



Ministry of Foreign Affairs of Georgia

Human Rights Council

**UNIVERSAL PERIODIC REVIEW (UPR)
MID-TERM PROGRESS REPORT OF GEORGIA
ON ITS IMPLEMENTATION OF RECOMMENDATIONS
ELABORATED IN JANUARY 2011**

Tbilisi, December, 2013

UPR RECOMMENDATIONS

	Recommendation	Rec. State and the Rec. number	Scope of the obligation taken by Georgia	Competent Body	Measures undertaken	Recommendations of the respective treaty-based bodies
	ACCESSION TO INTERNATIONAL INSTRUMENTS					
1.	Consider accession to the remaining core international human rights instruments.	Brazil 105.1		Ministry of Foreign Affairs	<p>At present, Georgia is a State Party to the various core international human rights instruments.</p> <p>Since 2011 Georgia has acceded to the Convention relating to the Status of Stateless Persons (<i>in force for Georgia since March 22, 2012</i>);</p> <p>Internal procedures necessary for ratification are in progress relating the following core international human rights instruments:</p> <ul style="list-style-type: none"> • UN Convention on the Rights of Persons with Disabilities and its Optional Protocol; • Convention on the Reduction of Statelessness; • International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; • Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. 	

2.	<p>Consider the possibility of becoming a party to the following international instruments:</p> <p>a) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;</p> <p>b) Convention on the Rights of Persons with Disabilities;</p> <p>c) International Convention for the Protection of All Persons from Enforced Disappearance.</p>	Argentina 105.2		<p>1. Ministry of Foreign Affairs</p> <p>2. Ministry of Labour, Health and Social Affairs</p>	<p>The process of ratification of the Convention on the Rights of Persons with Disabilities is initiated and at present is going through the relevant procedures in the Parliament of Georgia.</p> <p>Because at this moment Georgia does not satisfy the conditions necessary to implement the obligations taken under the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families , the Government of Georgia does not consider expedient ratification of the Convention.</p> <p>The decision is based on the following circumstances:</p> <ul style="list-style-type: none"> • State policy in the sphere of labour migration is not yet developed in Georgia and, at present, the conceptual analysis of the policy is in progress. • Labour market infrastructure is not developed in Georgia and, currently, the relevant strategy and action plan is being elaborated. • A Specialized structure (labour inspection) does not exist in country, which would carry out surveillance in the sphere of labour in order to detect and prevent discrimination, slave labour, enforced and compulsory labour cases. Development of labour inspection requires large amount of preparatory 	
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				<p>works. Country does not have special accommodation facilities for the migrants, who have breached migration provisions.</p> <ul style="list-style-type: none">• To date, social protection policy of migrant workers is not developed in Georgia. In addition, possibility of compensation of contribution to them is not available.• Ratification of the Convention requires significant legislative amendments in the spheres of granting citizenship, election legislation, education, health, etc., that requires proper understanding and a period of time.• The Convention stipulates for the provision to the migrant workers and members of their family with the apartments and the obligation to protection against exploitation in respect of rents (Article 43, subparagraph “d” of the Convention). The country, where there are hundreds of thousands of internally displaced persons (IDPs) and about 2 millions of socially vulnerable citizens, is not able to undertake this obligation at the present moment. <p>Accordingly, sharing the importance of the mentioned Convention and the responsibility to implement the obligations undertaken by the Convention, Georgia considers that at present it is not prepared for its ratification.</p>	
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					Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families will be possible after the development of the emerged state policy in the sphere of labour migration and preparation of relevant social-economic basis.	
3.	Consider ratifying of the International Convention on the Rights of All Migrant Workers and Members of Their Families , in accordance with the recommendation of the Parliamentary Assembly of the Council of Europe, as well as the Convention on the Rights of Persons with Disabilities .	Algeria 105.3		1. Ministry of Foreign Affairs 2. Ministry of Labour, Health and Social Affairs	<i>Refer to Rec.: 1 and 2.</i>	<i>The Concluding Comments of CEDAW, 36th Session, 7-25 August, 2006:</i> The Committee notes that States' adherence to the seven major international human rights instruments enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the Government of Georgia to consider ratifying the treaty to which it is not yet a party, namely, the International Convention on the Protection of the

						Rights of All Migrant Workers and Members of Their Families.
4.	Consider ratifying the Convention on the Rights of Persons with Disabilities.	Mexico 105.4		1. Ministry of Foreign Affairs 2. Ministry of Labour, Health and Social Affairs	<i>Refer to Rec.: 1 and 2.</i>	
5.	Consider ratifying the Convention on the Rights of Persons with Disabilities as well as the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.	India 105.5		1. Ministry of Foreign Affairs 2. Ministry of Labour, Health and Social Affairs	<i>Refer to Rec.: 1 and 2.</i> Georgia acceded to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict on August 3, 2010.	

6.	Ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness . <i>(Accepted Partially)</i>	Slovakia 106.11	<p><i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i></p> <p>Government of Georgia is undertaking the review of national legal framework for the reason of subsequent ratification of <i>1954 Convention relating to the Status of Stateless Persons</i>. However, Georgia is not intending to become a party to the <i>1961 Convention on the Reduction of Statelessness</i>.</p>	<p>1. Ministry of Foreign Affairs</p> <p>2. Ministry of Justice</p>	<p><i>Refer to Rec.: 1</i></p> <p>Georgia acceded to 1954 Convention relating to the Status of Stateless Persons on December 23, 2011.</p> <p>After the accession of Georgia to the above Convention, the State Commission on Migration, notably its group for the reduction of statelessness, had prepared the legislative amendments, lately adopted by the Parliament of Georgia and entered into force in June 2012. In particular, aiming harmonization of Georgian legislation with the 1954 Convention, respective changes were introduced in 12 laws. As a result, a definition of stateless person, procedure for status establishment and authority of status seeker was defined on a legislative level. Furthermore, the standards established by 1954 Convention towards persons possessing stateless person's status in the fields of social security and healthcare, education, documenting, etc. was taken into consideration on the legislative level. As regards the 1961 Convention on the reduction of statelessness, there are ongoing inter-agency consultations on the reasonability of accession.</p> <p>For certain period of time, the weak point of the population register was the existence of undocumented people, mostly met in the regions populated with ethnic Azeri. The main reason lied in local cultural traditions, namely the women often gave birth at home and the</p>	<p><i>Concluding observations of CERD, 79th Session, 8 August–2 September, 2011:</i></p> <p>The Committee encourages the State party to ratify the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.</p>
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				<p>birth was not registered, since they were finding it difficult and lacked motivation to approach respective institution.</p> <p>Subsequently, due to the documenting problem, mentioned part of population was considered as the risk group for originating statelessness. Respectively, the Civil Registry Agency (CRA) of the Ministry of Justice of Georgia, through UNHCR and UNICEF contribution and cooperation with partner non-governmental organizations (NGOs) developed an action plan. Within the framework of a latter several projects were implemented on a country scale. As a result, more than 11 000 undocumented people were identified. 2665 persons out of the mentioned amount did not possess birth certificates and, as a result of the respective activities, these people were registered; hence, provided with a relevant document.</p> <p>The identification of the persons was based on “door-to-door” principle and was carried out through active assistance of the lower circle of the local self-governments - village trustee. For documenting purposes the project members organized individual meetings; outside the office, the cases for establishing legal facts were prepared using the portable equipment (taking photos, scanning documentation), while administrative proceedings were carried out for birth registration.</p>	
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					<p>At this stage the Agency implements a project with the partner organization through UNHCR assistance. Within the framework of the project legal changes have been introduced that filled the gaps existing within the legislation fostering origination of the statelessness.</p> <p>The work is being carried out for entire harmonization of the Georgian legislation with the 1954 UN Convention on Status of Stateless Persons.</p> <p>Moreover, research of preconditions for accession of Georgia to the 1961 UN Convention on the Reduction of Statelessness is being conducted. Ratification of this document necessitates amendments into current legislation. New organic law on Citizenship of Georgia has been elaborated and was subject to international expertise. Organic Law was discussed by the government and will be amended shortly in accordance with expressed remarks.</p>	
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7.	Ratify the Convention on the Status of Stateless Persons and the Convention on the Reduction of Statelessness . (<i>Accepted Partially</i>)	Bolivia 106.12	<i>Refer to Rec.: 6</i>	1. Ministry of Foreign Affairs 2. Ministry of Justice	<i>Refer to Rec.: 1 and 6.</i>	<i>Refer to Rec.: 6</i>
	CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK					
8.	Complete and enact the draft media law reform, such that it includes measures to increase media ownership transparency and financial transparency.	USA 106.14	<i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i> On 8 April 2011, the Parliament of Georgia passed amendments to the Law of Georgia on Broadcasting to enhance media ownership and financial transparency. Measures included a prohibition for companies registered in	National Security Council	Up to 100 broadcasting license holders have submitted Declarations of Conformity to the Georgian National Communications Commission (GNCC) by January 1, 2012 as it is required by the amendments to the Georgian Law on Broadcasting of April 2011. The broadcasters, having filled out a special form worked out by the Commission, indicated the information about company owners and beneficiaries together with the management officials. They also published the Declarations on their web-sites. In accordance with the new legislative package, the GNCC has established reporting forms of broadcasters, which among others, shall include information on the financing sources of broadcaster, including, separately on income received from advertisement, sponsorship, teleshopping and donation. This information is public.	

			offshore locations to own shares in a broadcasting license.			
9.	Amend legislation, public policies and programmes to comply with its international commitments against all forms of discrimination, as stipulated in the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women .	Bolivia 106.19	<p><i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i></p> <p>Georgia accepts the essence of the recommendation. However, Georgia cannot accept the portion of the recommendation asking specifically to “amend legislation”, as it considers that existing national law, policy and programs comply with its international</p>	Ministry of Justice	<p>In relation to CRC:</p> <p><i>1. Juvenile Justice Reform</i></p> <p>The Government of Georgia has reviewed and amended the national legislation in accordance with the Convention on the Rights of Child (<i>hereinafter</i> – CRC). Prevention of juvenile crime is one of the key priorities of the Government within the Juvenile Justice (<i>hereinafter</i> – JJ) component of the overall Criminal Justice Reform (<i>hereinafter</i> – CJR). The emphasis is put on the developing various programs aimed at primary, as well as secondary and tertiary prevention of youth delinquency.</p> <p>The Juvenile Crime Prevention Strategy of Georgia was elaborated by the JJ Working Group in September and adopted by the Criminal Justice Reform Coordination Council on 16 December, 2011. The Strategy was approved in March 2012. The strategy aims to develop unified national policy for juvenile delinquency prevention, provide the basis for development of effective crime preventions measures and interventions, as well as indicate responsible state institutions. The strategy is divided in five parts and combines – Introduction, Main Principles of Strategy, Interagency Coordination and Responsible Institutions, Primary Prevention, Secondary</p>	

			<p>obligations under the named conventions. Georgia cooperates closely with the United Nations Treaty Monitoring Bodies, will continue to do so in the future and will take measures as necessary to ensure continued compatibility with its international commitments.</p>		<p>Prevention, Tertiary Prevention. The Strategy reflects the main principles and regulations of CRC and is based on the international standards and best practice of states. The Strategy and its Action Plan reduce juvenile offending, as well as rehabilitate and reintegrate into society juveniles in conflict with law.</p> <p>In addition to the diversion, which was successfully incorporated in the Criminal Procedure Code in 2010, the Working Group on Juvenile Justice (JJ WG) works to expand the legislative options of alternative sanctions for juveniles and bring criminal liability of juveniles in line with common European standards. In this process, Ministry of Justice (MOJ) cooperates with UNICEF, which provided detailed analysis of the problematic issues of Criminal Code of Georgia with respect to the criminal liability of juveniles. The recommendations of UNICEF with respect to legislative amendments were researched thoroughly by MOJ. The recommendations and findings of research were also reviewed at the meeting of JJ Working Group (WG), held in January, 2013. Relevant chapters of the Criminal Code were analyzed in detail on the retreat held on March 15-17, 2013, where Georgian and foreign experts were strongly advocating idea of adoption of separate code regulating all aspects of juvenile justice. The Minister of Justice endorsed elaboration of a special Juvenile Justice Code and decided to create working group with this mandate. This decision was widely welcomed by the JJ WG as</p>	
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				<p>it is considered to constitute the best practice throughout the globe. The drafting of the Juvenile Justice Code will take place in partnership and with the support of the EU Technical Assistance Project and UNICEF.</p> <p><i>2. Diversion and crime prevention</i></p> <p>Diversion and Mediation mechanisms were implemented on November 15, 2010 in accordance with the amendments of Criminal Code of Georgia. Pursuant to these amendments discretionary prosecution was introduced. The main purpose of this mechanism is to expand the use of alternatives to prosecution in dealing with juvenile offenders, divert first-time juvenile offender from the criminal prosecution and propose alternative to the criminal responsibility. This mechanism aims to decrease the negative impact of criminal justice system, avoid stigma of juveniles and reduce re-offending in society. Firstly, Juvenile Diversion and Mediation Program was introduced in four cities (Tbilisi, Rustavi, Kutaisi, and Batumi) of Georgia on November 15, 2010. By July 2013, program is spread to whole territory of Georgia.</p> <p>Till now, 476 juveniles were diverted and only 12 of them repeated the crime. All professionals involved in diversion/mediation process have undergone trainings and obtained necessary practical skills. In 2011-2012 program has more than 100 trained prosecutors, up to 20 social workers and 20 mediators. In August 2013, with the financial</p>	
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				<p>support of UNICEF and PH International, LEPL Center for Crime Prevention and Innovative Programs started creating training modules and intensive trainings for professionals (prosecutors, social workers, mediators) involved in abovementioned program. In total, there will be 9 trainings held in which representatives will be invited from each region of Georgia. Social workers are employed within the offices of the National Bureau of Probation, whereas Ministry of Sport and Youth Affairs has signed individual contracts with the mediators. In addition, relevant ministries have adopted guidelines for social workers, mediators and prosecutors.</p> <p style="text-align: center;"><i>3. <u>Street children</u></i></p> <p>As regard to the street children, in April 2012 the Government of Georgia has adopted National Action Plan 2012-2015 for Child Welfare and Protection (NAP) under the Government Order N762 and established Inter-agency Coordinating Council for the implementation of NAP. In its activities, the Council is guided by the Constitution of Georgia, international agreements and treaties, other legislative and sub-normative acts. The Council has established Working Groups (WGs) for the preparation of the researches/analyzes and recommendations within the limits of their competence/mandate. Membership of the WG is open for the representatives of the governmental and non-governmental agencies, relevant legal entities, international organizations, experts and scientists. The</p>	
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				<p>Council among other issues also deals with street children. The Working Groups, as well as the task forces are created on particular issues related to street children, like the child identification, registration, etc. In addition 2013-2014 Trafficking in Persons (TIP) National Action Plan (NAP) provides identification of “street children and providing awareness-raising campaign for them to inform them regarding forced labor and sexual exploitation. In this regard, Central Criminal Police Department of the Ministry of Internal Affairs of Georgia elaborated the action plan for the mobile groups, which are in charge of the issues related to the “street children”.</p> <p>Mobile groups periodically check and identify the “street children” and inform them about the crime of trafficking, forced labour and sexual exploitation. In this regard, the police closely cooperate with the State Fund for the Protection and Assistance of Victims (Statutory) of Trafficking (hereinafter – State Fund). Two investigations on trafficking against minors were launched (August, September 2013) based on the information of the territorial unit of the State Fund (Child Crisis Center in Tbilisi).</p> <p>TIP NAP also focuses on reduction of trafficking in minors. For that aim Council will conduct research on engagement of minors in forced labour and exploitation.</p> <p><i>4. National and international adoption</i></p>	
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				<p>translated explanatory report of the Convention into Georgian and disseminated to the practicing judges with the assistance of the High Council of Justice in order to increase general knowledge about the Convention, its requirements, judicial practice and experience of foreign States. Following the efforts of the Central Authority, information about the court cases in Georgia has become available at the official website of MOJ (www.justice.gov.ge) with due respect to the personal data of children concerned and their parents. MOJ has also prepared application forms, both in Georgian and English languages, in line with the Conventional requirements, which are available at the official website of MOJ.</p> <p>Currently the Central Authority of Georgia is working on the detailed Guidelines for the Judges and Lawyers related to Child Abduction cases as well as practicalities regarding the application of the Convention; The Draft Guide includes information extracted from Explanatory Reports, Practical Handbooks, and Guidelines to Good Practice, Judges' Newsletters etc. Furthermore, for the effective implementation of the Convention certain legal amendments were commenced in Georgian legislation: in July 2011 New provisions were added to the Civil Code of Georgia in relation to the substantive part for the rights of custody and right of access. As to the procedural part, chapter was added to the Civil Procedure Code of Georgia on the Special Aspects of Return or Exercise of Right of Access with a Child Wrongfully Removed or</p>	
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					<p>Retained. Nowadays only two courts are authorized to consider child abduction cases. The local jurisdictions are distinguished between Tbilisi and Kutaisi City Courts, respectively for the eastern and western part of Georgia.</p> <p>Competent authority responsible for the enforcement of return orders and access/visitation orders is a Social Service Agency, which is a Body of Guardianship and Care under the supervision of the Ministry of Labor, Health and Social Affairs of Georgia. Prior to recent amendments, the enforcement of the Court decisions was in the competence of Enforcement Bureau.¹ However, the child sensitivity of such decision showed the need for introduction to the process of the specialized body in child care issues. The main idea of the reform was that social agents, who will be observing the enforcement of a decision, will be in a position to take into consideration the possible consequences of the process and best interests of a child will be also protected on the stage of enforcement.</p> <p>In relation to CEDAW:</p> <p>The Government of Georgia criminalized domestic violence (DV) in June 2012. The new Article 126¹ of Criminal Code of Georgia defines domestic violence as coercion, systematic insult, blackmail, humiliation committed by one family member against</p>	
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¹ Order of the Minister of Labor, Health and Social Affairs of Georgia concerning the Enforcement of Decisions Concerning the Return or Exercise of Right to Access to a Child by Parents or Other Members of a Family, Article 7.

				<p>another, which has given rise physical pain or suffer and has not produced the consequences referred to in Article 117 (intentional damage to health), Article 118 (less serious damage to health on purpose) or Article 120 (intentional light damage to health) of Criminal Code of Georgia. Pursuant to new Article 126¹ family members are: spouse, mother, father, grandfather, grandmother, son/daughter (stepchild), adopted child, adoptive parent, spouse of the adoptive parent, foster child, foster parents (foster family), guardian, grandson/granddaughter, brother, sister, parents of the spouse, brother in law, sister in law, former spouse, individuals who share/shared domestic household. Paragraph 2 of Article 126¹ envisages the aggravating circumstances for domestic violence.</p> <p>Apart from this, new Article 11¹ introduces novelty of categorization of domestic violence. Domestic crimes are crimes committed by one family member against another and envisaged by Criminal Code of Georgia under following Articles: 108, 109, 115, 117, 118, 120, 126, 126¹, 137-141, 143, 144-144³, 149-151, 160, 171, 253, 255, 255¹, 381¹, 381².</p> <p>Apart from this, professional trainings were held on domestic violence for prosecutors and police officers. In June, 2012, 447 prosecutors were trained. The trainings were mainly concentrated to introduce domestic violence as a crime.</p> <p>In addition, Government of Georgia made the</p>	
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					<p>decision to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence. In this regard, special Working Group was established under the DV Council in close cooperation with UN Women, UNICEF and other local NGOs, which has elaborated the amendments to the national legislation related to domestic violence. The draft of amendments is represented to the Parliament for the further discussion.</p> <p>In relation to CERD:</p> <ol style="list-style-type: none"> 1. In March, 2012, Article 53 of Criminal Code of Georgia was amended. The newly inserted paragraph of the mentioned Article envisages that any crime committed under the discriminatory bases is considered as aggravated circumstance. 2. In 2012 the Government of Georgia started elaboration of a new anti-discrimination law. As a result of this initiative derived from the recommendations of the UN and Council of Europe monitoring bodies, the parliament of Georgia will adopt a comprehensive anti-discrimination law covering different areas. In addition to the adoption of a new law, certain amendments will be made to the existing legal instruments in order to ensure higher standards that are compatible with Georgia's international obligations. <p>Draft law aims to to create efficient institutional mechanism for tackling</p>	
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				<p>discrimination, systemize existing anti-discrimination provisions and meet international standards the Ministry of Justice elaborated draft law on the Elimination of all Forms of Discrimination.</p> <p>Draft law prohibits discrimination on the basis of any feature. It should be underlined that in addition to the Constitutional list of the features based on which discrimination is forbidden, the draft law envisages new elements such as: disability, health status, pregnancy and maternity, sexual orientation and gender identity.</p> <p>The draft enshrines the definition of discrimination which is commensurate with the definition developed by the ECHR.</p> <p>It should be emphasized that the draft law includes a particular provision explicitly prohibiting multiple discrimination, which is rather progressive approach considering that most EU countries do not have expressive ban on the multiple discrimination.</p> <p>Another fundamental innovation of the draft law is the imposition of the responsibilities not only on the public bodies but on the private entities and natural persons as well.</p> <p>Furthermore, aiming at elimination of all forms of discrimination, the draft law not only focuses on the eradication of the consequences of discrimination, but determines adequate preventive measures.</p>	
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				<p>In fact, our main goal is effective implementation of the anti-discrimination provisions and therefore the crucial part of the draft refers to the Institutional Mechanism for ensuring equality. In this regard, the inspector of the Equality Protection with very strong legal tools is likely to efficiently tackle discrimination. Namely, the inspector will be entitled to make legally binding decisions – impose fines and determine binding measures for elimination of discrimination consequences.</p> <p>In order to ensure high legitimacy of the inspector and he/she will be nominated by the non-political bodies (educational institutions and NGOs) and elected by the parliament. Besides, the draft enshrines sufficient guarantees for inspector's independence both in terms of financial and legal side (immunity/indemnity).</p> <p>It should be emphasized that the draft Law is the outcome of broad public consensus as long as in the process of elaboration all major stakeholders were actively involved. Following the discussions within the governmental sector, the draft project was presented to the diplomatic corps and to the civil society sector for comments and recommendations. The meetings were held with the following organizations: (1) organizations working on human rights issues, (2) religious and ethnic minority representatives, (3) NGOs working on gender equality and women rights issues, (4)</p>	
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					<p>organizations specializing on protection of the rights of persons with disabilities.</p> <p>By July 22, 2013, the civil society sector presented their recommendations and comments concerning the draft law. At the same time, draft law went through international expertise: recommendations from ODIHR, ECRI, OHCHR and the Swedish expert (selected with the assistance of the EU delegation in Georgia) have been received. All recommendations and feedbacks have been taken into account and the final draft was presented to NGO's and civil society representatives on 18 December 2013. After that the draft law will be presented to the Parliament.</p>	
	INSTITUTIONAL AND HUMAN RIGHTS					

	INFRASTRUCTURE					
10.	Do not impede access to detention centers by other national or international oversight mechanisms different from the national preventive mechanism established by the Optional Protocol to the Convention against Torture; and adopt legislation defining and clarifying the role and responsibilities of the Special Prevention Group in respect to the Office of the Ombudsman.	Spain 105.9		<ol style="list-style-type: none"> 1. Ministry of Justice 2. Ministry of Internal Affairs 3. Ministry of Corrections and Legal Assistance 	<p>The Code of Ethics was elaborated by the Ministry of Corrections and Legal Assistance (MCLA) and Ministry of Internal Affairs (MIA).</p> <p>Independent oversight bodies: Office of Public Defender of Georgia (<i>hereinafter</i> PDO), National Preventive Mechanism (<i>hereinafter</i> NPM), international organizations (Committee for the Prevention of Torture (CPT), Special Rapporteur on Torture (SRT) have unlimited access to the detention facilities (See, reports of the UN treaty bodies, special procedures, CoE and CPT).</p> <p>CPT carried out <i>ad hoc</i> visit to Georgia in November 2012, as result of visit CPT inter alia concluded in its report that “The delegation enjoyed immediate access to the visited places”.</p> <p>PDO, an independent constitutional human rights institution, receives applications and complaints from the citizens of Georgia, foreign nationals, stateless persons residing in Georgia and from NGOs. Applications, complaints and letters sent to the PDO by persons held in police custody, pre-trial detention or in other places of deprivation of liberty are confidential and mailed without opening or censorship. Any such correspondence is delivered to the PDO without delay.</p> <p>In 2009, PDO was designated as the NPM and relevant amendments to the Organic Law on</p>	<p><i>The Conclusions and Recommendations of CAT, 36th Session, 1-19 May 2006:</i></p> <p>The State party should give higher priority to efforts to promote a culture of human rights by ensuring that a policy of zero tolerance is developed and implemented at all levels of the police-force hierarchy as well as for all staff in penitentiary establishments. Such a policy should identify and address the problems, and should elaborate a code of conduct for all officials, including those involved in the fight against organized crime, as well as introduce regular monitoring by an independent oversight body.</p>

