



Progress Report



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1. Review of the criminal code and promotion of the principle of equality of arms

1.1. Initiation of necessary legislative reforms in the criminal procedure code.

1.1.1. Promotion of adversarial principle and the right to counsel

In June 2013 the Parliament of Georgia adopted amendments to the Criminal Procedure Code (CPC) aiming at reinforcing the principle of equality of arms. Preparation of additional amendments to enhance adversarial nature of proceedings and the right to counsel based on the need is planned in 2015.

1.1.2. Reform of Plea Bargaining

Legislative reform of the plea bargaining procedure has been carried out. The amendments to the CPC concerning plea bargaining, entered into force in August 2014. The main essence of changes include the abolition of procedural agreement on the sentence, legislative regulation requiring a written record of plea bargaining, increased rights of a judge in the process of plea bargaining, broadening the grounds of appeal against a plea agreement, etc.

1.1.3. Reform of a Jury Trial; in particular, the rules on jury trial coverage

In order to provide effective prosecution in court, a group of Georgian prosecutors was trained in "Trial Skills" with the support of the US embassy during June - July 2014. The core of the training was the presentation skills before the jury.

1.1.4. Initiate legislative amendments to improve the status of victims

The amendments to the CPC concerning the status of victims, entered into force in August 2014. According to the amendments, victim has a right to obtain a crime report; to be informed about the progress of investigation and to consult casefiles, unless it contradicts interests of investigation; in case of especially grave crime – victim has a right to challenge prosecutor's decision on terminating



criminal prosecution in court; to be informed about the release of defendant/ convicted person from detention/imprisonment, etc.

1.1.5. Draft relevant legislative amendments to ensure implementation of European standards for protection of the right to privacy in the criminal justice system

Based on the amendments to the Criminal Procedure Code (CPC) of 1 August 2014, specific actions foreseen under the "Law on Operative-Search Activities", implementation of which could entail infringement of constitutional rights of a person, were transferred to the CPC. A new Chapter XVII was introduced in the CPC, which defines types, procedures and principles of covert investigative actions that are in compliant with international standards. From the changes introduced, following deserve to be noted specifically: possibility of carrying out a covert investigative action and further actions, obligation of the Supreme Court of Georgia to manage a register of covert investigative actions, which shall reflect statistical data on covert investigative actions; The amendments to the law on Personal Data Protection and inclusion of the Personal Data Protection Inspector in the process as an external oversight mechanism shall be noted.

1.2. Drafting amendments for the purposes of liberalizing the Criminal Code, enhancing judicial discretion, formulating clear and foreseeable criminal law provisions

1.2.1. Draft General Part of the Code

1.2.2. Draft Special Part of the Code

Throughout 2014 Prosecutor's Office of Georgia actively participated in the work of the Interagency Criminal Justice Council led by the Ministry of Justice. Draft amendments to the general and special parts of the Criminal Code, as well as the Criminal Procedure Code were developed in the framework of the above mentioned Council. The attention was paid to conceptual issues such as: sentencing principles, types of criminal sanctions, conditional sentence, probation, fine and others. The elements of specific crimes aggravating circumstances, sanctions (punishment) and etc. were also reviewed. The draft Criminal Code was submitted for the Council Europe (CoE) expertise to verify compatibility of the Code with relevant international standards on July 9th 2014. In December 2014 CoE is to provide expert opinion on the draft. It is planned to submit the Code for the spring session of the Parliament.

1.3. Systemic revision of the Code of Administrative Offenses of Georgia

1.3.1. Development of the new draft Code of Administrative Offenses; reform of rules on administrative detention in accordance with fair trial standards

Section 2 was added to Article 262 of the Code of Administrative Offences of Georgia after its section 1, obliging courts to start reviewing cases of administrative violations prescribed in articles 45, 166 and 173 of the Code immediately upon the receipt of the record of administrative violation and other case materials. The review of cases of administrative offenses by courts immediately upon receipt of a record and the case files will contribute to protection of constitutional rights of persons on one hand and to the improved effectiveness of law enforcement agencies – on the other. The new addition of Article 32 of the Code of Administrative Offenses states that length of administrative detention cannot exceed 15 days. This norm was reflected in various article of the Code of Administrative Offenses, which foresaw longer than 15 days period of administrative detention. As a result of amendment of article 245 of the Code, while performing administrative detention, the officer will be obliged to explain to the administrative detainee immediately and in an understandable way the following: a) what administrative offense has he/she committed and the ground for detention; b) his/her rights to counsel; c) in case he/she wants, a person named by the detainee and the administration of the employer or an educational facility will be informed about his/her detention and his/her location. In case of administrative detention of a juvenile, his/her parent or a guardian shall be immediately informed. In addition to the above, "a statement made by an administrative detainee prior to receiving explanation as provided by section 1 of this article, shall be considered inadmissible as evidence."

Independent, Accountable and Transparent Justice System

2. Improved protection of the right to fair trial, through a support to continuous reforms of the judicial system

2.1. Promoting judicial independence in line with fair trial principles

2.1.1. . initiation of legislative changes on the rules governing the selection of personnel for the judiciary; formulation of criteria for the monitoring and assessment of individual judges appointed for a 3-year term, prior to an indefinite appointment; establishment of substantive independence through the guarantee of a judiciary that is free from any outside interference; introduction of objective criteria for the random distribution of cases; overall maximization of the level of transparency of the High Council of Justice of Georgia



The Ministry of Justice of Georgia drafted and initiated legislation establishing monitoring and assessment criteria and procedure for judges appointed for a 3-year probation period prior to their appointment for life. It was adopted by the Parliament of Georgia in August 2014. The package of amendments aimed at improving appointment procedure of judges, establishing clear guarantees for non-interference in the judicial activities and automatic distribution of cases, enhancing rules of reassigning judges to different courts and improving transparency of the work of the High Council of Justice – is already drafted. The draft law was submitted to the Venice Commission for comments, and is presently being fine-tuned in line with the comments provided by the Venice Commission.

2.2. Improvement of the system of accountability of judges, through protection of the principles of fairness, objectivity and personal independence of a judge

2.2.1. Drafting and initiation of legislative amendments aimed at enhancing disciplinary proceedings against judges, creating additional legal safeguards for judges, optimizing the disciplinary procedure and, in general, providing for transparency of disciplinary proceedings.

The Ministry of Justice of Georgia developed a draft law on "Disciplinary Actions and Disciplinary Proceedings against Judges of the Courts of General Jurisdiction of Georgia". The draft was submitted to the Venice Commission for comments, and now is being reviewed in light of comments provided by Venice Commission and is to be finalized in the nearest future.

Prosecutor's Office

3. „Prosecutor's Office – fair, effective and transparent criminal prosecution based on human rights protection“

3.1. Implementing criminal policies reflecting varying challenges of fight against crime

3.1.1. Coordination of criminal policy-making [by Prosecutors Office] in cooperation with other law enforcement agencies, considering legal framework, court practice and with participation of civil society



In order to enhance effectiveness of the Prosecutor's Office (PO) and for the professional development of prosecutors, following training courses were implemented with the assistance of donor organizations during the first 9 months of the present years:

- Trial skills for jury trials
- Reasoning of pre-trial motions
- Drafting and reasoning of legal documents;
- Juvenile Justice (including diversion and mediation);
- Cyber security /investigating and prosecuting cybercrimes;
- Liability of legal entities in corruption cases;
- Investigation and prosecution of trafficking and domestic violence cases;
- Effective communication and public speaking;
- Ethics.

In order to ensure continuous training for prosecutor's in professional ethics, ethics training is a part of all initial and re-training programs for prosecutors.

The activities aimed at implementing standards set forth by the Law of Georgia on Personal Data Protection were initiated in 2014. The trainings of the employees of PO on the issues of personal data protection are planned in 2015.

3.3. Enhancing professional level of the Prosecutors' Office and ensuring its operation in line with international standards

3.3.1. Selection, retention and professional development of qualified staff

With the support of donor organizations the project of re-training prosecutors was implemented during the reporting year. Re-training courses covered following issues:

- Trial skills for jury trials
- Reasoning of pre-trial motions
- Drafting and reasoning of legal documents;
- Juvenile Justice (including diversion and mediation);
- Cyber security /investigating and prosecuting cybercrimes;
- Liability of legal entities in corruption cases;
- Investigation and prosecution of trafficking and domestic violence cases;
- Effective communication and public speaking;
- Ethics standards.

In order to ensure continuous training for prosecutor's in professional ethics, ethics training is a part of all initial and re-training programs for prosecutors.

It is also planned to train the employees of the PO on the standards set forth by the Law of Georgia on Personal Data Protection in 2015.



3.4. Enhancing transparency and accountability of the Prosecutor's Office

3.4.1. Developing community-oriented prosecution service

PO created a manual for journalists. The manual compiles general legal issues that will assist journalists in reporting on justice developments. A meeting with journalists for presenting a manual is planned to take place in the end of the year.

The coordination office for victims and witnesses performed successfully in 2014. The coordinators provided legal services and information on investigative / procedural actions to up to 10 000 citizens (including victims, witnesses, defendants).

At the end of 2014, re-training of coordinators with the support of international experts is planned, aiming at broadening their functions and improving their performance. During re-training special attention will be dedicated to the amendments introduced into the Criminal Procedure Code in July 2014, in order to ensure more effective enforcement of victims' rights in practice.

Performance of the Law Enforcement Services

4. Improving standards of crime prevention and investigation by the police, strengthening human rights protection standards and ensuring their alignment with international standards

4.1. Human resources development through training and re-training on human rights protection

4.1.1. Improving investigation capacities of police through basic and specialized/continuous police training, including training in tactics and investigative skills

Almost all training programs and courses carried out at the Academy of the Ministry of Internal Affairs (MIA) include modules on tactics and investigation skills. Overall 1 643 trainees were trained from January to September 2014. The Academy will continue the training of the candidates as well as re-training employees of the Ministry in the above issues, till the end of 2015.

4.1.2. Training employees of MIA in the issues of trafficking and illegal migration

MIA employees are trained in the issues of trafficking and illegal migration as part of training and re-training curriculum for employees of all relevant positions at the Police Academy. From January to 1 September 2014, 385 trainees underwent the above training at the Police Academy. In the future, throughout 2015, the Academy will continue to train new recruits as well as retraining staff serving at the Ministry.

4.1.3. Training/re-training employees of MIA in legal and psychological specificities of handling cases of juveniles

200 trainees underwent specialized training in juvenile pedagogy and psychology at the Police Academy. The Academy will continue to train MIA personnel in the above subject, throughout 2015

4.1.4. Strengthening the protection of human rights at the Temporary Detention Isolators (TDI) through developing a training/re-training curriculum for the staff of the TDIs and conducting specialized training courses.

The entire staff of the Human Rights Protection and Monitoring Main Division of MIA and the TDIs (total of 230 employees) was trained in Human Rights in spring 2014 for strengthening the protection of human rights at the Temporary Detention Isolators.

4.2 . Human Rights and Public Relations

4.2.1. Informing detainees of their rights using printed material

The lists of rights of detainees arrested on the basis of administrative and criminal charges are kept separately at the temporary detention isolators. The text of the above documents has been developed in cooperation with the Public Defender's Office and is translated into six languages. The document is handed over to a detainee upon his/her placement in the TDI, that has to be signed by the detainee upon familiarization. The signed list of rights of a detainee is kept in the personal casefile of a detainee.

4.2.3. Development of SOPs and the instructions of conduct for the TDIs in line with international standards on human rights and freedoms in cooperation with the Prosecutor's Office



Jim Murdoch, a Council of Europe expert, visited Georgia in May 2014 in order to provide assistance in the process of: (1) reforming existing internal control mechanisms over the investigative and preventive activities of MIA employees and (2) the development of Special Operational Procedures (SOPs) for the employees of the Temporary Detention Isolators. The international expert reviewed functioning of TDIs and the duties and responsibilities of its employees on-site and drafted a report. The document is being studied and the work has to be finalized by the end of 2014.

4.2.4. Crime prevention through awareness raising among youngsters

In order to boost its public relations during academic year 2013-2014 the MIA in partnership with the Ministry of Education and Science of Georgia and PH INTERNATIONAL implemented a “Legal Development Program” at the Georgian public schools. The above program continues throughout 2014-2015. It envisages teaching of 'legal culture' to 9th graders at the selected public schools. The teaching is carried out jointly by the law enforcement officers and the school teachers specifically trained for the purpose. In the framework of the project, school children visit various buildings of the MIA. The children have visited following units of the MIA: MIA Academy, Emergency Call Centre 112, and Forensic Criminalistics Main Division. When visiting, children learn modern methods of solving crimes and get familiar with the work of the law enforcement agencies.

4.2.5. Ensuring transparency of the work of police by constantly informing public through a functional web-page, social media and PSA, radio programs and information brochures

In order to ensure transparency of the work of police and inform the society of its activities following work has been carried out and made available through police web-page:

- Up to 300 frequently asked questions and answers (FAQ)
- Interviewing citizen via e-mail has been launched
- A weekly radio program “within the limits of law” was being produced and aired by “AutoRadio” during 4 months. Broadcasting of the program will continue from 1 October. The feature-documentary series “Identification” was made.
- As for the social responsibility campaigns, MIA carried out 6 campaigns: Don't Drive When Drunk; Fasten Your Seatbelt, anti-drug campaign – No to Bio Drugs; campaign against domestic violence – “Violence is Punishable”; “Pedestrians, use the under/over path”, and „Drivers, give the right-of-way to pedestrians“.

