18, fills in special declaration. It provides timely information to the social worker about the needs of the child (children) for provision of appropriate support. The data recorded in the declaration is technically processed by a computer program and points are received, on the basis of which, if necessary, the social worker will be referred, to determine the possibility of further involvement in other social protection programs.

30. Governmental Decree №28 of 4 May 2020 approved the "Targeted State Program for Harm mitigation Caused by New Coronavirus (SARS-COV-2) Infection (COVID-19)", under which the right to receive state aid was obtained for a period of 6 months. During the Covid19 pandemic, a child helpline (111) was set up in the country to offer existing state programs to children and their families.

31. In order to improve prevention, detection and protection mechanisms in response to violence against children, on 12 September 2016 Government adopted new child protection (referral) procedures, which has extended the list of responsible entities to refer the child violence cases, including human trafficking to relevant agencies.

32. All governmental institutions and their structural units, LEPLs, medical institutions and local municipalities have become obliged to refer the possible case of child violence to the Agency for State Care and Assistance of (Statutory) Victim of Human Trafficking (hereinafter – 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.

33. There are currently two small family group homes in the country for children with severe and profound disabilities. Services are provided to beneficiaries, who were enrolled from the Tbilisi Orphanage. Based on the interests and health status of children, beneficiaries move from the orphanage to a specialized foster care. In 2020, with the support of the US Department of Defense, one small family-type house became operational in Tbilisi.

34. Due to increase in the budget of the children's rehabilitation/habilitation sub-program, the number of funded courses multiplied. Children with Rett Syndrome have been added to the target group. Services such as physiotherapy, aqua therapy, art therapy and special teacher services have been introduced in sessions of therapeutic intervention.

35. Children with autism spectrum disorders receive services in the framework of State Program for Promoting Early Childhood Development and the State Program for Social Rehabilitation and Child Care. Ministry of Healthcare cooperates with the Embassy of the Czech Republic and Czech Development Agency in order to develop guidelines and protocols for identification and management of the autistic spectrum of children.

36. Health services are available for children with disabilities residing in public care facilities. The costs of their medical services are covered by the state within the framework of the state program of universal health care.

37. Municipal Development Fund (MDF) under the Ministry of Regional Development and Infrastructure carries out projects that envisage the rehabilitation of about 100 schools and the construction of new 66 schools. All of these projects are in compliance with Georgian Legal Acts regulating the standards of adjustment of buildings and spaces for PWD.

#### **Awareness-raising (art. 8)**

38. In the reporting period, with the initiative of the PSDA, 2-day meetings were organized in its Community Centers with the financial support of the EU and SIDA. The aims of the events were awareness raising on the issues related to PWD among local population – parents, teachers, pupils, representatives of local governments and etc., those who are directly or indirectly related to the target groups.

39. During the reporting period Prosecution service initiated and organized 14 educational and leisure activities and events were held in Tbilisi, Mtskheta-Mtianeti and Adjara regions to raise awareness on PWD and autism spectrum. The events were attended by prosecutors and senior officials of Prosecution service, PWD, children with disabilities and autism spectrum.

40. In 2016, within the framework of the project "Changes for Equality" of the National Center for Children and Youth, convicts placed in N11 juvenile and N5 women's PEs were given a lecture-training on receptibility/acceptance of PWD and overcoming stigma. The training was facilitated by PWD. Awareness raising training module on "stigma and discrimination" is introduced in all penitentiaries.

41. In 2018 the LEPL Public Service Hall implemented the project "Enhanced services for all" with the financial support of the UNDP and Sweden. The project was being implemented from June to December 2018. During this period: A handbook "Serving persons with disabilities in LEPL Public Service Hall" was prepared. It includes the rules of communication and behavior with PWD.

42. UNICEF Georgia launched a National Communication Campaign for Social Change aimed at changing negative attitudes towards children with disabilities. National Communication Campaign for Social Change #See Everycolour", aimed at breaking the common misconceptions and stereotypes about PWD in Georgia. The campaign covered more than one million people.

#### **Accessibility (art. 9)**

43. Innovations Lab – ServiceLab was established within the PSDA in 2015 aiming at ensuring maximum inclusiveness in the process of public services design and development, which itself is possible through the continuous involvement of service users and stakeholders

in this process. The websites of the PSDA and Community Centers ([www.voice.sda.gov.ge](http://www.voice.sda.gov.ge), [www.voice.centri.gov.ge](http://www.voice.centri.gov.ge)) were adapted for persons with visual impairments.

44. As for persons with hearing impairments, after introducing more than 40 distant services, they are able to be consulted about PSDA services from 9 a.m. till 21:00 each working day. The customers are served by the specialists of sign language, employees of the Unit of Remote Services. Since 2016, up to 50 citizens living in Georgia as well as outside the country, have benefited from the PSDA online services.

45. There is a unified Strategy for Public Service Design, Delivery, Quality Assurance and Costing. Guideline of public service accessibility to PWD is being elaborated along with the Service Delivery guideline within the service delivery direction of the aforementioned strategy. This guideline consists of standards such as communication with PWD, physical environment arrangement and adaptation of service delivery web pages.

46. A sensory curriculum is also part of the General curriculum and learning experience. It covers the development of the sense of taste, smell, touch (tactile experiences, vision, sound and bodily experiences). Sensory learning situations students are treated to respond to changes in or differences between some aspects of a physical stimulus presented to one of the sense organs.