				<p>Public Defender have been made. PDO established Prevention and Monitoring Unit within the Office which is mandated to carry the functions of the NPM - <i>i.e.</i> visit and monitor all places of deprivation of liberty in Georgia. NPM conducts monitoring of all places of deprivation of liberty. Its team has elaborated guidelines for monitoring methodologies for all types of institutions.</p> <p>PDO and/or NPM team inspects the observance of human rights and freedoms in all places of detention and deprivation of liberty. Once per year, in March, the Public Defender submits to the Parliament a report on the human rights situation in the country. The report provides a general assessment of the human rights situation in the country, a summary of the findings and respective recommendations. The periodic and special reports are public and can be accessed on the PDO website (www.ombudsman.ge).</p> <p>Besides the systematic monitoring carried out by the PDO, places of deprivation of liberty are periodically visited by the Council of Europe's Committee for the Prevention of Torture in order to evaluate how the detainees are treated.</p> <p>Delegations of CPT enjoy an unrestricted right to entry and movement in the places of detention. They personally talk to the persons deprived of liberty and freely contact any person who can provide information. As the result of the visit of the Committee, a report is</p>	
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				<p>prepared, which combines the assessment and the recommendations. According to article 10 of the Convention, the report is confidential and shall become public only upon request of the party (art. 11 (2)). Georgian side agreed to the visit of the Committee as well as the publication of the report prepared by the Committee. CPT has made last visit on February 5-15 of 2010. According to the report published by the Committee “The cooperation received during the visit, both from the national authorities and from staff at the establishments visited, was generally excellent. The delegation enjoyed rapid access to the places visited (including ones not notified in advance) and was able to speak in private with persons deprived of their liberty.</p> <p>New Imprisonment Code mentions NPM as the Oversight body. Article 32 of the New Imprisonment Code states that, the NPM, in accordance with the rules envisaged in the Organic law of Georgia on the Public Defender shall exercise supervision over activities of the department, pre-trial detention and custodial establishments aimed at combating and prevention of torture, inhuman treatment and punishment. The new Code on Administrative Offences will also mention national and international oversight bodies’ unimpeded access to administrative detainees.</p> <p>Public Defender of Georgia, representatives of the Public Defender’s Office (on the basis of the power of attorney issued by the Public Defender) and representatives of the Red</p>	
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					<p>Cross have the right to freely access Temporary Detention Isolators (TDI) under the Ministry of Internal Affairs without any authorization and prior notification, while representatives of all other national and international independent oversight bodies require the authorization, as part of the procedural requirements which cannot be considered as an impediment to the free access.</p> <p>Since November 2012 representatives of the Public Defender's Office conducted 80 visits to TDIs, consular representatives – 46 visits, EU experts – 2 visits, representatives of the Red Cross – 2 visits; and 1 joint visit by the representatives of US Embassy, INL, UNODC, NORLAG.</p> <p>MCLA realizes the importance of civil society participation in the monitoring of penitentiary establishments and therefore does not obstruct any diplomatic mission, national or international organizations with relevant experience from monitoring penitentiary establishments. Currently several organizations are granted access to penitentiary establishments to conduct thematic monitoring (Prison Reform International (PRI), UNICEF, Article 42, Empathy, Georgian Young Lawyer's Association (GYLA), ICRC, etc).</p> <p>In October 2013, civil society representatives initiated a new discussion on establishing alternative monitoring mechanism (other than</p>	
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					<p>NPM) under the Parliament of Georgia. MCLA and other relevant Ministries participated in this discussion.</p> <p>The Ministry submits that it is not against the idea of establishing an alternative monitoring mechanism, <i>per se</i>, but it has to be a mechanism with clearly defined mandate and monitors carefully selected based on their professional experience and knowledge.</p>	
11.	Strengthen capacity, including that of the Prosecutor-General's Office, to examine allegations of torture and ill-treatment as recommended by the Committee against Torture.	Denmark 105.10		Ministry of Justice	<p>Within the framework of the CoE project, Trainings for Trainers (TOTs) were on February 24-25, 2012 held for prosecutors, law enforcement officials, and forensic experts on Istanbul Protocol standard (effective investigation of ill-treatment).</p> <p>Action Plan on the fight against ill-treatment involves the clauses of effective investigation of ill-treatment cases.</p> <p>Training series "Investigation of Torture" was conducted for prosecutors in June-July 2012 within the framework of joint project of EU and CoE. The aim of training was to make Georgian prosecutors aware of best practices on torture investigation in foreign countries.</p> <p>In addition, in 2013, a comprehensive retraining course was conducted for prosecutors, which included the following modules: criminal procedure, human rights, etc.</p>	<p><i>The Conclusions and Recommendations of CAT, 36th Session, 1-19 May 2006:</i></p> <p>The State party should strengthen its investigative capacity, including that of the Prosecutor-General's office, in order to promptly and thoroughly examine all allegations of torture and ill-treatment and to ensure that statistics on convictions and disciplinary measures be regularly published and made available to the public.</p>
12.	Establish institutional structures to ensure birth registration throughout the country, including of the IDP	Austria 105.11		Ministry of Justice	<p>In April 2011, Civil Service Development Agency of Georgia and medical establishments were connected by an electronic system and</p>	<p><i>Concluding observations of CRC, 48th Session,</i></p>

	<p>population.</p>				<p>Civil Service Development Agency now receives electronic notifications regarding the birth fact from medical institution. Therefore, birth registration is not dependent upon the will of the parent or on other factors.</p> <p>Furthermore, the Civil Services Development Agency in tight co-operation with the partner NGOs and by means of mobility groups, at its own initiative, runs meetings with the population in the regions where the home given birthrate is high and consequently the registration improper. Through the inquiry of population the Agency's authorized representatives are identifying the legal facts on the birth and on the basis of decisions taken the birth acts are registered and respective certificates issued. The above activities are being applied to the persons enjoying the refugee status in Georgia.</p> <p>Since 2011 the NGO "Innovations and Reforms Center" is implementing the projects "Prevention and Reduction of Statelessness in Georgia" and "Naturalization and Registration of Refugees" through close cooperation with Civil Service Development Agency and financial support of UNHCR. Within the framework of these projects 4166 beneficiaries were identified in total in eight regions of Georgia, who experience a problem of birth registration absence. In 2012-2013 195 field meetings were held with the Prevention and Reduction of Statelessness project beneficiaries in regions and 394 birth/birth registration facts were established</p>	<p>23 June 2008: The Committee recommends that the State party continue and strengthen its ongoing efforts to establish institutional structures, for example through the use of mobile registration centres, in order to ensure full birth registration throughout the country. The Committee recommends, in addition, that information campaigns be used to inform the population of birth registration requirements.</p>
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					<p>accordingly (including, ethnic minorities, Roma and refugees living in Georgia). In addition 36 people have been granted status of stateless person which included providing them with residence permit and travel document, whereas Georgian citizenship was granted/established/re-established to 325 persons. In sum 1540 persons were provided with free legal consultations on the citizenship/birth registration issue. Within the framework of the other project (Naturalization and Registration of Refugees) out of 593 beneficiaries 508 have been granted Georgian citizenship.</p>	
	POLICY MEASURES					
13.	<p>Step up relevant measures in order to protect and promote the rights of the socially vulnerable, inter alia, through an enhancement of the legal system pertaining to this area.</p>	<p>Japan 105.12</p>		<p>Ministry of Labour, Health and Social Affairs</p>	<p>Significant amendments have been introduced to the methodology of evaluation of social-economic condition of families, in particular, separate variables, components have been removed; local self-government organs are participating at maximum extent in the evaluation process; information maintained by different agencies in their own database is included in the Family Declaration (special document, which includes information on quantity of members of a family, amount of family's income, family's communal costs etc.) in order to increase targeted evaluation and make monetary and nonmonetary benefits adopted by state and local government accessible for socially vulnerable persons; in order to improve the scheme of evaluation and administration of social-economic condition of families, works are still in progress to implement the evaluation on the basis of objective information.</p>	

14.	Increase international cooperation devoted to protecting the rights of the child, of women and of migrants workers.	Philippines 105.13		<p>1. Ministry of Labour, Health and Social Affairs</p> <p>2. Ministry of Justice</p>	<p><i>On the information on the protection of the rights of the child and women refer to Rec.: 9.</i></p> <p>In accordance with international legal acts, the Division for Regulation of Labour Migration of the Ministry Labour, Health and Social Affairs elaborated a draft law on Labour Migration. After adoption, the above law shall regulate issues related to migrant workers.</p> <p>Elaboration of the draft law concerning the issues of internal and international adoption has been finalized. The Law defines the duties and obligations of the participating parties on every step of process of adoption, concrete procedures and activities in relation to the States Parties to the Hague Convention, and also the relations with the States not Parties to the Hague Convention. The draft law will be submitted to the Parliament of Georgia for approval in 2014.</p>	
15.	Continue measures in the field of women and child's rights protection.	Azerbaijan 105.14		Ministry of Labour, Health and Social Affairs	<p>1. Within the framework of the Action Plan on Welfare and Protection of Children for 2012-2015, in order to protect the rights of children, following measures are planned:</p> <p>a) Completion of the process of deinstitutionalization and extension of alternative services by the end of 2013; by December, 2013, only 3 Children Houses operated under the funding of the central budget, out of which one is for 0-5 aged children and 2 for children with disabilities.</p> <p>Based on the data of the same period, fostering activities are carried out by 44 small</p>	

				<p>family type houses and 51 centers provide Day Centre services.</p> <p>b) Improvement and development of a mechanism of reintegration in biological families of children accommodated in 24 hours service, in 2012-2015; at present, a document on rules, procedures and forms of reintegration of juveniles is already elaborated, which will be adopted by the end of 2014.</p> <p>c) Development of various forms of foster care in 2012-2015.</p> <p>d) Increase/extension of possibilities of shelters for mothers and infants in 2012-2015. In 2012-2013, 2 mother's and children's shelters tailored to their needs were opened in Tbilisi and Kutaisi.</p> <p>e) Creation/development of palliative and specialized care services for children in 2012-2015.</p> <p>f) Implementation of improvement of child protection mechanisms will be carried out in 2013, including legislative amendments.</p> <p>g) Since 2013 supervision over the quality of services will be strengthened. At present, instrument on monitoring of foster care and fostering institutions is already elaborated and is carried out as a pilot project.</p> <p>h) New standards for child care were adopted</p>	
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					in August 2012, which will be binding for all children 24-hours services. In 2013-2015, other service standards will be elaborated.	
16.	Ensure the rights of the child, with attention to the Guidelines for the Alternative Care of Children.	Brazil 106.22	Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011: Georgia directs broad efforts to protect and promote rights of the child in line with Guidelines for the Alternative Care of Children, irrespective of their religious or ethnic origin, at the policy level and in practice. Georgia will continue to work diligently towards these ends as called for in these	Ministry of Labour, Health and Social Affairs	<i>Refer to Rec.: 15.</i>	Concluding observations of CRC, 48th Session, 23 June 2008: While welcoming the progress achieved under the 2005-2008 National Plan of Action on the Protection of Children and Deinstitutionalization, the Committee remains concerned about the current state of institutional care and the pace of reunification of children with families. Furthermore, the Committee, while noting the adoption in 2006 of the national standards of Childcare for alternative care institutions remains concerned at the number of children in institutions that are neither State-funded nor regulated. The

			recommendations.			<p>Committee is also concerned about the absence of any State mechanism monitoring and providing follow-up assistance for those leaving institutional care</p> <p>The Committee recommends that the State party expedite the deinstitutionalization programme, including reunification with families and the recruitment of foster parents. At the same time, the Committee recommends that the conditions in existing institutions be improved in the areas of nutrition, sanitation, training of staff, monitoring and visitation.</p>
17.	Incorporate the principle of the best interest of the child in all programmes and policies.	Hungary 105.15		<ol style="list-style-type: none"> 1. Ministry of Justice 2. Ministry of Labour, Health and 	Juvenile crime prevention is a principal component of criminal justice policy of the Government. The objective of the Juvenile Crime Prevention Strategy is to develop unified national policy for juvenile crime prevention, provide basis for effective crime	<p>Concluding observations of CRC, 48th Session, 23 June 2008:</p> <p>The Committee recommends that the</p>

				<p>Social Affairs</p> <p>3. Ministry of Internal Affairs</p>	<p>prevention measures and interventions in order to reduce juvenile offending in Georgia, to rehabilitate and reintegrate into the society juveniles in conflict with the law. The Strategy provides a national framework for preventing offending among juveniles in Georgia. It reflects principles and provisions of UN Convention on the Rights of the Child (CRC). In addition, it is based on international standards and principles of juvenile crime prevention enshrined, inter alia, in United Nations Guidelines for Prevention of Juvenile Delinquency, UN Guidelines for the Prevention of Crime as well as international experiences and good practices of different countries. It should be noted that Criminal Justice Coordination Council closely cooperates with UNICEF on the abovementioned issues, considers the recommendations/proposals of UNICEF in order to ensure the rights and interests of minors.</p> <p>Juvenile justice policy of Georgia is guided by principles of best interest of child, non-discrimination, promotion of alternatives to criminal prosecution, protection of privacy and avoidance of stigmatization.</p> <p>Furthermore, in April 2012, the Government of Georgia amended the Law of Georgia on Combating Trafficking and added a new chapter on child victims of trafficking in human beings, including individual risk assessment on the basis of the child's best interests. Within the current set up of the Inter-agency council to combat trafficking in</p>	<p>State party fully incorporate the principle of the best interests of the child in all programmes, policies, judicial and administrative proceedings, including in the implementation of national action plans.</p>
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				<p>persons system in Georgia not only children who are victims of trafficking, but also children accompanying their parents who have been trafficked, are entitled and when such a need arises, receive the appropriate accommodation, age specific education and support programs tailored to the needs of the child. With this amendments Georgian legislation fully regulates issues regarding children in trafficking in line with international standards.</p> <p><i>Please, refer to Rec.: 9 for the detailed information on Juvenile Justice Policy.</i></p> <p>In the reforming process, great attention is attached to the participation of children in activities and measures that will promote sharing opinions and views of children and decision-making/elaboration of policy relevant to the best interests of children. This is defined in legislation in force, as well as in child care standards.</p> <p>Ministry of Internal Affairs (MIA) devotes respective attention to the principle of the best interest of the child; in this regard the Ministry Strategy for 2013 addresses the issue of juvenile delinquency, and especially focuses on its prevention, avoiding its recurrence and reducing the number of juveniles being in conflict with the law, as well as carefully addressing the issue of juvenile offenders' re-socialization and re-integration. On the other hand, the MIA 2013 Strategy pays due attention to the problem of child victims,</p>	
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					<p>especially in domestic violence cases and children's involvement in educational and sports activities, raising their awareness and trust towards the police.</p> <p>Furthermore, MIA is actively involved in the work of the Juvenile Justice Reform group under the Criminal Justice Reform Programme. Under the JJ Reform group activities, MIA carries out relevant trainings and qualification awareness campaigns for police officers, conducts effective investigation and prevention in this regard. More precisely, MIA adopted Instructions for police officers on the basis of the Juvenile Protection Referral System, taught at the MIA Academy as a basic curriculum subject; police officers regularly participate in <i>ad hoc</i> trainings held by international and local NGOs, international organizations and donor countries, as well as in working groups with the representatives of other public and private bodies. Moreover, investigation of juvenile cases is conducted only by the investigators who have undergone a special course at MIA Academy and were granted a certificate in the subject of "Pedagogical Psychology", in line with the obligations of Criminal Code of Georgia.</p>	
18.	Undertake effective measures to protect children, particularly those belonging to religious minorities.	Ecuador 106.23	Views on conclusions and/or recommendations, voluntary commitments and replies presented by	Ministry of Labour, Health and Social Affairs	<p>It should be noted, that in the course of implementation of the process of reformation child care systems and deinstitutionalization, decision on each child being under the state care system is based on the recommendations of an authorized person of care and guardianship agency – social worker, that causes decisions-making based on necessities</p>	<p>Concluding observations of CRC, 48th Session, 23 June 2008:</p> <p>The Committee urges the State party to:</p> <p>(a) Recognize the rights of children</p>

			<p><i>the State under review, 17th Session, 31 May 2011:</i></p> <p>Georgia directs broad efforts to protect and promote rights of the child in line with Guidelines for the Alternative Care of Children, irrespective of their religious or ethnic origin, at the policy level and in practice. Georgia will continue to work diligently towards these ends as called for in these recommendations.</p>		<p>and the best interests of each child. In this process, social worker takes into account child's religious and ethnic belonging, his/her cultural characteristics and, accordingly, compatibility of proposed environment with child's interests.</p> <p>Children under the state care are protected from all forms of discrimination and violence. Victims of trafficking and domestic violence are accepted in the shelters regardless their race, skin color, language, sex, religion, political and other views, national, ethnic and social belonging, origin, property and class condition, place of living.</p>	<p>belonging to minority groups in line with article 30 of the Convention by which a child belonging to such a minority has the right to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language, and to consider adopting a comprehensive legal act providing protection of their rights.</p>
19.	Continue efforts in the field of protection of the rights of persons with disabilities.	Azerbaijan 105.16		Ministry of Labour, Health and Social Affairs	<p>A process of ratification of the Convention on the Rights of Persons with Disabilities is initiated and at present it is undergoing relevant procedures in the Parliament of Georgia.</p> <p>At present, works on Governmental Action Plan for 2014-2016 on Social Integration of Persons with Disabilities are almost finalized;</p>	<p><i>Concluding observations of CRC, 48th Session, 23 June 2008:</i></p> <p>The Committee recommends that the State party, taking into account the general</p>

					<p>among state agencies, interested non-governmental organizations are participating in this process.</p> <p>Problematic issues concerning protection of the rights of persons with disabilities are discussed within the framework of the State Coordinating Council on issues relating to persons with disabilities. The Council is chaired by the Prime-Minister of Georgia.</p> <p>The abovementioned instruments ensure continuation of effort in the field of protection of the rights of persons with disabilities.</p> <p>In order to improve the system of medical insurance of persons with disabilities, from September 1, 2012, children (aged 0-18) with disabilities and persons with clearly marked disabilities received state medical insurance.</p> <p><i>Please, also refer to Rec.: 16.</i></p>	<p>comment No. 9 (2006) on the rights of children with disabilities:</p> <p>(a) Consider ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol;</p> <p>(b) Ensure implementation of the Standard Rules for Equalizing the Possibilities for Persons with Disabilities, adopted by the General Assembly on 23 December 1993;</p> <p>(c) Pursue efforts to ensure that children with disabilities may exercise their right to education to the maximum extent possible;</p> <p>(d) Undertake awareness-raising campaigns to sensitize the public, and parents in particular, on the rights and special needs of children with disabilities, including those with</p>
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						mental health concerns; and CRC/C/GE (e) Undertake greater efforts to make available the necessary professional (i.e. disability specialists) and financial resources, especially at the local level and to promote and expand community-based rehabilitation programmes, including parent support groups.
20.	Continue with its efforts to protect and integrate in the society all persons with disabilities.	Ecuador 105.17		Ministry of Labour, Health and Social Affairs	<i>Refer to Rec.: 19.</i>	Concluding observations of CRC, 48th Session, 23 June 2008: <i>Refer to Rec.: 18.</i>
21.	Increase the support to children with disabilities so that they can live in the community and avoid their institutionalization.	Canada 105.18		1. Ministry of Justice 2. Ministry of Labour, Health and Social Affairs	The Interagency Council for the implementation of the rights of People with Disabilities is composed of Governmental and non-governmental agencies. The Secretariat of the Council is allocated in the Ministry of Labor, Health and Social Affairs. The Statute of Council was amended on December 24, 2012 as a result Ministry of Justice of Georgia became the member of the Council. The Council is working to elaborate 2013-2016 National Action Plan.	Concluding observations of CRC, 48th Session, 23 June 2008: The Committee recommends that the State party increase its efforts to monitor and ensure implementation of existing laws guaranteeing the

				<p><u>1. MOJ internship program</u></p> <p>In 2011, MOJ announced the internship application call for people with disabilities, 2 interns were selected for 3 months. Besides, 20 people with disabilities are employed in different departments/LEPL of MOJ.</p> <p><u>2. The Charity Action and Photo Exhibition</u></p> <p>The charity action was organized in April 2012 in cooperation with the “Coalition for Independence Living” to support people with disabilities. The MOJ in cooperation with NGOs organized photo exhibition. The persons with disabilities working in MOJ were also involved in the event.</p> <p>In order to support children with disabilities and to prevent institutionalization, the priority for the Government of Georgia is to strengthen families (including, allowances) and, in case of necessity, provide annual inclusion of children in various social programmes:</p> <p>a) provide children with disabilities with day centers; b) rehabilitation of children with disabilities; c) early development of children; d) provision with subsidiary means; e) provision mothers and children with shelters.</p>	<p>principle of non-discrimination and full compliance with article 2 of the Convention. It also recommends the collection of appropriate disaggregated data to enable monitoring of discrimination against children, including those belonging to the above-mentioned vulnerable groups(children with disabilities), and in particular, girls, with a view to developing comprehensive strategies aimed at ending all forms of discrimination.</p>	
22.	Increase support to children with disabilities to live in the community to avoid institutionalization.	Denmark 105.19		Ministry of Labour, Health and Social Affairs	<i>Refer to Rec.: 21</i>	Concluding observations of CRC, 48th Session, 23 June 2008:

						<i>Refer to Rec.: 19.</i>
23.	Strengthen support to children with disabilities.	Bangladesh 105.20		Ministry of Labour, Health and Social Affairs	<i>Refer to Rec.: 21</i>	<p>Concluding observations of CRC, 48th Session, 23 June 2008:</p> <p>Refer to Rec.: 23 and 25.</p> <p>The Committee recommends that the State party, taking into account the general comment No. 9 (2006) on the rights of children with disabilities:</p> <p>(a) Consider ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol;</p> <p>(b) Ensure implementation of the Standard Rules for Equalizing the Possibilities for Persons with Disabilities, adopted by the General Assembly on 23 December 1993;</p> <p>(c) Pursue efforts to ensure that children with disabilities may exercise their right</p>

						<p>to education to the maximum extent possible;</p> <p>(d) Undertake awareness-raising campaigns to sensitize the public, and parents in particular, on the rights and special needs of children with disabilities, including those with mental health concerns; and (e) Undertake greater efforts to make available the necessary professional (i.e. disability specialists) and financial resources, especially at the local level and to promote and expand community-based rehabilitation programmes, including parent support groups.</p>
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24.	Accelerate efforts to achieve the remaining millennium development goal targets, including goal 2 on universal primary education and goal 4 on reducing infant and under-5 mortality rates.	Malaysia 106.21	<p>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</p> <p>Georgia is working actively to meet all Millennium Development Goals including those on universal primary education and reduction of infant and under-5 mortality rates. Georgia will remain firmly committed to these efforts.</p>	Ministry of Labour, Health and Social Affairs	<p>Maternal, neonatal and child health aspects along with communicable disease interventions (immunization, HIV/AIDS, TB, Malaria, other) remains among core priorities for ensuring attainment of Millennium Development Goals (MDGs) and other international commitments.</p> <p>A Number of state healthcare programs are functioning to target achievement of MDGs in relation to infant and under-5 mortality reduction. Those programs include: immunization, antenatal care (including screening for HIV/AIDS, Syphilis and Hepatitis B) and management of complicated pregnancies, prenatal and infant screening programs, rare diseases and services targeted at early detection of child development problems.</p>	
COOPERATION WITH HUMAN RIGHTS MECHANISMS						

25.	Effectively address the recommendations of human rights treaty bodies and special procedures with respect to its human rights legislation, particularly on minorities, women and children, in order to bring them in line with international human rights law.	Jordan 105.21		Ministry of Justice	<p><i>Information on the protection of the rights of the child and women is provided in Rec.: 9.</i></p> <p>The Criminal Code of Georgia was amended in order to make motives of racial, linguistic, ethnic, national, religious, sexual orientation and gender identity intolerance as aggravating circumstances for the purposes of the Code. These amendments entered into force in March 27, 2012.</p> <p><i>Further information on the amendment of Criminal Code of Georgia regarding the discrimination is provided in Rec.: 9.</i></p> <p><i>Information on the elaboration of Law on Elimination of All Forms of Discrimination is provided in Rec.: 9.</i></p> <p>On July 5, 2011 the Civil Code of Georgia was amended to allow registration of religious groups as religious organisations (legal entity of public law) instead of non-profit organisations, as it was the case previously. To provide even more flexibility and inclusiveness to the process of acquiring legal status by religious groups, the Civil Code provisions allowing them to register as non-profit legal entities of private law were left intact. It is therefore up to a religious group to decide whether it wants to be established as a legal entity of private law (non-profit association) or as a legal entity of public law or operate as nonregistered (Article 1509¹). In either case, it will retain flexible and fully autonomous management structure (strict regulations</p>	
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					prescribed for legal entities of public law will not apply to religious associations) and will be eligible for all benefits provided by the Georgian legislation. National Agency of Public Registry is the eligible/authorised entity for the registration of religious organisations.	
	EQUALITY AND NON-DISCRIMINATION					
26.	Develop legislation and measures to implement it to better protect rights of women and ensuring gender equality.	Lithuania 106.27	<i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i> Georgia fully shares the recommendations that aim at strengthening the protection of women against discrimination and the promotion of	Gender Advisory Council under the chairperson of the Parliament of Georgia	With the support of the UN joint programme “For the Promotion of Gender Equality in Georgia” and under the initiative of the Inter-Agency Council on implementing measures for elimination of domestic violence, in order to eliminate existing omissions in Georgian legislation concerning domestic violence issues, to strengthen legal mechanisms for the protection rights of the victims of domestic violence, also to reflect in Georgian legislation the principles and norms declared by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, a package of amendments has been prepared which is already initiated in the Parliament of Georgia by the member of the Council, Guguli MAGHRADZE. According to the draft law, to the Law of Georgia on Combating Domestic Violence, Protection and Assistance of Victims of Domestic Violence will be supplemented by norms concerning the additional definition of the rights of the victims of domestic violence and guarantees	

			gender equality, and directs significant efforts towards gender mainstreaming.		of their protection. Works on the abovementioned initiative is almost finalized on the level of Committees. It will be adopted by the beginning of 2014.	
27.	Enhance measures to promote gender equality and gender mainstreaming in public institutions, policies and programs.	Philippines 106.30	Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011: <i>Refer to Rec.: 33.</i>	1. Ministry of Justice 2. Gender Equality Council at the Parliament of Georgia	The Georgian authorities have developed comprehensive policies and programs aimed at achieving women's equality with men, addressing all types of discrimination against women. For the implementation of this goal the Law on Gender Equality as well as Gender Equality Strategy and Action Plan 2011-2013 were adopted. Furthermore, on December 27, 2011, the Parliament of Georgia approved the 2012-2015 Georgian National Action Plan for implementation of the UN Security Council Resolutions N 1325, 1820, 1888, 1889 and 1960 on "Women, Peace and Security". In addition, 2014-2016 Gender Equality Action Plan is in the process of elaboration. Georgian Law on Gender Equality adopted on March 27, 2010, the by Parliament of Georgia provides equal rights of women and man. The Law on Gender Equality establishes the fundamental guarantees of equal rights, freedoms and opportunities of women and men granted by the Constitution, defines legal mechanisms and conditions for their implementation in relevant sectors of social life. It is worth to be mentioned that the Law prohibits domestic violence and violence from the society. In order to promote women participation in politics/political parties, Organic law on	The Concluding comments of CEDAW, 36th Session, 7-25 August 2006: The Committee recommends that gender mainstreaming as a strategy for achieving gender equality be introduced in all public institutions, policies and programmes, supported by gender training and the creation of a network of focal points in all sectoral Government ministries and offices. The Committee also recommends that the State party include specific time frames for the implementation of all policies and programmes aimed

				<p>Political Unions of Citizens was amended on December 28 2011. According to the amendment, an election subject, who receives funding according to the Georgian legislation, will receive the supplementary funding with the amount of 10% if in the submitted party list (in all party list – for the local government elections) among every 10 candidate gender differences is represented by at least 20%.</p> <p>The Gender Equality Council coordinates and exercises oversight over the ministries and sub-agencies activities in the field of gender equality protection and implementation, and provides recommendations for ensuring gender equality, as required. The Council annually submits a report on gender equality in Georgia to the Parliament of Georgia, and prepares reports on the fulfillment of obligations in terms of ensuring gender equality under international agreements.</p> <p>The representatives of governmental agencies and civil society are actively involved in the consultation meetings and trainings held by the UN Women in Georgia in cooperation with the Center for Security, Development and a Rule of Law (<i>hereinafter</i> DCAF). Furthermore, in July 2012 DCAF organized the Workshop on the Integration of Gender in the Security Sector for high level governmental officials. Furthermore, on 17-18 September, 2012 the Experts’ meeting was held on mainstreaming a Gender perspective into Security Sector Reform. NATO delegation arrived to introduce the efforts and developments of Georgia on Gender issues in security sector.</p>	<p>at achieving equality between women and men.</p>
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					<p>In addition, representatives of the Government of Georgia, as well as the members of local NGOs regularly participates in International training program on the “Implementation of UNSCR 1325 on Women, Peace and Security” organized by Swedish International Development Agency (SIDA).</p> <p>In July 2013, Training – “Gender Analysis of the Legislation” was held for the lawyers of the committees of the Parliament of Georgia.</p>	
28.	Further efforts to promulgate and implement focused legislation, action-oriented strategies and implementation in accordance with the adopted international standards as regards gender equality and non-discrimination, advancement of persons with disabilities and fully fledged opportunities for ethnic minorities. <i>(Accepted partially)</i>	Serbia 106.31	<p><i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i></p> <p>Georgia agrees that no one should face discrimination</p>	<p>1. Ministry of Justice</p> <p>2. National Security Council</p>	<p><i>Refer to Rec.: 9, 21 and 27.</i></p> <p>Pursuant to ECRI recommendations,² the amendments were introduced on 27.03.2012 to <i>the Criminal Code of Georgia</i>³ providing for offences committed on the grounds of race, colour, language, sex, sexual orientation, gender identity, age, religion, political or other views, disabilities, citizenship, social, national or ethnic belonging, origin, as well as property or class status, residence or any other discriminating ground containing a motive of intolerance to constitute an aggravating circumstance applicable to all relevant types of crimes. Before introduction of these amendments racial, religious, national</p>	

² ECRI report on Georgia, (forth monitoring cycle), Adopted on 28 April 2010, available at [www.coe.int], para. 11.