4.3 Developing Infrastructure of the MIA



4.3.1. Developing infrastructure and creating necessary conditions in the TDIs for the purposes of human rights protection

New anti-vandalism day and night lighting devices were procured for each cell throughout the country with the financial support of the EU. They are being gradually installed (only 2 TDIs remain: Tbilisi No 1 and Guria and Achara regional TDIs). The beds in the cells of TDIs are gradually remodelled and new, safe (vandal resistant) tables and chairs are being installed (the works have not yet been initiated in Samegrelo-Zemo Svaneti, Achara and Guria regions, as well as in part of Imereti, Racha Lechkhumi and lower Svaneti regions).

- The refurbishment works were finalised at the Kakheti Regional TDI (Telavi) of the MIA Human Rights Protection and Monitoring Main Division in July 2014. The TDI was furnished with new equipment and items, while new and safe beds, tables and chairs were installed in the cells with the financial assistance of the EU;
- Presently refurbishment works are ongoing in Mtskheta-Mtianeti Regional TDI (in Mtskheta). The works are scheduled to finalize by the end of January 2015.

4.3.2 Developing MIA infrastructure to ensure fight against illegal migration

The Ministry of Internal Affairs of Georgia constructed a Temporary Accommodation Center (TAC) for illegal migrants in order to further advance fight against illegal migration. Placement in the TAC aims at enforcement of the decision to expel a foreign national from the country. Foreign nationals are placed at the Centre on the basis of the court order. While at the TAC, illegal migrants will be provided with medical and psychological assistance. In the case of need, illegal migrants with disabilities will be placed in the specially adapted rooms. The Centre will consider the best interest of a child, provide right to education for children's and will have recreational facilities. The room for praying has been arranged in the center.



Penitentiary System, Probation and Rehabilitation of Former Inmates

5.1 Establishment of a penitentiary system compliant with international standards

5.1.1. Systemic revision of penitentiary legislation and internal regulations and amending the legal framework where necessary, in order to improve human rights protection.

5.1.1.1. Development and initiation of amendments to legislation and internal regulations taking into consideration respective international recommendations

Number of legal amendments was made throughout 2013-2014 in order to effectively regulate existing practice in the penitentiary system. Legal Department of the Ministry of Corrections (MOC) developed a new package of legislative amendments in 2014 considering international best practice and recommendations of monitoring bodies. The package of amendments will be initiated gradually in the end of 2014 and in the first half of 2015. The amendments concern full integration of the Penitentiary Department within the MOC, differentiation of civilian employees from those having special ranks, establishment of new system of classification of prisoners, the rules for training and re-training of employees, etc. In general, proposed legislative amendments provide for better civilian and political oversight and transparency of the closed system.

5.1.2. Further development of the administration of the Penitentiary Department

5.1.2.1. Enhancing administration and management of the Penitentiary Department

MOC developed a reform plan in order to improve administration and management of the Penitentiary Department. The Plan was presented to the Government and to the civil society. The reform will eliminate duplication of functions, namely, the financial, human resources and administration services of the Penitentiary Department will be abolished. The above changes will make administration of the MOC more flexible and effective. Respectively, upon implementation of the above changes, new protocols and SOPs will be developed and adopted.

5.1.2.2. Development of qualification requirements and job descriptions and certification of employees

Job descriptions for the employees of the penitentiary system have been developed and they are being gradually approved. The employees had to undergo a test during 23 July to 4 December 2014. The next stage of examination will be carried out in line with the “Rules for carrying out competitions and testing within the system of the MOC” approved by Order N13 of the Minister of



Corrections, dated 23 January 2013. The qualification requirements and job descriptions of employees of every department are drafted and will be adopted in early 2015.

5.1.2.3. Training of employees of the MOC, including training in administration, management, human rights and other relevant field

The regime and security inspectors, as well as social workers underwent series of various training courses supported by the EU and CoE. Total of over 800 persons were trained in management, human rights, crisis management, in creating healthy environment and in other fields. The continuation of training program is planned.

1 572 employees out of 2 243 that were trained throughout 2014 are certified.

5.1.3. Improving prison conditions, including conditions for groups with special needs such as women, juveniles, persons with disabilities

5.1.3.1 Revised classification of penitentiary establishments

Georgian legislation defines four categories of penitentiary establishments where inmates are distributed in accordance with relevant regime. In addition, specialized establishments include establishments for women, juveniles and medical establishments for convicted and remand inmates. The respective working group finalized its work on the risk assessment methodology and the system for classification of inmates with the assistance of international experts. The documents have been submitted to the Minister of Corrections for approval. The system will be piloted and inmates will be moved to higher as well as lower risk facilities. Multi-disciplinary team will gradually launch the grouping of inmates on the basis of these methodological tools and will decide on their placement in the respective institution. It is planned to staff first of all establishments No6 and No16 with high and low risk inmates respectively in early 2015.

5.1.3.2. Arranging infrastructure and equipping penitentiary establishments

Eight penitentiary establishments were renovated during 2014; N3 and N18 penitentiary establishments along with the limited liberty establishment (half-way house) were opened. Establishments N6 and N16 will be opened in the nearest future. Construction works on high-risk Laituri prison are ongoing.

5.1.3.3. Periodic assessment and when needed revision of prisoners' nutrition standards

New standard, compliant with national standards and international experience was established in 2013. On 26 December 2013 the standard was upgraded, that establishes 12 different menus and



targeted ratio and regime considering demography and physical activeness of an inmate. The standards will be further reviewed in 2015.

5.1.3.4 Regular supply of mattresses and personal hygiene items to inmates

Soft and personal hygiene items are regularly supplied to every establishment. Each inmate was provided with above items in 2014.

5.1.3.5. Creating places/ infrastructure for long-term visits for ensuring inmates' right to interact with their families

20 additional rooms for long-term visits were constructed at penitentiary establishment N16. They will become operational soon. Additional infrastructure for long-term visits was arranged in penitentiary establishment N3. Rooms for a long-term visit became functional at penitentiary establishments N12 and N2. As of November 2014, 4 897 long-term visits were organized.

5.1.3.6. Improving services to which inmates' relatives, friends and other interested individuals are legally entitled

Seven (7) public reception centers, serving families and friends of inmates, operate next to penitentiary establishments. Two of them were opened in 2014. Boxes for complaints are maintained in 6 public receptions. Complaints/remarks are reviewed and addressed. It is planned to open a public reception center at the penitentiary establishment N14 in 2015.

5.1.3.7. Providing convicted and remand prisoners with medical services compliant with respective national and service provision standards

18 months reform of penitentiary healthcare confirmed by independent assessments carried out under the auspices of the EU and CoE, was successfully undertaken during 2013-2014, which has been

As a result of the reform:

- Incidence for Tuberculosis in Georgian prisons has been decreased significantly from 533-to 47.
- Prevention, diagnostics and elimination program for Hepatitis C was launched. For the first time in the history of the penitentiary system, mass screening on Hepatitis C was carried out. Its prevalence is over 45%. Financial resources were allocated for treatment of 500 inmates per year. Over 210 patients were being treated in the first half of 2014. The recovery rate is over 90%.
- 71 patients are infected with HIV/AIDs. Diagnostics and treatment are universally accessible.



- The ratio of medical personnel is as follows: 1 doctor per no more than 200 inmates; 1 nurse per no more than 65 inmates.
- Throughout 2014, total of 4 374 inmates were referred for specialized medical treatment: 3421 inmates to civilian hospitals, 953 inmates to the prison central hospital. Over 192 902 consultations were organized through primary healthcare service.
- Mortality rate dropped: in absolute numbers from 132 in 2011 to under 25 in 2013 and 2014.

5.1.3.8. Creating special conditions for women, juveniles and disabled inmates

Specialized establishment is operational for women inmates. Juveniles are placed at the rehabilitation center. Prison hospital is equipped with relevant facilities and services to accommodate inmates with disabilities (for 80 individuals). Internal regulation of a juvenile establishment has been developed and will soon be approved. Internal regulations for female prisoners' establishment are being drafted. Both of these documents consider the special needs of these groups. It is planned to arrange facilities for long-term visits in women's prison. Based on the needs assessment beds and mattresses were replaced at the juvenile establishment in 2014 (the size of beds and thickness of mattresses were increased).

A concept to promote further consideration of gender specific needs is being drafted. Minimum standards will be developed on the basis of a comparative analysis of Georgian legislation vis-à-vis Bangkok Rules. These standards will be implemented in Georgian legislation and practice. The rights of convicted, as well as remand female prisoners are being reviewed and relevant actions are being planned.

5.1.4. Rehabilitation/re-Socialization of Convicted and Remand Prisoners

5.1.4.1. Creation of workshops and mini-employment schemes in order to improve employment perspectives for inmates

Sewing workshop was opened at the female prison N5, where 25 convicted women are employed.

Employment projects were designed:

- Computer service – creating electronic resources by digitalizing books, catalogues, dictionaries, etc. In cooperation with the National Library of the Parliament of Georgia. The project is submitted for the approval by the government. Its implementation is to start from January 2015
- Beauty Saloon – providing beauty salon services to inmates in the establishments N5, N12 and N15. The project is financed by the EU. The initial works have been carried out. It will be implemented by NGO “Apkhazeti”.

Logistics service of penitentiary department employs convicted inmates that are hired by the Ltd. “Perspectiva”. Their labor relations are organized through the Social Service of the department. Inmates' employment statistics from January through June 2014 is as follows: January - 408, February - 418, March - 458, April - 446, May - 488, June - 470, July - 471, August - 464, September - 522, October - 523, November – 531.



Penitentiary Department ensures the transfer of “untaxable minimum” (established by law) to the account of relevant inmates.

Workshops are established at Rustavi N16, which will be opened in the near future and at the half-way house.

5.1.4.2. Opportunities of receiving general and vocational education at the penitentiary establishments

General education to juveniles at the juvenile establishment is delivered by the Ministry of Education and Science in line with the national education curriculum.

2014 statistics of application and passing of school and university exams are as follows:

School exams for external students:

Applicants - 3, passed - 3;

School finals:

Applicants - 9, passed - 8;

National Exams:

Applicants – 13; passed – 4;

Various vocational education courses are carried out at the penitentiary establishments N2, 5, 8, 11, 12, 14, 15 and 17 throughout the year. 664 inmates are engaged in VET.

List of courses:

- IT
- English language
- Small business training
- Small/ family hotel administrator
- Georgian language for non-Georgian speakers.

5.1.4.3. Development of effective programs and services for re-socialization of convicted and remand prisoners

Various education programs are carried out at the penitentiary establishments N2, 5, 12, 14, 15, 17 and at the juvenile facility N11 throughout a year. 954 remand and convicted inmates are engaged in training. Following training courses were available at the penitentiary establishments: behaviors and responsibility; effective communication; values for the youth; life-skills; leadership and leading; positive self-assessment; healthy life-style; aggression management; stress management; effects of violence; drafting of a CV and a motivation letter; preparation for a job interview; job search and relevant procedures; preparation for release – self-management and civic education; supporting reinsertion; art therapy; child’s development; equality; family – a structural unit.



5.1.4.4. Piloting individual sentence planning methodology for convicted inmates in several penitentiary establishments

5.1.5. Further strengthening of early conditional release mechanism

5.1.5.1. Further development of an early conditional release mechanism

The number of early conditional release councils was increased from 3 to 5 and it now corresponds to existing needs. Local council has been established for female inmates.

Local Councils /commission of the Ministry of Corrections substituted the sentence of 74 inmates with less strict sentence in 2014. 550 inmates were granted an early conditional release.

5.1.5.2. Applying individual sentence planning methodology at the pilot establishments as a basis for decision-making by Local Councils and the Standing Commission

Throughout 2014 individual sentence planning methodology was applied only at the juvenile facility, which based its decisions on the above methodology. In the nearest future, a Statute for a Local Council for Juveniles will be adopted that will make this a formal requirement. It is planned to start applying Individual Sentence Planning methodology at the penitentiary establishments N5 and N16 during 2015 and respective Local Council will also apply it in their work.

5.1.6. Improving legal safeguards for inmates

5.1.6.1. Awareness raising of inmates notably on their rights concerning complaints, disciplinary and administrative procedures

3 types of different brochures have been printed and disseminated among inmates for the purpose of improving their awareness. Convicted inmates were handed over about 6 000 copies of brochures. They are available in several languages and contain information on the rights and obligations of convicted and remand prisoners, as well as the procedures for filing a complaint.

5.1.6.2. Access to complaint procedure established by the Imprisonment Code

Boxes for filing complaints are placed and accessible at each establishment. If needed all inmates are supplied with special envelopes for complaints. 3 types of different brochures have been printed and disseminated among inmates for the purpose of improving their awareness on legal issues. Convicted inmates were handed over about 6 000 copies of brochures. They are available in several languages and contain information on the rights and obligations of convicted and remand prisoners, procedures for filing a complaint. To date there are about 15 000 special envelopes available for complaints.