47. Braille, Sign language and other communication tools have become the basis of teaching and learning processes and are being taught from the very first grade in schools for the Blind, Low Vision students and for the deaf and vision-impaired students. Teaching methods as well as a school curriculum have been brought into compliance with acknowledged child development and the national curriculum requirements.<sup>1</sup>

48. Since 2016, the MIA Academy various courses tailored to PWD has been introduced. The courses are mandatory for all police officers working as patrol inspectors, district inspectors, community police officers, border police and pedestrians police officers. Teaching is conducted individually. It enables the participant to easily communicate with a person with any disability and help them during critical situation. In addition, the MIA has elaborated the guideline on the principals of treatment of witness, victim and accused persons with disabilities.

49. In 2017, the PSDA provided triplets on data protection to Georgian Alliance of Blind People. The triplets were printed in braille and included information about right to privacy. Personal data is processed at the PSDA in order to register and issue documents to citizens of Georgia, foreigners living in Georgia and other persons as defined by the country's legislation.

50. Infrastructure of the administration building of the LEPL "Legislative Herald of Georgia" (Matsne) allows PWD to enter and move freely in the building, including the use of a specially adapted bathroom. Matsne implemented a project by its own, within the framework of which the website ([matsne.gov.ge](http://matsne.gov.ge)) was adapted to PWD (blind and visually impaired).

51. Pursuant to the Article 16 (j) of the Law on Broadcasting, Public Broadcaster shall take the interests of PWD into consideration during election campaigns and ensure sign language translation in programs related to elections/referendum/plebiscite.

52. Since March 2015, SMS and Video Call Service for users with hearing impairment has been implemented in MIA 112, with the financial support of the UNDP and Sweden. Representatives of target group are able to contact 112 via text message and video call. The service is available 24/7. Messages from users with hearing impairment are received by operators with the knowledge of sign language.

53. Since February 2017, MIA 112 implemented a mobile application. It allows communication and detects the location. The main purpose of the application is to assist the operator in sending relevant assistance immediately. The application is free, has support for iOS and Android platforms and is available in three languages (Georgian, English and

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<sup>1</sup> Sign Language videos are available on the following web: <https://ge.signwiki.org>.



Russian). Statistics show that the number of mobile app users is increasing daily and by June 2020 the number of mobile app users has exceeded 37,000.

#### **Right to life (art. 10)**

54. According to Law on healthcare, a person with terminal illness or his/her close relative, or a legitimate representative has a right to receive full information about the patient's illness and to make a decision about medical interference. According to paragraph 2 of Article 148 of the Law, if a person with terminal illness is unconscious, a relative or a legitimate representative has the right to decline the services of resuscitation, end-of life care and palliative care and/or palliative treatment for the patient with the view of maintaining dignity of a dying person or his/her (patient's) personal views.

55. Article 151 of the Law on healthcare prohibits euthanasia by the medical personnel or any supportive activity in that aim. Article 110 of the Criminal Code prohibits mercy-killing by the victim's insistence. This offence implies mercy-killing by the victim's insistence at his/her true will, administered in order to free the dying person from strong physical pain.

56. If the decision of a minor or legal representative of a patient who is incapable of making a decision contradicts to the interests of the patient's health, the healthcare provider has the right to appeal the decision in court.

#### **Situations of risk and humanitarian emergencies (art. 11)**

57. National Disaster Risk Reduction Strategy 2017–2020 of Georgia and its Action Plan were elaborated in multi-agency working groups and adopted in January 2017 by the Government. Before its adoption, representatives of different NGOs working in the field of disaster risk management and security policy, have been invited for the review and discussion of the draft Strategy.

58. The Strategy has different priority areas and one of them underlines the importance of role of PWD in this field ("Increasing the Role of Persons with Disabilities within the Disaster Risk Reduction Policy"). The Action Plan emphasizes the approach to increase cooperation with organizations of PWD. The activities concerning the above-mentioned sector, stated in the Action Plan have been successfully achieved.

59. Evacuation of the PWD together with the accompanying persons is envisaged in the emergency management plan. This is a necessary component of the preliminary planning. Therefore, it (evacuation) should be presented in the safety response activities in a written way. The above-mentioned issue is also envisaged in the civil safety exercises (organized for targeted facilities) in order to test the readiness.

60. Within the Directorate-General for European Civil Protection and Humanitarian Aid Operations' (ECHO) funded project DIPECHO, non-governmental organization Save the Children Georgia in close cooperation with the relevant state agencies, has developed and published (2015) the very first disaster risk reduction sign language dictionary.

61. Significant attention is given to the issue of the rights of PWD in the process of resettlement of IDPs. Following the Ministerial order,<sup>2</sup> PWD are given priority, which is reflected in the granting of additional rating points. In addition, their status is one of the main criteria for obtaining a one-time financial assistance. Relevant adaptation of the residential buildings constructed or purchased for IDPs is one of the essential requirements.

62. The MDF is constructing residential houses for internally displaced persons (IDP). All these houses are designed in compliance with Georgian Legal Acts regulating the standards of adjustment of buildings and spaces for PWD.

63. Specific recommendations were approved by the Ministerial Order<sup>3</sup> "on Measures for the prevention and management of the spread of the New Coronavirus (COVID-19)" (Temporary) for staff providing disinfection and daily household services (cleaning, food/

<sup>2</sup> Order N320 of the Minister of Healthcare dated 9 August 2013.