³ Article 53.3¹ of the Criminal Code of Georgia.

		<p>based on gender, ethnic origin or a disability and has taken significant steps to prevent such discrimination. Georgia will continue to ensure that its legislation and policies are in line with adopted international standards in these areas. Georgia, however, cannot accept the part of the recommendation asking to “promulgate” legislation to this end, because such decisions will be</p>		<p>or ethnic grounds were regarded as aggravating circumstances in connection of certain offences, namely, premeditated murder⁴, severe intentional damage to health⁵, assault⁶, disrespect to the deceased⁷, torture⁸, degrading or inhuman treatment⁹.</p> <p>On July 5, 2011 the Civil Code of Georgia was amended to allow registration of religious groups as legal entities of public law.</p>	
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⁴ Article 109

⁵ Article 117

⁶ Article 126

⁷ Article 258

⁸ Article 144¹

⁹ Article 144³

			made based on continued legislative analysis and in the event of a gap between adopted international standards and national laws.			
29.	Continue efforts to eliminate all forms of discrimination and violence against women, particularly in the labor market.	Ecuador 105.25		Ministry of Justice	<p><i>1. Amendments of Labor Code</i></p> <p>In December, 2012 the Government of Georgia started systemic and conceptual review of the Labor Code of Georgia with the aim to bring its labor laws to full compliance with the international labor conventions and incorporate best international practices. A special working group was set up within the Ministry of Justice and the representatives of different stakeholders as well as the experts of ILO to participate in the working process.</p> <p>The public presentation of the Draft Law was held on January 22, 2013. Draft Law was disseminated and was uploaded on the Ministry of Justice's official legislative web-page in order to collect feedback.</p> <p>The draft amendments were approved by the Government of Georgia in the beginning of March 2013 and presented to the Parliament of Georgia for consideration and adoption. The amendments entered into force on July 4, 2013.</p> <p>The amendments to the Labor Code with its</p>	<p><i>The Concluding comments of CEDAW, 36th Session, 7-25 August 2006:</i></p> <p>While noting the efforts of the State party to eliminate gender stereotypes from school textbooks at the primary school level, the Committee continues to be concerned about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society in Georgia, which are reflected in women's educational</p>

					<p>balanced approach and clear regulations represent a major step forward in the way of regulating labor relations in Georgia. At the same time, the Government of Georgia wishes to continue the work on the legislative level and introduce another wave of amendments to address the specific areas of labor law not covered by the adopted amendments.</p> <p style="text-align: center;"><i>2. Anti-Trafficking efforts</i></p> <p>Government of Georgia prioritizes combating trafficking in persons (hereinafter – TIP), including forced labour. For that reason, Government of Georgia adopted Law on Combating Trafficking in Human Beings in 2006, which aims to prevent, protect and prosecute trafficking offenders. In addition, the Criminal Code of Georgia criminalizes trafficking in persons. Furthermore, in order to enhance the mechanisms of legal protection of victims of trafficking, the Government of Georgia amended the Law on Trafficking in Human Beings in accordance with the recommendation of the Group of Experts on Action against Trafficking in Human Beings (GRETA) and inserted a new chapter IV1 in April 2012. New chapter IV1 of the Law refers to the social and legal protection, assistance and rehabilitation of the child victims. The amendments support to the development of the national legislation in accordance with the international standards.</p> <p>Apart from this, 2013-2014 TIP National Action Plan was adopted on March 15, 2013 under the Presidential Order. Furthermore, in April</p>	<p>choices, their situation in the labour market and their low level of participation in political and public life. It is concerned that girls and women in secondary schools and universities continue to choose study areas traditionally seen as “female areas”.</p> <p>18. The Committee encourages the State party to continue its efforts to eliminate gender stereotyping, and to strengthen the mainstreaming of gender perspectives in curricula and textbooks. It also requests the State party to enhance the training of teaching staff in regard to gender equality issues. The Committee urges the State party to disseminate information on the Convention in programmes in the</p>
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					<p>2013 Working Group (WG) was established under the Council to revise the legal framework on TIP and improve identified gaps in Georgian legislation. The WG is composed of the representatives from governmental and non-governmental agencies, as well as the representatives from international organizations and US Embassy. The WG elaborated the draft of amendment of the Note of Article 143¹ of Criminal Code of Georgia (TIP Article) in order to respond to the up to date challenges of trafficking in persons. After entry into force the amendments, the Criminal Code of Georgia will be more unambiguous in the light of TIP and its application will be considerably easier for investigatory as well as judicial bodies. The draft of the amendment was sent to UNODC for the expertise.</p> <p>Furthermore, another Working Group was established under the TIP Council to discuss finished TIP cases in order to reveal new trends of the crime. Prosecutors, judges, representatives of Ministry of Internal Affairs, Supreme Court and Secretariat of TIP Council participated in WG process.</p> <p>In addition, Government of Georgia acknowledges the importance of effective and proactive methods to detect and identify potential victims of trafficking in persons. For the implementation of proactive investigations, 3 inspection mobile groups were created. The mobile groups composed of two law enforcements under the Ministry of</p>	<p>educational system, including human rights education and gender training, with a view to changing existing stereotypical views on and attitudes towards women's and men's roles. It recommends that awareness-raising campaigns be addressed to both women and men and that the media be encouraged to project positive images of women and of the equal status and responsibilities of women and men in the private and public spheres. The Committee calls on the State party to further encourage diversification of the educational choices of boys and girls. It also urges the State party to encourage a public dialogue on the educational choices girls and women make and</p>
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					<p>Internal Affairs of Georgia regularly operate in the high risk areas, in order to identify trafficking cases. In 2013 mobile groups inspected in different regions of Georgia and interviewed prostitutes, including foreign citizens. As a result, the number of investigations as well as the prosecutions was increased compare to the last year.</p> <p>Apart from this, Government of Georgia prioritizes identification of “street children” and providing awareness-raising campaign for them and informs them regarding forced labour and sexual exploitation. For that aim, Central Criminal Police Department of Ministry of Internal Affairs of Georgia elaborated the action plan for the mobile groups, which are in charge of the issues related to the “street children”. Mobile groups periodically check and identify the “street children” and inform them about the crime of trafficking, forced labor and sexual exploitation. In this regard, the police closely cooperate with the State Fund for the Protection and Assistance of Victims (Statutory) of Trafficking (hereinafter – State Fund).</p> <p>Government of Georgia continues awareness raising campaign for general public and professional trainings for the governmental officials working on TIP issues. Number of meetings, round tables, TV and radio shows, seminars and trainings for different target groups devoted to TIP issues were organized.</p> <p>In addition Ministry of Justice of Georgia in</p>	<p>their subsequent opportunities and chances in the labour market.</p> <p><i>The Concluding comments of CEDAW, 36th Session, 7-25 August 2006:</i></p> <p>The Committee expresses concern that insufficient information was provided about women’s de facto situation in the formal and informal labour markets. The Committee continues to be concerned about the occupational segregation between women and men in the labour market and the gap in their wages. The Committee is concerned about the negative impact on women of the new labour code, which liberalizes the regulation of employment in</p>
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					<p>cooperation with different institutions held trainings with the aim to introduce the threat of the trafficking to the society. For that aim, in the end of January 2012, two grants were issued to the civil organizations “Lampari” and “Kutaisi Education Development and Employment Center” one in the East and other in the West Georgia focusing on fight against human trafficking. The projects were mainly of educational character aiming to raise awareness of the community regarding nature of trafficking, related threats and mechanisms combating trafficking. Over 1000 participants were involved in trainings/seminars on trafficking. The leaflets were disseminated after the trainings in the regions. Ministry of Justice will continue issuing grants for the local NGOs. Furthermore, TIP Council will assist and issue recommendations to local NGOs working on TIP related topics to the donors to get funding for their project</p> <p><i>Also Refer to Rec.: 9.</i></p>	<p>Georgia and does not include provisions on equal pay for work of equal value and against sexual harassment in the workplace.</p>
30.	<p>Ensure prevention of discrimination against women and adopt initiatives to ensure gender-sensitive poverty eradication programmes and strategies. <i>(Accepted partially)</i></p>	<p>Bangladesh 106.29</p>	<p><i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i> Georgia works</p>	<p>Ministry of Labour, Health and Social Affairs</p>	<p>Existing social protection system in Georgia includes provision of special groups with both monetary and non-monetary social assistance. Distribution of monetary social assistance is based on household necessities, regardless race, skin color, language, sex, religion, political and other views, national and ethnic belonging. Quantity of monetary assistance is equal for men and women. Services stipulated by the legislation are equally accessible for men and women. It should be noted, that one of the purposes of the “Implementing Action Plan Ensuring Gender Equality for 2011-2013”</p>	<p><i>The Concluding comments of CEDAW, 36th Session, 7-25 August 2006:</i> The Committee requests the State party to assess the impact of economic restructuring on women and mobilize adequate resources for that purpose. It</p>

			<p>diligently to ensure inadmissibility of gender based discrimination and has a comprehensive legal framework for this end. Nevertheless, Georgia cannot support the part of this recommendation asking specifically for the development of “gender-sensitive poverty eradication programmes and strategies”, since poverty-reduction efforts are needs-based and non-discriminatory on any ground, including gender.</p>		<p>adopted by the Parliament of Georgia is an analysis of legislation regulating social protection sphere and, accordingly, in collaboration with Gender Equality Council, line ministries, local self-government organs, interested international, donor and non-governmental organizations, evaluation of the legislation regulating social protection sphere on a gender ground and, if necessary, elaboration of recommendations.</p>	<p>requests the State party to ensure that all poverty alleviation programmes and strategies are gender-sensitive and take into account the needs of particularly vulnerable groups, including rural women, elderly women, women-headed households and internally displaced women and girls. The Committee urges the State party to increase women’s access to bank loans and other forms of financial credit, in accordance with article 13 of the Convention. The Committee requests the State party to include in its next periodic report information on the measures taken to improve the economic situation of women, particularly those belonging to vulnerable groups.</p>
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31.	Adopt new measures to strengthen the participation of women in the decision-making process.	Algeria 106.33	<p>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</p> <p>Georgia fully shares the recommendations that aim at strengthening the protection of women against discrimination and the promotion of gender equality, and directs significant efforts towards gender mainstreaming.</p>	<ol style="list-style-type: none"> 1. Ministry of Justice 2. National Security Council 3. Gender Equality Council of the Parliament of Georgia 	<p>In order to promote women participation in politics/political parties, Organic law on Political Unions of Citizens was amended on December 28 2011. According to the amendment election subject, who receives the funding according Georgian legislation, will receive the supplementary funding with the amount of 10% if in the submitted party list (in all party list – for the local government elections) among every 10 candidate gender differences is represented by at least 20%.</p> <p>On December 27, 2011, the Parliament of Georgia approved the 2012-2015 Georgian National Action Plan for implementation of the UN Security Council Resolutions NN 1325, 1820, 1888, 1889 and 1960 on “Women, Peace and Security”. The National Action Plan is built on four pillars: increasing the participation of women in the peace process and the security sector; preventing all forms of violence against women, especially those related to sex or gender; protecting women against all kinds of threats, and safeguarding their physical, mental and economical security; and addressing the specific needs of women during and after conflict periods. The first National Action Plan sets out some very important objectives, such as supporting the increase of participation of women in decision making at all levels; considering women’s issues in conflict prevention mechanisms; eliminating gender based violence and sexual violence; promoting zero tolerance towards sexual violence against women and girls; ensuring political, economic, social and</p>	<p>The Concluding comments of CEDAW, 36th Session, 7-25 August 2006:</p> <p>The Committee is concerned about the continuing underrepresentation of women in public and political life and in decision-making positions, including in diplomacy, the executive bodies of the Government and local government, as well as in Parliament.</p> <p>24. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendations 25 and 23, to accelerate women’s full and equal participation in elected and appointed bodies,</p>
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					<p>physical safety of conflict affected women and many more. Government of Georgia is taking appropriate steps to exclude any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.</p> <p>On November 24-25, 2011, training/information tour on “Strengthening importance of women in political and public life” was organized by the Training Center of the Ministry of Justice (MOJ) in collaboration with Civil International Development Agency. Women from different regions of Georgia were involved in the tour. The main aim of the project was to strengthen the active participation of women in political and public life and empower the cooperation between women with different background and possibilities. Apart from this on December 27-29, 2011 Conference on Gender Equality was organized by MOJ, the Higher Council of Justice and the UN Association Georgia. 24 participants from 5 regions of Georgia were involved in the conference.</p> <p>The National Action Plan on resolution 1325 was approved by the Parliament of Georgia on the 27th of December 2011. It sets out objectives, such as supporting the increase of participation of women in decision making at all levels.</p>	<p>including at the international level. Such measures should include the establishment of benchmarks, numerical goals and timetables, as well as conducting training programmes on leadership and negotiation skills for current and future women leaders. It further urges the State party to undertake awareness-raising campaigns about the importance of women’s participation in public and political life and at decision-making levels.</p>
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					<p><i>Proactive Programs carried out by MOJ:</i></p> <ol style="list-style-type: none"> 1. Training on the “strengthening importance of women in political and public life”; 2. Training on Gender Equality; 3. Fulfillment of the national legislation to provide women’s participation in political life; 4. Promotion of equal participation of men and women in political life; 5. Facilitation of women’s participation in official peaceful negotiations. 	
32.	Adopt measures to increase the level of representation of women in the legislative and executive bodies. <i>(Accepted partially)</i>	Bulgaria 106.34	<p><i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i></p> <p>Georgia accepts the spirit of these recommendations insofar as they call for increased participation of women in public life and has directed significant efforts to promote the</p>	<ol style="list-style-type: none"> 1. National Security Council 2. Gender Equality Council of the Parliament of Georgia 	<p>Amendments to the law on the Political Unions of Citizens provided financial incentives to political parties in order to encourage them to recruit women candidates in their party lists. According to the amendments the election subject will receive 10 % additional funding from state budget if in the submitted party list among every 10 candidate gender differences is represented by at least 20%. The same rule goes for the local government elections, but in this case not only in the submitted party lists but in all party lists.</p> <p>In collaboration with NGOs working on gender issues, the Gender Equality Council submitted for consideration to the Inter-fraction Group the initiative, which is introduced for consideration with the following formulation:</p> <p><i>“According to the new article (Paragraph 7¹ of the Article) of the law on Political Unities of Citizens, electoral subject that receives financing under the provisions of the Article, shall receive 30 percents adjunct on financing, if in the partial list submitted</i></p>	

			rights of women as described in its responses to recommendations 106.27 and 106.30. Georgia cannot, however, support the recommendations to the extent that they may entail the introduction of legislative quotas because political parties across the spectrum expressed opposition to this system throughout the recent drafting of the Gender Equality.		<p><i>by it (in case of elections of local self-government – in all partial lists) among every 10 candidates different gender is represented by at least 30 percents.”</i></p> <p>Working on the abovementioned initiative will be renewed during the spring session of the Parliament of Georgia.</p>	
	RIGHT TO LIFE, LIBERTY AND SECURITY OF THE PERSON					
33.	Implement the national plan of action against ill-treatment 2011-2013.	Republic of Moldova 105.28		Ministry of Justice	<p>An Inter-agency Coordinating Council against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment established by the Decree of the President in 2007.</p> <p>In 2010, the Council adopted a new Strategy</p>	

				<p>on Fight against Ill-treatment and its respective Action Plan.</p> <p>The new Strategy prioritizes development of effective complaint procedure for persons deprived of liberty, development of prompt, impartial and effective investigation of all allegations of ill-treatment, protection, compensation and rehabilitation of victims of ill-treatment, improvement of internal and external monitoring systems for early detection, prevention of ill-treatment in detention facilities and capacity building of relevant state and other institutions.</p> <p>The Council prepared evaluation report implementation of action plan for 2010-2011. The report was translated into English with the assistance of the CoE (translation is accessible at</p> <p>http://www.justice.gov.ge/Ministry/Department/310</p> <p>According to the report, following activities have carried out falling in scope of implementation of Strategy Action Plan:</p> <p>(a) New Criminal Procedure Code and Code of Imprisonment both came into force in October 2010. These legal instruments brought guarantees to avoid ill-treatment of participants of criminal proceedings.</p> <p>(b) Human Rights Unit of Chief Prosecutor's Office (<i>hereinafter</i>: Prosecution HRU) systematically records the facts of ill-</p>	
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					<p>treatment committed by public officials and visits to the places of deprivation of liberty in order to prevent ill treatment, and in cases where inhuman treatment exists.</p> <p>(c) Increased funding for Psycho-social rehabilitation for victims of ill-treatment.</p> <p>(d) Internal monitoring mechanisms are established and functioning within the Ministry of Corrections and Legal Assistance and Ministry of Internal Affairs.</p> <p>(e) Appropriate sanitary, hygienic conditions are established in the detention centers of Tbilisi International Airport with proper registration of people who were denied to grant a visa and placed in a detention.</p> <p>(f) An electronic recording system has been implemented within penitentiary establishments for further improvement of placement, registration and recording of the detainees.</p> <p>(g) External Monitoring Mechanisms: PDO NPM, CPT and SPT all have unimpeded access to places where liberty deprived people are allocated.</p> <p>(h) On the initiative of the Ministry of Corrections and Legal Assistance special envelopes have been prepared and made available to the prisoners.</p> <p>(i) From 2011 the Ministry of Labor, Health and Social Affairs has started the process of fundamental reform in the sphere of mental health. One of the main directions of the reform is the creation of long term and short term residences for persons with mental disabilities. By June 2011, the rehabilitation/reconstruction of 3 multi-profile</p>	
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					<p>(among them 1 private), 1 specialized clinics in Tbilisi and 3 specialized clinics in the regions has been completed.</p> <p>(j) New Penitentiary establishments have opened, new block in different penitentiary establishments were open, and some repair has been conducted in different penitentiary establishments.</p> <p>(K) Due to the incompliance with international standards, some of temporary detention isolators were abolished and many were renovated.</p> <p>(l) Funding allocated for the nutrition of each prisoner per month has significantly increased. The quality of the nutrition has increased in the entire system since the private food company was contracted by penitentiary establishments. In 2010 26 723 669,33 GEL was spent on the nutrition of the prisoners, in 2011, 28 066 000,00 GEL was allocated for the nutrition, and 13 385 351,42 GEL was spent by July.</p> <p>(m) Ministry of Internal Affairs (MIA) Academy dedicates considerable attention to training and retraining of police officers on legal aspects of use of force. The course on use of force is part of basic and continuous course and it is mandatory for all police officers. A curriculum has been designed by joint effort of police academy and international organizations and covers intensive course of tactical training, overview of national legislation and issues of human rights.</p> <p>(n) The students of the MIA academy also undergo a course on the use of special means. The course covers theoretical overview, as</p>	
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					<p>well as role play and simulations of use of minimal force in the process of search and arrest. By the end of the course, there is a practical examination, and failure to pass it shall result in the exclusion of the student from the academy.</p> <p>(o) In January- February 2011, MIA organized training in external examination for all employees of Temporary Detention Isolators (TDIs) throughout Georgia. The training was attended by competent officers of all TDIs. The training covered: external examination of persons placed in TDIs, also implementation of unified standard of terminology of the record.</p> <p>(p) On June 26 – 27, 2010 training on ill-treatment was held for the judges. It was attended by 22 judges. In the reporting period of 2011, namely in March 26-27, the training was conducted for 9 judges.</p>	
34.	Approve the plan of action 2011-2013 against torture and ill-treatment in the context of comprehensive measures to combat torture.	Kazakhstan 105.29		Ministry of Justice	<p>In 2010, the Council adopted a new Strategy on Fight against Ill-treatment and its respective Action Plan for 2011-2013. The reports on the implementation of the Action Plan are publicly available on the Ministry's website.</p> <p><i>For further details, please refer to Rec.: 33.</i></p>	
35.	Implement the recommendations made by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment in its September 2010 report, to improve the conditions of detention in its prisons.	Canada 105.30		<p>1. Ministry of Internal Affairs</p> <p>2. Ministry of Corrections and Legal Assistance</p>	<p>In response to the CPT September 2010 Report Recommendations, the following steps have been taken by the Main Division of Human Rights Protection and Monitoring of the Ministry of Internal Affairs of Georgia:</p> <ul style="list-style-type: none"> • The process of renovation and refurbishment of TDIs is ongoing. Since January 2011: 7 new isolators have been built. 5 isolators have been renovated. The process of refurbishment is ongoing and also 	