5.1.7. Effective Functioning of Internal Monitoring Mechanism of the Ministry and the Penitentiary Department

5.1.7.1. Further enhancement of monitoring methodology and its practical application

The monitoring mechanism is being reviewed. As a result of proposed reforms monitoring service of the penitentiary department will be integrated into the General Inspection of the Ministry, that will improve its effectiveness. Throughout 2014 employees of the Monitoring Service of the Penitentiary Department and the General Inspection of the Ministry underwent regular training courses. The trainings organized by the CoE deserve to be specifically noted.

5.1.8.1. Creation of a Monitoring Council consisting of NGO representatives

The initiated legislative amendments foresee establishment of a consultative council to the Minister of Corrections. The Council shall be tasked to establish an alternative monitoring mechanism.

5.2. Effective Probation System

5.2.1. Development of administrative capacities of the LEPL National Agency for Non-Custodial Sentences and Probation

5.2.1.1. Development of infrastructure

New office of Tbilisi Probation Bureau is being renovated and is planned to become operational in early 2015. 5 new regional offices were renovated and opened in 2014. Opening of 4 new offices is planned in 2015.



5.2.1.2. Development of structure of a Probation Service

In January 2014 a Division of Rehabilitation Programs with 49 staff members was established within the National Probation Agency.

5.2.1.3. Reduction of caseload per probation officer

The average caseload per probation officer in 2012 was 192. In 2013 due to radical reduction of number of probationers, average caseload per officer was reduced to 66 cases.

5.2.1.4. Video-conferencing service

Opening of one additional point for video-conference within penitentiary establishment N16 until is planned till the end of 2014 or in the beginning of 2015. The video-conference service is accessible from 7 regional offices of probation. 2 new sites were added and 3 were renovated.

5.2.1.5. Effective functioning of a half-way house

A half-way house became operational in 2014. Its capacity is 100 convicted inmates; the maximum number of inmates in the facility throughout 2014 was 24. Currently the establishment houses 14 inmates.

5.2.1.6. Raising qualification of personnel

207 employees (constituting 63% of staff) of the Probation Agency underwent various training courses.

5.2.2. Development of legal framework

5.2.2.1. Drafting and initiating legislative amendments in line with international recommendations

Numbers of legislative amendments were made in order to improve the legal framework:

- Amendment concerning actual place of residence enabling those without permanent address to be registered with a specific probation bureau;
- In case of good behavior of an inmate placed in a half-way house, the director of the establishment can apply to court with a request to conditionally release him from serving remaining part of his sentence.

- 
- Further amendments aiming at harmonizing probation system with relevant European legislation is planned in 2015.

5.2.3. Improving the system of supervision

5.2.3.1. Developing a special electronic database for case management

100% of probationers are registered in the database.

5.2.3.2. Work of the probation officers with probationers applying risk and needs assessment and individual sentence planning methodology

82% of probationers (as of September 2014) are involved in risk and needs assessment and individual sentence planning.

5.2.4. Development of rehabilitation programs and engaging community

5.2.4.1. Implementing rehabilitation programs for probationers

1 508 probationers were involved in various types of rehabilitation programs in 2014.

5.2.4.2. Supporting employment of probationers

145 probationers were employed throughout the year with the assistance of the probation agency.

5.2.4.3. Sport activities

240 probationers were engaged in sports in 2014.

5.2.4.4. Educational and Cultural Activities

2 260 probationers were engaged in educational and cultural activities.



5.2.5 Improving public awareness on probation

5.2.5.1. Annual report of the National Probation Agency

A meeting with representatives of media – “Probation Agency's Report for 6 months” was organized to improve public awareness on probation. An international conference on achievements and challenges of probation was held in November 2014.

5.2.5.2. Production of promotion material, videos, fliers and booklets

About 30 000 booklets were printed on the rights of the probationer. 400 booklets were produced on limited liberty establishment (a half-way house). One video (PSA) was aired on the role and functions of the social worker at the probation service. 600 copies of a 6 monthly report of the Probation Agency were printed.

5.3. Upholding highest standards of human rights protection in the process of rehabilitation and re-socialization of former inmates

5.3.2. Non-interruption of rehabilitation process

5.3.2.1. Start of the work prior to release at the penitentiary establishment, preparation for release

Social workers of the LEPL Crime Prevention Centre regularly visit penitentiary establishments. The number of beneficiaries engaged in its programs is gradually increasing. As of October 2014, 1040 persons had applied and 706 were actively engaged in the process.

5.3.3. Development of rehabilitation programs for former inmates and their family members

5.3.3.1. Implementing rehabilitation programs for former inmates and their family members

LEPL Crime Prevention Centre engages former inmates and their family members in various rehabilitation programs taking into consideration their specific needs. They support medical treatment, VET, offer various thematic trainings, cultural and educational, as well as sport events. Activities are offered to beneficiaries who are engaged in the program including 776 former inmates and 183 family members.



5.3.3.2. Promoting employment of former inmates

103 beneficiaries engaged in the program were employed in 2014.

5.3.3.3. Sport activities

Former inmates attend football matches. A football team has been set up, and participates in the tournament. In total up to 150 former inmates and 130 family members of former inmates took part in various sporting and educational-cultural events throughout this period.

5.3.3.4. Educational-cultural activities

LEPL Crime Prevention Center periodically carries out various activities, for instance sport competitions for children, hiking tours for former inmates and their family members. Participation is voluntary.

5.3.3.5. Raising qualification of persons working with former inmates

Employees of the former prisoners' rehabilitation and re-socialization division within the LEPL Crime Prevention Center periodically undergo trainings. All employees of the division are involved in this process.

5.3.4. Professional training of former prisoners

5.3.4.1. Former prisoners' access to VET

The Ministry of Justice and the Ministry of Education and Science of Georgia signed a Memorandum in October 2014, which envisages free professional education and training of former prisoners and their family members. The groups for stage 1 of the program have been established. Training started in early December and will end at the end of the month. The groups are currently studying following professions: cooking, accountant, computer network and system administrator. Overall 18 former prisoners got engaged in VET program. The training is delivered by two VET colleges: Mermisi and Gldani Professional Development Centre. The new groups are scheduled to be established in January 2015.

5.3.5.2. Preparation of information material, videos, fliers, booklets, posters, social campaigns

Video on rehabilitation and re-socialization of former prisoners with a title – “Change the Scenario” has been produced and is available on internet. Brochures and posters promoting the program have been printed. The society is constantly informed about the progress of the program. Crime Prevention Centre plans to publicly present its annual report in January 2015.

Fight against Torture and Ill-treatment

6. Fight against torture and other forms of ill-treatment

6.1. Improving legal framework for fight against ill-treatment of remand/convicted prisoners and detainees

6.1.1. Reflecting relevant measures in the National Action Plan for Fight against Torture and Ill-treatment

Governmental Decree N341 dated 7 May 2014 establishes the composition and the statute of the “Interagency Coordination Council against Torture, Inhuman, Cruel or Degrading Treatment or Punishment”. The Council is developing an Action Plan for combating torture, inhuman, cruel or degrading treatment or punishment for the period of 2015-2016.

6.1.2. Reviewing efficiency and compliance with international standards of the legal framework and internal regulations for fight against ill-treatment of remand/convicted prisoners and detainees

In 2014 prosecutor’s office of Georgia carried out specific activities to ensure effective prosecution of cases involving torture and inhuman treatment, as well as cases of human trafficking.

In order to detect facts of ill-treatment of detainees, territorial offices of the Prosecutor's Office obtained information on daily basis from TDIs and penitentiary establishments concerning inmates /detainees registered with signs of violence.

Prosecutor met with every person who received even minor bodily injury/harm during detention. A Prosecutor from the Human Rights Protection Division of the Chief Prosecutor’s Office met with 87 persons throughout 2014. Investigation was launched on several incidents that were revealed during these interviews.

21 persons were convicted for torture, inhuman and degrading treatment throughout 2014.



Activities carried out by the Ministry of Internal Affairs

in October 2014, within the framework of the joint EU and CoE programme, a working group was established. The WG is to draft a ministerial decree on hunger strike management within TDIs. The work will soon be finalized.

The working group is also elaborating new regulations according to which transferring medical records kept at the TDIs, to the respective penitentiary establishment in case of transfer of the defendant, will become possible.

SOPs for the employees of the TDIs are being worked out within the framework of the EU grant. With the involvement of the British expert Mr. Jim Murdoch. He visited Georgia in 2014, reviewed the work of TDIs in detail and gave positive assessment to the work of the TDIs. The documents will soon be finalized.

Ministry of Corrections reviewed legal framework and internal regulations including those related to the fight against ill-treatment and considered them in the relevant packages of amendments.

6.1.3. Drafting and initiating legislative amendments and improving internal regulations on the basis of the analysis described above

At a meeting of the “Interagency Coordination Council against Torture, Inhuman, Cruel or Degrading Treatment or Punishment” held on 16 June 2014 it was decided to set up 3 working groups: the first to work on the strengthening of National Preventive Mechanism; the second – on the establishment of a mechanism for reviewing and investigating complaints concerning torture and ill-treatment and the third – on the rights of persons deprived /restricted of liberty. The first WG is led by the Public Defender’s Office, the second is led by the Ministry of Justice, and the third is led by the Ministry of Corrections.

Establishment of a mechanism for reviewing and investigating complaints concerning torture and ill-treatment

The second group is actively working on ensuring effective detection and timely, impartial and effective investigation of each complaint/allegation. The group has discussed two options: (1) strengthening existing investigative mechanisms and bodies (2) creating a new independent investigative body and defining its possible model. In case of the first option it is planned to identify procedural and/or structural problems of the existing mechanism and if such problems are identified, to remedy them through amendments to legislation and/or internal regulations. As for the creation of an independent investigative mechanism, the working group is considering few structural models of such entity. Each model complies with the principle of separation of powers established by constitution and with the principle of non-interference in investigation. The group is debating also on such attributes to independence and impartiality as the right to appoint the head of the investigative service, financing of its activities, accountability, the possibility of appeal of its decisions, and many others. At the moment no decision on creation of such a service and its structure are made. All models and options will be presented to the Council at its following meeting.



The second working group drafted amendments aiming to increase the role of a judge in reviewing criminal cases concerning ill-treatment and at creating additional safeguards against torture and ill-treatment for remand and convicted prisoners. The draft amendments to the CPC relate to the following: the right to challenge the supervising prosecutor's refusal to recognize a person to be a victim of torture, inhuman and degrading treatment in court; empowering a victim to challenge prosecutor's decision refusing to initiate criminal prosecution on charges defined by articles 144¹ and 144³ of the Criminal Code; entitling a judge to order the investigative bodies to initiate investigation, if he/she suspects/assumes that a defendant or a convicted person has been subject of torture, inhumane or degrading treatment; the right of a judge to request MOC to supply information about the health condition of a detainee/prisoner. The Council is to review also draft amendments to the Imprisonment Code. The draft amendments concern improved safeguards against ill-treatment for inmates in case of transfer from one type of penitentiary establishment to another.

At present draft amendments are submitted to the Council member entities for their comments and suggestions.

Imprisonment Code was amended. The special measures/tools of restraint were introduced. Employees of the Penitentiary establishment will have the right to use these measures/tools only in exceptional cases. In order to protect from potential ill-treatment the rules of application of special measures have been adopted. In the working process electroshock was removed from the list of allowed special measures/tools. The rules of obtaining and retaining audio-video data have also been drafted, regulating the duration of storage and access to these data. The rules are to be adopted by the order of the Minister.

6.2. Ensuring improved living conditions and institutional treatment of remand and convicted prisoners and detainees

6.2.1. Ensuring adequate physical conditions in line with international standards through periodic analysis of the existing situation and implementation of relevant measures

New anti-vandal type day and night lighting devices were procured for each cell throughout the country with the financial support of the EU. They are being gradually installed. The beds in the cells of TDIs are gradually remodeled and new, safe (vandal resistant) tables and chairs are being installed. In the framework of the EU project it became possible to install new safe beds, tables and chairs in the cells of the TDIs.

In November 2014 the instructions regulating operation of TDIs of the Ministry of Internal Affairs was amended. The amendments aimed to bring instructions in compliance with international standards. The changes were also caused by the fact that duration of administrative detention was reduced to 15 days. The minimum space required per detainee also increased; changes were made to the rules of detainees' access to shower, their right to a walk on a fresh air and etc.



In early December 2014 the representatives of CPT visited Georgia. They reviewed in detail situation in the TDIs as well as the documentation available at the TDIs, met with detainees and reviewed legislation regulating this field (the report will be submitted in 6 months).

Activities carried out within the competence of the Ministry of Corrections

Minimum space per inmate was increased to 4m². The above standard is observed in the majority of establishments. It will be possible to observe this standard everywhere, once the closed establishment which has been under repair works, is reopened.

Penitentiary establishment N3 in Batumi was reopened after a major renovation.

Repair works at the establishment N16 (light regime) have been finalized. The establishment will be opened soon.

The new medical facility for convicted and remand prisoners, equipped with modern technologies was opened.

The Juvenile Block of the Gldani Prison N8 was renovated.

The repair works are ongoing in the strict regime establishment N6.

A smart reception unit was opened in Gldani prison N8, replacing the previously existing system of “quarantine”.