<sup>3</sup> Order N01-62/O of the Minister of Healthcare on 21 February 2020.

product distribution) for the cleaning of COVID-19 facilities using by PWD likely to be exposed to COVID-19.

64. Based on the Ministerial Order separate guidelines were approved in accordance with the recommendations of the WHO. Among them is “Recommendations for People with Disabilities in the Prevalence of New Coronavirus (SARS-CoV-2) Infection (COVID-19)”.

#### **Equal recognition before the law (art. 12)**

65. Application of the Georgian citizens lodged in the Constitutional Court gave impetus to the process of reforming the notion of Legal Capacity. On 8 October 2014, the Constitutional Court gave its decision on non-constitutionality of around 14 legal acts pertaining to PWD and their legal capacity. Based on those acts persons with disability did not have legal basis for marriage, child adoption, voting, legal transactions, financial transactions, lodging an application in the court, getting information on one’s health condition.

66. According to amendments made thereby legal capacity is a right of a person and it can be restricted only in exceptional circumstances. This right can be supported by someone and it shall not be substituted. Disability shall not be the ground for restriction or abolition of someone’s legal capacity. Any person with disability is fully entitled to civil and political rights. Therefore, amendments have fully incorporated the notions enshrined in the Convention.

67. Courts guide themselves by the Georgian legislation and international treaties. According to Civil Code the court appoints a supporter for support receiver based on certain conditions, which would not impede the equal participation of the person in society. In its decisions the Court defines the limits of the support, and the rights and obligations of the supporter.

68. During the deliberation of each case, the special commission composed of representatives from psychiatric and penitentiary facilities participates. The commission adopts assessment regarding the expediency of placing the person in stationary or on releasing the person.

69. Procedures for filling in the evaluation form of the assessed person with psycho-social needs and case proceedings are regulated by the order N04-160 /o of June 08, 2015 of the Director of the LEPL Social Service Agency on some measures related to the administration of the issues provided by the Order N 01-16 /N of the Minister of Healthcare, dated May 29, 2015.

70. Supervising the activities defined by the legislation of the guardian/caregiver/supporter is the function of the LEPL Agency For State Care And Assistance For the (Statutory) Victims of Human trafficking (hereinafter – the Agency) and its territorial units (hereinafter – the local body of guardianship and custody). The guardianship/care/support oversight process involves monitoring the implementation of the guardian/caregiver/supporter duties.

71. The local guardianship and custodial authority shall reflect the results of the supervision or the information obtained about the guardian/custodian/ support recipient in the database, or provide it electronically to the agency providing its reflection in the database.

#### **Access to justice (art. 13)**

72. Within the framework of the EU-Georgia Association Agreement, the HCJ elaborated and approved the Judiciary Strategy for 2017–2021 years. Before elaboration of this policy document, the specific strategic committee had been formed to identify the gaps in the judicial system and relevant legislation. Representatives of the judiciary, related government agencies and international and local non-governmental organizations took part in the process of development.

73. On the basis of the Judiciary Strategy, the HCJ elaborated and approved the Action Plan. It covers activities in five strategic directions:

- Independence and Impartiality;

- Accountability;
- High Quality Justice;
- Efficiency of the Judicial System
- Access to Justice.

74. To adapt the infrastructure of the courts to the needs of PWD, with the help of the CoE project, the organization Partnership for Human Rights has evaluated the infrastructure of all court buildings in cooperation with the international expert. Within the framework of the survey, the working group has evaluated 40 buildings of common courts by means of on-site inspection and 25 buildings – by sending special evaluating questionnaires to the courts.

75. Necessary measures are being carried out for the purpose of developing a child-friendly environment in courts. The special room enables distanced examination of a juvenile witness and an aggrieved party. Two cameras placed in the corner of the room can be used to film the child while giving testimony. A TV on the wall allows a child to see the judge directly, without seeing either the attorney or prosecution.

76. On the basis of the decision of the HCJ dated 25 June 2018, all common courts have been tasked to designate a staff member responsible for providing necessary information to the PWD. For these purposes, since January 2019, the employees have been selected in all big courts and assigned to facilitate communication and to provide appropriate assistance to the PWD. In March of 2021, High Council of Justice approved the annual action plan on PWD rights.

77. Relevant measures have been launched to increase access to justice for PWD through the electronic services. Revised concept and design of the new webpage has been prepared for the largest court – Tbilisi City Court. Technical document of web application of the Court provides for different requirements, including the need for adaptation for the persons with disabilities.<sup>4</sup>

78. In 2016 in cooperation with CoE and EU joint project Prosecutor General’s Office of Georgia developed and introduced education program on effective communication with PWD. With the support of the UN Women, the CoE and EU, 11 training courses on the rights of PWD and effective communication were held for prosecutors, investigators, managers and witness and victim coordinators of Prosecution service.

79. The training focused on developing proper attitude towards persons with disabilities, enhancing communication skills and highlighted significance of appropriate integrating the persons with disabilities into society. The training module incorporated academic materials, as well as practice sessions lead by local and international experts.

80. According to the Prosecutor General’s Order Crimes Motivated by Intolerance can only be investigated and prosecuted by specialized prosecutors and investigators. New training course includes sessions on effective response to crimes committed against PWD and investigation.

#### **Liberty and security of the person (art. 14)**

81. In 2016–2020, based on the needs of PWD placed in penitentiary facilities, specific infrastructural projects were implemented by the Infrastructure Development Division of the Special Penitentiary Service. In particular, special cells, ramps, special elevators, shower rooms, short visit meeting spaces, dining-kitchens were adapted to the needs of PWD.