					<p>planned in several isolators.</p> <ul style="list-style-type: none">• According to Order №108 of the Minister of Internal Affairs of Georgia “On Approval of the Typical Regulation, Routine of Temporary Detention Isolators of the Ministry of Internal Affairs of Georgia and Additional Instruction Regulating the Activity of Isolators”, the occupancy of cells for a person subjected to administrative detention shall be at least 3 m² of living space. In this regard and in line with respective recommendations, active steps are taken to amend the existing legislation; also all TDIs which are being built or will be built in the future shall comply with the 4 m² cell occupancy standards.• Adequate lighting is ensured in all TDIs. Also all TDIs have a central heating system and appropriate conditions are provided for detainees.• According to the Ministerial Order №108, a person, against whom the court used administrative detention as a measure of administrative punishment for more than 7 days (in case of minors – more than 1 day), shall be ensured with the possibility to take a shower, twice a week. However, detainees are granted additional access to a shower upon request or in case of necessity. Active steps are taken in this regard to amend the existing legislation in the near future.• TDI administration provides detainees with essential personal hygiene products such as soap, hygienic paper, napkins. Also administrative detainees may receive one-time razor, toothbrush and tooth paste	
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					<p>through the means of a parcel.</p> <ul style="list-style-type: none"> • Outdoor exercises are provided to all administrative detainees who are detained for more than 7 days (in case of minors – more than 1 day). • In all TDIs detainees are offered books and magazines; their supply is also permissible via a parcel. Furthermore, a person, against whom the court used administrative detention as a measure of administrative punishment for more than 30 days (in case of minors – more than 15 days), shall have the right to meet family members and other persons, determined by the Ministerial Order №108 (close relatives; in case a person is a foreign national or a stateless person – consular or diplomatic representatives). <p>The Ministry of Corrections and Legal Assistance (MCLA) has given a full account of actions taken to implement the recommendations made by the CPT in its report of September 2010, as well recommendations provided in the report of March 2013 (See the response of the Georgian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or punishment (CPT)).</p>	
36.	Intensify efforts to eliminate excessive use of force by law enforcement officials and protect women in detention, and ensure that relevant allegations are investigated, in order to strengthen accountability and prevent	Cyprus 106.35		<ol style="list-style-type: none"> 1. Ministry of Justice 2. Ministry of Internal Affairs 	<p>The complaint boxes are placed in every penitentiary establishment, and are accessible for all inmates. According to the Code on Imprisonment, complaints on torture, inhuman and degrading treatment are considered as a special case and shall be</p>	<p>Conclusions and Recommendations of CAT, 36th Session, 1-19 May 2006:</p> <p>The State party should ensure the</p>

	future violations.			3. Ministry of Corrections and Legal Assistance	<p>reviewed immediately with due respect of confidentiality.</p> <p>In 2010 and 2011, the Penitentiary Department of MCLA proactively published and distributed 40 000 and 50 000 complain forms and envelopes for the prisoners that also included information about their rights and procedure for filing a complaint.</p> <ul style="list-style-type: none"> •Necessary safeguards have been inserted in the TDIs Staff Instruction, <i>inter alia</i> envisaging: the prohibition of discrimination based on sex; the duty of respecting the rights and special status of women; restricting the entry of male staff into the cells designed for female detainees, except for exceptional circumstances; •The number of female personnel was increased in TDIs in order to better ensure the protection of the rights of women in detention; •Trainings of TDIs personnel on human rights protection are periodically conducted; •In light with the transparency concept, video surveillance system has been installed in all TDI corridors guaranteeing the safety of detainees, preventing both ill-treatment of detainees by TDI staff and violence by detainees against the staff, conducting overall monitoring while respecting the privacy of detainees and better ensuring the protection of their human rights; •For the purposes of ensuring accountability of the police and due fulfilment of their 	protection of women in places of detention, and that clear procedures for complaints are established.
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					<p>duties, especially in interaction with the society, it is a positive novelty that each police officer (Patrol Police) carries portable cameras attached to their uniform, in order to guarantee that no procedural or human rights violations take place. In this regard it is also noteworthy that each police officer carries easily an identifiable badge with his/her name and surname engraved on it.</p> <ul style="list-style-type: none">•The role of the MIA General Inspection has been strengthened and its effectiveness raised through structural changes conducted therein. More precisely, new model of Disciplinary Persecution Division enables General Inspection to monitor and cover all structural units of the Ministry and to have a clear picture about the existing situation at the MIA, thus ensuring effective functioning of the integrated internal oversight mechanism. Furthermore, Main Division for Monitoring, Analysis and Coordination has been established within General Inspection, being responsible for centralized analysis of all data and information collected by divisions of the General Inspection. <p>To prevent torture or any other forms of ill treatment in the penitentiary system, internal monitoring mechanisms of MCLA have been strengthened.</p> <p>General Inspection of the MCLA along with Human Rights Monitoring Unit of the Penitentiary Department of the MCLA serves as deterrent to human rights violations in the</p>	
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					<p>penitentiary system. Newly drafted Statute of the Human Rights Monitoring Unit expanded its mandate and clearly defined its functions. Human Rights Monitoring Unit receives complaints and refers them to relevant institutions for consideration. Monitoring Unit is not only reactive but is proactive in its activities. It conducts regular as well as ad hoc visits to all penitentiary establishments (830 ad hoc visits since January 2013), receives applications/complaints and produces quarterly reports which are accessible to public. During the last 10 months (from January, 2013) Human Rights Monitoring Unit has received up to 1600 applications/complaints which were forwarded accordingly to various institutions for further consideration (General Inspection, Medical Department of MCLA, Prosecutor's office, etc).</p> <p>In addition, the Ministry through the Penitentiary and Probation Training Centre (<i>hereinafter</i> "PPTC") regularly trains/retrains prison staff on human rights (including a prohibition of torture, inhuman and degrading treatment).</p> <p>It is planned to publish booklets in Georgian as well as other foreign languages, where information on prisoner's rights and obligations will be reflected.</p>	
37.	Study meticulously the report of the Public Defender's Office and enact the recommendations made therein to ensure that the human rights of all people deprived of their liberty are	Netherland 105.31		<ol style="list-style-type: none"> 1. Ministry of Justice 2. Ministry of Internal 	Public defender has adopted two parliamentary reports in 2011 and 2012 and One annual report for 2011 on monitoring penitentiary establishments and temporary detention isolators. To fulfill	

	effectively protected.			Affairs	<p>recommendations suggested by PDO following measures have been taken:</p> <p>(a) Detailed statistics on the facts of ill-treatment exercised by the civil servants in order to facilitate thorough and comprehensive monitoring of the situation in the field of fight against torture is kept by the Chief Prosecutors office;</p> <p>(b) Chief Prosecutor exercises personal control over investigations into all the facts of ill-treatment during the detention and in the penitentiary establishment to ensure quick and efficient investigation.</p> <p>(c) the principle of summing up of sentences in Criminal Code was altered with the principle of absorption;</p> <p>(d) The number of employment of alternative measures to deprivation of liberty as well as of imposing less severe punishments has increased.</p> <p>2011-2013 National Action Plan and Strategy on Ill-treatment was adopted on May 10, 2011 under the Presidential Decree 250.</p> <p>Criminal Justice Reform – Strategy, Action Plans aimed at the protection of the human rights of detained persons. (Strategy, action plan and periodic reports on the implementation of action plans are publicly available).</p> <p>On December 13, 2008, by the Presidential Decree No591, the Criminal Justice Reform Inter-Agency Coordinating Council (<i>hereinafter</i> “CJR Council”) was established with</p>	
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					<p>overarching objective of developing Georgia's criminal justice policy. As an initiative it aims at strengthening the rule of law and developing secure environment for the community as a whole by: reducing the incidence of crime and delivering justice for all in line with the international human rights standards; increasing access to justice and assistance to victims of the crime; ensuring fair, speedy and equal procedure for persons charged with the crime; punishing guilty, while preventing them from re-offending; reducing prison overcrowding through use of pre and post trial alternatives and addressing the causes of the crime and providing appropriate community supervision, rehabilitation and reintegration of persons who committed the crime. CJR Council has broad membership including State institutions, donors/international organizations and national NGO. The invited membership is open to the representatives of the international organizations, NGOs and experts specializing in criminal justice issues. CJR Council's Secretariat has been established at the Ministry of Justice with responsibility for day to day management, coordination and monitoring of the processes and reforms. In 2010, CJR Council has adopted revised CJR Strategy and Action Plan through respective working groups in areas of Criminal Legislation (Criminal Code and CPC), Juvenile Justice, Penitentiary, Probation, Legal Aid, Prosecution and Judiciary. All relevant documents along with Progress Reports are publicly available at CJR Council's website in Georgian and</p>	
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					<p>English.¹⁰</p> <p>In response to the Public Defender's 2012 Report Recommendations:</p> <ul style="list-style-type: none"> • Concerning the right of notification of the fact of arrest or detention to family members or other persons by the accused person, enshrined in Article 38(10) of the Criminal Code of Georgia, police officers are adequately trained in this regard in order to ensure its proper implementation, regular monitoring is conducted over police actions and detainees' complaints are systematically reviewed. • In regard to amending the Ministerial Order №108 concerning access to shower and occupancy of cells standards, <i>see, rec. 35.</i> • Concerning the treatment of detainees in TDIs, and in Main Division of Human Rights Protection and Monitoring has taken the following steps: <ul style="list-style-type: none"> ▪ Out of 39 TDIs, wooden platforms remain only in 4 isolators (Tsalka, Akhalkalaki, Gardabani and Rustavi). In the mentioned isolators relevant steps are planned to be taken in the near future. ▪ All TDIs, except for 5 isolators in Kobuleti, Chokhatauri, Lentekhi, Dusheti and Akhaltsikhe are equipped with proper ventilation system; while in the mentioned 5 isolators ventilation is ensured only through natural means. ▪ In 19 TDIs toilets are isolated and located out of cells, while in other 	
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¹⁰ <http://www.justice.gov.ge/Ministry/Department/293>.

					<p>remaining cells – in-cells.</p> <ul style="list-style-type: none"> In TDIs food is provided to detainees three times a day. 	
38.	Continue to pursue appropriate policies to improve conditions in its detention facilities.	Slovakia 105.32		<p>1. Ministry of Internal Affairs</p> <p>2. Ministry of Corrections and Legal Assistance</p>	<p>In addition to the improvements mentioned under <i>Rec. 35 and 37</i>, the MIA Main Division of Human Rights Protection and Monitoring has conducted the following developments:</p> <ul style="list-style-type: none"> Since 2011 the renovation process of isolators' equipment is ongoing, wooden beds have been removed and instead, individual beds have been installed. Since January 2011: 7 new TDIs (in Lanchkhuti, Zestafoni, Samtredia, Khvareli, Baghdati, Photi and Marneuli) have been built; 5 isolators have been refurbished (Tbilisi №1 TDI, isolators in Telavi, Akhaltsikhe and Mestia, Tbilisi and Mtskheta-Mtianeti TDI); 3 isolators (in Kaspi, Khazbegi and Bolnisi) have been closed. <p>Establishments with very poor living conditions were closed down (Establishment №1 in Tbilisi and Establishment №4 in Zugdidi). The rest of establishments have been temporarily closed for reconstruction. Currently 24 infrastructural projects are in progress. These projects are aimed at improving living conditions of inmates by meeting European standards.</p> <p>The MCLA prepared a package of legislative amendments to the Code of Imprisonment. The amendments will soon be submitted to the Parliament of Georgia. Pursuant to the amendments, living space per inmate will be not less than 4 square meters in all</p>	<p>Conclusions and Recommendations of CAT, 36th Session, 1-19 May 2006:</p> <p>The Committee is concerned at the poor conditions of detention in many penitentiary facilities, particularly in the regions, as well as about the overcrowding that exists in many temporary detention centres, in particular pretrial detention centres (art. 11). The State party should consider: (a) further reducing the period of pretrial detention; (b) expediting the filling of vacancies in the court system; and (c) using alternative measures in cases where the accused does not pose a threat to society.</p>

					<p>penitentiary establishments. It is planned to increase a living space in establishment №6 and in high security type prison in Daba Laituri up to 7 square meters per inmate. Dorm type spaces will be replaced by cell type spaces in all penitentiary establishments.</p> <p>Reconstruction of special establishment for juvenile inmates has been finalized and a new school building was put into service.</p> <p>Current conditions in the penitentiary establishments are in accordance with the terms of international standards. Cells have windows, which provide natural lighting and ventilation. Toilets are isolated from the living area. Inmates in semi-open type establishments are able to take a shower every day, at any time of the day and in closed-type establishments - 2 times a week. A new target oriented food standard was introduced. The food standard with 11 various types of ratio corresponds to the needs of different category prisoners with different physical activities and health condition.</p>	
39.	Adopt measures to fight overcrowding in places of detention, by, for example, more frequently applying alternative sentences to the deprivation of liberty.	Switzerland 105.33		Ministry of Justice	<p>Within the framework of the Criminal Justice reform the Prison Overcrowding Concept was adopted. Penitentiary Reform Strategy as well as Concept on Addressing Prison Overcrowding stresses importance to increase use of pre and post-trial alternatives such as diversion among adults and juveniles, use of non-custodial measures and community service as a sanction.</p> <p>Amnesty Act was adopted by the Parliament</p>	<p>Conclusions and Recommendations of CAT, 36th Session, 1-19 May 2006:</p> <p>The Committee is concerned at the poor conditions of detention in many penitentiary facilities, particularly in the regions, as well</p>

					<p>on 21 December 2012; it entered into force on 12 January 2013. The Act envisaged several forms of amnesty such as release, halving of prison sentence or reducing it either by one-third or by one-fourth (according to the category of offence and characteristics of the prisoners). As a result number of inmates has significantly decreased in penitentiary establishments of Georgia.</p> <p>Principle of consecutive (cumulative) sentencing was removed from the Criminal Code of Georgia by law of 17 April 2013 and principle of absorption of sentences was introduced with having retroactive effect. As a result many prisoners were released.</p> <p>Conditional release mechanisms were employed more often.</p> <p>Compassionate release was employed more often by relevant commissions of MCLA.</p> <p>According to the statistics provided by MCLA Georgia, prison population has decreased from 21 420 (in October 2012) to 9349 (3 July 2013).</p> <p>Prosecutors are entitled to employ extensively non-custodial measures regarding the juveniles under the guidelines adopted for them. Custody as protective measure must be employed as a last resort and as extreme necessary.</p> <p>Prosecutors were trained regarding the</p>	<p>as about the overcrowding that exists in many temporary detention centres, in particular pretrial detention centres (art. 11). The State party should consider: (a) further reducing the period of pretrial detention; (b) expediting the filling of vacancies in the court system; and (c) using alternative measures in cases where the accused does not pose a threat to society.</p>
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					<p>abovementioned principles in Training Center of Ministry of Justice in 2011.</p> <p>Derivation mechanisms for adults were implemented in Criminal Procedure Code in 2011. Adult diversion program was launched on 25 October, 2011.</p> <p>Adult Diversion Program operates throughout the whole territory of Georgia. In 2011, 77 adults were diverted from criminal liability, whereas in 2012, 1247 adults were diverted.</p> <p>Number of imposing community service as punishment has increased.</p> <p>Juvenile Diversion and Mediation Program was launched in 15th November, 2010. By November 2013 476 juveniles have been diverted from criminal responsibility.</p>	
40.	Further address overcrowding in prisons and ensure that minimum standards are met.	Austria 105.34		<p>1. Ministry of Justice</p> <p>2. Ministry of Corrections of Legal Assistance</p>	<p><i>Refer to Rec.: 39.</i></p> <p>A number of reforms were carried out in the corrections system to address prison overcrowding.</p> <p>Adoption of the law on amnesty, intensive work of MCLA local councils, standing commission on early conditional release and the Joint Commission of MCLA and Ministry of Labour, Health and Social Affairs of Georgia made it possible to resolve prison overcrowding problem. According to the data as of October 21, 2013 total number of inmates at penitentiary establishments is 9207 while in October 21, 2012 total number of inmates was 21953. <i>(See, also information in</i></p>	<p><i>Conclusions and Recommendations of CAT, 36th Session, 1-19 May 2006:</i></p> <p>The Committee is concerned at the poor conditions of detention in many penitentiary facilities, particularly in the regions, as well as about the overcrowding that exists in many temporary detention centres, in particular</p>

					Rec.: 38 concerning the package of legislative amendments ensuring that minimum standards are met).	pretrial detention centres (art. 11). The State party should consider: (a) further reducing the period of pretrial detention; (b) expediting the filling of vacancies in the court system; and (c) using alternative measures in cases where the accused does not pose a threat to society.
41.	Increase efforts, in a result-oriented manner, so as to combat prison overcrowding and to improve the human rights situation of the people detained.	Greece 105.35		1. Ministry of Justice 2. Ministry Corrections and Legal Assistance	<i>Refer to Rec.: 38, 39 and 40.</i>	<i>Conclusions and Recommendations of CAT, 36th Session, 1-19 May 2006:</i> <i>Refer to Rec.: 40.</i>
42.	Improve conditions in Georgian prisons, including in relation to overcrowding and inadequate health care.	Australia 105.36		Ministry of Corrections and Legal Assistance	According to the 18 months Prison Healthcare Strategy 2013-2014 the main purpose of penitentiary healthcare reform is to provide inmates with timely and adequate medical service by qualified medical personnel, who regularly are trained, retrained and are working nonstop in the medical units of each penitentiary establishment. Along with Primary Healthcare Service which is accessible in all penitentiary establishments inmates are provided with a possibility to be transferred to a civilian medical institution for	<i>Conclusions and Recommendations of CAT, 36th Session, 1-19 May 2006:</i> <i>Refer to Rec.: 40.</i>

				<p>further medical assistance. During a year more than 7500 inmates have been transferred to civilian hospitals.</p> <p>In 2013 penitentiary healthcare budget was increased by 40% in 2013 compared to the previous years. As a result annual healthcare expense per inmate was increased from 181 US dollars to 760 US dollars.</p> <p>A new Rehabilitation Center for treating inmates infected with tuberculosis was opened, where three main criteria have been met, such as separation of patients with different forms of TB infection (MDR, XDR, Sensitive), independent regulation of airflows between the cells and departments, as well as inward and outward ventilation system and the special food ratio for TB infected inmates.</p> <p>National program for Prevention, Diagnostics and Treatment of Hepatitis C has been adopted recently and has already started functioning. The program will cover over 12 000 inmates with preventive interventions, 5000 inmates with HVB vaccination, 3000 inmates with in-depth diagnostics and 500/per year with treatment.</p> <p>Active prevention and control campaign against H1N1 infection resulted in zero cases of infection spreading among inmates. Massive vaccination and preventive activities for inmates and prison staff against measles has been also implemented.</p>	
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					<p>A supply of medications improved considerably. Annual expenditure per inmate in terms of medication was increased from 25 GEL to 128 GEL.</p> <p>A penitentiary healthcare drug standard has been adopted according to the WHO recommendations, which regulates the process of drugs classification, prescription, purchase and delivery.</p> <p>Protocol on releasing from dependency on psychotropic drugs has been developed and put into action. MCLA continues consistent campaign against dependency on psychotropic drugs.</p> <p>In 2013 the statute and format of the Joint Commission of the MCLA and the Ministry of Labor, Health and Social Affairs has been renewed. The renewed commission based on severe health conditions and elderly age has already released more than 80 convicts from sentence. This number significantly exceeds the number of convicts released throughout the 4 years since the Commission was established.</p> <p>The process of structural modernization, reequipping and personnel reshuffling was initiated in the Prison Referral Hospital. This process is planned to be completed by the end of the year.</p> <p><i>Refer to Rec.: 40.</i></p>	
43.	Take effective measures to safeguard the rights of prisoners and to improve	Sweden 105.37		1. Ministry of Labour,	By the Memorandum of Understanding between the Ministry of Corrections and Legal	Conclusions and Recommendations of

	<p>the living conditions, including medical and health services, for detainees.</p>			<p>Health and Social Affairs</p> <p>2. Ministry of Corrections and Legal Assistance</p>	<p>Assistance of Georgia and the Ministry of Labour, Health and Social Affairs of Georgia signed on November 25, 2011 the Health Protection Strategy of Penitentiary System for 2011-2013 was adopted.</p> <p>Under the Joint Order N44–N01-16/б of March 23, 2012 of the Minister for Corrections and Legal Assistance of Georgia and the Minister for Labour, Health and Social Affairs of Georgia A Action Plan for Health Protection Reformation of Penitentiary System was adopted.</p> <p>In order to develop primary health protection in prison and detention facilities, the following activities has been carried out: elaboration of medical personnel training programme; training of two cohorts of medical personnel with family doctor and general practice nurse profession; their trainings in additional modules (psychiatry, cardiology, farmacology); certification of trained doctors.</p> <p>In order to promote health the following activities has been carried out:</p> <p>a) Relevant trainings for medical and non-medical personnel of accused/convicted persons and distribution of eminent materials.</p> <p>b) In order to reduce harm, to treat drug-addicted persons and to extend psycho-social rehabilitation programmes, methadone detoxification programme was prolonged in prison and closed mixed type detention facility</p>	<p>CAT, 36th Session, 1-19 May 2006:</p> <p>The allocation by the State party of additional resources to improve standards in places of detention, in particular with respect to access to health, activities, training and living conditions.</p>
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					<p>N8 for 50 patients and the same programme was opened in the prison and open mixed type detention facility N2 in Kutaisi for 50 patients.</p> <p>c) Persons who are in prison and open detention facilities receive medical service defined by Tuberculosis management, psychical health and HIV-AIDS state programmes.</p> <p><i>Refer to Rec.: 38 and 42.</i></p>	
44.	Reinforce mechanisms for monitoring violence and sexual abuse within the family.	Bulgaria 105.38		<p>1. Ministry of Internal Affairs</p> <p>2. Inter-agency Council on Prevention of Domestic Violence</p>	<p>Deputy Minister of the Ministry of Internal Affairs of Georgia is a member of the Governmental Council on Combating Domestic Violence; the Council operates under its Action Plan and the MIA is actively involved in the fulfillment of its obligations in the following directions: development of internal regulation on domestic violence, rapid and effective response activities, qualification of personnel, awareness raising campaigns.</p> <p>In 2011 active work was undertaken to include the crime of domestic violence in the Criminal Code of Georgia. The respective legislative process commenced at the end of 2011 in the Parliament of Georgia. The work on inclusion of a new Article on crime of domestic violence was finalized in June 2012.</p> <p>In 2012 a working group was set up aimed at elaboration of the monitoring system for execution of issues envisaged by the protective and restrictive orders. Currently, the Ministry of Internal Affairs is elaborating an instruction on effective monitoring of</p>	

					executing issues envisaged by restrictive and protective orders.	
45.	Intensify efforts to combat domestic violence and violence against women.	Norway 105.39		<ol style="list-style-type: none"> 1. Ministry of Justice 2. Ministry of Internal Affairs 3. Inter-agency Council on Prevention of Domestic Violence 	<p><i>1. Criminalization of domestic violence</i></p> <p>The Government of Georgia criminalized domestic violence in June 2012. The new Article 126¹ of Criminal Code of Georgia defines domestic violence as coercion, systematic insult, blackmail, humiliation committed by one family member against another, which has given rise physical pain or suffer and has not produced the consequences referred to in Article 117 (intentional damage to health), Article 118 (less serious damage to health on purpose) or Article 120 (intentional light damage to health) of Criminal Code of Georgia. Pursuant to new Article 126¹ family members are: spouse, mother, father, grandfather, grandmother, son/daughter (stepchild), adopted child, adoptive parent, spouse of the adoptive parent, foster child, foster parents (foster family), guardian, grandson/granddaughter, brother, sister, parents of the spouse, brother in law, sister in law, former spouse, individuals who share/shared domestic household. Paragraph 2 of Article 126¹ envisages the aggravating circumstances for domestic violence.</p> <p>Apart from this, new Article 11¹ introduces novelty of categorization of domestic violence. Domestic crimes are crimes committed by one family member against another and envisaged by Criminal Code of Georgia under following Articles: 108, 109, 115, 117, 118, 120, 126, 126¹, 137-141, 143, 144-144³, 149-151, 160, 171, 253, 255, 255¹, 381¹, 381².</p>	<p>Concluding comments of CEDAW, 36th Session, 7-25 August 2006:</p> <p>The Committee recommends that the State party enhance its action beyond domestic violence to all forms of violence against women, in the light of the Committee's general recommendation 19.</p>

				<p>In addition, the Government of Georgia made a decision to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence. In this regard, special working group was established under the Domestic Violence Council in close cooperation with UN Women, UNICEF and other local NGOs which has elaborated the amendments to the national legislation related to domestic violence. The draft of amendments is represented to the Parliament for the further discussion.</p> <p style="text-align: center;"><i>2. Trainings on the issues related to domestic violence</i></p> <p>Trainings on domestic violence were held for prosecutors and police officers. In 2012 447 prosecutors, intern prosecutors and police officers were trained on domestic crime. The trainings were mainly concentrated to introduce domestic violence as a crime. The trainings also include issues related to violence against women, gender based violence and gender equality.</p> <p>The Legal Aid Service of Georgia has specifically trained lawyers with the support of the State Fund in the issues relevant to the convention targeting gender based violence, domestic violence related particular matters, as well as trafficking in persons, particularly women and children. The Legal Aid Service and the State Fund together with Police provide all necessary support to women to be encouraged and empowered to avail</p>	
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				<p>themselves of procedures and remedies for violations of their rights. All the above mentioned institutions as well as the educational institutions work actively on the dissemination of information via sustained awareness-raising and legal literacy training campaigns to target women, especially rural women and non-governmental organizations working on women's issues, including at times in very close partnership with UN Women, a variety of non-governmental organizations, particularly, in the regions of Georgia. The work shall be maintained, as the task of providing the sustained awareness-raising required constant work in the population at large.</p> <p>Apart from this on January 13, 2011, a Concept on Rehabilitation of Perpetrators of Domestic Violence was elaborated and approved under the Governmental Decree N55. In addition, on October 12, 2011 Police Guiding Manual on for the child referral mechanism was adopted under the Decree N826 of the Minister of Internal Affairs.</p> <p>In order to intensify efforts to combat domestic violence in Georgia 2011-2012 National Action Plan on Combating Domestic Violence and Protection of the Victims of Domestic Violence was adopted by N 27/-4/-2 Decree of the President of Georgia on 27 April 2011.</p> <p>According to the monitoring report on the Implementation of the aforesaid Action Plan</p>	
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				<p>elaborated in the framework of the UN Joint Programme <i>to Enhance Gender Equality in Georgia</i> overall the activities defined by the Action Plan have been carried out.</p> <p>The Action Plan for 2013-2015 on Combating Domestic Violence and Protection of the Victims of Domestic Violence was adopted by N 17/07/01 Decree of the President of Georgia on 17 July 2013. The Action Plan names three main goals: improvement of the mechanisms and the legislative base on prevention of domestic violence, protection and assistance of victims of domestic violence; protection, assistance and rehabilitation of domestic violence victims; prevention of domestic violence and raising awareness on domestic violence issues.</p> <p>With the initiative of the Interagency Council for the Prevention of Domestic violence was elaborated the Concept on Rehabilitation of Perpetrators of Domestic violence. On the basis of the Constitution of Georgia, the Law of Georgia on Elimination of Domestic Violence, Protection of and Support to its Victims of 2006 and other legislative acts of Georgia the Concept on Rehabilitation of Perpetrators of Domestic Violence was approved by the #55 Governmental Decree of 13 January 2011.</p> <p>In 2011 in order to implement a uniform standard of effective functioning of the State Shelters for Domestic Violence victims, internal regulations of the structural unit of</p>	
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					<p>the State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking (hereinafter "State Fund") – State Shelter for Domestic Violence Victims was approved by the order # 07-2/0 of the director of the State fund. In order to ensure that the employees of the State Shelters act in conformity with professional ethics and realize their duties and responsibilities the special Code of Ethics was approved by # 07-3/o order of the director of the State Fund.</p> <p>In 2011 active work was undertaken to include the crime of domestic violence in the Criminal Code of Georgia. The work was finalized in June 2012.</p> <p>Draft amendments to the National Referral Mechanism which represents a document for cooperation and mutual agreement between Georgian state institutions, international organizations and NGOs working on issues of domestic violence have been elaborated as well as draft amendments to the joint (# 152/б–#496–#45/n) order of the Minister of Labor, Health and Social Affairs of Georgia, the Minister of Internal Affairs of Georgia and the Minister of Education and Science of Georgia on the procedures for children's referral of 31 May 2010.</p> <p>Draft guidelines on protection and assistance of domestic violence victims for the health system employees as well as a document establishing standard for operating crisis centers have also been elaborated.</p>	
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				<p>In June 2013 the working group operating under the umbrella of the Inter-Agency Council Implementing Measures to Eliminate domestic violence in Georgia completed working on a package of amendments to a number of legal acts on domestic violence aimed at harmonization of the Georgian legislation with the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). The package comprises amendments to the following legal acts: the Law of Georgia on Prevention of Domestic Violence, Protection and Assistance of Victims of Domestic Violence; Administrative Procedure Code of Georgia; Code of Georgia on Administrative Offences; Criminal Code of Georgia; Criminal Procedure Code of Georgia, Civil Code of Georgia; Law of Georgia on Legal Status of Foreigners, Law of Georgia on Refugees and Humanitarian Status, Law of Georgia on Imprisonment; Law of Georgia on Probation; Law of Georgia on Medical Activity; Law of Georgia on Legal Aid. The amendments will be adopted by the Parliament of Georgia until the end of 2013. It shall be herewith mentioned that it is planned to sign the Istanbul Convention in the nearest future.</p> <p>It is particularly noteworthy that one of the effective mechanisms for protection of domestic violence victims –restrictive orders issued by police and protective orders by the Court – are used in practice and there is a</p>	
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				<p>gradual increase in their employment. In 2011 there were issued 258 restrictive orders (in comparison with 2009-176 orders; in 2010 – 182 orders). In 2011 there were issued 52 protective orders (in comparison with 2009-30 orders; 2010- 44 orders). In 2012 were issued 316 restrictive orders. It shall be herewith mentioned that the Ministry of Internal Affairs is elaborating an instruction on effective monitoring of executing issues envisaged by restrictive and protective orders. The services for the domestic violence victims have been provided without impediments. The hotlines for domestic violence victims have been operating smoothly.</p> <p>In 2011 the nation wide, 24/7, toll free hotline for domestic violence victims received 1008 calls. In 2012 - 604 calls In 2013 - 776 calls. There also operate hotlines of the Ministry of Internal Affairs of Georgia (112) and of the Ministry of Labor, Health and Social Affairs of Georgia (2309903).</p> <p>Since 2011 the expenses of the State shelters operating in Tbilisi and Gori, including the salaries of the staff, as well as the operational expenses and the expenses for the victims living in the shelters have been envisaged by the budget of the State fund.</p> <p>In 2012 a new State shelter was opened in Kutaisi, which at present operates within the framework of UN Women project.</p> <p>The State Shelters have been operating</p>	
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				<p>without impediments. The shelters provide the following services (free of charge) to victims of domestic violence:</p> <ul style="list-style-type: none"> • Secure place of residence with decent living conditions; • Food and clothes; • Medical assistance; • Psychological consultations; • Legal aid and court representation; • Provision of relevant information; Provision of the assistance of the lawyer in case of necessity; • Participation in short and long term rehabilitation and reintegration programs <p>In 2011 the State shelter in Tbilisi had 84 beneficiaries; in 2012 - 55 beneficiaries; in 2013 - 87 beneficiaries (until October 2013). It has to be mentioned that local NGOs (Anti-violence Network of Georgia, Advice Center for Women – Sakhli) also run shelters for domestic violence victims.</p> <p>Victims of domestic violence are provided with psychological, legal and medical assistance no matter whether they are placed in shelters or not.</p> <p>It shall be herewith mentioned that apart from the respective organs of the Ministry of Internal Affairs and the Court the status of domestic violence victim can be granted by the Victim Identification Group operating under the Interagency Council. 94 persons have already been granted domestic violence victim status by the abovementioned group.</p>	
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				<p>In 2011 the State Fund provided psychological consultations to 34 persons, Antiviolence Network of Georgia provided 402 consultations, Advice Center for Women "Sakhli" provided 235 individual and 101 consultations in groups.</p> <p>In 2012 the State Fund provided psychological consultations to 63 persons, Antiviolence Network of Georgia to - 68 persons, Advice Center for Women "Sakhli also provided physiological consultations.</p> <p>In 2013 the State Fund provided psychological consultations to 62 persons, Antiviolence Network of Georgia to - 58 persons, Advice Center for Women "Sakhli also provided physiological consultations.</p> <p>Legal advice is provided to the victims of domestic violence by the State bodies as well as by local NGOs. In 2011 the State Fund rendered general consultations to 136 persons and provided 16 persons with legal consultations. In 2012 21 persons were provided with legal consultations, in 2013 – 50.</p> <p>Medical service is also provided by the State Fund. In 2011 26 persons were provided with the service. In 2012 – 35; in 2013 – 62 persons. The State Fund and local NGOs facilitate rehabilitation, economic empowerment of victims.</p>	
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46.	Give a prominent role to civil society – not least women's organizations – in efforts to address domestic violence and violence against women and place	Norway 105.40		1. Ministry of Labour, Health and Social Affairs	Activities of the State Fund in the field of trafficking is demonstrated by providing the following services to the victims of trafficking:	Concluding comments of CEDAW, 36th Session, 7-25 August 2006:

	<p>focus on strengthening public awareness.</p>			<p>2. Inter-agency Council on Prevention of Domestic Violence</p>	<p>a) Medical, legal and psychological assistance; b) Hotline services; c) Shelter services – By the reporting period, two trafficking (in Tbilisi and Batumi) and two domestic violence (in Tbilisi and Gori) shelters is being operated. In 2013, it is planned to open new shelters for victims of domestic violence in Kutaisi. The trafficking shelter provides for services to the persons suffering from moral, physical, property damage as a result of crime of trafficking and who has status of victim of trafficking in accordance with the Georgian legislation. In 2011 service was provided to 6 adult and 2 juvenile beneficiaries and by 2012 - to 7 adult and 6 juvenile persons. The domestic violence shelter provides for services to persons, who as a result of domestic violence suffered physical, phsycological, sexual and economic violence or compulsion and has the status of victim of domestic violence according to the Georgian legislation. In 2011 in the shelter service was provided to 36 adult and 53 juvenile beneficiaries and in 2012 – to 38 adult and 50 juvenile persons. d) Compensation for victims of trafficking; e) Reintegration/rehabilitation programmes for victims of trafficking.</p> <p>In order to raise awareness and to prevent, an information campaign is being carried out:</p> <p>a) Informational and educational meetings were held for various groups. In particular: shelter employees, consulates, journalists, judges;</p>	<p>The Committee urges the State party to place high priority on the implementation of the Law on the Elimination of Domestic Violence, Protection and Assistance of the Victims of Domestic Violence and to make it widely known to public officials and society at large, and also to complete and implement promptly the national action plan to combat domestic violence, which is under preparation. The Committee calls upon the State party to ensure that all women who are victims of domestic violence, including rural women, have access to immediate means of redress and protection, including protection orders, and access to a sufficient number of safe shelters and</p>
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					<p>b) TV/radio shows were prepared; c) Advertisement billboards were placed; d) Public discussions were held.</p> <p>Unified standards for activities of shelters have been elaborated.</p> <p>Trainings were held for raising qualification and skills of employees.</p> <p>The awareness raising campaign was conducted in Georgia on the issues of Domestic Violence covers various initiatives, events, trainings, meetings, informative materials etc., as presented below.</p> <p>In 2011, in order to raise awareness of pupils, the Chairperson of the State Inter-agency Council for Prevention of Domestic Violence (hereinafter “Inter-agency Council”), as well as the Chairperson of the Parliamentary Gender Equality Council met pupils at schools. Meetings were held with the students of Universities and the academic personnel as well.</p> <p>A University course “Main issues of Gender Equality and Combating Domestic Violence” was included in the course of the social sciences faculty as a selective subject at the Tbilisi State University.</p> <p>The Anti-violence Network Georgia organized more than 30 meetings with the population all over Georgia during which, among other matters, issues concerning domestic violence were discussed.</p>	<p>legal aid. It calls on the State party to ensure that public officials, especially law enforcement personnel, the judiciary, health-care providers and social workers, are fully familiar with applicable legal provisions, and are sensitized to all forms of violence against women and adequately respond to them. It urges the State party to conduct research on the prevalence, causes and consequences of domestic violence to serve as the basis for comprehensive and targeted intervention and to include the results of such research in its next periodic report. The Committee recommends that the State party enhance its action beyond domestic violence to all forms of violence</p>
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					<p>On the initiative of the Inter-agency Council, an informative meeting was held with the representatives of ethnic minorities.</p> <p>A conference was organized in cooperation with the Georgian Rugby Union (GRU) and the International Rugby Board (IRB) devoted to the joining of the UN Secretary General's "UNITE to End Violence against Women" Campaign by the rugby players in the International Rugby Board's (IRB) Junior World Rugby Trophy, Georgia 2011.</p> <p>In the framework of the UN Women's cooperation with the Georgian Rugby Union and the IRB, UN Women developed information/communication materials such as t-shirts and brochures for the dissemination during the Junior World Rugby Trophy games to promote domestic violence hotline 2 309 903 and encourage zero tolerance towards the practice of domestic violence in Georgia.</p> <p>In addition, the famous Georgian rugby players met with the inmates of juvenile correction facility in Tbilisi in the framework of the UNICEF project on May 29, 2011. At the meeting, the rugby players distributed 200 t-shirts. The rugby players called on the juveniles to also condemn violence.</p> <p>It has to be underlined that in the basic course of the academy of the Ministry of Internal Affairs of Georgia a course on domestic violence is included.</p>	<p>against women, in the light of the Committee's general recommendation 19. The Committee also recommends that consideration be given to addressing the problem of marital rape.</p>
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				<p>In 2011, trainings were held for 434 employees of the Ministry of Internal Affairs of Georgia in cooperation with Anti-violence Network Georgia and the State Fund.</p> <p>The Social Service Agency in cooperation with the NGO "Public Health and Medicine Development Fund of Georgia" elaborated training program concerning referral in case of violence against children. On the basis of the program trainings were held for the Social Service Agency employees.</p> <p>Advice Center for Women "Sakhli" held trainings for the school and kinder-garden teachers. The Center organized informative meetings with IDPs.</p> <p>A training was conducted in cooperation with NGO "Public Health and Medicine Development Fund of Georgia" for senior social workers and the Ministry of Education and Social Science.</p> <p>The State Fund conducted trainings for the representatives of administration of the State shelters.</p> <p>The Ministry of Internal Affairs of Georgia in cooperation with the State Fund and the Anti-Violence Network Georgia printed more than 18 000 leaflets and booklets concerning domestic violence issues and distributed them in different regions of Georgia.</p>	
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				<p>In 2011 the issue of domestic violence was covered by a number of TV channels, radio stations and by the printed media. Specially created PSAs were broadcasted on different Georgian channels.</p> <p>In 2012 on the initiative of the Ministry of Justice and participation of the State Fund trainings were held for the employees of the Ministry of Internal Affairs and the Prosecutor's Office.</p> <p>With participation of the Ministry of Internal Affairs, Anti-Violence Network of Georgia, NGO "Adra", Georgian Young Lawyers' Association trainings were held for 60 employees of the Ministry of Internal Affairs.</p> <p>A Conference, <i>inter alia</i>, on the issues of domestic violence for women employees of the Ministry of Internal Affairs of Georgia was organized by the International Narcotics and law Enforcements Affairs office (INL) of the U.S. Embassy. 142 women attended the conference.</p> <p>The State fund in cooperation with UNHCR conducted trainings in Pankisi Gorge on the issues of domestic violence.</p> <p>The State Fund in cooperation with the Ministry of Labor, Health and Social Affairs organized trainings for the domestic violence hotline operators.</p> <p>The Anti Violence Network of Georgia in</p>	
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				<p>cooperation with the State Fund organized trainings for the employees of the State Shelters for domestic violence victims.</p> <p>The Anti-violence Network Georgia organized lectures "Education of youth on domestic violence issues" the lecture was attended by 600 10th grade school pupils of Tbilisi.</p> <p>On the initiative of the Interagency Council for the Prevention of Domestic Violence trainings were held for over 200 teachers and methodologists of kinder gardens in 5 different districts of Tbilisi.</p> <p>Trainings were held for 392 social workers and school guards all over Tbilisi concerning violence against children.</p> <p>The Council of Europe together with UN Women, the Interagency Council for the Prevention of Domestic Violence of Georgia and the Constitutional Court of Georgia organized a regional seminar in promotion of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).</p> <p>In 2012 informative brochures were prepared by the State Fund which was distributed all over Georgia.</p> <p>In 2013 more than 200 employees of the Ministry of Internal Affairs of Georgia and 43 prosecutors all over Georgia attended</p>	
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					<p>trainings on domestic violence issues.</p> <p>Trainings were conducted for 31 employees of the State shelters and the employees of the Shelters operating under NGOs.</p> <p>5 meetings on domestic violence were held with the participation of the representatives of the Ministry of Internal Affairs, Prosecutors, Judges, representatives of Social Service Agencies in different parts of Georgia.</p> <p>A separate chapter dedicated to domestic violence was included in the manual - "Legal Culture" intended for the 9-th grade students of public schools.</p> <p>With the initiative of the State Fund was organized a Conference "Domestic Violence and Criminal Legislation".</p> <p>With the initiative of NGO anti Violence Network of Georgia meeting were held in different parts of Georgia for various target groups - representatives of ethnic minorities; internally displaced persons; representatives of the Clergy. The problem of domestic violence against children was discussed during the meeting. Meetings were also held in 3 schools located in different cities of Georgia. The aforesaid meetings were attended by 76 pupils.</p> <p>UN Women in partnership with the Ministry of Culture and Monuments Protection of Georgia and the Marjanishvili State Drama Theatre</p>	
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					<p>carried out a special initiative - play writers' competition on domestic violence aiming to raise awareness on the problem of violence against women and in particular domestic violence among the general public promoting public discussion on these topics and thus encouraging attitudinal changes in the society in a longer run. In the frameworks of this initiative three plays were staged in different theatres of Georgia.</p> <p>Starting from January 2013, in total 6 outdoor billboards promoting the domestic violence hotline are placed in Tbilisi, 2 in Samegrelo and 2 in Kakheti. 3 000 t-shirts, 400 boxing gloves and 300 Rugby balls promoting the UN Secretary General's Campaign – "Unite to End Violence against Women" were produced and distributed throughout Georgia during the campaign events.</p> <p>Opinion leaders, famous writers have been used for promoting hotline for victims of domestic violence and zero tolerance toward domestic violence. In total 3 meetings in Tbilisi, Telavi and Zugdidi were conducted in partnership with the USAID civic engagement centers and Tbilisi Javakhishvili state University. The opinion leaders have also been separately working as volunteers spreading their word in different audiences on DV issues.</p> <p>Since 2011 Georgian Rugby Union in partnership with UN Women has been conducting different outreach activities throughout Georgia. In July 2013, during</p>	
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					<p>Batumi International Beach Rugby Tournament 8 matches were fully dedicated to the elimination of violence against women and domestic violence. One pre-match press conference was held with the Georgian Rugby Union (GRU) and Beach Rugby Union with the special focus on elimination of violence against women and domestic violence. During all these matches hotline outdoor advertisements – Banners, the campaign promo t-shirts for the players and fans with the hotline number were distributed. Popular rugby players: have participated in 6 meetings on domestic violence issues with the high school boys in Samegrelo and Kakheti.</p> <p>During the past 3 years the issue of domestic violence has been covered by a number of TV channels, radio stations, and print media. Specially created PSAs have been broadcasted by different Georgian channels.</p>	
47.	Ensure that there is an accessible mechanism to register cases of domestic violence and provide legal, medical and psychological advice to victims.	Mexico 105.41		<p>1. Ministry of Labour, Health and Social Affairs</p> <p>2. Ministry of Internal Affairs</p> <p>3. Inter-agency Council on Prevention of Domestic Violence</p>	<p>Analysis on cases of beneficiaries of the State Fund is annually conducted by the Fund, including cases of victims referred by the investigation on cases launched.</p> <p>State Fund ensure the coordination of referral system, proper functioning of victim identification group, protection, assistance and reference of the victims of domestic violence in the system of asylums and crisis centres, implements organization, coordination, management and control of structural entity.</p> <p>In this regard it should be highlighted that all</p>	<p>Concluding comments of CEDAW, 36th Session, 7-25 August 2006:</p> <p><i>Refer to Rec.: 45.</i></p>

				<p>cases of domestic violence are registered by the Ministry: if case contains the elements of domestic violence, the police issues a restrictive order; otherwise a police officer fills in the Protocol on Domestic Conflicts, describing a situation which does not amount to domestic violence, though still registering the case.</p> <p>In 2011 the Ministry of Internal Affairs of Georgia, the State Fund and the Court agreed upon the common standard of collecting statistics on domestic violence cases. It is planned to elaborate a document establishing a common standard of collecting data on domestic violence cases by all respective bodies. It is noteworthy that the State Fund introduced a unified electronic database for the beneficiaries of State shelters for domestic violence victims.</p> <p>In Georgia, victims of domestic violence are provided with legal, medical and psychological advice.</p> <p>In 2011 the State Fund provided psychological consultations to 34 persons, Antiviolence Network of Georgia provided 402 consultations, Advice Center for Women "Sakhli" provided 235 individual and 101 consultations in groups.</p> <p>In 2012 the State Fund provided psychological consultations to 63 persons, Antiviolence Network of Georgia to - 68 persons, Advice Center for Women "Sakhli" also provided psychological consultations.</p>	
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					<p>In 2013 the State Fund provided psychological consultations to 62 persons, Antiviolence Network of Georgia to - 58 persons, Advice Center for Women "Sakhli also provided physiological consultations.</p> <p>Legal advice is provided to the victims of domestic violence by the State bodies as well as by local NGOs. In 2011 the State Fund rendered general consultations to 136 persons and provided 16 persons with legal consultations. In 2012 21 persons were provided with legal consultations, in 2013 – 50.</p> <p>Medical service is also provided by the State Fund. In 2011 26 persons were provided with the service. In 2012 – 35; in 2013 – 62 persons.</p>	
48.	Continue efforts to prevent, punish and eliminate all forms of violence against women, and to overcome the stereotypes that cause gender discrimination.	Argentina 105.42		<p>1. Ministry of Justice</p> <p>2. Ministry of Internal Affairs</p>	<p><i>Refer to Rec. 9, 25, 27, 31 and 45.</i></p> <p>The Law of Georgia on Domestic Violence does not differentiate among family members on the basis of gender and offers equal treatment to all its beneficiaries.</p> <p>It should be mentioned that the MIA Deputy Minister is a member of the Governmental Council on Combating Domestic Violence; the Council operates under its Action Plan and the MIA is actively involved in the fulfillment of its obligations in the following directions: development of internal regulation on domestic violence, rapid and effective response activities, qualification of personnel, awareness raising campaigns.</p>	<p>Concluding comments of CEDAW, 36th Session, 7-25 August 2006:</p> <p><i>Refer to Rec.: 45.</i></p>
49.	Continue efforts to eliminate domestic	Iraq		1. Ministry of	<i>Refer to Rec.: 44 and 45.</i>	Concluding

	<p>violence against women and ensure that women are economically empowered.</p>	105.43		<p>Internal Affairs</p> <p>2. Inter-agency Council on Prevention of Domestic Violence</p>	<p>As to the economic empowerment of women, it has to be mentioned that the Georgian Women's Employment Support Association "Amagdari" ensures professional and economic rehabilitation of women. The Association created a computer based bank of beneficiaries. The Association differentiates the beneficiaries according to the perspective of employment; ensures their trainings and retraining, facilitates their internships, professional employment and economic empowerment. The association provides free consultations in legal matters especially in employment rights, social rights as well as in business issues.</p> <p>In 2011 the Association rendered service to 267 beneficiaries. Trainings were organized for 87 persons; internships were provided for - 34. Jobs were found for 70 women, consultations were provided to 76 women.</p> <p>In 2012 "Amagdari" supported 310 beneficiaries. Trainings were organized for 149 persons; internships were provided to - 19. Jobs were found for 54 women, consultations were provided to 88 women.</p> <p>In 2013 (until October 2013) "Amagdari" supported 155 beneficiaries. Trainings were organized for 25 persons; internships were provided to – 6. Jobs were found for 36 women, consultations were provided to 63 women.</p>	<p>comments of CEDAW, 36th Session, 7-25 August 2006:</p> <p>The Committee requests the State party to assess the impact of economic restructuring on women and mobilize adequate resources for that purpose. It requests the State party to ensure that all poverty alleviation programmes and strategies are gender-sensitive and take into account the needs of particularly vulnerable groups, including rural women, elderly women, women-headed households and internally displaced women and girls. The Committee urges the State party to increase women's access to bank loans and other forms of financial credit, in accordance with article 13 of the Convention. The</p>
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					<p>Women’s Consultation Center “Sakhli” also helps women to find job and provides them different trainings.</p> <p>State Fund also helps their beneficiaries to find job and attend different trainings. (DV)</p>	<p>Committee requests the State party to include in its next periodic report information on the measures taken to improve the economic situation of women, particularly those belonging to vulnerable groups.</p>
50.	<p>Take steps to prevent child labour by formulating a strategy to eliminate the worst forms of child labour.</p>	<p>Bulgaria 105.44</p>		<p>Ministry of Labour, Health and Social Affairs</p>	<p>According to the Labour Code of Georgia, labour capacity of individuals arises from the age of 16 by the consent of his/her legal representative or guardianship agencies, if labour relation does not resist the interests of juvenile, does not harm his/her moral, physical and mental development and does not derogate his/her right and possibility to receive basic education.</p> <p>Conclusion of labour treaty with juveniles under 14 is possible for activities related only to spheres of sport, art and culture, also for advertisement works.</p> <p>According to Labour Code of Georgia, conclusion with juveniles’ labour treaties that envisages hard, unhealthy and dangerous work is forbidden, that excludes children employment in mines and quarries. Processed industry, buildings, electro, gas and water supply services, transport, stocks and communication services, and also in plantations and other agricultural enterprises, which produces production mostly for</p>	<p>Concluding observations of CRC, 48th Session, 23 June 2008:</p> <p>Formulating, in a participatory manner, a strategy to prevent child labour and eliminate the worst forms of child labour and to safeguard the rights of children who are legally allowed to work.</p>

					<p>commercial ends.</p> <p>In accordance with the Georgian legislation in force, employment of juveniles in night works is forbidden. Also, employment in work relating to gaming business, night entertainment places, erotic and pornographic production, production, transportation and realization pharmaceutical and toxic substances.</p> <p>Legal representative or guardianship agencies of juvenile persons have the rights to require termination of labour treaty, if continuation of work will damage juvenile's life, health and other significant interests.</p>	
51.	Adopt specific measures to improve effectively the situation of children living in the streets of big cities and children with disabilities.	Algeria 105.45		Ministry of Labour, Health and Social Affairs	<p>In 2012, within the framework of an initiative of assistance of extremely vulnerable children, particularly of children living and/or working in the street a Coordinating Council was established, which works on this matter.</p> <p>The State, in collaboration with donor organizations, actively works to develop relevant services for homeless children. In 2013, forms of services, as well as their covered area will be extended.</p> <p>In 2013, in order to identify, evaluate and assist children/families living and/or working in streets, it is planned to set up mobile groups and develop alternative services for them in order to promote combining them in entire state social protection system, returning them to their biological families, and accommodating in family type environment.</p>	<p>Concluding observations of CRC, 48th Session, 23 June 2008:</p> <p>Provide street children with recovery and social reintegration services, taking into account their views in accordance with article 12 of the Convention, and provide them with adequate nutrition, housing, necessary healthcare and educational opportunities; (b) Carry out a</p>

						<p>comprehensive study to assess the scope, nature and root causes of the presence of street children in the country in order to develop a national policy for prevention;</p> <p>(c) Ensure that the availability of shelters is sufficient, in Tbilisi as well as in other parts of the country;</p> <p>(d) Develop a policy for family reunification where possible and in the best interests of the child;</p> <p>(e) Conduct public awareness campaigns to address the stigma attached to street children; and</p> <p>(f) Collaborate with NGOs and seek technical assistance from, inter alia, UNICEF.</p>
52.	Provide children who work or live in the streets with recovery and social reintegration services.	Hungary 106.37	Views on conclusions and/or	Ministry of Labour, Health and	<i>Refer to Rec.: 51.</i> Children's Crisis Centre operates in the Capital.	Concluding observations of CRC, 48th Session, 23 June

			<p>recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</p> <p>Georgia is firmly committed to enhancing the protection and reintegration of street children and has taken significant steps towards these ends, including the creation of designated day-care centers, pursuant to 2008-2011 Governmental Action Plan on Child Welfare.</p>	Social Affairs	<p>It constitutes a specialized daily institution, which provides 24 hours service to children, who live or/and work in the street, are victims of violence, trafficking, labour and other forms of exploitation, are not provide with safe and reliable living environment. In 2011, service was provided to 38 beneficiaries, in 2012 – to 33 in the Crisis Centre.</p>	<p>2008:</p> <p>Provide street children with recovery and social reintegration services, taking into account their views in accordance with article 12 of the Convention, and provide them with adequate nutrition, housing, necessary healthcare and educational opportunities;</p> <p>(b) Carry out a comprehensive study to assess the scope, nature and root causes of the presence of street children in the country in order to develop a national policy for prevention;</p> <p>(c) Ensure that the availability of shelters is sufficient, in Tbilisi as well as in other parts of the country;</p> <p>(d) Develop a policy for family reunification where possible and in the</p>
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						best interests of the child; (e) Conduct public awareness campaigns to address the stigma attached to street children; and (f) Collaborate with NGOs and seek technical assistance from, inter alia, UNICEF.
	ADMINISTRATION OF JUSTICE AND THE RULE OF LAW					
53.	Continue to strengthen and effectively implement the rule of law, especially through an effective reform of the judicial system, and to strengthen democratic institutions.	Latvia 105.47		1. High Council of Justice 2. Supreme Court	High Council of Justice (HCoJ) initiated series of legislative amendments, aimed at strengthening the independence and transparency of the judiciary. Key points of the amendments shall be summarized as follows: <i>Amendments to the Organic Law of Georgia on the Courts of General Jurisdiction</i> <ul style="list-style-type: none"> • The representatives of the executive branch are now excluded from their participation in the work and sessions of the Plenum of the Supreme Court and thus only judges will preside during the sessions (Article 18(6) of the Law)); • The post of a Secretary General of the HCoJ is now available only for a judge elected by the Conference of Judges (Article 51(1) of the Law)); • On March 27, 2012 amendments have been made to Article 47 of the Law. As 	

					<p>a result, non-judge members of the Council are excluded from holding any other paid position (except for scientific, pedagogical or artistic work), as well as from being a member of any political party. This amendment aims to eliminate possible influence of political institutions on the work of the HCoJ.</p> <ul style="list-style-type: none">• In October 2013 the Government of Georgia initiated the amendments to the mentioned Law which were adopted by the Parliament changing the rules of appointment of the members of the High Council. According to the Law, 5 members have to be chosen by the parliament upon the nomination of civil society, academia, and professional circles and president has the right to appoint one member of the Council. However, the law is yet to be signed by a president for it to enter into force.• Amendments have been made to Article 50(3) of the Law, eliminating the possibility of vetoing the appointment of a candidate by non-judge member of the HCoJ. Prior to the amendments, a candidate could not have been appointed as a judge if his/her candidacy was not supported by a non-judge member of the Council. Accordingly, judges were unable to elect a candidate without further consent of another member of the Council, appointed either by the	
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					<p>Parliament or by the President of Georgia. As a result of the amendments of March 2012, the quorum of nine judges (out of 15 members of the Council) shall suffice for electing a judge;</p> <ul style="list-style-type: none"> • On May 05, 2013 this amendment was modified by the Parliament based on the initiative of the Government. In accordance with the said modification, the judge can be elected by the 2/3 majority of the Council. Accordingly, if all judge members vote for the particular judicial candidate, at least 1 vote of non-judge member is necessary to elect the judge. • Amendments have been made to Article 67 of the Law, granting the HCoJ the power to participate in the Parliamentary discussions concerning budgetary findings of the Courts of General Jurisdiction. Hence, the HCoJ members are now granted an efficient tool to have an impact on the budgetary funding of the Court. <p>Judiciary has additionally been involved in the project “Enhancing judicial reform in the Eastern Partnership Countries” throughout the years 2012-2013. The work has now been finalized in the following three components: the self-government of the court system, Career of the judges and the training and the effective performance of the court system.</p>	
54.	Continue to build public trust in democratic institutions by	Australia 105.48		1. High Council of	Following activities have been carried out in order to build public trust and increase	