6.2.2. Creating adequate regime and safe environment for rehabilitation and treatment in line with international standards, with participation of relevant independent experts

Each detainee placed in the TDI of the MIA is provided with items of personal hygiene, reading material, and hot meal three times a day.

The budget of a prison healthcare system was increased. The medical treatment facility for remand and convicted prisoners equipped with modern technologies and infrastructure was opened; diagnostics and treatment program for Hepatitis C was launched; the system of referral to civil sector hospitals operates effectively; the number of medical personnel was increased. The resolution of the Committee of Ministers of the Council of Europe, taking note of the ECtHR decision on the issue, acknowledged the reform of the prison healthcare system successfully implemented.



6.3. Improving internal and external monitoring of the conditions and the treatment of convicted/remand prisoners and detainees

6.3.1. Improving the work of the internal monitoring (inspections) over conditions and treatment of convicted/remand prisoners and detainees through legislative acts and internal regulations (*inter alia* by introducing proactive inspections, increasing independence, accountability and introducing effective complaint handling mechanism)

The activities of the monitoring division in general are defined in the Order N141 of the Minister of Internal Affairs dated 1 March 2013; however the above order fails to establish main principles, directions and methodology for the internal monitoring. It is planned to develop detailed instructions to guide the work of the monitoring division in the nearest future.

Despite the absence of clear instructions, on the basis of international standards the monitoring division managed to implement new rules for carrying out inspections. Planned and ad-hoc monitoring is carried out by the teams of 2-3 employees (the number depends on the size and the capacity of the respective TDIs); monitors observe the activities within the TDIs. For instance, whether a detainee is duly expounded of his/her rights, whether the conditions and rules for reception of detainees in the TDI are observed, whether security regime is observed, whether conditions for storing food are observed, and etc. The employees of the monitoring division personally review documents, check if casefiles are in order, if time limits are observed and look at other aspects of operation of TDIs. The monitors also check if safety rules are adhered to in TDIs in line with the internal regulation. Each monitoring results are verified with relevant video monitoring and monitoring of database. For instance, prior to each monitoring visit the employees are familiar with the work of the TDI, namely they have information on the officers on the control post, employees working the respective shift and the detainees. They also have access to all type of other information which is available through checking databases and reviewing video monitoring material.

The monitoring team submits a monitoring report on each visit to its superior. The report includes recommendation to improve the work of the TDI. Quarterly reports about the work of TDIs are also presented to the management.

Through monitoring the electronic database monitoring unit carries out daily control over the process of placement of detainees in the TDIs.

The Ministry of Corrections of Georgia is working on the refinement of the monitoring mechanism. As a result of proposed reforms, monitoring service of the penitentiary department will be integrated into the General Inspection of the Ministry, which will improve its effectiveness. Throughout 2014 employees of the Monitoring Service of the Penitentiary Department and the General Inspection of the MOC underwent regular training courses. The trainings organized by CoE deserve to be specifically noted.

General Inspection of the MOC applied following disciplinary measures during 2014:

- Verbal notice - 22

- 
- Warning - 9
 - Reprimand - 39
 - Strict reprimand - 22
 - Dismissal from office - 32
 - Retention of salary - 1
 - Demotion - 1

6.3.2. Improving audio-video monitoring system in penitentiary and detention facilities (improved technical support, increased duration and security of storing recorded data in compliance with recognized international standards on respect of privacy and personal data protection)

The regulation on obtaining and storage of audio-video recording is drafted. The document defines the rules concerning the duration of storage and access to data. The regulation will be approved by the Order of the Minister.

In parallel, the surveillance equipment installed at the penitentiary establishments is gradually being standardized.

6.3.3. Strengthening the external monitoring mechanism over conditions and treatment of detainees and prisoners (including the Public Defender, National Prevention Mechanism (NPM); development and initiation of legal acts to improve the regulatory framework, improving mechanisms for institutional cooperation)

An “Interagency Coordination Council against Torture, Inhuman, Cruel or Degrading Treatment or Punishment”, established with the Governmental Decree N341 of 7 May 2014 discussed a draft proposal aiming at improving the work of the NPM and increasing its competence.

The NPM continues to monitor Georgian penitentiary system. The Ministry of Corrections ensures unrestricted access of NPM representatives to the penitentiary establishments.

6.4. Refining statistical data on cases of ill-treatment of remand/convicted prisoners and detainees and on the official response to such cases

6.4.1. Further enhancing the system of placement and registration of persons at the penitentiary and detention establishments;

The MIA Human Rights and Monitoring Main Division has started to apply a new method of processing statistics in order to refine statistical data since early 2014.

Implemented and ongoing activities:



The MIA Human Rights and Monitoring Main Division has started to apply a new method of processing statistics in order to refine statistical data since early 2014. Monitoring Division verifies the accuracy of and analysis the statistical data. The statistics reveals detailed information concerning possible fact of ill-treatment. Namely, statistics includes the following information: the number of persons who complained against police officers, the number of detainees with physical injuries prior to, during and after detention, when where the injuries inflicted. The police sends information on injuries inflicted during and after detention to the prosecutor's office, while the information on injuries prior to detention are forwarded to Prosecutor's Office only in some cases.

Planned activities:

In order to address current shortcomings and to add new functions to the database, it is planned to upgrade the database of persons placed in the TDIs during 2015

In the framework of the reforms carried out by the Ministry of Corrections it is planned to create a unified system for placement and registration of persons which would compile greater amount of data and be easier for processing.

6.4.2. Processing, refining and systematizing statistical data in order to be able to analyze dynamics of the facts of ill-treatment.

Monitoring Division verifies the accuracy of and analysis the statistical data. The statistics reveals detailed information concerning possible fact of ill-treatment.

It is planned to upgrade the database of persons placed in the TDIs during 2015, in order to address current shortcomings and to add new functions to the database.

The general inspection and the monitoring department of the MOC record the statistics of complaints filed. In the framework of reforms it is planned to create a new system for processing statistical data, which would compile greater volume of data and be easier to analyze.

6.5. Continuous training and capacity building of civil servants on the issues of prevention and effective investigation of cases of torture and ill-treatment as well as in better protection of victims' interests

6.5.1. Promote capacity development of training institutions in teaching the prohibition of ill-treatment; improved inter-institutional coordination; improved teaching standard, teaching material and methodology in line with international standards.

From January to September 2014 900 trainees were trained at the MIA Academy, in the issues of prevention and effective investigation of cases of torture and ill-treatment as well as in better protection of victims' interests



Following programmes and courses delivered at the MIA Academy include modules on the above issues:

- Special professional training program for neighborhood police officers;
- Special professional training program for patrol police inspectors;
- Special course for carrier development for the employees of the patrol police;
- Retraining program for the trained employees or candidates for appointment at the MIA patrol police;
- Special professional training program for border control officers;
- Special professional training program for detective-investigators;
- Special professional training program for promotion candidates at the MIA Central Criminal Police Department and in its territorial bodies;
- Special training program for conscripts and for candidates to be awarded a special rank of police lieutenant;
- Special professional training program for the border guards of the Land Border Defense Department of the Border Police
- Special training program for the Military Police of the Ministry of Defense of Georgia;
- Special training program for Marshals service

The Academy will continue to train and retrain the candidates for recruitment and the staff respectively in the above subjects, till the end of 2015

UNDP program aimed at capacity building of the LEPL Penitentiary and Probation Training Centre (PPTC) was approved.

PPTC with the support of the Council of Europe designed a 6 month long training program for the newly recruited prison regime inspectors. Based on the positive results of the program and was decided to continue its implementation in 2015.

A unified program for retraining current staff of the prison service was developed on the basis of the above training module; implementation of which will be launched in 2015.

Training courses for prison managers continue; the training prioritizes human rights protection and aims at prevention of torture and ill-treatment.



6.6. Timely, comprehensive, effective and impartial investigation of torture and other forms of ill-treatment; criminal prosecution of perpetrators; fight against impunity

6.6.1. Increase accountability and democratic oversight over law enforcement bodies. Complaints against police officers and prosecutors call for a professional and effective mechanism to ensure a credible response. Consider establishing independent and effective mechanism for reviewing such cases; Law enforcement officers shall undergo a comprehensive professional training in ethical standards and human rights.

The above issues fall within the mandate of the Interagency Coordination Council against Torture, Inhuman, Cruel or Degrading Treatment or Punishment”.

The Interagency Coordination Council against Torture, Inhuman, Cruel or Degrading Treatment or Punishment” is working on the issue of establishing an effective and independent complaint mechanism. Representatives of the following non-governmental organizations are involved in the work of the Council: Penal Reform International, Global Initiative in Psychiatry, Georgian Centre for Rehabilitation of Torture Victims (GCRT), Georgian Young Lawyers’ Association (GYLA), Article 42 of the Constitution, along with other national experts. In addition, representatives of the following organizations are engaged in the work of the Anti-Torture Council: EU Delegation to Georgia, CoE Office in Georgia, UNICEF, Europe and Central Asia Unit of the Human Rights Watch, UN Office of High Commissioner for Human Rights, US embassy to Georgia and Norwegian Rule of Law Mission.

At present NGOs and experts are reviewing and analyzing international practice. The Council is to review several models on the basis of this comparative research.

6.7. Addressing consequences of torture and other forms of ill treatment, protection and rehabilitation of victims

6.7.1. Improvement of effective legal assistance (including necessary financial resources for effective assistance) of victims through financial and technical support to the free Legal Aid Service

Mandate of the LEPL Legal Aid Service does not provide for free legal representation to victims of torture.

In 2014 the mandate of the Legal Aid Service was broadened only by encompassing legal counselling and advocacy for victims of domestic violence. Namely, on 17 October 2014 the law of Georgia on Legal Aid Service (Article 26.2) and the law on “Combating Domestic Violence, Protection of and Assistance to Victims of Violence” (Article 17) were amended. According to the amendments LEPL Legal Aid Service was mandated to provide legal assistance to victims of domestic violence. The above legislative amendments entered into force on 14 November 2014.



LEPL Legal Aid Service has not yet provided assistance to the victims of domestic violence, due to lack of such requests.

It shall be noted that more amendments in the law on Legal Aid Service (LAS) are planned again until the end of 2014, concerning expansion of the LAS mandate to advocacy on civil and administrative cases. More specifically, after the adoption of amendments LAS will provide free advocacy services to vulnerable citizens not only in criminal cases, but also in certain categories of civil and administrative cases. It is planned to apply free representation in civil cases as of April 2015 and in Administrative cases from 2016.

At this stage the efforts of the LAS are directed towards effective implementation of advocacy services on civil cases. For this purpose the Service has already started to re-train its lawyers/attorneys. Training program will continue throughout 2015. It is also planned to recruit new lawyers specializing in civil law and to arrange relevant infrastructure in 2015.

6.7.2. Formulation and ensuring effectiveness of the national program for rehabilitation of victims

LEPL State Fund for Protection and Assistance of (statutory) Victims of Human Trafficking (AtipFund) was established in 2006. The Atip Fund operates under the umbrella of the Ministry of Labor, Health and Social Affairs.

The services of the Atip Fund are accessible for:

1. A persons having a status of a victim of human trafficking be the citizen of Georgia or another state
2. A person having a status of a victim of domestic violence be the citizen of Georgia or another state
3. A person with disability, elderly and children deprived of parental care;

The AtipFund provides following types of services to the victims of human trafficking:

- a) Legal assistance (including representation before the court);
- b) Psychological service (including rehabilitation and re-integration programs);
- c) Medical services;
- d) Provision of a shelter;
- e) One-time compensation in the amount of 1000 GEL;
- f) Hot-line service.

- a) Legal assistance

The AtipFund provides legal services to the victims of human trafficking. This service includes: awareness raising in legal issues, preparation of relevant legal documents, development of an individual plan for legal assistance, advocacy services including representation in court (referral in case of need).

- b) Psychological service



The AtipFund provides psychological services to the victims of human trafficking. The above service is delivered through the following steps: individual and group psychological consultations and rehabilitation of victims of human trafficking, crisis intervention, emotional and psychological support, psycho-education, and assistance in defining future perspectives /in regaining control over one's own life. Group rehabilitation therapy, which is carried out once a week or once in 10 days and envisages teamwork, aiming at boosting self-confidence and facilitating relations with other inhabitants of the shelter (if placed in the shelter). As a form of team work, creative groups are set up giving the victims of human trafficking the opportunity to express themselves through various creative activities (painting, knitting, singing, dancing, etc.).

Each beneficiary placed in the shelter is involved in the rehabilitation/re-integration program consisting of the following steps: interviewing beneficiary and assessing his/her needs; assessing potential risks for the beneficiary and developing a security plan; designing a rehabilitation/re-integration plan; planning and providing psychological, medical, legal and social services; in case of need, contacting relevant other organizations and specialists and coordinating service provision.

c) Medical services

The AtipFund provides medical services to the victims of human trafficking, which encompasses assessment of health condition and healthcare needs of the victim of human trafficking, primary medical check-up, emergency medical assistance, provision of basic medicines.

d) Provision of a shelter

Two establishments (shelters) for the victims of human trafficking are subordinated to the AtipFund: one in Batumi (established in 2006) and one in Tbilisi (established in 2007).

Shelters are open to victims of human trafficking regardless of their race, color, language, gender, religion, political and other considerations, national, ethnic and social belonging, origin, financial and social standing and the place of residence. It is possible for the victim of human trafficking to be accommodated in the shelter together with his/her dependents.