82. Psychologists and social workers are working with defendant/convicted PWD on the basis of individual approaches. As for the juveniles with special educational needs, the child is evaluated by the relevant multidisciplinary team of the Ministry of Education and an individual plan is prescribed for him/her.

<sup>4</sup> The document also includes technical requirements, design, structure, description of services, court fee calculation software etc.

83. PWD are provided with the specific care related to the management of the disability, including maintenance medication, supervision, assistive devices (wheelchairs, canes, etc.). Assistive devices and exoprostheses are provided by the Ministry of Healthcare through the LEPL Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking, within the framework of the state program on Social Rehabilitation and Child Care.

84. Persons with mental disorders are provided with appropriate outpatient and inpatient treatment at the establishments. Defendants/convicts with mental health problems who require intensive supervision by medical specialists are placed in the psychiatric ward of the N18 Medical Establishment or in a specialized medical establishment. Psychotropic drugs can only be used under a prescription.

85. There is a specific psychiatric commission in the Special Penitentiary Service, which, upon the request of the doctor of the relevant penitentiary establishment, examines the convict. Based on the results of the examination, the Commission makes a decision on the expediency of providing involuntary mental health treatment. The court makes a final decision on involuntary mental health treatment.

86. Law on Mental Care has been amended in 2006 in order to adjust to novice approaches. The purpose of the law is to protect the rights, freedoms and dignity of persons with mental disorders and to provide them with access to and continuity of psychiatric care. The law envisages following forms of mental healthcare: outpatient, inpatient, specialist care, and psycho-social rehabilitation.

87. The law protects a patient from being hospitalized longer than necessary for his or her examination and treatment. When discharging a patient from the hospital, an extract of the medical documentation is sent to the outpatient psychiatric facility according to the place of residence, of which the patient and his/her legal representative are notified.

88. According to the Code of the Rights of the Child, psychiatric treatment of a child is prohibited without the participation and hearing of the child, taking into account his or her individual abilities and best interests. The Code requires that involuntary psychiatric inpatient treatment of a child be carried out on the basis of a court decision, with the shortest period of time and with the obligation of periodic review.

#### **Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

89. Forced psychiatric treatment and restrictive methods are regulated under the law on Mental Health. Forced treatment takes place when the person does not have capacity to make a decision and treatment is otherwise impossible. Also, postponement of treatment shall pose a danger to the patient itself or other person's life and health, or the patient might cause material damage.

90. Based on law, the Doctor is entitled to use restrictive methods towards the patient in case there is a real danger of the patient hurting oneself or the others. Restrictive methods include: Isolation and/or binding. Any action having punishing or threatening effect is prohibited. Decision on imposition of restrictive methods are subject to appeal by the patient itself, one's legal representative or relative.

91. According to amended version of the regulation (September 2020), restrictive measures shall be exceptional and absolutely necessary. It can be utilized when there is imminent danger of the patient hurting oneself or others and the result cannot be evaded through conversation or medication. Restriction is a security measure and its purpose shall be a therapy. Court hearings for imposing restrictive measures have their own legal regulations and rules of procedure.

#### **Freedom from exploitation, violence and abuse (art. 16)**

92. In combating trafficking in human beings (THB) the governmental policy is entirely focused on so called 4 Ps (Prevention, Prosecution, Protection and Partnership). The THB Council chaired by the MoJ is inclusive and includes representatives from all line ministries, agencies, NGOs and other actors.

93. While detecting the potential THB cases law enforcements are following to the detailed instructions provided under National Referral Mechanism on Human Trafficking adopted in 2007. Referral Mechanism ensures two possible ways for a person to be identified as a victim and get involved in state run services. The law differentiates status of victim of trafficking and status of statutory victim of trafficking. The status of victim of trafficking is granted to the person by Permanent Group of the Interagency Council consisted of 5 NGOs within 48 hours based on the questionnaires of mobile group of the Agency for State Care, while the status of statutory victim of trafficking is granted by law enforcement authorities in accordance with Criminal Procedure Code.

94. Labour Inspectorate Department of the Ministry of Labour keeps checking the private and state institutions in order to reveal the facts of forced labour and labour exploitation. The Department carries out scheduled and unscheduled visits to the companies. In case of suspicion of forced labour or labour exploitation, the Labour Inspectorate Department immediately refers the alleged THB case to the Central Criminal Police Department (CCPD).

95. There are two hotlines serving for the potential victims of human trafficking – one is based on MIA (2411 714) and another one is operated by the Agency for State care (116 006). In MIA, 24/7 Hotline operates in Georgian, Russian and English languages, while the hotline of the State Fund which is also available for 24 hour operates in 8 languages (Georgian, English, Russian, Turkish, Azeri, Armenian, Arabic and Persian languages).

96. As of May 2020, the Agency has received 1 application regarding labour exploitation for a 13-year-old male child with disabilities from Imereti region. 1 Complaint regarding sexual violence against a 9-year-old male child with disabilities from Imereti region.

#### **Protecting the integrity of the person (art. 17)**

97. According to the Law on Healthcare, surgical contraception – sterilization is allowed, if there is a written request of the patient, if 1 month has elapsed from the interview conducted by the doctor. Any citizen and disabled person also has the right to independently determine the number of children and the time of their birth, therefore, compulsory sterilization is prohibited.