	<p>strengthening the rule of law including as it relates to the independence of the judiciary.</p>			<p>Justice 2. Supreme Court</p>	<p>transparency:</p> <ul style="list-style-type: none"> • With the decision of the High Council of Justice the plan of the “communication and the public trust” has been approved. This will help increase the public trust of the court system. • A new Council of Justice webpage is now up and running. • The process of integrating the Georgian courts of jurisdiction in one single web space and the one united web portal of all courts was finished by November 2012. Portal covers all the information that might be interesting for the users. www.court.ge contains an individual page of every court and the specific information can be searched by following the links to the website of the particular court. • Moot courts have been regularly planned and organized for enhancing practical skills amongst the students and for raising awareness within the field of criminal, civil and administrative law; • The Georgian Public Broadcasting now has the TV show “Our Justice.” • The video about the ongoing reforms in the judiciary has been prepared and aired on TV. • The regional newspaper rubric “The Court Chronicles – Imereti” and “The Court Chronicles Ajara” has been prepared and printed in the press. • The other newspaper rubrics have been prepared and printed in the press • Informational leaflets and brochures have 	
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					<p>been prepared and distributed on the current amendments or newly introduced institutions (amendments to the criminal procedural code; jury trial; court mediation etc.).</p> <p>In May 2012, CoE funded the court user satisfaction survey, conducted by the Applied Research Company (ARC), covering 6 big First Instance Courts (city courts of Tbilisi, Batumi, Kutaisi and Rustavi, district courts of Gori and Zugdidi). According to the overall evaluation, on average 85.01% of the respondents reported their trust towards the court, and 76.4% thought that there was no bribery any more at the courts of Georgia. Analysis of the survey clarifies that the level of confidence towards the judiciary is increasing annually.</p> <p>Additionally, the poll conducted by the NGO National Democratic Society reveals the increasing dynamics of public trust and their belief that the court system has improved year after year.</p>	
55.	Strengthen its efforts to promote the independence of the judiciary.	Greece 105.49		<ol style="list-style-type: none"> 1. High Council of Justice 2. Supreme Court 	<p>Judicial power in Georgia is exercised by the courts of common jurisdiction and the Constitutional Court. Independence of the judiciary is guaranteed by the Constitution, Article 82.</p> <p>In 2010 Georgian Constitution was amended to introduce the lifetime appointment of judges.</p> <p>The Article enters into force in 2013, October when a newly elected President takes the</p>	

					<p>oath. The lifetime appointment of judges is planned to increase and guarantee the independence within the Judiciary.</p> <p>To Regulate the constitutional norm of the lifetime appointment of judges High Court of Justice initiated a draft law according to which there is no promotion period for judges at all and they are appointed for life without any further monitoring.</p> <p>Nevertheless, in October 2013 Parliament of Georgia adopted amendments to the Organic Law of Georgia on the Courts of General Jurisdiction. According to the law there is a three year probation period for a judge before he/she is appointed for life.</p> <p>Jury Trial Institute was another novelty introduced in the Criminal Code of Georgia in October 2010. The scope of the jury trial's application was limited primarily to cover only the Tbilisi City Court. Starting from 1 October 2012, Kutaisi City Court is also entitled to conduct jury trial hearings on the alleged violations of Article 109 of the Criminal Code of Georgia ("CCG").¹¹ Additionally, starting from 1 October 2012, the range of crimes as to be heard at the jury trial has been enlarged at the Tbilisi City Court and now covers Articles 110-114 of the CCG.¹²</p>	
56.	Continue its efforts to implement the judicial reforms undertaken in the last	Republic of Moldova		1. High Council of	Efforts have been directed to the following directions:	

¹¹ Premeditated Murder under Aggravating Circumstance;

¹² Article 110-Mercy-killing; Article 111-Premeditated Murder under Sudden Rush of Anger; 112-Infanticide by a Mother of the Newly Born Child; 113-Manslaughter beyond the Necessity of Defense; 114 Manslaughter beyond the Measures Necessary for Capturing a Criminal.

	years.	105.50		Justice 2. Supreme Court	<ul style="list-style-type: none"> • Continuing to work with the NGOs with the aim to take into account their recommendations. • The process of uniting the courts of the general jurisdiction is finished. By now there are 26 first instance courts, two courts of appeals and a Supreme Court. • The electronic case management system the development process is now finished. The project has been implemented in every Court of the first instance. The courts of the second and the third instances will implement the system by the end of the ongoing year. • Determining the training needs of the judges and the staff and conducting the trainings based on this. To this aim, the High School of Justice (HSoJ) provides the professional initial training for the 'Justice Listeners' - persons who are supposed to be appointed as judges at common courts of Georgia. It is noteworthy that as of the year of 2009, a person can only be appointed as a judge if he/she is a graduate of the High School of Justice. The initial training course which continues for 10 months is very intensive and is divided into 3 stages: substantive (theoretical) training, practical training (internship at Tbilisi City Court) and seminars (combination of both). Therefore, the graduates of the HSoJ who are appointed to judicial positions are equipped with knowledge and skills necessary for judges. • In addition, the HSoJ is responsible for 	
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					<p>ensuring that the qualification of acting judges are permanently renewed and kept up-to-date. Therefore, the HSoJ provides continuous training for sitting judges, so that they regularly improve their qualification.</p> <ul style="list-style-type: none">• To this objective, during 01/2011-10/2013, 145 trainings have been organized for acting judges. The topics of trainings, <i>inter alia</i>, included: problematic issues in Civil Law Code, Prison Code of Georgia and relevant international standards, tax legislation, investigation of inhuman treatment, review of organized crime and terrorism cases, labor legislation, juvenile justice, new Criminal Procedure Code, substantiation of court decisions, mediation, intellectual property law, refugee law, judicial ethics, legal writing, international law, European Convention on Human Rights, communication standards, anger management, etc.• Apart from working with sitting judges and judicial candidates, the High School of Justice is also in charge of training and retraining of judges' assistants and other court staff. As with continuous training program for judges, the High School of Justice starts planning these activities in advance, taking into consideration the most pressing needs of the judiciary and the court staff in particular.• For instance, during the years of 2011-2013, 103 trainings have been organized for the assistants to judges regarding the	
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					<p>variety of topics, including: new Criminal Procedure Code, civil law related legislative changes, substantiation of court decisions, European Convention on Human Rights, electronic case management system, etc.</p> <p><i>For further information refer to Rec.: 53.</i></p>	
57.	<p>Implement changes that improve the independence of the judiciary, giving full consideration to the Venice Commission's concerns, particularly by establishing more objective and transparent processes for the appointment, discipline, and removal of judges, including during any applicable probation period. <i>(Accepted partially)</i></p>	<p>USA 106.39</p>	<p><i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i> Georgia accepts the premise of the recommendation and will give a due consideration to the recommendations of the Venice Commission. However, the extent of the implementation of Venice</p>	<p>1. High Council of Justice 2. Supreme Court</p>	<p><i>Appointment of Judges</i> In June 2012, in cooperation with the Judicial Independence and Legal Empowerment Project (JILEP), a software platform was created for judicial qualification examinations. The software provides a possibility to conduct judicial qualification examinations in an electronic format, also to simplify the selection of judicial candidates. Team of experts has been working on the project for a year and the Human Resources Department of the High Council of Justice has been actively involved in its formation. The vacant places of judges are being filled using the new rules of the selection of judges (High School of Justice). Up to this time the number of people who have finished the school of justice is 83.</p> <p>Since 2011, 32 judges have been appointed in accordance with new rules of selection of judicial candidates.</p> <p><i>Disciplinary proceedings against judges</i> Disciplinary proceedings, grounds for such proceedings and types of disciplinary measures are regulated under the Law of Georgia on the Law of Georgia on the Disciplinary Responsibility and Disciplinary</p>	

			<p>Commission recommendations will be subject to broad consensus among the relevant stakeholders.</p>	<p>Proceedings against Judges of Common Courts.¹³</p> <p>Types of disciplinary sanction are: a notice; a reprimand; a strict reprimand; dismissal from the judicial office; and removal of a judge included in the reserve of common court judges from the reserve.</p> <p>Types of disciplinary measure are: a private recommendation letter to the judge; dismissal of a chair, first deputy or a deputy chair of a court or a chair of a judicial panel or chamber from the chairmanship office.</p> <p>Gross violation of law as a type of disciplinary misconduct has been removed from the law based on amendment of March, 2012.</p> <p>Since March 2012, <i>ne bis in idem</i> principle is guaranteed during disciplinary proceedings, i.e. if disciplinary proceedings have been already carried out against a judge then it is prohibited to start disciplinary proceedings against same judge on the same grounds.¹⁴</p> <p>Since March 2012, it is not permitted to check the legality of judgment during disciplinary proceeding.¹⁵ The High Council of Justice is not</p>	
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¹³ Article 2 of the Law lists following grounds for imposing disciplinary measures: (a) a corruptive offence or abuse of official powers to the detriment of the interests of justice and the interests of office. A corruptive offence is understood to mean an offence envisaged by the Law of Georgia on Incompatibility of Interests and Corruption in Public Service” unless it is of a nature that entails criminal or administrative liability; (b) an activity incompatible with a judicial office or conflicting with judicial duties; (c) an action inappropriate for a judge that disgraces the judiciary or damages the trust towards the judiciary; (d) undue delay of adjudication of a case; (e) non-performance or improper performance of judicial duties; (f) disclosure of the secrecy of judicial deliberation or professional secret; (g) hindrance to the activity or contempt of a disciplinary organ; (h) violation of judicial ethics norms. Incorrect interpretation of law based on a judge’s internal belief is not a disciplinary violation and the judge shall not be held liable for such conduct under disciplinary rule.

¹⁴ Article 8(3), the law on „Disciplinary Liability and Disciplinary Proceeding of Judges of Common Courts of Georgia”.

¹⁵ Article 12(4), the law on „Disciplinary Liability and Disciplinary Proceeding of Judges of Common Courts of Georgia”.

					<p>a part of three tier judicial system and is not a judicial body, therefore it is not entitled to alter the judgment of a court.</p> <p>Until the amendments of 2012, three different bodies had the authority to start disciplinary proceeding. Currently, since March 2012, only HCOJ has the right to start examination of reasonableness of disciplinary case. Therefore after this amendment the Chairman of the Court of Appeals and the Chairman of The Supreme Court do not have the authority concerned.¹⁶</p> <p>Another important novelty is that the form of complaint (application) is approved. The complaint (application) should comply with the template approved by High Council of Justice of Georgia and must be compiled, usually in printed form. Complaint (application) can also be submitted electronically.</p> <p>High Council of Justice discusses the reasonableness of the complaint filed against a judge and assesses whether to continue proceedings or close it. Decision is made if supported by not less than 2/3 of the full composition of the Council. If the Council decides to proceed further with the disciplinary proceedings, the decision is forwarded to the Disciplinary Panel of Judges of Common Court. Members of this Disciplinary Panel are elected for a 2-year</p>	
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¹⁶ Article 7 (2), the law on „Disciplinary Liability and Disciplinary Proceeding of Judges of Common Courts of Georgia”.

				<p>term.</p> <p>The judge who has been charged under the disciplinary rule has the right to use a defense counsel's assistance. The judge may invite any attorney, judge or other person as his/her defense counsel. Decisions of the Disciplinary Panel may be appealed at the Disciplinary Chamber of the Supreme Court of Georgia.</p> <p>In 2013, amendment was moved to Article 24, changing the composition of the disciplinary Board: Prior to the amendments, Board consisted of 3 judges and 3 non-judge members of the HCoJ, whilst the amendment increases the number of judges, providing majority of the seats to the Judiciary (i.e. 3 judges and 2 non-judge members of the HCoJ); the judicial members are elected by the Conference of judges upon a proposal of any judge, non-judge members are elected by the Parliament upon the nomination of civil society, academia, and professional circles. The member of the Disciplinary Board cannot be the member of HCoJ, as well as Chairmen or deputy chairmen of Supreme Court or chairman of a court or a Chamber or a Board who has held this position during the previous one year.</p> <p>The Disciplinary Chamber of the Supreme Court, consisting of 3 members, is elected by the Plenum of the Supreme Court for a term of 3 years. A complaint challenging a decision of the Disciplinary Panel should be lodged with the Disciplinary Panel within 10 days. This</p>	
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					<p>term may not be prolonged or restored and its countdown starts from the moment a decision of the Disciplinary Panel has been served to the party.</p> <p>According to the law effective until March 2012, disciplinary proceedings were confidential and author of complaint was not informed about HCoJ's decision. Since amendments of March, 2012 the author of complainant is informed about HCoJ's and Disciplinary Board's decision based on a written request and only if the hearings on a particular case is finished.¹⁷ In March 2012, amendment was also moved to Article 81 that guarantees publicity of the decisions of the disciplinary Board or Chamber, with no reference to the personal data of the judge concerned. The decisions of Disciplinary Board and Disciplinary Chamber are published on the official website</p> <p>Since May, 2013 the author of complainant is to be informed about HCOJ's and Disciplinary Board's decision, if hearings on a particular case is finished. This latter amendment of 2013 also states that the decision on disciplinary case is to be promulgated including personal data.</p> <p>In October 2013 High Council of Justice elaborated a draft proposal changing the rules of the disciplinary proceedings against the judges. According to the draft law, the only</p>	
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¹⁷ Article 67, the law on „Disciplinary Liability and Disciplinary Proceeding of Judges of Common Courts of Georgia”.

					reasoning that the disciplinary committee can employ to charge a judge will be a breach of professional ethics. This initiative, if approved, is going to further harmonize Georgian legislation with the international standards and practice.	
58.	Adopt all necessary measures to guarantee the full independence of the judiciary and restore the confidence of the population in judicial system. <i>(Accepted partially)</i>	Switzerland 106.40	Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011: Georgia agrees with the call of the present recommendation for continued reforms to improve the judiciary. However, Georgia cannot accept the part of the recommendation urging to “restore” the confidence of the population in the judicial	1. High Council of Justice 2. Supreme Court	<i>Refer to Rec.: 53 and 54.</i> Additionally, the Judiciary has established a Court Cooperation Group in February, 2013. The aim of the Group is to open up discussions amongst the prosecutors, defense lawyers and non-governmental sector. Major goals include enhancing the quality of the court practice and the substantiation of the court decisions, discussions on current issues of the unified court practice, presenting proposals in order to eradicate organizational problems and improve the quality of the judiciary etc. This initiative was welcomed by the stakeholders and the Statute was adopted. Participants agreed to establish working groups in criminal, civil and administrative law directions. The group is planned to hold meetings at least once per month.	

			<p>system. Georgia had inherited a Soviet judiciary characterized by general lack of public trust. International and national indices clearly show that public trust in the judicial system is growing steadily as a result of undertaken reforms. Georgia is committed to continuing its efforts towards guaranteeing full independence of judiciary that in itself contributes to the increase of public trust.</p>			
59.	Continue efforts for developing trust among the population with regard to the judiciary.	Lithuania 105.51		<ol style="list-style-type: none"> 1. High Council of Justice 2. Supreme Court 	<p><i>Refer to Rec.: 53, 54 and 58.</i></p> <p>In addition:</p> <ul style="list-style-type: none"> • Several user satisfaction surveys have been conducted periodically. • There is a 24 hour hotline at the high Council of Justice connecting population 	

					<p>to the HCoJ and then to the Court respectively.</p> <ul style="list-style-type: none"> • Department of Public Relations has been established at the High Council of Justice. The aim of the department of public relations and the quality control is to determine the standards of the quality of the judicial system, establishing the standards and monitoring. • With the aim to create a better environment for the court users the Tbilisi City Court Service center has been built. 	
60.	Continue strengthening the reform of the judiciary and the criminal justice system in order to overcome the lack of confidence.	Chile 105.52		<ol style="list-style-type: none"> 1. High Council of Justice 2. Supreme Court 	<i>Refer to Rec.: 53, 54 and 58.</i>	
61.	Follow up on the initiatives whose aim is to improve the judiciary and to further train judges on human rights norms and the international jurisprudence regarding treaties ratified by Georgia.	Hungary 105.53		<ol style="list-style-type: none"> 1. High Council of Justice 2. Supreme Court 	<p>Before judges are appointed on judicial positions, they have to graduate the High School of Justice. Curriculum of the School includes intensive trainings related to human rights and relevant international standards. Namely, they learn the obligations of Georgia which are deriving from the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights and other treaties ratified by Georgia. Also, they undergo separate intensive training on European Convention on Human Rights, its additional protocols and case law of the European Court of Human Rights.</p>	

					In addition, within the framework of the continuous education, the High School of Justice organizes trainings on the European Convention on Human Rights and its additional protocols: 4 training were organized in 2011; 1 training in 2012 and 2 trainings in 2013.	
62.	Continue to pursue appropriate justice-system reforms with a view to strengthening its efficiency, impartiality and independence.	Slovakia 105.54		1. High Council of Justice 2. Supreme Court	<i>Refer to Rec.: 53, 54, 58 and 61.</i>	
63.	Further develop initiatives aimed at fighting judicial corruption, including through the implementation of adequate education of judges.	Poland 105.55		1. High Council of Justice 2. Supreme Court	<p>Being a member of the Inter-agency Coordinating Council combating Corruption, Judiciary follows the anti-corruption strategy and action plan and reports on their implementation twice per year. The action plan lists specific activities aimed at providing further transparency within the judiciary.</p> <p>In this context it is important to stress the electronic case management system that has been launched in all the city/district courts of the first instance and will be finalized at the Court of Appeals and the Supreme Court by the end of 2013. This system enables parties to the case proceedings to have access to all the details regarding their case via personal password. This increases the level of transparency and supports corruption free judicial system. High Council of Justice is also tasked with anti-corruption activities. One needs to stress the elaboration of promotion criteria for non-judge personnel which is about to be finalized and the drafting process</p>	

					<p>of job descriptions.</p> <p>The HCoJ online information request system also contributes to the transparency, enabling citizens for scan their request and submit it online, receiving a requested information on their email indicated in a due time course. Additionally, Public Affairs Unit of the Supreme Court of Georgia is actively involved in planning awareness raising activities amongst the population on the issues ongoing within the court system.</p> <p>At the High School of Justice of Georgia the Justice Listeners (judicial candidates) undergo the one full-day training in Economic Crimes and one-full day training in Expropriation of Unlawful and Unjustified Property of Public Officials. In addition, curriculum of judicial candidates entails one-day training regarding the crimes which are not covered by separate trainings, including Chapter XXXIX of the Criminal Code of Georgia (Malfeasance) which includes the Articles on 'Accepting the Bribe' and 'Giving the Bribe'.</p>	
64.	Carry out effective and independent investigations on excessive use of force by law enforcement officials in order to bring to justice those responsible.	Switzerland 105.56		Ministry of Justice	<p><i>Refer to Rec.: 12 and 36.</i></p> <p>As for the Statistics, please, find the Annex II.</p>	
65.	Carry out effective, impartial investigations into allegations of deaths, torture and ill-treatment caused by excessive use of force by the police and prison officials. <i>(Accepted</i>	Hungary 106.41	Views on conclusions and/or recommendations, voluntary	<p>1. Ministry of Justice</p> <p>2. Ministry of Corrections</p>	<p>The Commentary to the Convention against Torture or other Cruel Inhuman or Degrading Treatment or Punishment¹⁸ defines that torture or ill-treatment committed by non-State officials or private actors shall be</p>	<p>Conclusions and recommendations of CAT, 36th Session, 1-19 May 2006:</p> <p>The State party</p>

¹⁸ General Comment No.2, Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, CAT/C/GC/2, 24 Jan. 2008, par. 18.

	<p><i>partially)</i></p>		<p>commitments and replies presented by the State under review, 17th Session, 31 May 2011: Georgia agrees with the objectives of the recommendation, but cannot agree with any implication embedded in it that undermines the significant progress that Georgia has made in the fight against torture, cruel and inhuman treatment by police and prison officials. In 2007, the CoE/CPT emphasized considerable progress and noted an 80 percent decrease in the number of ill-treatment cases</p>	<p>and Legal Assistance</p>	<p>investigated, prosecuted and punished accordingly, otherwise State bears responsibility for failure to prevent such crime, and is considered to be consenting or acquiescing to such impermissible act. Taking into account the interpretation of the Convention, the government of Georgia penalized the crimes of torture, threat of torture and inhuman or degrading treatment when it is committed both by State officials as well as private persons. In addition to negative obligations, i.e. refraining from the violation of the rights guaranteed by the Convention, public authorities of Georgia have a positive obligation to ensure individual's protection from torture or other cruel, inhuman or degrading treatment even when committed by persons acting outside or without official authority. Torture committed by the State official and through the abuse of power is regarded as a crime of aggravated nature.</p> <p>Georgian legal framework ensures independent and effective investigation into the facts of torture and ill-treatment. Under Article 100 of the Criminal Procedure Code, investigator or prosecutor are required to promptly initiate investigation once they receive information regarding the crime. The investigative jurisdiction of the Prosecutor's Office extends to all crimes if they are committed by public officials. In addition, for the interest of justice, the Chief Prosecutor of Georgia has the authority, on ad-hoc basis, to re-allocate investigation of the criminal case from one prosecutorial jurisdiction to the</p>	<p>should provide detailed information on the causes and circumstances of all sudden deaths that have occurred in places of detention, as well as information in respect of independent investigations in this connection. The Committee further encourages the State party to continue its cooperation with the International Committee of the Red Cross and non-governmental organizations with regard to the implementation of programmes related to the treatment of tuberculosis and distribution and monitoring of the medicines taken in penitentiary facilities. throughout its territory.</p>
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			in police detention facilities.		<p>other, excluding any bias in investigation of the ill-treatment case by the prosecution against public official.</p> <p>Human Rights Unit of the Prosecutor's Office of Georgia monitors and responds to the notifications regarding the alleged violations of human rights in the organs of the Prosecution Service, detention facilities and isolators, also identifies and responds to the facts of torture, inhuman, cruel and degrading treatment or punishment¹⁹. In addition, the Unit considers human rights recommendations of the national and international human rights institutions and takes responsive measures.</p> <p>The protection of rights of the detainee in TDIs is ensured by the Main Division of Human Rights Protection and Monitoring of the MIA, which operates under the Deputy Minister. The major duty of the mentioned Main Division is to monitor the temporary detention facilities at the MIA. The monitoring division is composed of 9 persons and carries out scheduled and unexpected visits to all TDIs of Georgia. The monitoring process is thorough and it covers examining the overall compliance with basic standards and requirements by TDI staff, among them focusing on recording bodily injuries, visits of lawyer and/or doctor and complaints/claims. If there is any</p>	
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¹⁹ Structural units of the Office of Chief Prosecutor of Georgia have been tasked to submit information to the Department (Human Rights Unit), for monitoring purposes regarding various crimes, including Violation of Equality of Humans (art. 142 of the CCG); Racial Discrimination (art. 142¹); Trafficking in Human Beings (art. 143¹); Trafficking of minors (art. 143²); Torture (art. 144¹); Threat of Torture (art. 144²); Inhuman or Degrading Treatment (art. 144³); Premeditated Unlawful arrest or Imprisonment (art. 147); Interference with performing religious worship (art. 155); Persecution (art. 156); Interference in the creation of or in the activities of civil, political and religious organizations (art. 166) and etc.;

				<p>complaint against the police officer, the case is notified to the relevant authorities, General Inspection of the Ministry of Internal Affairs and Office of Chief Prosecutor of Georgia for further investigation.</p> <p>Prisoners' mortality rate has decreased significantly. In the absolute numbers mortality rate was decreased from 144 to 18. Standard Mortality Rate per 10 000 decreased from 52 to 20. See also action #49.</p> <p>MCLA closely cooperates with the Prosecutor's Office of Georgia. In order to avoid conflict of interest, all cases of alleged ill-treatment of remand prisoners and convicts are submitted for investigation to the Main Prosecutor's Office of Georgia.</p> <p>In September 2012, following the publication of video material containing scenes of ill-treatment (including sexual abuse) of inmates, the Prosecutor's Office of Georgia initiated an investigation and charges were brought against some senior officials from the Penitentiary Department.</p> <p>On June 14, 2013, as a result of the investigation on so called "prison scandal" case, 17 guilty verdicts were delivered by the Tbilisi City Court. On 8 cases guilty verdicts were delivered as a result of hearings on merits and on 9 cases as a result of a plea agreement reached between the parties. One of the accused from those nine, V. Bedukidze was exempted from criminal liability by the</p>	
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					decision of the Chief Prosecutor of Georgia.	
66.	Take steps to ensure full accountability of law enforcement agencies, including by strengthening complaints procedures. <i>(Accepted partially)</i>	United Kingdom 106.42.	<p><i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i></p> <p>Georgia agrees with the premise of the recommendation that aims at full accountability of law enforcement agencies. Georgia cannot, however, agree with the part that calls for altering the existing complaints procedures, since Georgia has already established a comprehensive complaints</p>	<p>1. Ministry of Justice</p> <p>2. Ministry of Internal Affairs</p>	<p>Since 2005 a special centralized custody registering software system has been introduced in all TDIs, providing the opportunity to register and collect detailed data on detainees and covering the data starting from 2005; taking into consideration that registration of each detainee is obligatory, and that registration is not performed by a police officer, but by a TDI staff member.</p> <p>The lists of procedural rights for persons with administrative and criminal charges has been elaborated and translated into English, Russian, Azeri and Armenian. The list also contains Hot lines of General Inspection. Therefore the detainee has the right to call hotline of the Ministry of Internal affairs in case of violation of his/her human rights.</p> <p>It is an applied standard obligation for all the policemen to inform orally, as well as to provide each arrestee with the complete list of his/her rights envisaged by the procedural legislation of Georgia. The document, which is handed over to the arrestee upon his/her apprehension is drawn up in line with the amendments to the procedural legislation of Georgia and thus, includes the complete list of the rights of the detainee.</p> <p>Along with the existing legal safeguards in cooperation with Public Defenders Office the adapted versions of the lists of procedural rights for persons with administrative and</p>	

			<p>system in line with international standards.</p>	<p>criminal charges has been elaborated and translated into English, Russian, Azeri and Armenian. Since March 2011 these lists in five languages (including Georgian) are provided in all temporary detention isolators, which are displayed in the form of posters at visible places (at cells, rooms of investigation) and corresponding version is handed to each detainee upon apprehension. The list also contains Hot lines of General Inspection which is in charge of revealing and sanctioning any violation of ethics and discipline in the Ministry, as well as any fact of poor professional performance and wrongdoing by the police officers.</p> <p>In order to ensure better accountability, the role of the MIA General Inspection has been strengthened and its effectiveness raised through structural changes conducted therein. More precisely, new model of Disciplinary Persecution Division enables General Inspection to monitor and cover all structural units of the Ministry and to have a clear picture about the existing situation at the MIA, thus ensuring effective functioning of the integrated internal oversight mechanism. Furthermore, Main Division for Monitoring, Analysis and Coordination has been established within General Inspection, being responsible for centralized analysis of all data and information collected by divisions of the General Inspection;</p> <p>Moreover, complaints-handling procedure has been improved at the MIA General Inspection:</p>	
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					<p>24/7 hotline – 126, an easy number has been introduced for individual complaints, and all calls are now recorded and monitored.</p> <p>In order to raise awareness about the new General Inspection hotline in the population, active media campaign has been conducted by the MIA through TV and other media means.</p>	
67.	Take necessary measures with the aim of ensuring that each case of abuse of power by law enforcement officers is properly investigated and perpetrators brought to justice.	Czech Republic 105.57		Ministry of Justice	<p>Human Rights Unit of Chief Prosecutor's Office systematically records the facts of ill-treatment committed by public officials²⁰. Prosecution HRU systematically collects information from the Ministry of Corrections and Legal Assistance related to the bodily injuries of the prisoners inflicted by the time of placement at the penitentiary establishment. Based on the given information, Prosecution HRU conducts visits to the places of deprivation of liberty in order to prevent ill treatment, and in cases where inhuman treatment exists, unit ensures to correspond by taking relevant steps. In order to reveal facts of torture, ill/degrading treatment conducted by public officials, all relevant institutional structures of the Prosecution report/ provide information to the HRU.</p> <p><i>For further details please refer to Rec.: 11, 36, 64, 65 and 66.</i></p>	<p>Conclusions and recommendations of CAT, 36th Session, 1-19 May 2006:</p> <p>The State party should strengthen its investigative capacity, including that of the Prosecutor General's office, in order to promptly and thoroughly examine all allegations of torture and ill-treatment.</p>
68.	Adopt a more rigorous, systematic and transparent inquiry policy for the investigation of allegations of use of excessive force by its internal security	Canada 106.43.	Views on conclusions and/or recommendatio	<p>1. Ministry of Justice</p> <p>2. Ministry of</p>	<i>Refer to Rec.:11, 36, 64, 65 and 66.</i>	<p>Conclusions and recommendations of CAT, 36th Session, 1-19 May 2006:</p>

²⁰ The division was created by Decree N192 of the Minister of Justice of October 2, 2009.