The shelter provides its inhabitants with the following 24-hour services:

- a) Safe living environment adequate for normal existence;
- b) Food and clothing;
- c) Engagement in family and society integration programs;
- d) Supporting formal and informal education for minors;
- e) The shelter carries out all those activities that serve the development of the beneficiaries;
- f) Ensuring confidentiality of the address and the identification data of inhabitants of the shelter;
- g) Other activities as set out in the law.

The services provided by the shelter are also adapted to the needs of the minors.

The AtipFund regularly monitors the activities of the shelters for the victims of human trafficking. Monitoring is carried out by a designated monitoring team established in the central administration of the Fund through on-the-spot checks.

h) One-time compensation

Compensation in the amount of 1000 GEL is issued to the victims of human trafficking.

6. Hot-line service

The AtipFund runs a hotline for victims of human trafficking. Any person may place a call at: 2 100 229 and obtain qualified consultation and information concerning services provided by the AtipFund. The service is anonymous and free of charge.

2013-2014 Statistics of the use of AtipFund services by the victims of human trafficking

Year	Psychological Service	Medical Service	Legal Service	Compensation	Shelter
2013	5	2	32	21	6
2014	5	3	5	9	7

Statistics of beneficiaries of the shelter

	Female	Male	Minor	Dependant	Total
2013	4	0	1	1	6
2014	5	0	0	2	7

During 2013 the Group for Victim Identification granted the status of a victim to 29 persons and to 3 persons in 2014.

Domestic Violence

Services of the AtipFund:

Victims are provided with following services:

- a) medical;

- 
- b) legal (including court representation);
 - c) Psychological;
 - d) Social assistance;
 - e) Provision of a shelter.
 - f) Hot-line.

1. Medical services include:

- assessment of health condition and healthcare needs of the victim, primary medical check-up;
- emergency medical assistance, provision of basic medicines.

2. Psychological services include:

- psychological consultations and rehabilitation;
- crisis intervention, emotional and psychological support, psycho-education,
- group rehabilitation;
- awareness raising on domestic violence and domestic violence against children;
- assistance in defining future perspectives and in re-gaining control over one's own life.

3. Legal services include:

- Individual legal consultation;
- In case of need, preparation of relevant legal documents, drafting a complaint/claim and advocacy services including representation in court;

Drafting of a complaint/ civil claim and representation in court is granted in the following cases:

- To obtain a protection order;
- divorce;
- request for alimony;
- defining the place of residence of a minor child;
- division of co-owned property;
- Criminal cases where charges are linked to domestic violence.

4. Social assistance includes the following:

- Obtaining information about available resources in terms of social assistance and providing this information to the beneficiary;
- Providing information about the educational opportunities;
- Contacting different agencies and specialists based on the specific needs of the beneficiary and coordination provision of services, referral of the beneficiaries where relevant.



- Supporting employment.

5. Shelters

The shelters for the victims of domestic violence were opened in Tbilisi and Gori in 2010. In 2013 a new center for the victims of domestic violence was opened in Kutaisi, Imereti Region, established in the framework of UN Women project – “Support Gender Equality in Georgia”.

Services provided at the shelter include:

- Safe living environment adequate for normal existence;
- Food and clothing;
- Medical assistance, provision of basic medicine;
- Psychological consultation/ rehabilitation;
- Legal assistance and representation in court;
- Providing a victim with information in the language she/he understands; in case of need, provision of interpretation services;
- Engagement in short-term and long-term rehabilitation, as well as family and society integration programs (general and professional education, support in employment).

6. Hot-line

A hot-line was established in October 2010 to provide 24-hour service and telephone consultation to the victims of domestic violence and to provide crisis intervention.

6.7.3. Enhanced cooperation with non-state bodies supporting rehabilitation of victims

The AtipFund closely collaborates with the non-governmental organizations working in the field of human trafficking. The fund has signed memorandums with the NGOs (International Organization for Migration, Georgian Young Lawyers' Association (GYLA), Anti-Violence Network of Georgia) on the provision of services. The memorandums are renewed as needed.

With the aim of fighting domestic violence, protection of and assistance to the victims of domestic violence, as well as for the fulfillment of functions and responsibilities prescribed under the national referral mechanism, the Fund has signed Memorandums of Cooperation with the following NGOs working on the issues of domestic violence:

- a) NGO Georgian Young Lawyers' Association;
- b) NGO Anti-Violence Network of Georgia;
- c) NGO Consultation Centre for Women "Sakhli";
- d) NGO Women's Information Centre;
- e) Georgian Association Facilitating Women's Employment "Amagdari"

The fund actively cooperates with the Anti-Violence network of Georgia, which conducts series of training for the employees of the Ministry of Internal Affairs of Georgia (representatives of patrol and neighborhood police) in the framework of the UN Women Project. The training concerns issues of



domestic violence, relevant legislative framework, familiarization with applicable referral procedures and mechanism for the above target groups. Up to now employees of police in the regions of Kakheti, Samegrelo, Guria, Imereti, Achara and Shida Kartli have been trained. In addition, training for service providers for the victims of domestic violence have been conducted with participation of the Fund.

Combating Human Trafficking

7. Fight against the crime of human trafficking

7.1. Prevention of human trafficking

7.1.1. Awareness raising on human trafficking. Carrying out an effective information campaign to inform public about human trafficking

At its meeting on 12 February 2014, the anti-Trafficking Interagency Council approved the comprehensive Information Strategy on Combating Human Trafficking with 2014-2015 Action Plan, aiming at awareness raising of specific target groups through correct means and ways. The public awareness activities are already being carried out in the framework of this Strategy. Public Service Announcements (PSA) are regularly broadcasted by radio and television companies for the purpose of informing society of their rights. In addition public discussions are held at various state and private universities. A 24-hour hotline operates at the MIA enabling each and every citizen to consult qualified operators. The Ministry regularly participates also in printing and dissemination of information materials (brochures and leaflets). Constantly updated information on the threats associated with human trafficking is publicly available at MIA official website at: www.police.ge. The website contains detailed information enabling each person to identify the cases of trafficking in persons, explaining how to protect oneself, telling what one shall know about one's own rights and whom to address in case of need.

In the framework of the Information Strategy on Prevention of Trafficking in Persons the Ministry of Justice identified target groups, geographic area, methodology and resources of the information campaign.

- Throughout 2014, 745 citizens in various cities of Georgia were informed about human trafficking through training sessions and public meetings;
- Total of 473 pupils from the schools of various cities of Georgia attended a training aimed at prevention of human trafficking.
- 12 students from various universities of Georgia underwent training of trainers on Human Trafficking on 5 February. The training aimed at teaching students how to carry out an awareness raising of students on the issues of human trafficking in various regions of Georgia.
- In March 2014, 3 information meetings were held between the Secretariat of the Council and the Mobile Groups for children living and/or working on the streets, functioning under the Ministry of



Labor, Health and Social Affairs of Georgia. The Council informed the Mobile Groups about the anti-trafficking policy and the ways of protecting oneself from the threats of human trafficking. They were also supplied with the information material to be disseminated among children living and/or working on the streets.

- In May 2014 a moot court competition was held in the framework of the comprehensive information campaign on combating human trafficking <http://www.justice.gov.ge/Ministry/Department/364>. 30 teams composed of 5 students each from various higher education institutions of Georgia participated in the competition.

7.2. Protection of Victims of Human Trafficking

7.2.2. Assistance of victims of human trafficking, their safe and voluntary return to the places of their permanent residence, supporting rehabilitation of returnees

Due to the fact that the Government's Human Rights Action Plan (covering period 2014-2015) covers the issues of protection of the rights and interests of citizens of Georgia abroad, Ministry of Foreign Affairs of Georgia is working on enhancing service delivery by the Georgian Consulates, including to the victims of human trafficking.

The Ministry of Foreign Affairs of Georgia continues to cooperate with other competent agencies of Georgia in order to provide assistance to the victims of human trafficking and to support their safe and willful return to the places of their permanent residence through diplomatic and consular services of Georgia.

7.3. Effective Criminal Prosecution of Crimes of Human Trafficking

7.3.1. Proactive detection of cases of human trafficking and for this aim establishment of joint trafficking inspection mobile groups

With the aim of detecting cases of human trafficking, four trafficking inspection mobile teams composed of law enforcement officers were set up under the second main division for Combatting Human Trafficking and Irregular Migration of the Central Criminal Police Department of the MIA. Each team consists of two law enforcement officers and their main aim is to identify high-risk places and establishments with regard to human trafficking and to interview the persons in various risk-groups in order to detect possible acts of human trafficking.

Total of 120 establishments were inspected throughout 2013-2014. Through operative-investigative activities carried out in such establishments over 650 women, including foreign nationals, engaged in prostitution and employed in such establishments were interviewed/ questioned with the aim of detecting possible acts of human trafficking against them.



In order to detect cases of human trafficking, mobile groups regularly interview citizens deported from Turkey and from various countries of Europe. 1 524 citizens were interviewed in 2013 and 1700 in 2014 respectively.

As a result of the work of trafficking inspection mobile groups in 2013: 3 criminal investigations were initiated into the facts of human trafficking, while in total 11 investigations were launched by the Ministry of Internal Affairs and 5 persons were prosecuted.

As a result of the work of trafficking inspection mobile groups in 2014: 3 criminal investigations were initiated into the facts of human trafficking, while in total 13 investigations were launched by the Central Criminal Police Department of the Ministry of Internal Affairs and 5 persons were prosecuted on 7 facts of human trafficking.

As a result of operative-investigative activities carried out by the trafficking inspection mobile teams under the second main division for Combatting Human Trafficking and Irregular Migration of the Central Criminal Police Department of the MIA investigation of 13 criminal cases against 18 establishments involving granting space for prostitution were launched in 2013. 20 citizens were prosecuted on charges involving granting space for prostitution. In 2014 6 criminal investigations were launched against 8 establishments, 7 persons were prosecuted for granting space for prostitution.

A special group (so called Task force), consisting of 12 investigators and 5 prosecutors was set up in Achara region.

In January 2014 division for Combatting Human Trafficking and Irregular Migration was established and functions at Achara Autonomous Republic Division under the Central Criminal Police Department of the MIA. The division consists of eight detective-investigators.

7.3.2. Elaboration of Guidelines for law enforcement agencies on investigation and prosecution of human trafficking and treatment of victims of human trafficking

The Working Group established under the Interagency Coordination Council developed guidelines for law enforcement agencies. Guidelines were approved on 12 February 2014.

For the purpose of effective fight against human trafficking, a final working draft of SOPs for detecting a crime of trafficking in persons was drafted for investigators and operatives.

7.3.3 Enhancing qualification of law enforcement through training

Several training sessions, seminars and study visits were organized for law enforcement agents in close cooperation with International Organization for Migration. The training aims to equip investigators with fundamental knowledge on law enforcement and operational levels. The training with participation of local and international experts emphasizes on sharing international best practice and discussing modern trends, along with the issues of protection of the rights of potential victims and their realization.



During 29 April – 2 May 2014 a law enforcement training organized by the project of the US State Department Bureau of International Narcotics and Law Enforcement Affairs (INL) was held in Batumi. The training was delivered by the international expert. Series of training for upgrading skills necessary for identification of potential victims were held for representatives of various regions of Georgia on 10-11 July 2014 in Batumi and on 19-20 July 2014 in Kvareli, Georgia.

Following programmes and courses delivered at the MIA Academy include anti-trafficking modules:

- Special professional training program for detective-investigators;
- Special professional training program for the border guards of the Land Border Defense Department of the Border Police
- Special professional training program for neighborhood police officers;
- Special professional training program for patrol police inspectors;
- Special professional re-training program for promotion candidates at the MIA Patrol Police Department;
- Special professional training program for border control officers;

385 trainees underwent the above programs at the MIA Academy during January-September 2014.

7.4. Enhancing Cooperation in the Field of Combating Anti-Trafficking

7.4.1. Deepening cooperation of state bodies with civil society (non-governmental and international organizations) and signing/ renewing Memorandums of Cooperation with them

In order to fight trafficking in persons, the Ministry of Foreign Affairs of Georgia in cooperation with other competent national agencies makes every effort to deepen / launch negotiations with relevant agencies of the partner states, especially with the neighboring states of Georgia, *inter alia* aiming at improving transnational cooperation.

7.4.2. Deepening / launching negotiations with relevant agencies of the partner states, especially with the neighbor states of Georgia, *inter alia* aiming at improved transnational cooperation

On 27 February 2014 the Ministry of Internal Affairs, the Office of the Chief Prosecutor and IOM signed a Memorandum of Understanding concerning capacity building of law enforcement agencies in the area of combating human trafficking.

In the framework of cooperation with Georgia's neighboring states on combating human trafficking the LEPL of the Ministry of Justice – Training Centre of Justice of Georgia and the Academy of Justice



of Turkey signed a Memorandum of Cooperation on 10 April 2014. The Memorandum concerns cooperation in the field of training and research activities.

Cooperation with bordering states is one of the priorities of Georgia in the area of combating human trafficking. In this regard, in 2015 special attention will be dedicated to deepening international cooperation with Turkey.