98. Extracorporeal insemination is allowed for Georgian citizens, including PWD, based on the written consent of the couple. Artificial insemination can be performed by treating infertility, at the risk of transmitting a genetic disease from wife or husband, and also, if the woman does not have uterus, by transferring and growing the fertilized embryo into another woman (surrogate mother).

#### **Living independently and being included in the community (art. 19)**

99. The second National Strategy for the Protection of Human Rights in Georgia is intended to cover the years 2021–2030. Following on from the first Strategy, 2014–2020, it aims to develop further systemic safeguards for the protection of human rights and freedoms in Georgia. The Strategy is designed to respond to national needs and challenges and, in this light, it is guided by the Constitution of Georgia while paying careful attention to international human rights standards as well as the United Nations Sustainable Development Goals.

100. Draft of strategy envisages four key strategic priorities, subsequent goals and actions. Protection of rights-holders on individual level through promoting equality building on the principle of “leaving no one behind” with special focus on the protection of rights of minorities, vulnerable groups and elimination of all forms of discrimination – is among the strategic priorities. The goals of the strategy declares that the promotion of persons with disabilities independent life should be strengthened.

#### **Personal mobility (art. 20)**

101. Disability status is a prerequisite for getting electric wheelchairs, prosthetics (except for orthoses for children under 3 years old), cochlear implants, smartphones and the so-called blind and “White” stick in case of request. In addition, hearing aids are provided to the elderly and children under 6 years of age without status.

102. In 2018, a new type – eye prosthesis was added to the component of prosthetic and orthopaedic devices. In 2019, a new component was added to the sub-program for providing assistive devices – technical means (smartphone) with the function of video conferencing for persons with loss of hearing problems. The mechanism for providing assistance to PWD and elderly has been simplified: from 2019, the provision of mechanical wheelchairs and from 2020 – hearing aids will be possible on the basis of a health certificate.

103. All state bodies are obliged to ensure the introduction of universal design for buildings and other infrastructure. Private and public institutions are obliged to gradually adapt the existing buildings and other infrastructure in accordance to universal design, as well as the existing services by 1 December 2035.

104. The neglect of space arrangement and architectural and planning elements for PWD provided for in the relevant technical regulations is an administrative offense and leads to penalty. The state body supervising construction activities not only fines the offender, but also obliges him to eliminate the defect within a specified period of time.

105. According to the law, the Government approved the “Technical Regulation – National Standards for Accessibility”, which is based on universal design standards and principles taking into account the standards of “accessible and usable buildings and equipment”. Georgian government must approve a national access plan by 14 June 2021.

#### **Freedom of expression and opinion, and access to information (art. 21)**

106. Under the Law on Persons with Disabilities, all government (administrative) authorities are required to provide full access to all relevant services in its system for PWD, tailored to their needs, including the adapted programs and materials (audiobooks, Braille books, subtitles, subtitles). According to law a person with disabilities shall have access to public information necessary for the exercise of the right to vote.

107. In order to facilitate the social integration, deaf people living in Georgia are provided with sign language translation services in at least eight regions within the framework of the “Deaf Communication Support Sub-Program”. The services of sign language translators on Azerbaijani and Armenian language are provided for ethnic minorities in Kvemo Kartli and Samtskhe-Javakheti regions.

#### **Respect for privacy (art. 22)**

108. On May 10, 2019, an independent state agency – the State Inspector’s Service (SIS) (legal successor of the Personal Data Inspector Office) was established. It is an institutionally independent body responsible for: monitoring lawfulness of personal data processing; monitoring covert investigative actions and activities performed within the central databank of electronic communications identification data (since 2015) and ensuring independent investigation of specific crimes committed by law enforcement officers and civil servants (since November, 2019).

109. Monitoring lawfulness of personal data processing is one of the primary objectives of the SIS. Information on covert investigative actions should be submitted to the State Inspector’s Service. The SIS may also conduct inspections of organizations based on the citizen’s applications and its own decision.

110. Considering the expanded mandate, the budget and number of personnel of the SIS grew recently. In 2017 the budget of the Service was 2.0 mln GEL and the number of employees – 43; in 2018 the budget was 2.8 mln GEL and the number of employees – 53; in 2019, the budget was 4.4 mln GEL and the number of employees – 87. The financing of the Office doubled in 2020 and is 8.0 mln GEL.

111. The Law of Georgia on Personal Data Protection serves as a general framework for ensuring protection of the right to privacy in the course of personal data processing. It covers all main principles of data protection and provides safeguards for all, including for the persons with disabilities.

112. As regards ratification of the Protocol Amending the Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data (Council of Europe Treaty

Series No. 223), the relevant domestic procedures have been initiated and involved line ministries are considering the matter.

113. Raising awareness on data protection in healthcare sector is one of the key priorities of the SIS. In this regard, a separate training course was developed lately, that is specifically designed for this sector. It includes specific chapter on data processing of the persons with disabilities and provides practical information to safeguard such data.

114. At present, SIS adapts above mentioned training course in distance learning format for which special educational platform was created. The online course, apart from healthcare institutions, shall be available to all interested individuals. It aims at ensuring high standard of data protection in the healthcare and at eradicating existing shortcomings.

#### **Respect for home and the family (art. 23)**

115. The Code of the Rights of the Child reinforces the right to family life of a child with disabilities on an equal footing with other children. At the same time, the Code explicitly prohibits separation of a child from a parent for the reason of the child or parent being person with a disability.