	<p>forces, and that the members of its forces that are condemned for violating the rights of the citizens be systematically held accountable for their actions. <i>(Accepted partially)</i></p>	<p><i>ns, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i></p> <p>As noted in its response to recommendation 106.42 Georgia accepts the call for full accountability of law enforcement officials. At the same time, Georgia believes that the inquiry policies currently in place provide for effective and transparent investigation of allegations of excessive use of force by law enforcement officials and cannot accede to this recommendation's call for the</p>	<p>Internal Affairs</p>		<p>The Committee remains concerned that despite extensive legislative reforms, impunity and intimidation still persist in the State party, in particular in relation to the use of excessive force, including torture and other forms of ill-treatment by law-enforcement officials, especially prior to and during arrest, during prison riots and in the fight against organized crime (art. 2). The State party should give higher priority to efforts to promote a culture of human rights by ensuring that a policy of zero tolerance is developed and implemented at all levels of the police-force hierarchy as well as for all staff in penitentiary establishments. Such a policy should</p>
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			revision of inquiry polices at place.			identify and address the problems, and should elaborate a code of conduct for all officials, including those involved in the fight against organized crime, as well as introduce regular monitoring by an independent oversight body.
69.	Ensure that the cases of intimidation and violation against journalists and human rights defenders are effectively investigated and prosecuted and that those responsible are brought to justice.	Czech Republic 105.58		1. Ministry of Justice 2. Ministry of Internal Affairs	Relevant statistical data is provided in Annex I.	
70.	Strengthen the protection of journalists by ensuring the effective investigation of violations of their rights.	Chile 105.59		1. Ministry of Justice 2. Ministry of Internal Affairs	Relevant statistical data is provided in Annex I. <i>Refer to Rec.: 69.</i>	
71.	Do its utmost in ensuring that allegations of self-censorship, threats against journalists and low public trust in the media are investigated in a timely, transparent and effective manner and that those responsible are held to account. <i>(Accepted partially)</i>	Norway 106.45.	<i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i>	Ministry of Justice	Relevant statistical data is provided in Annex I.	

			<p>Georgia agrees with the essence of the recommendations and is determined to further media transparency and duly investigate any threat against journalists.</p> <p>However, it cannot agree with the parts of the recommendations calling for the government to take a lead in addressing public trust, reduce self-censorship and unbalanced reporting since these measures fall within the competence of media outlets and are self-regulatory. On its part, the Government of Georgia has taken steps,</p>			
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			<p>including through cooperation with international broadcasting agencies, to strengthen the professional standards and reporting quality within the nationally-broadcast Georgian Public Broadcaster (GPB). Private media outlets have also made strides in the quality of reporting, which Georgia believes in sum will incrementally contribute to higher levels of public trust in the media.</p>			
	<p>FREEDOM OF RELIGION OR BELIEF, EXPRESSION, ASSOCIATION AND PEACEFUL ASSEMBLY, AND RIGHT TO PARTICIPATE IN PUBLIC AND POLITICAL LIFE</p>					

72.	Take steps to ensure equal enjoyment of the right of freedom of religion or belief and ensure freedom of speech and of the press.	Bulgaria 105.60		National Security Council	<p>On July 5, 2011 the Civil Code of Georgia was amended to allow registration of religious groups as religious associations. In order to ensure non-discriminatory approach, the amendment sets down objective and common sense criteria of eligibility. In particular, religious groups recognized as religious organizations in other member states of the Council of Europe or having close historic ties with Georgia are able to acquire the status of religious association.</p> <p>To provide even more flexibility and inclusiveness to the process of acquiring legal status by religious groups, the Civil Code provisions allowing them to register as non-profit legal entities of private law were left intact. It is therefore up to a religious group to decide whether it wants to be established as a legal entity of private law (non-profit association) or as a legal entity of public law (religious association). In either case, it will retain flexible and fully autonomous management structure (strict regulations prescribed for legal entities of public law will not apply to religious associations) and will be eligible for all benefits provided by the Georgian legislation.</p> <p>The amendment was hailed by the international community. U.S. ambassador to Georgia John Bass welcomed "Georgia's decision to adjust the legal status of many religious faiths and confessions."²¹ So did the</p>	<p>Concluding Observations of CRC, 48th Session 23 June 2008:</p> <p>The Committee urges the State party to:</p> <p>(a) Recognize the rights of children belonging to minority groups in line with article 30 of the Convention by which a child belonging to such a minority has the right to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language, and to consider adopting a comprehensive legal act providing protection of their rights;</p>
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²¹ <http://civil.ge/eng/article.php?id=23715>

					<p>E.U. Ambassador to Georgia Philip Dimitrov.²² Council of Europe Deputy Secretary General Maud de Boer-Buquicchio made a statement in which he called the decision an “important and progressive step that will go a long way to ensuring a more open and tolerant approach towards the practice of religious belief in Georgia.”²³ Co-rapporteurs of the Council of Europe Parliamentary Assembly Monitoring Committee for Georgia Michael Astrup Jensen and Kastriot Islami have also underscored the importance of this amendment: “This is an important improvement for all religious communities in Georgia and follows recommendations by the Assembly. It reaffirms the respect given by Georgia for the right of freedom of religion and principle of inter religious tolerance.”²⁴</p> <p>In contrast, the ability of religious minorities to register as religious associations was criticized by opposition parties. Leader of Georgia-Free Democrats Irakli Alasania called on the President “to use the veto power and refuse to sign the law.”²⁵ Some of the members of think tank community were also against the amendment. Representative of Georgian Foundation for Strategic and International Studies (GFSIS) Lado Papava claimed that it was “against the interests of the country.”²⁶</p>	
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²² http://eeas.europa.eu/delegations/georgia/documents/news/20110714_01_en.pdf

²³ <http://civil.ge/eng/article.php?id=23734>

²⁴ http://www.assembly.coe.int/ASP/NewsManager/EMB_NewsManagerView.asp?ID=6845

²⁵ <http://www.tabula.ge/en/print-4780.html>

²⁶ http://tribuna.ge/index.php?option=com_content&task=view&id=3831&Itemid=102

					Religious minorities were unanimous in supporting the adoption of the amendment. Since abovementioned amendments, nine such associations have been already registered as legal entity of public: (1) Union of Jewish People; (2) Evangelic – Lutheran Church of Georgia; (3) Ordinate of Eastern European Armenian-Catholics; (4) Caucasus Apostolic Administration of Latin Catholics; (5) Asyrian Chaldean Community in Georgia; (6) Spiritual Council of Yezids in Georgia; (7) Muslim Governance of All Georgia; (8) Armenian Gregorian Church and (9) Evangelical Protestant Church.	
73.	Adopt appropriate measures to ensure equal enjoyment of the right to freedom of religion or belief.	Slovakia 105.61		National Security Council	<i>Refer to Rec.: 72.</i>	
74.	Address the problem regarding the confiscation of places of worship and related properties of religious minorities.	Holy See 106.48	<i>Views on conclusions and/or recommendatio ns, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i> While Georgia recognizes the importance of addressing the problem	National Security Council	Ownership of some religious monuments is highly contested among different confessions. Due to its sensitivity, this question requires a careful study and investigation, which is currently underway. Nonetheless, we already have some positive trend: 1.The Catholic Nunnery in Rabati, Akhaltsikhe municipality was returned to the Catholic Church in 2010. 2. Two mosques in Tbilisi and Batumi were returned to the Muslim Community in 2011. 3. Preparation works underway to transfer synagogues and Catholic Churches to the relevant organizations.	

			<p>regarding the confiscation of places of worship, it notes that confiscations took place during Soviet rule, remain highly contested among the various religious confessions and that restitution can only result from careful study and investigation. This process is currently underway and has already yielded positive results.</p>			
75.	Reduce the length of alternative service for conscientious objectors so that it is the same length as the military service.	Slovenia 105.63		<p>1. National Security Council</p> <p>2. Ministry of Labour, Health and Social Affairs</p>	On 22 December 2011, the Constitutional Court of Georgia, declared null and void the relevant normative content of Article 2.2 of the Law of Georgia on Military Reserve Service ²⁷ which imposed military reserve service on conscientious objector. ²⁸ According to Article 2.2 of the Law, military reserve service is an obligation of every citizen of Georgia.	

²⁷ Law of Georgia on Military Reserve Service adopted in 27 December 2006.

²⁸ Judgment of the First Board of the Constitutional Court of Georgia No.1/1/477 of 22 December 2011.

					<p>The Constitutional Court underlined the vital importance of freedom of belief not only for self-determination and personal freedom of an individual, but also for safeguarding democratic and pluralist society.</p> <p>The Court emphasized that pluralism and tolerance are the cornerstones of a democratic society. The Court concluded that non military, alternative civil labor constituted compromise between the constitutional right to religious freedom and constitutional obligation to protect the state.</p> <p>In delivering the judgment on the above case, the Constitutional Court of Georgia took into consideration the case-law of the European Court of Human Rights, practice of the Human Rights Committee as well as Recommendation 1518 (2001) of the Parliamentary Assembly of the Council of Europe on the Exercise of the right of conscientious objection to military service in Council of Europe member states. In the view of the above, the Constitutional Court of Georgia ruled that the relevant part of Article 2.2 of the Law was not in line with Article 14 and Article 19 of the Constitution of Georgia, which guarantees equality of everyone before the law and right to freedom of speech, thought, conscience, religion and belief respectively.</p> <p>According to the amendments to the Law of Georgia on Non-military, Alternative Labour Service, since September 1, 2011, term of non-military, alternative labour service became</p>	
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					equal to the military service term.	
76.	Enhance efforts to guarantee freedom of speech and of the press and other media, and to ensure that complaints in this regard are promptly investigated and that the perpetrators are prosecuted and punished.	Poland 105.65		1. Ministry of Justice 2. Ministry of Internal Affairs	<i>Relevant statistical data is provided in Annex I.</i> <i>Refer to Rec. 69.</i>	
77.	Continue efforts to ensure freedom of speech and of the press, and to promptly investigate all complaints in this regard.	Denmark 105.66		1. Ministry of Justice 2. Ministry of Internal Affairs	<i>Relevant statistical data is provided in Annex I.</i> <i>Refer to Rec. 69.</i>	
78.	Strictly uphold freedom of the press, including public access to information, and ensure that the complaints made in this regard are properly investigated.	Netherlands 105.68		Ministry of Justice	<i>Relevant statistical data is provided in Annex I.</i>	
79.	Equal treatment for all media and prompt investigations of reported violations against the rights of press and speech.	Germany 105.69		1. Ministry of Justice 2. Ministry of Internal Affairs	<i>Relevant statistical data is provided in Annex I.</i> <i>Refer to Rec. 69.</i>	
	Right to social security and to an adequate standard of living					
80.	Establish appropriate solutions to combat poverty and ensure sustainable development.	Iraq 105.71		Ministry of Labour, Health and Social Affairs	<i>Refer to Rec.: 13.</i>	Concluding observations of CRC, 48th Session, 23 June 2008: The Committee urges the State party to mainstream children and prioritize their needs in a separate chapter its poverty

						reduction strategy, the “Programme on Economic Growth and Elimination of Poverty”. This should ensure the implementation of programmes that specifically promote the full development of children and protect them against detrimental effects of growing up in poverty and extreme poverty. The Committee further recommends that the State party monitor the poverty situation of children regularly and take urgent measures to address all negative indicators.
81.	Continue and strengthen social dialogue to support further enjoyment of economic social and cultural rights by large segments of the Georgian population.	Algeria 105.72		Ministry of Labour, Health and Social Affairs	<p>In order to discuss and solve the problematic issues existing in the field of labour and accompanying social relations, Trilateral Commission on Social Partnership is established, which considers acute issues of parties within the framework of social dialogue.</p> <p>As a result of introduction of amendments in the Labour Code of Georgia in 2013, new chapter was added to the Code – “Trilateral</p>	

					<p>Commission on Social Partnership”, in which the issues of activities and rights and duties of the Commission are specifically defined.</p> <p>According to Article 52 of the Labour Code, activities of the Trilateral Commission are based on the following principles:</p> <ul style="list-style-type: none"> a) Equality and independence of Parties; b) Respect of interests of a social partner; c) Coordination and responsibility; d) Awareness; e) Fulfilment of obligations; f) Tripartism; g) Consensus. <p>The mentioned Commission carries out its activities in accordance with the provision of Trilateral Commission on Social Partnership, which is adopted by the Order N57 of the Prime-Minister of Georgia in 2010.</p>	
82.	Consider the possibility of increasing or matching resources toward socio-economic and development programmes aimed at, among others, further alleviating poverty and reducing unemployment.	Malaysia 105.73		Ministry of Labour, Health and Social Affairs	<p>Existence of relevant infrastructure is necessary for effective functioning of labour market, which firstly means existence of the network of state employment service – “Employment Promoting Centres”. Strategy elaborated by the Ministry of Labour, Health and Social Affairs of Georgia foresees creation of Employment Promoting Centres on the all Georgian municipalities’ level. The mentioned centres will be united in a unified system that will ensure coordination of their activities, effective use of resources, operative satisfaction of employers’ requirements on labour force over the whole country.</p>	

					<p>Functions of the Employment Promoting Centres are the following:</p> <ul style="list-style-type: none">• Information of wide layers of population on activities of employment centres (by means of diffusion of informational booklets, through mass-media, through organization of special meetings and etc.).• Information and consultation of jobseekers on employment possibilities.• Registration of jobseekers in relevant database.• Preparations/systematization of resumes of jobseekers. • Searching and systematization of information on vacancies.• Selection of relevant person for vacancy and provision the employer with data (mediatory service);• Learning/Analysis of local and regional labour market.• Organization of professional trainings for unemployed persons (at first long-term unemployed, young persons, who do not have professional education, persons with disabilities, internally displaced persons, persons discharged from law enforcement structures, discharged from corrections facilities and other persons, considering gender aspects) according to the professions/specialties required on labour markets.• Trainings for development of jobseeking and self-presentation capacities.	
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					<ul style="list-style-type: none"> • Intensive communication and cooperation with employer. • Implementation of target programmes for the promotion of employment. <p>Service of the mentioned centres will be free for employers and jobseekers, that is important for larger part of jobseekers and employers, although there always will be segment for activities of private agencies of employment. State will encourage legal activities of private agencies of employment and, if necessary, through Employment Promoting Centres, will cooperate with them. Employment Promoting Centres will be established on the basis of territorial entities and central office of LEPL Social Service Agency (hereinafter "Agency") under control of the Ministry of Labour, Health and Social Affairs. Their coordination, monitoring and control will be carried out by the Agency, as well as the Ministry of Labour, Health and Social Affairs of Georgia in collaboration with relevant donor and project implementing organization.</p>	
83.	Initiate adequate reforms in the health sector.	Sri Lanka 105.74		Ministry of Labour, Health and Social Affairs	<p>In 2013, country started major health sector reforms in order to ensure universal coverage for the population.</p> <p>Universal Healthcare Program was launched in February 2013, providing coverage for over 2.2 million uninsured people. Program started with the minimum set of services and in July</p>	

					was expanded to include additional services. At the moment program provides universal coverage for primary healthcare services, emergency in- and out-patient treatment, planned surgery, cancer treatment and deliveries.	
	MINORITIES AND INDIGENOUS PEOPLES					
84.	Promote a culture of tolerance and cooperation among different ethnic and religious groups, and foster greater socio-economic inclusion of the existing minorities.	Brazil 105.75		National Security Council	<p>In order to promote access to higher education, special programs have been elaborated aimed to promote enrolment of minority students in institutions of higher education. In November 2009, the Law on Higher Education was amended to establish a new system allowing better access for national minorities to institutions of higher education in Georgia. Armenian and Azerbaijani language speakers in Georgia are being allocated 10% of all state university seats. Unlike other university entrants, who must pass four different exams in Georgian, these candidates are only required to pass a single test of general skills in their native language. They are then enrolled in a year-long intensive Georgian-language program before starting their undergraduate studies.</p> <p>In 2010, when the new system was launched, 180 Azerbaijani and 123 Armenian language speakers were admitted to Georgian state universities - representing an increase of more than 300% over the previous two years. State scholarships to national minority students also increased dramatically, from 11 in 2008 to 213 in 2010. As for 2011, 250 Azerbaijani and 179 Armenian language speakers were admitted to</p>	

					<p>Georgian state universities. The state scholarship was granted to 98 Azerbaijani and 99 Armenian speaking students.</p> <p>As of 2011, the quota also embraced Abkhazian language speakers, being allocated 1% of the slots at state universities.</p>	
85.	Take steps to implement the national integration strategy to ensure the participation of minorities in Georgia's cultural, social and economic life.	United Kingdom 105.76		Ministry of Justice	<p>On May 8, 2009, the basic document which forms the Government's policy in relation to national minorities – "National Concept for Tolerance and Civic Integration" and its five-year Action Plan (2009-2014) was approved by Governmental Decree. Accompanying Action Plan specifies activities and programs, which are to be implemented over the five years in accordance with the following strategic directions of the Concept: the rule of law, education and the state language, media and access to information, political integration and civil participation, social and regional integration, culture and the preservation of identity. The Action Plan of the Ministry of Justice as a part of the National Concept for Tolerance and Civil Integration includes the elaboration of a comprehensive legal act on the tolerance issue, undertaking measures aimed at the registration of the Roma population and creation of an advisory body at the Ministry on the questions of the national minorities.</p> <p>Pursuant to the Government Decree of 2009, the implementation of the Action Plan is coordinated by the Office of the State Minister for Reintegration Issues, while monitoring of its implementation is carried out by the Civil Integration and Tolerance Council under the</p>	

					<p>President of Georgia. On December 10 of every year the Office of the State Minister for Reintegration Issues presents its report on the implementation of the Action Plan by the relevant governmental bodies to the Government of Georgia and Civil Integration and Tolerance Council. It should be noted, that minority representatives are engaged actively in monitoring of NCAP implementation. Memorandums of cooperation are signed between the Ethnic Minority Council at the PDO and the Tolerance and Civil Integration Council under the President and various state agencies. Each year the Action Plan is revised, taking into account the alternative report and recommendations of the Council, operating under the PDO office.</p>	
86.	<p>Take measures to ensure the effective participation of minorities in the social, economic and cultural life of the country and that they are adequately represented in State institutions and public administration.</p>	<p>Pakistan 105.77</p>		<p>National Security Council</p>	<p>On May 8, 2009, the basic document which forms the Government's policy in relation to national minorities - "National Concept for Tolerance and Civic Integration" and its five-year Action Plan (2009-2014) has been approved by a governmental decree.</p> <p>Pursuant to the Government Decree of 2009, the implementation of the Action Plan is coordinated by the Office of the State Minister for Reintegration Issues, while monitoring over its implementation is carried out by the Civil Integration and Tolerance Council under the President of Georgia.²⁹ On 10th December of every year the Office of the State Minister for Reintegration Issues presents its report on the implementation of the Action Plan by the</p>	<p>Concluding observations of CERD, 79th Session, 8 August – 2 September 2011: While noting the efforts deployed in this field, including some special measures, the Committee is concerned by the low level of knowledge of Georgian as a second language among minorities and the obstacle</p>

²⁹ Decree No.348 of 8 May 2009 of the Government of Georgia on the Approval of The National Concept on Civil Integration and the Action Plan.

					relevant governmental bodies to the Government of Georgia and Civil Integration and Tolerance Council. It should be noted, that minority representatives are engaged actively in monitoring of NCAP implementation. Memorandums of cooperation are signed between the Ethnic Minority Council at the Office of the Public Defender ³⁰ and the Tolerance and Civil Integration Council under the President and various state agencies. Each year the Action Plan is revised taking into account the alternative report and recommendations of the Council operating under the PDO.	that this represents to their integration into society, education, employment, and representation in State institutions and public administration. It is also concerned at the insufficient number of trained teachers of the Georgian language.
87.	Promote the inclusion and political participation of all ethnic minorities.	Bolivia 105.78		National Security Council	The participation of national minorities in decision making at the local levels is secured by the <i>Law of Georgia on Local Self-Governance</i> . According to Article 2 of the Law on Local Self-Governance, the engagement of all citizens in decision making at the local level is secured through right to elect and be elected in the local self-governance bodies; Possibility to occupy any position in the local self-governance bodies if the requirements under the Georgian law are met; Right to obtain public information from local self-governance bodies and public officials; Right to obtain advance information about the draft decisions of the local self-governance bodies, to participate in discussions and to demand publication and public discussion of those drafts; Right to appeal to the local self-governance bodies and public officials etc.	Concluding observations of CERD, 79th Session, 8 August – 2 September 2011: The Committee recommends that the level of knowledge of Georgian by minorities be further enhanced through the teaching of Georgian as a second language in educational institutions at all levels and that efforts be made to ensure greater political

³⁰ Uniting more than 90 non-governmental organizations of the national minorities.