Protection of Privacy Rights

8. The Right to Privacy

8.1. Refining the legislative framework for ensuring compliance with international and European standards

8.1.1. Developing legislative amendments in line with international and European standards with participation of government and parliament, as well as the NGOs in order to ensure high standard of protection of personal data

On 1 August 2014 Parliament of Georgia adopted a package of legislative amendments aimed at achieving greater compliance of Georgian legislation with international standards on personal data protection. The amendments envisage election of the Personal Data Protection Inspector (PDPI) by the Parliament, broadening the scope of application of the law of Georgia on Personal Data Protection aiming at crime prevention, investigation, operative-search activities, and protection of public order. The PDPI's authority has expanded over processing of personal data classified as state secret by law enforcement agencies. Under the Amendments a special Commission on Destroying of the Data Collected through the Covert Surveillance Activities has been created. The Commission is chaired by the Personal Data Protection Inspector. The commitments concerning the personal data protection undertaken in the framework of the first phase of implementation of the Visa Liberalization Action Plan with the EU have been positively assessed.

8.1.2. Initiate full enactment of the law of Georgia on Personal Data Protection from 2014

The law of Georgia on Personal Data Protection was fully enacted on 1 November 2014.



8.2. Effective implementation of legislation and establishing good practice of personal data protection and data processing to ensure privacy protection.

8.2.1. Development of internal normative acts for the purposes of implementation of the law of Georgia on Personal Data Protection

For implementation of the law of Georgia on Personal Data Protection relevant institutions are drafting internal normative acts. At present, some public institutions have already initiated the development of their internal policy concerning the personal data protection of Respective internal regulations have already been adopted by the Ministry of Internal Affairs, the Ministry of Corrections and the Public Service Development Agency. At the same time, PDPI secretariat has developed guidelines on minimum standard for protection of personal data, which issues certain recommendations and instructions on how to elaborate internal policy document and what to reflect in it.

Ministry of Internal Affairs of Georgia

MIA paid special attention to personal data protection issues during the reporting year. In addition to destruction of illegally obtained surveillance data, the Order N967 of the Minister of Internal Affairs on the adoption of "Instructions for Processing and Protection of Personal Data by the Ministry of Internal Affairs" was issued aiming at creation of effective guarantees for overseeing the handling of personal data by the state. The instruction was drafted in full consideration of the law of Georgia on Personal Data Protection and the Recommendations of the Committee of Ministers of the Council of Europe. The draft of the Instruction was reviewed by the PDPI and her comments and recommendations were reflected in its final text.

Prior to enactment of Instructions in February 2014 a series of training for the employees of the Ministry of Internal Affairs was held at the MIA Academy on the issues of processing and protection of personal data with participation of the representatives of the PDPI's Office. A representative from each structural unit of the MIA underwent in-service training.

The draft amendments to the Criminal Code of Georgia prepared by the Ministry of Internal Affairs were adopted by the Parliament on 2 May 2014. Wide-spread practice of illegal surveillance and wire-tapping massively abused throughout the past years has decreased the level of protection of personal and family life to a minimum. Reality requires creating a legislative framework limiting the risks of illegal and arbitrary interference in the personal life to a degree possible. According to the above amendments, sanctions for crimes linked with interference in a personal life (namely Articles 157, 158 and 159) have been made stricter.



8.2.2. Drafting official commentary to the law of Georgia on Personal Data Protection aiming at correct interpretation of its provisions and establishing unified practice.

Drafting the official commentary to the law of Georgia on Personal Data Protection is planned in 2015 with the assistance of donor organizations, as development of commentaries requires considerable expertise and financial resources. In parallel, in 2014 three important recommendations have been drafted aiming at promoting correct interpretation and application of legal provisions, establishing unified practice, introducing high standard for protection of personal data in specific fields, protecting the rights of data subjects, and raising awareness of data processors concerning the issues of personal data protection: (i) Recommendations concerning personal data protection in employment relations; (ii) Recommendations concerning processing of personal data for direct marketing purposes; (iii) Recommendations concerning video surveillance.

8.2.3. Increasing independence of the PDPI. Strengthening oversight mandate of the PDPI and its support with relevant financial resources;

PDPI oversees protection of personal data in Georgia, and is independent in carrying out its functions and is not subordinated to any agency or an official. The PDPI implements its mandate through its PDPI's Office. According to its current structure, the Office of the PDPI consists of two departments: the Department of International and Public Relations, and the Department for reviewing citizens' complaints and inspections. The structure of the PDPI's Office is going to be reviewed in light of the amendments expanding the mandate of the PDPI over police activities and the private sector.

The current budget of the PDPI's Office is GEL 600 000. Due to an expanded mandate and enactment of the law with regard to the private sector, PDPI requested increased budget of up to GEL 1 450 000 and increased human resources to 28 staff members for 2015. This request has been considered and reflected in the 2015 Budget Law of Georgia.

8.2.4. Developing guidelines and recommendations concerning personal data protection;

PDPI has developed four recommendations including "Recommendations concerning personal data protection in employment relations"; "Recommendations concerning processing of personal data for direct marketing purposes" and "Recommendations concerning video surveillance". It is planned to draft recommendations concerning personal data protection in the field of insurance, data processing by checkpoints and processing of medical data.

On 16 September 2014 a list of countries providing adequate safeguards for data protection – the so-called “white list” was approved by the PDPI Order N1. The Order lists the countries with relevant



data protection safeguards and to which transfer of data is allowed without a special permission of the PDPI.

The notification forms and detailed instructions on how to fill them out were also designed concerning file system catalogue, processing of biometric data and trans-border transfer of data.

8.2.5. Training of public servants on the issues of right to privacy, legality of personal data processing and the personal data protection

Awareness-raising within the public sector data processors is one of the main directions of work of the PRPI's Office. At this point the Office actively cooperates with the Training Centre of the Ministry of Justice, Training Center of the Ministry of Foreign Affairs, as well as with the Police Academy of the Ministry of Internal Affairs and with other public and private institutions.

47 training sessions on personal data protection were delivered in 2014. 1404 representatives of various public and private institutions (Public Service Development Agency (PSDA), MIA and legal entities of public law within its structure, MFA, Administration of the President of Georgia, Prosecutor's Office of Georgia, MOJ, Public Service Hall, Finance Police, Public Relations services of various ministries, etc.) were trained.

8.3. Public awareness raising on the right to privacy and personal data protection

8.3.1. Organization of information meetings with target groups

In 2014 PDPI's Office was focused on awareness raising among public sector data processors. In this respect it shall be noted that 434 oral and 28 written consultations had been issued to public sector bodies during 2014. Furthermore, over 1200 public servants were trained in personal data protection issues.

In addition, the PDPI's Office regularly holds information meetings with various target groups and provides them with information concerning the importance of privacy and protection of personal life, personal data protection and the functions of the PDPI's Office. For instance, information meetings with mobile operators and internet providers, as well as joint information meetings with the innovation and reform center in Tbilisi, Batumi and Kutaisi with doctors and students; a meeting organized in cooperation with the Human Resources Professionals' Guild with the employees of HR services of various private companies. It shall be noted that PDPI's Office also cooperates with educational institutions and organizes meetings with students and with academia, and allowing organized total of 15 information meetings.

8.3.2. Publication and dissemination of information brochures and other materials

PDPI's Office developed information brochures for data subjects, which provide definition of personal data and data processing, information concerning the rights of a data subject for protection



of personal data and the mandate and functions of the PDPI. The information sheets for data processors and authorized persons were also drafted. In addition to providing definition to major terms such as personal data processing, data processor and an authorized person, the information sheets stress on the duties and obligations of a data processor and an authorized person when processing personal data and provide information on the work of the PDPI. The above information material is disseminated at every meeting, training and event organized by the PDPI's Office. A bilingual poster has also been printed and displayed at Georgian border-crossing check-points concerning personal data protection when crossing the state border and the rights of a data subject.

PDPI's Office also developed a citizen's guide about direct marketing, which familiarizes the citizens with their rights when processing their data for the purposes of direct marketing. An information bulletin and recommendations concerning the usage of mobile applications were also made available.

The above material is available on line at the PDPI web-page: www.personaldata.ge, and are promoted via social media. The PDPI made number of statements on the personal data protection through its web-page, which contains also PDPI's recommendations to data processors.

8.3.3. Making special videos about the right to privacy and the protection of person data

A video – "Seven Recommendations on how to Protect our Personal Data" was made in 2014 with financial resources of the PDPI. The video was disseminated through social networks and was placed on the organization's web-page. With the support of the donor organizations, implementation of a larger-scale information campaign through making PSAs on citizen's rights and broadcasting them by Public Broadcaster is planned in 2015

Freedom of Expression

9. Ensuring Freedom of Expression

9.1. Combating and preventing facts of interference in the professional work of the journalists

9.1.1. Prompt and effective investigation of cases of interference in the professional work of journalists by law enforcement agencies

In 2014 investigation was launched on 3 cases of interference in the professional work of journalists. Two out of three cases are still under investigation, while one investigation has been dropped. Please see below timelines of the above three investigations:

- Investigation was launched on 04.07.2014 - ongoing;
- Investigation was launched on 02.09.2014 – ongoing;
- Investigation was launched on 10.07.2014 – dropped on 31.07.2014



9.1.3. Investigation agencies shall keep separate statistics that reflect registered crime of interference in the professional work of journalists, as well as the record of solving these crimes.

In 2014 3 cases were initiated on charges prescribed in Article 154 of the Criminal Code of Georgia (illegal interference in the professional work of a journalist). Two out of three cases are still under investigation, while one case has been dropped.

9.3. Ensuring Access to Information

9.3.1. Drafting legislative amendments for improving access to public information

The Open Society Georgia Foundation started to work on legislative draft of freedom of information law with participation of civil society and local and international experts in January 2014. The process was carried out in cooperation with the Analytical Department of the Ministry of Justice.

Adoption of a special law aims at addressing some of the shortcomings of the current legislation, consolidating provisions regulating access to public information in a single normative act, while taking note of problems that have appeared in practice. This shall regulate shortcomings that appear in practice and shall assist the government, as well as the civil society and the society at large in developing open and accountable, rational and optimized public service. The special law will highlight government's commitment to openness and its open governance policy and will facilitate the work of professionals on the issues of access to public information.

The working groups established under the Anti-Corruption Council are working on the new draft law. The process is coordinated by the Analytical Department of the Ministry of Justice. Further consultations, roundtable discussions, meeting of the three thematic working groups and focus groups are planned.

On 5-8 August 2014 Georgian delegation led by the First Deputy Minister of Justice had a study visit at the Federal Institute for Access to Public Information and Data Protection (IFAI) of Mexico. In the frames of the visit, Mexican professionals shared their experience on legislative regulation of access to public information, about the structure, activities and ongoing reforms at the IFAI, as an independent institution.

The experts of the Open Society Georgia Foundation presented the preliminary draft of the law to the MOJ on 21 August 2014.

The MOJ will finalize its work on the draft law by the end of 2014 upon studying final recommendations delivered by Kevin Dunion, Executive Director of Scottish Centre for Freedom of Information, former Information Commissioner of Scotland and the 3 thematic working groups.



The Open Government Partnership Action Plan for 2014-2015 foresees the submission of the Freedom of Information Law to the Government and the Parliament by spring 2015.

Right to Assembly and Manifestation

10. Creation of guarantees to insure higher degree of protection of the right to assembly and manifestation.

10.2. Legal response to violations of the right to assembly and manifestation and prevention of the infringement on this right.

10.2.1. Swift and effective investigation and prevention of the infringement of the right to assembly and manifestation, by improving preparation of relevant law enforcement subdivisions in the area of crowd management/control.

During February 24-27, 2014, Police Academy conducted trainings on crowd control made possible through Latvia and Georgia's bilateral cooperation with European Union's financial assistance.

The training addressed the following topics: legal grounds of crowd control (legislative acts), authority of various institutions, rights and responsibilities, specifics of police work, ethical norms and human rights protection, role of police during rallies conducted by the sexual minorities (LGBT), etc.

The training included 30 participants, among them reps from: MOI's Patrol Police Department, Central Criminal Police Department, Special Tasks Department and MOI's Academy.

10.2.2. Establishment of Standard Operating Procedures (SOPs) for MOI's relevant subdivisions

MOI is in a process of creating Standard Operating Procedures for its various subdivisions, to be completed by the year's end.

10.2.3. Learning from best practices of leading European countries re assembly and manifestation

In a framework of various projects, the MOIA is studying best practices of leading European countries on the issue of assembly and manifestation.

10.2.4. Integrating relevant topics into the training curricula of the Police Academy of Georgia

Special Training course for Detective-Investigators - 169

- Special In-service training course for candidates for promotion in Georgian Ministry of Internal Affairs' Central Criminal Police Department and regional offices - 96
- Special training course for new recruits and pre-ranking course for police junior lieutenants - 238
- Special training course for patrol-inspectors - 55
- Special in-service course for candidates for promotion in Georgian Ministry of Internal Affairs' Patrol Police Department- 47
- Refresher course for Georgian Ministry of Internal Affairs' Patrol Police Department appointees who graduated the academy program - 25
- Special training course for Border guard-controllers - 55
- Special training course for bit cops - 139
- Special training course for Border Guards of Land Border Protection Department of the Border Police - 76
- Special training course for Marshals officers of the Marshall Service - 136

Protection of National/Ethnic Minorities

11. Securing full integration, protection from discrimination, security of culture and identity of national/ethnic minorities

11.1. Securing effective protection from discrimination for national/ethnic minorities

11.1.3. Raising awareness of MOI personnel and Police Academy students with regard to protection of the rights of national/ethnic minorities

- Professional training courses delivered in the Police Academy include two hours of teaching on “community policing and crime prevention”.