116. According to the information provided by the guardianship and custody authority, violence is one of the leading reasons for placing children in state care in the country. Abandonment due to health condition occurs in up to 2% of cases;

117. According to the Code, the system of support and protection of the fundamental rights and freedoms of the child includes a family support program. It is not a one-time action. The Program aims to empower the child and his or her family by providing sustainable support for their individual needs.

118. Preventing children from entering the state care system and strengthening their biological families is the goal of the State Program for Social Rehabilitation and Child Care. The state finances various family support sub-programs: Assistance to families with children in crisis, which aims to prevent child abandonment or separation from the family, to meet the basic needs of families with children in poverty and/or crisis, and to promote child rearing in a family environment.

119. Day care service centers are aimed at preventing child abandonment or separation from the family, providing shelter for mothers and children; providing home care for children with severe and profound developmental delays.

#### **Education (art. 24)**

120. The Ministry of Education has a multidisciplinary team consisting of various specialists, whose functions are to assess cognitive, academic and functional skills of individuals/students. The team consists of 47 members and conducts assessments throughout Georgia.

121. The age of the assessed persons is 6 years and above. The assessment is carried out on the basis of the application of the parent/legal representative, using the appropriate tools, in direct contact with the assessed person and his/her parent/legal representative. The evaluation process takes an average of two hours.

122. Since 2013 the Ministry started to develop Inclusive Education at Vocation Education level. The Law on Vocational Education is also harmonized with the Convention. The Ministry developed the methodology of “job coaching” and delivered it to the Ministry of Healthcare. Within each vocational education program, at least 15% of quota is set for the persons with special educational needs and disabilities.

123. Since 2017, students with special educational needs are provided with the additional funding – quarterly voucher of 1000.0 GEL. This funding is used according to the individual needs of students during their learning process. Different types of special education services are available at the vocational education settings such as: inclusive education specialist, assistant, sign language interpreter, orientation and mobility trainer, mobility facilitator, transportation and so forth.

124. Vocational students with special educational needs are provided with adapted learning materials, individual educational plans, and supportive equipment. Electronic bank of Georgian Sign Language (which is located on a special web page: <http://ge.signwiki.org>) and its mobile application was created to support education of sign language users.

125. Field specialists provide monitoring and professional supervision in vocational educational settings. Most vocational education facilities have a ramp and adapted bathrooms and in 4 vocational education institutions the physical environment is tailored to the universal design principles.

126. Ministry of Education annually organizes a social program to finance students, under which a number of students from socially vulnerable groups, including PWD and autism spectrum disorders, are funded with the state education grant.

127. Higher Education Institutions (HEI) are required to have adapted environment for people with special needs. People with special needs should be able to freely navigate and move around the building (including, ramps, elevators, etc.). Specially adapted sanitary unit should be in place for students with special needs. It is compulsory to arrange parking lot for PWD, which would enable easy access to the buildings.

128. Ministry of Education is implementing the program “Second Chance of Education through Social Inclusion”, which aims at attracting beneficiaries in the educational environment and increasing tolerance in public schools.

129. The target groups of the Program are homeless children, Roma children, repatriates and Meskhetians without Georgian citizenship status, children /the youth with disabilities and children/students from other vulnerable groups.

#### **Health (art. 25)**

130. For the physical accessibility to the healthcare services by PWD, special approach is foreseen in terms of their safe transportation. Guidelines and protocols adopted by the individual legal acts of the Minister of Healthcare are focused on the needs of PWD.

131. Primary care facilities routinely assess the development and readiness of children aged 0–6 for schooling, early identification of patients with developmental and behavioural problems, and parental counseling on child development support, care, and nutrition.

132. The State Program for Early Disease Detection and Screening operates a component for the prevention of mild to moderate mental development disorders in children aged 1 to 6 years, which includes assessment of major and subtle motor skills, expressive and receptive speech, communication, cognitive skills, self-care, child psyche to determine the compliance with the age norm of development, to develop individual intervention and development plans in the diagnosed children.

133. With the assistance of UNICEF, the State Concept for Early Childhood Intervention and the 2018–2020 National Action Plan were prepared and approved. With his financial support, an instrument for early intervention in child development was piloted.

134. Within the framework of the cooperation between the UN Children’s Fund and the Ministry of Healthcare, the strengthening of the aspect of child development supervision at the primary health care level began in 2017. Which means timely detection of risk factors for developmental delay or developmental obstruction and ensuring timely referral of children to the social system.

135. A pilot model was developed, in the framework of which rural primary health care professionals (doctors, nurses) were trained in Adjara region. The training was mainly focused on developmental pediatrics. The electronic information system “Module for the growth and supervision of children aged 0 to 6 years” was introduced.

136. To reduce maternal and neonatal morbidity and mortality and increase access to reproductive health services, the National Strategy for Maternal and Neonatal Health Promotion 2017–2030 has been developed, which will define the country’s policy for the next 14 years on maternal and neonatal health, family planning, sexual health and reproductive health.



137. In the direction of reproductive, maternal and child health services, there is a state program on maternal and child health in the country, within the framework of which the following services are available:

- Antenatal care (8 visits);
- Identify the diagnosis of hepatitis B and C, HIV / AIDS and syphilis in pregnant women and prevent the transmission of hepatitis B from mother to child;
- Provide pregnant women with folic acid;
- Provide iron supplements to pregnant women with iron deficiency anemia;
- Specific treatment of syphilis pregnancies.