				<p>Zurab Zhvania School of Public Administration (ZZSPA) was established in 2005 by the President's initiative. Apart from preparing qualified civil servants, a special program developed for teaching Georgian language to national minorities was running at the school. Special needs assessment was carried out in 2010 with support of the OSCE/HCNM and other donors and new teaching programs were developed based on the findings of these needs assessments. The mission of the school is to support the process of decentralization, improvement of management in the units of local self governance in the regions of Georgia, improvement of the quality of civil service, enhancing the professionalism of the civil servants in the regions as well as development of the local human resources and thus promoting their integration.</p> <p>In order to achieve these goals, the school provides to the national minority civil servants, working at the central and local units of the governance and self-governance, long and short-term programs and courses for lifelong professional development.</p> <p>ZZSPA organizes short courses on management, administration and IT for civil servants working at the local governmental and self-government bodies. Long-term courses are also provided in Georgian and English languages.</p> <p>Special emphasis is made at the ZZSPA on teaching Georgian to non-Georgian speaking</p>	<p>representation and participation of members of minority groups, especially the Azeri and Armenian communities, in public life.</p>
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					teachers and local civil servants. For this reason the School manages the Georgian language houses in Samtskhe-Javakheti, Kvemo Kartli and Kakheti. The curriculum of the Georgian Language Houses (see paragraph 214) and the ZZSPA are unified, which enables the students to pursue studies at the ZZSPA after attending the basic training of Georgian language at the Georgian Language House. (NSC)	
88.	Ensure that the policy of promoting the Georgian language is not pursued to the detriment of the linguistic rights of minorities.	Pakistan 105.79		National Security Council	Georgian authorities actively implement policy aimed at strengthening knowledge of native language among minorities. Among 2 131 public schools, there are 279 non-Georgian schools: 116 Armenian schools, 89 – Azeri, 12 Russian schools and 80 – mixed (have two or more language sectors).	
89.	Adopt a relevant law to create appropriate conditions for the integration of the Meskhetian Turks returnees. <i>(Accepted partially)</i>	Turkey 106.56	Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011: Georgia accepts the premise of the recommendation and in cooperation with	1. National Security Council 2. Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees	For the purposes of coordination of the activities of the state agencies and entities involved in the process of repatriation of persons forcefully sent into exile from the Soviet Socialist Republic of Georgia by the Former USSR in the 1940s (Meskhetian population), on 1 March 2011, the Interagency Governmental Council on the Repatriation of Forcefully Deported Persons from the Soviet Socialist Republic of Georgia during the 40s of XX Century by the Former USSR was created by the No.111 Ordinance of the Government of Georgia. The Interagency Governmental Council consists of deputy ministers, members of the Parliament and the Public Defender of Georgia. The function of the Council also includes submission of the relevant initiatives	Concluding observations of CERD, 79th Session, 8 August – 2 September 2011: The Committee recommends that the State party include detailed information in its next periodic report on the situation of Meskhetians and take the appropriate measures to facilitate their return and their acquisition of Georgian citizenship, including the

		<p>international organizations and civil society has achieved significant progress towards these ends. Georgia takes all appropriate measures to guarantee the forcefully displaced persons (FDPs) deported from Georgia by the Soviet regime in 1940s the full enjoyment of their rights in the process of repatriation. However, Georgia finds it unacceptable to label all of them with a certain ethnic origin and thus, cannot accept the term “Meskhetian Turks” as <i>a priori</i> hindering</p>		<p>and recommendations in respect of the repatriation of forcefully deported persons as well as submission of information to the Government of Georgia on the process of repatriation. Currently, the Interagency Governmental Council is engaged in the process of elaboration of the state strategy in order to coordinate the policy of resettlement, on the one hand and foster integration of repatriates in Georgian society.</p> <p>In order to ensure the full respect of self-determination, the Georgian Legislation does not make reference to ethnic identity in any of the ID documents. Concerning the Meskhetian persons deported in 1940ies, Georgian legislation establishes the term “forcefully deported person from Georgia by the former USSR in the 40-ies of the 20th century” in order to ensure that the self-identification of persons with diverse ethnicities and religious confession are not discriminated.</p> <p>Regarding the process of granting the repatriate status to a person, the required documentation is a minimum, which is necessary to establish the identity and the family composition.</p> <p>The Decree of the Government of Georgia on the “Simplified Procedures of Granting Citizenship for Individuals Enjoying the Repatriate Status” excludes the chance of leaving a person without citizenship until they get the citizenship of Georgia; it means that a person is granted the conditional citizenship of Georgia and the citizenship becomes full-</p>	<p>adoption of the necessary framework legislation to this effect, which has been under drafting since 1999.</p>
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			their inherent right to self-identification.		fledged by the moment they denounce their previous citizenship. Regarding the State Strategy on the Integration of Meskhetians, the Intergovernmental Council was established in 2011, which works on the State Strategy on the Integration of Repatriates, document is expected to be finalized by the end of 2013.	
90.	Launch an awareness campaign to explain the historical reasons for the return of Meskhetian Turks so as to avoid any intolerance against them.	Turkey 106.57	<i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011:</i> Refer to Rec.: 113.	Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees	For the purpose of raising awareness on repatriation issues and supporting their integration process, the Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees (MRA) has been closely cooperating with the international organizations, Acción contra el Hambre (ACF) and European Centre for Minority Issues – Caucasus (ECMI), which implemented the program <i>supporting the repatriation of persons deported from Georgia in the 1940s and their descendants</i> . The program's overall objective was to facilitate the process of resettlement and integration of deported families through an integrated program of policy support, awareness raising, informational services, repatriation support and socio-economic assistance.	
91.	A comprehensive strategy addressing issues such as language learning, access to education and employment in favour of the integration of Meskhetian Turks.	Turkey 106.58.	<i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under</i>	National Security Council	<i>Refer to Rec.: 89.</i>	

			<i>review, 17th Session, 31 May 2011:</i> Refer to Rec.: 113.			
	Migrants, refugees and asylum-seekers					
92.	Consider implementing the recommendations of UNHCR with respect to refugees and IDPs.	Jordan 105.82		Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees	<p>Some changes have been made to the legal status of refugees at international as well as state levels. The Georgian new “law on Refugee”, adopted in 1998 was not in full compliance with Geneva Convention 1951 on “Refugee Status” which Georgia is state partly since 1999. Draft law that meets international standards and the Convention was prepared in MRA. The draft law was submitted to the Parliament in December 6, 2011. The new Law on “Refugee and Humanitarian Statuses” came into force in March 18, 2012.</p> <p>According to the Law, refugee status is dissociated from humanitarian status. The Law defines better the protection of members of the family of a person with refugee and humanitarian statuses. Principle of <i>non-refoulement</i> is also protected. Legal and social-economic guarantees of asylum seekers, refugees and humanitarian refugees are updated. One of the amendment that is introduced in the law is “Humanitarian Status” that is granted to a person who doesn’t meet the requirements needed for granting a refugee status nevertheless he is not able to return to the place of his/her permanent residence. New status is determined as follows:</p>	

					<p>Humanitarian status shall be granted to a person who is not a citizen of Georgia or to a stateless person permanently residing in Georgia, not meeting criteria of article 2 of the present Law and:</p> <p>a) Who has been compelled to leave his/her country of origin due to generalized violence, foreign aggression, occupation, internal conflicts, massive violation of human rights, or other circumstances which have seriously disturbed public order;</p> <p>b) Who for legal reasons, namely in adherence to Georgia's obligations (under article 3 of the UN Convention on Human Rights or other <i>non-refoulement</i> obligations deriving from international or regional human rights law) cannot be forcibly returned to his/her country of origin and have no other country to move to;</p> <p>c) Who faces serious risks for his/her life or other serious human rights violations in case of return in his/her country of origin.</p> <p>However, the above mentioned criteria for granting humanitarian status are not exclusive. Humanitarian status may also be granted to a person who is not a citizen of Georgia or to a stateless person permanently residing Georgia:</p> <p>(a) Who was forced to displace internally within Georgia, but is not eligible for being</p>	
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					<p>granted IDP status under the Georgian Law on Internally Displaced Person;</p> <p>(b) Who entered Georgia from bordering (origin) counties due to situation of natural disasters;</p> <p>(c) Who is in need of trustworthy humanitarian assistance?</p> <p>A special attention should be paid to the cases of refusal of granting humanitarian status. According to the new law a person should not be granted humanitarian status if he/she meets the criteria established by the law on status refusal or if his/her further presence in the country contradicts to the interest of Georgia due to other significant circumstances.</p> <p>After the introduction of “Humanitarian Status”, Georgian legislation is in compliance with all international treaties, agreements, protocols and declarations which Georgia is a state party.</p> <p>Based on the above-mentioned law, the “Humanitarian status” has been given to 24 person most of which are from Syria. There are currently registered 329 persons with refugee status, including 277 refugees on a “prima facie” basis and 52 - on an “individual basis”. 329 persons are seeking asylum in Georgia.</p> <p>Since 2007 Temporary Residence Permits and Travel Documents have been issued for the persons having refugee status.</p>	
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				<p style="text-align: center;"><i>Integration of refugees in Georgia</i></p> <p>There are all kinds of infrastructure necessary for normal living conditions in Pankisi Valley, where the majority of persons having obtained refugee status are settled both in compact centers and private sector.</p> <p>In the municipality of Akhmeta operates the National Healthcare Centre, which consists of the maternity hospital and the polyclinic. Besides, there are 3 operating outpatient clinics in the villages Omalo and Jokola of Akhmeta region, which are provided with the first aid medications once in a month. All services and medications are free of charge for refugees. As regards education, this issue is governed by the Georgian Law on Refugee and Humanitarian Statuses and accordingly, a person having obtained refugee status is equated with a Georgian national. Furthermore, there is a Russian sector at the school of Duisi of the Municipality of Akhmeta, in which refugee children study. UNHCR financially supports refugee students in the form of awards.</p> <p>Various income-generating projects had been implemented in Pankisi Valley over the years assisting refugees free of charge in agricultural development, supplying with various seeds and helping in cultivation. Furthermore, the farms of rabbits, mushrooms, fish and bees have been opened. The refugees are employed within these projects and the profits gained are shared both by the employees and poor refugee families.</p>	
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	INTERNALLY DISPLACED PERSONS					
93.	Strengthen policies and seek international cooperation to ensure the rights of internally displaced people, including measures for their return or resettlement.	Brazil 105.83		Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees	<p>Through the cooperation with international organizations, the draft changes to the Law of Georgia on Internally Displaced Persons from the Occupied Territories of Georgia (adopted in 1996) were made. The Law was in need of considerable improvement of the whole spectrum of legal issues and adequate reflection of IDPs situation in the context of their rights. The current law also requires improvement in terms of legal structure and legal technique.</p> <p>The draft law aims to put in place legal mechanisms which would ensure protection of citizens and first aid in case of forceful displacement, protection of IDPs rights during the whole period of displacement. The document also more accurately reflects today's realities, state policy towards IDPs and action plan which would also address challenges before the country.</p> <p>The main novelties of the draft law include: The draft law develops a comprehensive notion of an Internally Displaced Person. Specifically, "A citizen of Georgia or a person with a status of person without citizenship in Georgia can be qualified as an IDP who was forced to leave his/her place of permanent residence due to a danger of his/her of health or life or that of his/her family members as a result occupation of territory by a foreign state, aggression, armed conflict, mass violence and/or mass violation of human rights and/or impossibility of his/her return to</p>	

					<p>the place of permanent residence due to the abovementioned reasons.” With the improvement of notion of IDPs shortcomings in the context of their rights’ protection will be eliminated.</p> <p>Receiving of state aid due to a person qualified as below poverty line will no longer a basis for termination IDP allowance. The law allows an IDP to receive both IDP allowance and allowance for persons below poverty line if he/she qualifies as such. According to the draft changes in the Law, monthly allowance of IDPs will be doubled.</p> <p>The proposed law specifies reasons for suspension, termination and reinstatement of IDP allowance. Guided by analogy of regulations of the Law on State Pension on reimbursement of sum in case of termination and then reinstatement of allowance, the allowance will be resumed from first day of the following month after decision on the allowance’s resumption. Reimbursement will be made for the omitted period but for no longer than one year from the day of suspension of the allowance.</p> <p>The law also specifies IDPs rights with regards to accommodation and regulations on their eviction from temporary accommodation. Specifically, measures to be carried out by central and local government for eviction of IDPs from spaces transferred into legal ownership of third persons with ensuring their dignity, security and freedom.</p>	
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					The draft law also envisions the right of restitution of property left on the place of permanent residence. It also sets out guarantees of IDPs integration in different party of the country until their return and reintegration to their permanent residence place so that conditions for secure and dignified life are ensured.	
94.	Give the highest priority to the implementation of the action plan for IDPs.	Netherlands 105.84		Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees	Implementation of Action Plan is ongoing with active involvement of international community and overseen by Steering Committee. Action Plan is updated regularly (most recent update approved in 2012) in order to be in line with new challenges and needs that emerge during the implementation process.	
95.	Implement the recommendations made by the Representative of the Secretary-General on the human rights of internally displaced persons following his visit to Georgia on the eviction of IDPs and their relocation.	France 105.85		Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees	With the process of eviction from publicly and privately-owned illegally occupied CCs now completed, it was implemented in line with Standard Operating Procedures (SOP) developed and adopted with the support and assistance of the international and local partners (UNHCR, EU, DRC, NRC, GYLA), providing clear guidelines for vacating buildings and relocating IDPs and has been monitored by various interested organizations including EU Monitoring Mission (EUMM). All IDPs who were eligible for durable housing solution have been offered various alternatives for accommodation and those who received the offer became legal owners of the living spaces. The part of IDPs illegally occupying the buildings had been already provided with durable housing solution, i.e.	

					accommodation in various collective centers in ownership or cash assistance.	
96.	Continue efforts to find solutions to improve the situation of IDPs and refugees.	Lithuania 105.86		Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees	<p>Georgian Government continues with accommodation and livelihood activities, providing the IDPs with durable housing solutions, rehabilitation and construction projects. In order to improve living conditions of IDPs and provide them with decent durable housing the budget of MRA has been doubled in 2013. With the financial support of EU, the construction of 7 apartment blocks in Poti for 280 IDP families is in progress and the preparatory works for the rehabilitation of 28 apartment blocks is underway. In addition to that, KfW started construction of 8 apartment blocks in Samegrelo region for 256 families. With the support of USAID 10 idle buildings will be rehabilitated in Imereti region, which will accommodate about 400 families, also 8 idle buildings and another 6 collective centers will be rehabilitated.</p> <p>Recently the MRA provided 2000 apartments to 480 IDP families; also the rehabilitation work was carried out in 15 apartment blocks for 425 IDP families (1300 IDP individuals). Also, the MRA received 32 buildings from the Ministry of Economy for rehabilitation to accommodate IDPs in Tbilisi, Rustavi, Kutaisi, Akhaltsikhe, Zugdidi, Martvili, Poti, Makhinjauri etc. These constructions add up to the planned housing provision by the government of Georgia, which allocated 243 000² meters for the construction works in Tbilisi and at this stage the design works are being implemented.</p>	

				<p>Some progress has been made in terms of the transfer of accommodations to IDPs in private ownership to 876 IDP families; About 746 extremely vulnerable IDP families received one time monetary support from MRA; The Ministry also covered the flat rent for 71 extremely vulnerable IDP families.</p> <p>For making the process of housing allocation transparent for IDPs and other stakeholders, the guiding principles, criteria and procedures of Durable Housing Solution to IDPs was developed within the MRA. The document establishes guiding principles, criteria and procedures for DHS arrangements approved by Action Plan for the Implementation of the State Strategy on IDPs 2012-2014 adopted by Georgian Government on 13th June, 2012. The criteria are based on Law of Georgia, UN guiding principles about forced displacement, State Strategy on IDPs approved by the Government of Georgia in 2007 and Action Plan for implementation of the State Strategy on IDPs 2012-2014 adopted by the Government of Georgia on 13th June, 2012. The criteria are founded on the principles of voluntary and informed decision, family unity, special protection of those under age left without families or a guardian/caregiver, adequate accommodation, access to documentation and public services, publicity and transparency.</p> <p>A notable shift from humanitarian and</p>	
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					<p>emergency aid to development-oriented programs is in progress. The Government, in cooperation with international donors and partner NGOs (EU, UNDP, UNHCR, USAID, DRC, World Vision, etc.), has been assisting IDP families to become more self-reliant and economically sustainable, also to support the process of IDP integration, by providing support in cultivation and planting on the land plots allocated by the State, providing small grants and facilitating small enterprise development. In this direction, in 2013 MRA plans to create the Legal Entity of Public Law (LEPL) within the Ministry, which will implement the livelihood programs as well as coordinate livelihood projects implemented by international and national organizations.</p>	
97.	Consider additional measures of protection for displaced persons.	Chile 105.87		Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees	<p>Providing IDPs with the durable housing solutions remains a high priority for the Government in 2012. The Government of Georgia continues to work on improvement of living and socio-economic conditions of the IDPs and the information campaign to support the Action Plan on IDPs, the latest has been updated and extended with the aim to carry out more targeted activities in the future. As notable shift from humanitarian and emergency aid to development-oriented programs is in progress, the Government, in cooperation with international donors and partner NGOs (EU, UNDP, UNHCR, USAID, DRC, World Vision, etc.), is assisting IDP families to become more self-reliant and economically sustainable, by providing support in cultivation and planting of the land plots allocated by the State, providing small</p>	

					grants and facilitating small enterprise development. Number of small enterprises and greenhouses were established in new settlements where IDPs displaced in result of August 2008 reside. The LEPL "IDP Community Development Centre" under MRA, supported by World Bank, is assisting IDP and host communities in enhancement of their social and economic condition through community participation, by identification of main local issues and priorities, designing and implementation of a micro project and issuing small grants for the problem solution. In the newly-constructed apartment block settlements of Poti, Tskaltubo and Batumi, on place activities are implemented in order to facilitate employment opportunities for IDPs, linking information on available job places between local employment agencies and IDPs, as well as providing them with vocational training.	
98.	Continue, in close coordination with United Nations bodies, to address the needs of IDPs, including those living in host communities.	Australia 105.88		Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees	MRA closely cooperates with UN bodies on all the issues related to IDPs including protecting IDP rights, providing housing and livelihood opportunities, in drafting relevant legislation and regulations.	
99.	Step up efforts to protect displaced persons, particularly providing assistance and access to public services on an equal basis.	Ecuador 105.89		Ministry of Internally Displaced Persons from Occupied Territories,	IDPs are full-fledged citizens of Georgia. IDPs enjoy the same rights and opportunities and in this sense are fully integrated into local and central Government systems. For the purpose to improve the effectiveness	

				accommodati on and refugees	of the IDP support policy, the decision was made in the MRA to conduct the registration of IDPs, as a result of which is will be possible to define the accurate statistics of IDPs and their families and establish basic needs of IDPs. For that purpose, the commission was created based on the Decree #170 of 28 December, 2012 within the MRA. The Commission elaborated the methods of registration of IDPs and their needs assessment - such as housing, livelihood opportunities, access to social services etc. The members of the commission were the representatives of related governmental bodies, local and international NGOs and the donor organizations. The registration process started on the 1 st of August, 2013 and will finish on the 27 th of December this year. The process will cover the whole country and is designed in a manner to enable all the IDPs to undergo the registration. By defining the exact number of IDPs and their families, the MRA expects to improve the planning and implementation process of IDP support and identify strategic solutions for improving IDPs' housing and social-economic conditions.	
100.	Develop a comprehensive strategy to address the socio-economic challenges faced by IDPs, emphasizing their integration in the local communities to promote work and the autonomy of the individual.	Canada 106.61	<i>Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th</i>	Ministry of Internally Displaced Persons from Occupied Territories, accommodati on and refugees	Georgia supports these recommendations and continues implementation of the State Strategy on IDPs and its Action Plan, ensuring IDP rights and the improvement of their socio-economic situation until their dignified and voluntary return. Number of activities are being implemented in order to support self-reliance and sustainable economic development of IDP families, namely the LEPL "IDP Community Development Centre" under	

			<p>Session, 31 May 2011: Georgia supports these recommendations as the continued strengthening of IDP rights and the improvement of their socio-economic situation are the cornerstones of the Action Plan for the implementation of 2009-2011 State Strategy on Internally Displaced Persons.</p>		<p>MRA, supported by World Bank, is assisting IDP and host communities in enhancement of their social and economic condition through community participation, by identification of main local issues and priorities, designing and implementation of a micro project and issuing small grants for the problem solution. In the newly-constructed apartment block settlements of Poti, Tskaltubo and Batumi, on place activities are implemented in order to facilitate employment opportunities for IDPs, linking information on available job places between local employment agencies and IDPs, as well as providing them with vocational training. In partnership with international community, MRA provides support in cultivation and planting of the land plots allocated by the State, providing small grants and facilitating small enterprise development. The Government, in cooperation with international donors and partner NGOs (EU, UNDP, UNHCR, USAID, DRC, World Vision, etc.), has been assisting IDP families to become more self-reliant and economically sustainable, also to support the process of IDP integration, by providing support in cultivation and planting on the land plots allocated by the State, providing small grants and facilitating small enterprise development. In this direction, in 2013 MRA plans to create the Legal Entity of Public Law (LEPL) within the Ministry, which will implement the livelihood programs as well as coordinate livelihood projects implemented by international and national organizations.</p>	
101.	Consider exploring possible ways and	Malaysia		Ministry of	After the August 2008 war, the Government	Concluding

	means to further facilitate access to and provision of humanitarian aid and other forms of assistance to the IDP population, with a view to normalizing their living situation.	105.90		Internally Displaced Persons from Occupied Territories, accommodation and refugees	<p>has accomplished outstanding results by providing newly displaced IDPs with durable housing including allocation of land plots and aid in gaining first harvests, and gradually assistance has been transformed into development-oriented approach, that envisages ensuring self-reliance to be sustainable. As notable shift from humanitarian and emergency aid to development-oriented programs is in progress, the Government, in cooperation with international donors and partner NGOs (EU, UNDP, UNHCR, USAID, DRC, World Vision, etc.), is assisting IDP families to become more self-reliant and economically sustainable, by providing support in cultivation and planting of the land plots allocated by the State, providing small grants and facilitating small enterprise development. In 2013 MRA plans to create the Legal Entity of Public Law (LEPL) within the Ministry, which will implement the livelihood programs as well as coordinate livelihood projects implemented by international and national organizations.</p> <p>The LEPL will be established and operated through the support of EU in the framework of IDP IV program. Some funds from the IDP IV have been allocated to FAO for implementing the micro-projects in agriculture for the IDPs throughout Georgia.</p>	<p>observations of CERD, 79th Session, 8 August – 2 September 2011:</p> <p>Recalling its general recommendation No. 22 (1996) on refugees and displaced persons, the Committee recommends that the State party continue its efforts to improve the situation of IDPs, including those displaced after the 2008 conflict, in particular, with regard to integration, decent durable living conditions, and food.</p>
102.	Consider adopting a holistic approach in order to enable the totality of IDPs to sustain themselves and have access to employment, education and health care.	Greece 105.91		1. Ministry of Labour, Health and Social Affairs	<p>In order to ensure access to adequate healthcare service to IDPs, government provides publicly financed health insurance for this group of population.</p>	<p>Concluding observations of CERD, 79th Session, 8 August – 2 September 2011:</p>

				<p>2. Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees</p>	<p>Furthermore, starting from February 2013, country had launched Universal Healthcare Program providing coverage for primary healthcare services and other urgent and medically necessary in- and out-patient care services to over 2.2 million people who did not have public or private health insurance coverage.</p> <p>1) IDPs receive medical aid through the state programs;</p> <p>2) IDPs from 2008 conflict, which reside in the collective centers of compact settlements enjoy the State Health Insurance; IDPs are eligible for the health insurance if their age is 6-60 years; Those up to 6 years old and over 60 are eligible for the state pension; Socially vulnerable IDPs, whose point is below 50 000 are eligible for health insurance and monetary support; IDPs with 70 000 points and less are eligible only for the health insurance;</p> <p>3) Ministry of Healthcare of Abkhazia provides healthcare services for IDPs from Abkhazia free of charge; the services cover – medical examination, chemo-therapy and child birth service. There are 4 medical clinics in the capital city providing the above-mentioned services. Throughout Georgia there operate 6 polyclinics in Poti, Senaki, Zugdidi, Khobi, Tskaltubo and Kutaisi, also one ambulatory clinic in village Jvari (Zugdidi). 8 such ambulatories operate in Gali Rayon and 4 medical centers in Gali villages.</p>	<p>It urges the State party to regulate the situation of those IDPs who will not be able to return soon and to place special emphasis on the employment, job creation and income-generating schemes for all IDPs, with special programmes and strategies regarding internally displaced women, including those belonging to ethnic minorities.</p>
103.	Establish clear procedures to ensure	Switzerland		1. Ministry of	<i>Refer to Rec.: 102.</i>	

	that evictions of displaced persons are carried out respecting international norms and guaranteeing the rights to decent housing and work, and the access to health services and education.	105.92		Labour, Health and Social Affairs 2. Ministry of Internally Displaced Persons from Occupied Territories, accommodati on and refugees	The cases of eviction of IDPs have been brought to a bare minimum by the new government. The IDPs illegally occupying the premises have been invited for peaceful negotiation and their resettlement was carried out based on their consent. The resettlement procedures occurred in line with Standard Operating Procedures (SOP) developed and adopted with the support and assistance of the international and local partners (UNHCR, EU, DRC, NRC, and GYLA). All IDPs who were eligible for durable housing solution have been offered various alternatives for accommodation and those who received the offer became legal owners of the living spaces. The part of IDPs illegally occupying the buildings had been already provided with durable housing solution, i.e. accommodation in various collective centers in ownership or cash assistance.	
104.	Take steps to protect IDPs including through the provision of durable housing solutions and by ensuring that forced evictions are carried out in accordance with international standards.	United Kingdom 105.93		Ministry of Internally Displaced Persons from Occupied Territories, accommodati on and refugees	<i>Refer to Rec.: 103.</i>	
105.	Intensify its efforts to ensure that collective centers and resettlement zones for IDPs that are still in operation meet adequate living standards, in particular access to drinking water and basic sanitation. Forced evictions	Spain 105.94		Ministry of Internally Displaced Persons from Occupied Territories,	<i>Refer to Rec.: 103.</i>	<i>Concluding observations of CERD, 79th Session, 8 August – 2 September 2011:</i>

	should be exceptional, proceed in compliance with due process and respect the right to adequate housing for the affected population.			accommodation and refugees		<i>Refer to Rec.: 101.</i>
106.	Ensure that evictions are carried out in full compliance with the guarantees required by international human rights law and that those who are evicted are provided with adequate housing.	Netherlands 105.95		Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees	<i>Refer to Rec.: 103.</i>	
107.	Ensure that evictions take place voluntary and without coercion and that those evicted are urgently provided with adequate housing. <i>(Accepted partially)</i>	Sweden 106.62	Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011: Georgia accepts the part of the recommendation regarding the need to provide adequate housing to IDPs, however, it must also note that evictions in certain cases	Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees	<i>Refer to Rec.: 103.</i>	

			<p>may take place without the consent of the individual. Georgia directs significant efforts to ensure consent in all possible cases of evictions and is guided by Standard Operational Procedures for Eviction of IDPs and Provision of Durable Housing, developed in collaboration with international actors. Georgia will continue to work diligently to uphold these standards</p>			
108.	Fully integrate IDP children in the regular education system.	Austria 105.96		Ministry of Internally Displaced Persons from Occupied Territories, accommodation and	IDP children attend regular schools and are fully integrated in the national education system. The state is distributing free school textbooks annually to the IDPs displaced in result of 2008 war.	<p>Concluding observations of CRC, 48th Session, 23 June 2008:</p> <p>The Committee recommends that the State party give the highest priority to</p>

				refugees		the protection of the rights of internally displaced children. In this regard, the Committee recommends that the State party: Take measures to close segregated schools for internally displaced children and integrate them in mainstream schools without delay.
109.	Reinforce further the rights of internally displaced persons in law and in practice.	Sweden 106.60	Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th Session, 31 May 2011: Georgia supports these recommendations as the continued strengthening of IDP rights and the improvement of	Ministry of Internally Displaced Persons from Occupied Territories, accommodation and refugees	<i>Refer to Rec.: 93.</i>	

			their socio-economic situation are the cornerstones of the Action Plan for the implementation of 2009-2011 State Strategy on Internally Displaced Persons.			
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