Training course includes the following topics:

- Notion of community police
- Aims and principles of community police
- Challenges of community police
- Features of a community police officer
- Role of crime components during crime prevention

Above topics are included in the following programs/courses:

- Special training course for district officers
- Special training course for patrol-inspectors
- Special training course for Border Guards
- Special in-service course for candidates for promotion in Georgian Ministry of Internal Affairs' Patrol Police Department
- Special In-service training course for candidates for promotion in Georgian Ministry of Internal Affairs' Central Criminal Police Department and regional offices

387 students completed above courses in Police Academy during January 1- September 1, 2014;

- In addition to above, special course for border guards includes a course on “police work in multiethnic society”. Course duration is two hours and addresses the following topics:
 - issues to consider when dealing with ethnic minorities;
 - effective methods of solving problematic issues between ethnic minorities;
 - establishing a communication and obtaining information;
 - conditions of improving relationship with ethnic minorities;

58 students completed above course in Police Academy during January 1- September 1, 2014;

11.2.1. Facilitating teaching of the official language in high schools and high education institutions; and implementing special, informal educational and volunteering programs for adults.

Based on the National Curriculum (which is a binding document for all general educational schools of Georgia), in non-Georgian schools, 5 hours per week is dedicated to the teaching of the Georgian language in grades from I-through XII;



- Office of the Georgian Language is implementing an electronic program „Georgian, as a foreign language”. The program is used by: higher educational institutions who have foreign students, foreign residents and visitors interested in the Georgian language. Also, higher educational institutions with relevant programs (27 higher educational institution)
 - „Summer School” project was implemented through “International School of Georgian Language in Georgia”.
- „Learning Georgian as a secondary language” encompasses 90 language clubs at schools in regions with ethnic minorities. Total number of listeners of this program is 3, 45 among them: 2,625 school students, 484 teachers and 436 local community residents.

Legal entity of Public Law (LEPL) „National Center for Professional Development of Teachers” is implementing a program “Georgian language for future success” from year 2011.

Above 600 assistant teachers have gone through this program until now. At this stage, the program includes 210 participants for school year 2014/2015.

11.2.2. Support for preschool, primary and general education and accessibility of informal educational programs for national and ethnic minorities.

91% of non-Georgian schools are involved in the program. In Kakheti - 11 schools; Samtskhe-Javakheti - 97 schools; Kvemo Kartli - 126 schools. Legal entity of Public Law (LEPL) „National Center for Professional Development of Teachers” is implementing a program “Georgian language for future success”.

274 individuals are employed in the program. They assist local teachers in conducting classes of Georgian language. In year 2013 “Georgian Language” books were printed for I-IV levels: student’s textbook - 4 000 copies, student’s notebook - 4 500-copies for I level. Student’s textbook -3 000 copies, student’s notebook – 4 500 copies for II-IV levels.

20, 000 copies of Student’s textbook and Student’s notebook were printed, and 2, 000 copies of the teacher’s book with audio CD.

During school year 2013-2014 number of textbooks printed in the language of the national/ethnic minorities was: 212,972–for I-VI grades (non-Georgian); and 146,272 for VII-XII grades (non-Georgian);

During school year 2014-2015 number of textbooks printed in the language of the national/ethnic minorities was: 239,052

11.2.3. Accessibility to high education for national/ethnic minorities



Based on year 2014 figures, number of Azeri students who got enrolled was- 456; grant received by 96. Number of Armenian students was - 217; grant received by 89.

11.2.4. Facilitating access to media and information on languages of national/ethnic minorities

From June 2013 ethnic minorities are able to receive daily information about current news in the country and in the world. National “Moambe” is aired live on Georgian Public Broadcaster’s 2nd channel daily on 5 languages of minorities (Abkhaz, Ossetian, Azeri, Armenian, Russian).

Broadcasting in minority languages is also conducted via “First Radio”. Public Broadcaster’s Radio broadcasts audio version of news summary of “Moambe” on minority languages. News Program in Abkhaz, Ossetian, Azeri, Armenian, and Russian languages is supplemented once a week by radio program in a Georgian language.

Talk show “our yard” is aired weekly on Public Broadcaster’s 1st channel. Talk show participants include ethnic minorities.

To ensure equal opportunities for voters during presidential, parliamentary and municipal elections the editor’s office for national actively cooperated with the Central Election Commission. CEC’s pre-election public service announcements were translated into Armenian and Azeri languages, their broadcasting was secured via local TV stations in Kvemo Kartli and Samtskhe Javakheti.

During 2015 Public Broadcaster will gradually transit to digital broadcasting. In regions of Georgian where public broadcasting has a low quality or is not accessible at all (in regions with national/ethnic minorities) local residents will receive decoders, which will allow them to have access to high quality public broadcasting.

11.3. Ensuring civic participation of national/ethnic minorities

11.3.1. Publicizing framework convention on the protection of national/ethnic minorities and the government’s strategy towards national minorities

During 2014 meetings were held with the population of Kvemo Kartli and Samtskhe-Javakheti regions, non-government organizations, and community leaders. They were provided with information regarding implementation of the government’s strategy towards protection of the rights and integration of the national minorities. Target groups comprised of young people including: students, high school students, girls, teachers, representatives from regional media. Meetings were held with participation of local self-government representatives.

During the current year, an assessment report was prepared about the implementation of the National Concept Paper on Tolerance and Civic Integration and action plan for 2009-2014. The



assessment revealed positive and negative trends of the implementation process. Identified progress, mistakes and shortfalls will be considered, and the new strategy and action plan will be based on the analysis.

11.5. Preserving culture and identity of national/ethnic minorities

11.5.1. Preserving cultural identify of national/ethnic minorities

During the current year, cultural activities continued in various forms, including: festivals, exhibitions; book presentations, translations, sports activities; hosting jubilee of public figures representing the national minorities-prominent poets, artists; celebration of national holidays.

Through the “Support Program for Culture of National Minorities” the Georgian Ministry of Culture and Monument Protection is financing printed media and cultural activities.

In May of the current year, multiethnic musical festival “Under One Sky” was conducted, based on the initiative of the State Minister’s Office. The Festival brought together 90 students from art schools of Kvemo Kartli, Samtskhe-Javakheti, Ajara and Tbilisi. The festival was supported by the Ministry of Culture and Monument Protection, Ministry of Sports and Youth Affairs and the UN Association of Georgia. This year, up to 50 Azeri students visited historic monuments in Kakheti. Up to 20 school students from Kvemo-Kartli visited the National Museum,. School students from the Pankisi Gorge visited the Ethnographic Museum in Tbilisi.

Freedom of Religion and Belief, and Protection of the Rights of Religious Minorities

12. Institutionalizing Religious Tolerance and Prohibition of Discrimination based on Religion

12.1.1. Ensuring equal rights for religious minorities and initiation of the all- inclusive law on “Eradication of All Forms of Discrimination”

On May 2, 2014, Georgian Parliament adopted a law on “Eradication of All Forms of Discrimination”. In Addition, Equality Department was created in the Public Defender’s Office, as a structural subdivision of the Public Defender’s Office.

Main goals of the Office are as follows:



- a) Assist the Public Defender of Georgia in exercising the authority provided for it in the law on “Eradication of All Forms of Discrimination”.
- b) Conduct monitoring of implementation of national and international instruments in the area of equality protection in Georgia.
- c) Ensuring equal exercise of rights provided for in the Georgian laws by any physical and legal persons, and eradication of all forms of discrimination based on race, color, language, gender, age, citizenship, native identity, birth, place of residence, property, social status, religion, belief, national, ethnic or social affiliation, profession, family status, health condition, disability, sexual orientation, gender identity, expression, political or other beliefs.
- d) Conduct monitoring of eradication of all forms of discrimination.

The functions of the Office include:

- a) review of complaints filed with the Public Defender’s Office, pertaining to the violation of equality rights, and preparing drafts of relevant opinions/recommendations/proposals;
- b) prepare drafts of constitutional claims on issues under its competency;
- c) prepare drafts of relevant sections in the Public Defender’s Report pertaining to issues under its competency;
- d) monitor implementation of Public Defender’s recommendations on issues falling under its competency;
- e) plan and conduct educational activities in the area of equality protection;
- f) analysis of laws and draft laws on issues falling under its competency and preparing drafts of relevant recommendations/proposals;
- g) performing other tasks that directly derive from the nature of the Equality Office;

12.1.2. Analysis of Best Practices of foreign countries and preparing recommendations in relation to legal regulations governing issues on Religious-worshiping buildings;

At the current stage, legal regulations of ten countries have been studied, although the results of this study were not enough for elaborating relevant recommendations.

12.2. Prevention and Effective Investigation of Hate Crimes and Crimes Based on Intolerance.

12.2.3. Relevant representatives of the MOIA and the Prosecutors’ Office should undergo training to improve skills on how to investigate crimes based on discrimination

Police Academy of the Ministry of Internal Affairs Offers trainings on Prevention and Effective Investigation of Crimes Based on Religious Hatred/Intolerance as part of the following Programs and Courses:

- Special training course for detective-investigators.



- Special In-service training course for candidates for promotion in the Central Criminal Police Department and regional offices
- Special training course for Military Police of the Ministry of Defense
- Special training course for bit cops
- Special training course for patrol-inspectors
- Special in-service course for candidates for promotion in the Patrol Police Department
- Refresher course for Patrol Police Department appointees who graduated the academy program
- Special training course for Marshals officers of the Marshall Service.

583 students completed above programs in the Police Academy of Georgia during the period of January 1- September 1, 2014;

In the future (through the end of 2015) training in above issues will continue in the Academy, as a part of training for new recruits in MOIA , as well as in a course of refresher courses for current personnel.

12.3.1 Raising awareness of public officials on issues of religious neutrality and secularism

LEPL – State Agency on Religious Issues drafted a proposal, which envisages training for up to 160 local municipality employees on issues of freedom of religion and the relevant rights. The project envisages the Training of Trainers and subsequent step by step provision of trainings during the year 2015.

12.4. Compensation of Damages Inflicted on Religious Organizations

12.4.1. Determination of damage inflicted on religious organizations and revisiting the issue of partial compensation by the State Agency on Religious Issues

The obligations established by the Government’s decree N117 from 2014 were met. The decree determined obligations of partial and symbolic compensation of damage inflicted on four religious denominations during the time of soviet totalitarian regime. Individual agreements were concluded with religious associations and representative councils of all four religious denominations. Money was deposited to the accounts of beneficiaries.

12.4.2. Ministry of Culture and Monuments Protection should give equal regard to the maintenance and restoration needs of religious buildings of the religious organizations.



Agency for Culture and Monuments Protection received an official note from the State Agency on Religious Issues regarding prioritizing restoration of monuments based on their needs and not based on the confessional origin.

12.4.3. Studying the issue of determining historic ownership of religious buildings

State Agency on Religious Issues is planning to involve relevant academic personnel and experts in the process of creating a mechanism for determining historic ownership of religious buildings, in 2015

12.4.4. Legalization, registration and creating legislative norms regarding restoration of religious buildings. Announcing a Moratorium before legislative regulations are prepared and enter into force.

Georgian legislation does not have special regulations on legalization, registration and restoration of religious buildings. Thus, it is impossible to announce a Moratorium on such regulations. Development of legislative regulations in this area is envisaged within the Unified Project on Legislative Regulations on Construction of Religious Buildings, which will start to be elaborated in 2015.

12.5. Introduction of religious equality principles in the educational system

12.5.1 Adaptation of textbooks (including a requirement in the classification criteria for textbooks requiring that “textbook content should consider diversity of Georgian school students based on race, skin color, language, gender, religion, political and other views, national, ethnic, and social belonging, origin, financial and social status, place of residence and etc.” “The textbook supports development of non-stereotype, diverse thinking and views among students”.

Adaptation of textbooks is not a one-time activity of including a relevant requirement in the classification criteria for textbooks, rather, it should also cover development of relevant monitoring forms. Work on above issues is ongoing with involvement of the State Agency on Religious Issues and the Georgian Ministry of Education and Science.

12.6. Raising Awareness

12.6.1. Conduct information campaign with a goal of raising public tolerance

Within an information campaign which aimed to raise public tolerance, lectures and seminars were held for Georgian University students in Tbilisi and the regions. Lectures and seminars were held in



the State University in Samtskhe-Javakheti, Akhaltsikhe University, Tbilisi State University. The topics of lectures were: diversity and tolerance, rights of national minorities in Georgia, State policy towards civic integration, etc.

Protection of Child Rights

13.1. Strengthening Monitoring of Child Rights and Coordination Mechanism

13.1.1. Creation and launching of the coordination mechanism

13.1.1.1. Creation of a Work Group on Monitoring and Coordination of Children's' Rights under the Coordination Council for the Protection of Human Rights in the Prime Minister's Office.