138. Comprehensive pregnancy, childbirth and caesarean sections are funded under the universal health program.

139. Since 2015, the state program of health promotion has been functioning, the goal of which is to raise education and awareness about the health of the population, as well as to create a health-promoting environment.

140. In 2014, the Ministry established an updated package of abortion regulation mechanisms. As a result of the cooperation between UNFPA and Tbilisi State Medical University, the interactive online family planning training package “Virtual Counseling in Contraception” was translated into Georgian and adapted to its national context. From 2017 it is available to any customer.

#### **Habilitation and rehabilitation (art. 26)**

141. In accordance with Article 13 of the Law on Social Protection of Persons with Disabilities, the Ministry of Healthcare develops a national strategic plan for rehabilitation. In cooperation with the WHO, the Ministry works on assessing the current situation. In February 2020, preparatory work for technical assistance has begun.

142. When assessing the rehabilitation situation in the country, the standard tool created by WHO is used, which sequentially examines all the elements necessary for the development of the health care system.

143. Intensive work is underway to develop and plan adult rehabilitation/habilitation programs for adults with disabilities within the framework of the Emory University and Atlanta (USA) USAID Physical Rehabilitation Project in Georgia.

144. To promote the urgency of the project activities and the sustainability of its results the Project Supporting Steering Council was established by the order of the Minister N01-1301/O of 19 November 2018, which is headed by the Deputy Minister and which includes representatives of a number of agencies.

145. The geographical area of the service has expanded in recent years with the increase in the budget for the Child Rehabilitation/habilitation sub-program: under this sub-program, in 2019, 22 rehabilitation centers were registered in 9 municipalities of the country to provide services up to 1500 beneficiaries per year and in 2020 the number of these centers became 31 and as of today, services are provided in 14 municipalities of the country.

#### **Work and employment (art. 27)**

146. On 14 July 2020, the Parliament adopted the Law on Employment Promotion, which will enter into force on 1 September 2021. It regulates state activities related to employment promotion, defines the institutions responsible for active labor market policies and employment promotion issues. The Law declares persons with disabilities to be protected entities.

147. A person with a disability enjoys a pre-emptive right in the labor market. A person with disabilities has the right to professional/vocational rehabilitation. Such vocational rehabilitation includes drawing up an individual career development plan, selecting a job or other lucrative activity, and offering a short-term vocational training course to replace or retain a job.

148. A protected workplace is created for PWD. In agreement with the State Employment Promotion Agency, a protected workplace is a work environment that is adapted to a person with a disability. To this end, the agency is authorized to subsidize the employer, provided that the work environment must be operational for at least 3 years.

149. The concept of a supportive employment consultant is established, which provides counseling to a PWD for employment purposes. A support employment consultant has special knowledge and skills and has undergone appropriate training.

150. Since 2015 the Government is implementing active labour market policy through state programs. The aim of the Vocational Training and Qualification Raising State Program is to develop/implement active labour market policy and increase employment opportunities for PWD, youth etc.

151. One of the key components of the Employment Promotion program is wage subsidy, meaning that State is paying 50% of wage for PWD for 4 months. After that, employers are obliged to sign a labour agreement with beneficiaries for at least 6 months.<sup>5</sup>

#### **Adequate standard of living and social protection (art. 28)**

152. There has been a gradual increase in the social package for PWD. In particular: from January of 2020, the social package for children with disabilities/persons with profound disabilities was increased from GEL 200 to GEL 220; And the increase from GEL 120 to GEL 140 also affected the social package for people with significant disabilities.

153. The state compensation will be automatically transferred and the PWD and children with disabilities permanently living in the mountainous settlement will receive an increased supplement in the amount of 20% of the social package.

154. Within the framework of the “Targeted State Program for Reduction of Infection Caused by New Coronavirus (SARS-COV-2) (COVID-19)”, Persons with profound disabilities and children with disabilities received an additional 100 GEL for 6 months.

155. As of June 2020, 127,061 PWD receiving social packages, including 11,494 children, are registered in the unified database of state issuance administered by the LEPL Social Service Agency.

156. According to the Tax Code of Georgia, the taxable income received by a person with disabilities from childhood, as well as persons with profound and significant disabilities up to 6000 GEL during a calendar year is not taxed.

157. From November 2018, the rule of referral between social agents and social workers of the LEPL Social Service Agency came into force; In particular, in each family with a child under 18, a “declaration of a child living in the family (aged 0–18)” will be filled out. The purpose of the declaration is to provide timely information to the social worker about the needs of the child (children) living in the family, in order to provide appropriate support.

#### **Participation in political and public life (art. 29)**

158. The Law on Persons with Disabilities provides a basis for the participation of PWD in political life. The state has obligation to ensure the participation of PWD in the political life without discrimination. PWD also have the right to vote and to be elected on an equal basis with others.

159. Standing group working on PWD issues is established at the CEC. It is composed of representatives of international and local non-governmental organizations, some state entities and PDO.

160. To inform voters with disabilities, central and regional broadcaster, radio, CEC official webpage were used. All informational video footages prepared by the CEC were provided in sign language. Also, the CEC ensured preparing the special information video footage about the services accessible for PWD. News briefings were aired in sign language.

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<sup>5</sup> Data related to work and employment issues is included in the Annex II.

161. To inform deaf voters and voters with hearing impairments, the CEC ensured accessibility of the CEC Call/Information Center for 2017 Municipal and 2018 Presidential Elections as well as for parliamentary election in 2020. Deaf and hearing impaired voters contacted the CEC Call/Information Center through video call and received information on electoral procedures.

162. The CEC designed and introduced the special services that ensure independent participation of PWD in elections.

163. In 2017–2019, the CEC Training Centre ensured the conduct of the qualification raising training courses in four streams for the Precinct Election Commission members. One of the stages covered the training course for the PEC members according to “Instruction of the Etiquette of Communicating and the Protection of Behavioural Norms in Relation with Persons with Disabilities” developed by the CEC.

### **Participation in cultural life, recreation, leisure and sport (art. 30)**

164. To ensure the equal access of the PWD to the cultural heritage sources, all recently rehabilitated State and municipal museums in Georgia were specially equipped; The special audio-video services for the PWD have been arranged at the entrances of the rocky heritage sites.

165. “Cultural Heritage for Children” for children with disabilities programme is aimed to educate children in different fields through theoretical lectures and practical games-workshops, like painting, mosaics, modeling of the historic adobe structures and etc..

166. The National Museum implemented various projects aiming to build awareness and improve accessibility to museum services for PWD and special needs. The projects implemented with the support of the international organizations.

167. The Ministry of Sport recognizes the Paralympic Committee and funds the annual calendar. All the projects organized by the Ministry are adapted for PWD.

168. The Parasport Development Center is located in Tbilisi and is accessible for the representatives of around 20 sports. As for the regions, none of the regions has a sports center for PWD. Also, several sports federations in the country have a special direction in the structure to support PWD. They ensure the involvement and development of PWD in relevant sports.

169. As a result, by the end of 2019, about 954 para-athletes are involved in the training process, up to 20 types of para-sports. Up to 50 coaches in different disciplines. For the first time in the history, at the 2016 Paralympic Games, Georgia won the first ever medal (Paralympic Judoka – Zviad Gogotchuri became Paralympic Champion).

## **C. Specific obligations (arts. 31–33)**

### **Statistics and data collection (art. 31)**

170. The last census in Georgia was conducted in 2014. The data on disability was collected during the 2014 General Population Census, with the use of the personal questionnaire (Form 2).

171. The questionnaire was designed in compliance with the international methodologies (“Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing”) and international measures of disability, suggested by the Washington Group on Disability Statistics.

172. During the census the information was collected about health limitations in 6 main domains: seeing; hearing; walking or climbing; remembering or concentrating; communicating; self-care.<sup>6</sup> The detailed plans regarding the next census are under discussion.

<sup>6</sup> Full Statistical data prepared by the Geostat is attached to the present document as Annex I.

173. Prosecutor's Office of Georgia processes statistical data on disability-based intolerance motivated crimes.<sup>7</sup>

**International cooperation (art. 32)**

174. Since 2017, Georgia has been annually submitting the resolution on "Cooperation with Georgia" within the Human Rights Council under the agenda item 10 (Technical assistance and capacity building). In the resolutions, the HRC has expressed serious concern over the human rights and humanitarian situation in the Russia-occupied Abkhazia and Tskhinvali regions of Georgia and called for an immediate and unimpeded access for the OHCHR, and international and regional human rights mechanisms to these regions.

175. UN General Assembly has continued the adoption of the resolution (in 2019 initiated by Georgia along with the 44 Member States) on the "Status of internally displaced persons and refugees from Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia." In his report prepared pursuant to the resolution A/RES/73/298 on 3 June 2020, the UN Secretary-General once again reiterated the call on access to be granted for OHCHR to assess the human rights protection needs in the Russia-occupied territories.

176. Georgian side always raises the urgent need for secure, immediate and unrestricted access of international human rights mechanisms to the Russia-occupied Georgian territories of Abkhazia and Tskhinvali regions during the meetings with the OSCE Chairman-in-Office, Secretary General, Director of the Office for Democratic Institutions and Human Rights, High Commissioner on National Minorities and partner countries.

**National implementation and monitoring (art. 33)**

177. Since 2014, the Public Defender is designated as the monitoring body of the Convention. In order to facilitate the realization of rights of the PWD, the Public Defender supervises the activities of administrative, state and local self-government bodies, public institutions and officials, as well as individuals and legal entities.

178. Furthermore, the PDO, on the basis of a statement/complaint or on own initiative, studies cases related to the actions of state authorities and local self-government bodies, public institutions and officials or acts on violation of rights of PWD under local or international law.

179. In addition, a powerful mechanism of the Public Defender is to present reports on the legal status of PWD. The Public Defender reviews the legal status of PWD in both the Special and the General Report on the Human Rights situation. In case the recommendations in report of the Public Defender are shared/empathized by the Parliament, the Parliament issues a recommendation and sets matter of implementation of the recommendations by the relevant agencies.

180. On 13 July 2020, the Parliament amended its Rules of Procedure which established the basis for parliamentary oversight of the exercise of the fundamental rights and freedoms of PWD. Once a year, no later than April 1, the Government has been instructed to submit to the Parliament a report on the implementation of the basic rights and freedoms of PWD, including the implementation of measures to ensure social rights.

181. Involvement of organizations of PWD is ensured in three formats: the executive – the format of the Interagency Coordination Committee, the legislature – the committee format of the annual report review submitted by the government, and the Public Defender – the format of the Advisory Board.

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<sup>7</sup> Full Statistical data is attached to the present document as Annex II.