By Decree N 445 issued on July 9, 2014, the Government approved its Action Plan for 2014-2015 on the Protection of Human Rights and establishment of the relevant inter-agency coordination council, chaired by the Prime Minister. A working group was created to monitor the implementation process of the child rights. Work group meetings are held monthly with the participation of: government offices responsible for implementing action plan on child rights, non-governmental and other interested individuals.

13.1.1.2. Integrating the principle of child's true interests into the state programs, in the policy making process, legislative or administrative procedures and action plans.

Discussions on principles of true interests of the child conducted within the work group on the action plan on child rights are provided to the inter-agency coordination council on the Protection of Human Rights, following which, these issues are reflected in all government programs and strategic action plans.

13.1.2. Strengthening a mechanism for monitoring child rights

13.1.2.1. Strengthening monitoring capacity of the Public Defender's Office and that of relevant Non-Governmental and Governmental Organizations.

Active work is conducted with donor agencies with the goal of improving human and technical resources of the Child Rights Center of the Public Defender's Office.



13.2. Improving a system of child protection and support

13.2.1.1. Streamlining legislative amendments and normative base with a goal of eradicating violence against children.

On November 17, 2014, the amendment was made to the “Law of Georgia on Prevention of Domestic Violence, and the Protection and Assistance to the Victims of Domestic Violence”.

The work is ongoing on approving procedures re “referral system for child protection” with relevant amendments to be made to the Decree of the Minister of Labor, Health and Social Affairs, the Minister of the Internal Affairs and the Minister of Education and Science (N 152/n – N496 – N45/n).

13.2.1.2. Improving the normative base regulating the prevention of child admittance under state custody, parenting under guardianship and reintegration

Draft of „Standards of parenting under guardianship” is developed and it is to be approved in the beginning of 2015.

„Rule and conditions of appointment, suspension, renewal and termination of the compensation for reintegration“ are approved by the decree №01-20/n of the Minister of Labor, Health and Social Affairs, issued on 20 March 2014.

13.2.1.3. Simplifying information sharing procedures among various agencies involved in child custody.

Information sharing among state agencies regarding various target groups of children is smooth and is conducted in accordance with the law of Georgia on “Personal Data Protection”.

When necessary, Agency for the Development of State Services, exchanges any information at its hand in accordance with procedures provided for in the legislation.

13.2.2. Strengthening Human and Institutional Capacity of the System of Child Protection

13.2.2.1. Trainings conducted for professional groups (judges, teachers, lawyers, medical personnel, social workers and agents, school administration, child protection officers, etc) on the issues of child protection.

Training curricula for personnel of the educational institutions, agreed in advance with the Minister of Labor, Health and Social Affairs includes a teaching component on protection of child rights.

Bachelors and Masters Programs for social workers covers teaching on policy of child welfare, including protection of child rights.

13.2.2.2. Training for professionals involved in a referral procedures for child protection on issues of bio-psyco-social violence against children and legal aspects.

Training curricula for personnel of the educational institutions, agreed in advance with the Minister of Labor, Health and Social Affairs includes a teaching component on violence issues (current legislation, methods of managing behavior of the beneficiaries, bio-psyco-social attitudes)

13.2.2.3. Inclusion of issues on protection of children from violence in the qualification criteria for professionals and in the teaching programs.

Child protection issues are reflected in the qualification criteria for Teachers, Marshalls, Psychologists. Qualification criteria for School Marshalls includes issues on protection of children from violence, management of conflicts, and identification of victims of violence and follow up. These topics are part of the refresher course for teachers, as a line of priority. Obligation of protecting child safety is mandated for teachers by the school regulations, and the teachers code of ethics (physical as well as psychological safety).

Additional special course is provided to Marshalls and personnel working for the four psychological centers of the Marshalls Service-in Tbilisi and the regions and the teachers of civil education that provide instruction on legal awareness issues. Georgia's Health Fund and Psychological Center under the Marshalls Service provided refresher courses to the Marshalls on issues of managing child safety issues.

Revision of the beginner level (1-6 grades) section in the National Curriculum is already completed- both in the Mentoring hour and in the curriculum of school subjects in the social direction.

13.2.2.4. Improving a mechanism for responding to violence notices

The country has a hot line for reporting domestic violence 2309 903, there is also a hotline of the Minister of Labor, Health and Social Affairs – 15 05, which receives reports about facts of violence, and following that, provides referral to the custody or guardianship agencies, and when necessary, to the State fund for Protection and Assistance of the Victims of Trafficking in Persons.

13.2.3.3. Development of Services for Street Children

Within EU funded project on “Provision of care to most vulnerable children- children working and/or living on the streets” following services were launched in Tbilisi and were made part of the government program: 3 mobile groups, 2 day centers (with a capacity for 41 beneficiaries) 2 crisis intervention shelters (with a capacity for 20 beneficiaries) and 2 transit centers (for 35 beneficiaries). It is planned to expend the network, specifically by adding one mobile group in Kutaisi, a day center and a crisis intervention shelter, during 2015

13.2.3.5. Expending services for early development of the children with disabilities and day center services.

During 2014 territory of service providers stipulated by early development subproject for children with disabilities was expended and now includes Gori. The capacity of the day center services for



children with disabilities was expended by additional 49 beneficiaries. Starting from January 1, 2015 services provided to children with disabilities in the day center will be fully financed from the state budget.

13.2.3.6. Introduction of home care service for children with disabilities

During year 2015 home care program will be created for children with severe and deep mental retardation. Home care service will be provided by a multi-professional group including: occupational therapist, psychologist, teacher, development specialist, pediatrician, speech therapist, social worker and a nurse. The program is aimed at children between the age of 7-18 years, with severe and deep intellectual and severe physical disability. From January 2015, specialists will be trained with donor support to prepare the program, and the program itself will start from September 2015.

13.2.4. Improving information management systems

13.2.4.3. Development of mobile registration centers for the purpose of registering vulnerable children, including children working and living on the streets

A standard Seeker's Form is developed based on which, the authorized persons (Senior social worker of the Social Service Agency) will classify children living and working in the streets as "homeless children". Current work is focused on defining procedures for registering children living or working on the streets and establishing a special status for them. Minister of Labor, Health and Social Affairs, Social Service Agency and State Agency for Service Development are involved in this process. The project is also supported by UNICEF. Currently, the Minister of Labor, Health and Social Affairs is working on relevant legislative proposals. When completed, by decree of the Ministry of Justice, the State Agency for Development of Services will be authorized to issue identification cards, based on a referral from the Social Service Agency.

13.2.5. Raising Public Awareness

13.2.5.1. Developing and carrying out public awareness campaign on the following topics: improving attitudes towards children with disabilities, eradication of violence towards children and among children, changing attitude towards children living or working in the streets, etc.

Within EU funded project on "Provision of care to most vulnerable children- children working and/or living on the streets" following public awareness activities were conducted: Social Advertisements, working seminars/discussions with various target audiences, a press conference was held on the issue of "Children living or working on the streets".

13.2.5.2. Integrating issues on violence against children in educational programs in the pre-school and school system, accessibility of special informal educational program .

The issue of protection of child rights is part of the 2011-2016 National Curriculum, specifically, in the subjects that make part of the group of social sciences, which, unites several bordering subjects: history, geography, civic education, civil defense and safety. It helps bring up informed, active and citizens with the sense of responsibility, formation of humane personalities. Teaching of these subjects also has a decisive role in establishing students' social competencies and for creating social culture in the society. They give the student a chance to understand human/child rights and to take specific actions for their protection; on all three levels of the general education (primary, basic and general) these subjects are taught in coordination, by taking into account students' age and related features and abilities.

13.3. Eradication of Poverty of Children

13.3.1. Improving a system of social protection for children

13.3.1.1. Improving a target system of social protection with a goal of better identification of child needs.

Through assistance from the UN Children's Fund (UNICEF) there is ongoing work on improving assessment methodology of social-economic condition of families, with a goal of better identification of the needs of families with children, and their integration in the targeted social assistance programs.

13.4. Support for Children's' Right to Health

13.4.1. Reducing mortality rates among mothers and children via improving the quality of perinatal services.

13.4.1.1. Renewing registration system for birth registration and death registration and improving the information system about management of mother and child health.

An intersectional council was created to study mortality among mothers and children. Mortality of mothers and children under the age of 5 is subject to "active" supervision. A method of verbal autopsy is issued to review mother's records contained in forms NIV066 and NIV-025 to study causes of their death. A relevant work is undertaken at the level of organizations to develop new registration forms. A working draft is prepared of relevant legislative norms regulating the system of birth and death registration. A work is undertaken to develop a new registration documentation form and its integration into the system.



13.4.1.2. Dividing birthing centers according levels throughout the country, and developing and introducing new referral protocols for transferring mothers and newborns among these levels.

There is ongoing work focused on improving quality of perinatal services, which includes assessment of services, supporting a practice of effective perinatal service, elaboration of plan for regionalization (division according levels) of services.

13.4.1.3. Creating a regulatory mechanism for the system of accreditation of perinatal services and introducing voluntary accreditation.

Within the framework of the USAID project „Preservation“ standards of accreditation of perinatal services were developed and professionals were trained to conduct accreditation. These standards were tested in 2 medical institutions on a pilot basis. The ground work is completed, and sets a basis for launching voluntary accreditation.

13.4.1.4. Retraining of ante and perinatal service providers and creating a mechanism for their professional development.

In February 2014, new resident programs were approved in the medical specialties- „nurse-gynecology“ and „neonatology“. Respectively, from year 2014, new group of resident students were taught within the framework of the new resident program. Based on the current Georgian legislation, (Georgian law on medical activity) enrollment in the continued professional development system is voluntary, although creation of the voluntary accreditation system for perinatal services will create preconditions for participation of professionals involved in ante and perinatal service delivery in the continued professional development system. At the current stage, 180 neonatologists and nurse-gynecologists involved in the perinatal services received training within the framework of the USAID’s „Preservation” program.

13.4.2. Improving a quality of child healthcare services at the level of the primary healthcare.

13.4.2.1. Improving capacity of primary healthcare service providers in respect of monitoring child development and growth between 0-6 months.

Within the state project on early identification and screening of disease, it is possible to conduct a screening for identifying reasons for development problems among children between 0-6 months, assessment of global development of high risk and preterm newborns, early identification of patients with development and behavior problems and assessment of their preparedness to enroll in schools, which is conducted using special questionnaires and screening tests. The program allows for assessment of development for children from 0-6 months referred from the primary level healthcare institutions, or at own inflow, allows for in depth examination, and consulting of parent regarding support to child development, care, issues related to feeding; as to preschool children -assessment of readiness to start school, for preterm newborns- 2 time screening about development problems.

With support from the UN’s Children Fund (UNICEF) monitoring mechanism and instruments were created to evaluate child growth and development from 0-3 months. From year 2015 retraining of



village doctors will take place in pilot regions in relation to monitoring child growth and development in children between 0-3 months.

13.4.2.2. Support for the development of services for protection of the psychological health

State project on early identification and screening of disease includes a component for children between 1-6 years to prevent light and medium level mental development problems; Early diagnosis and prevention of mental retardation includes assessment of child's large and soft motorics, expressive and receptive speech, communication, comprehension skills, assessment of self-service areas, evaluation of conformity of child's psychological development with age requirement norms. The project allows for the development of intervention and development plans for diagnosed children.

National concept on the protection of psychological health was developed and approved. Its Action Plan is currently being worked on.

13.4.3. HIV Infection/ improving services for the prevention of AIDS

13.4.3.1. Integration of HIV infection/AIDS issues into the school teaching curricula and providing teachers with necessary relevant literature and knowledge on the national level

UN Public Fund (UNFPA) in close cooperation with the Georgian Ministry of Healthcare, Social and Labor Issues is implementing a project called "My Rights". Through this project teaching was provided to students in the schools in Tbilisi and Kakheti region on the issue of reproductive health, human rights and principles of gender equality, HIV/AIDS and sexually transmitted diseases. The Ministry of Education became interested in this project and from the school year 2015-2016 these topics will be included in the formal educational programs. Within the framework of the UNFPA project called "Education for Equality", 2000 youths received training in Anaklia youth camps on HIV-AIDS and about sexually transmitted diseases. Trainings on above issues were conducted in Kakheti Region.

13.4.3.2. Strengthening the role of NGOs on issues of delivery of HIV/AIDS prevention services to the high risk youth, and removal of regulatory barriers.

The State insured universal accessibility to measures to prevent transfer of HIV from mother to child. As a result, indicators of transfer of HIV from mother to child dropped to the minimum. The problem mainly remains a low level of coverage with HIV voluntary consultation and testing of high risk groups (injective users of intravenous drugs, etc) .



13.5. Development of the children-oriented justice system

13.5.1. Improving legislative base related to children that come across the justice system (in conflict with law, witnesses and victims, children participating in civil and administrative proceedings).

13.5.1.1. Adoption/Enactment of the Juvenile Justice Code

With the collaboration of The Ministry of Justice, the UN Children's Fund (UNICEF) and the European Union (EU) the development of the Juvenile Justice Code was launched. The Ministry of Justice created a special working group which developed the first draft of the Juvenile Justice Code.

Review of the draft code will be conducted within the framework of working groups under the Inter Agency Coordination Council of the Reform of the Criminal Justice System, following which it will be submitted for approval to the Council, and referred for review at the Government's session and the Parliament.

13.5.2. Strengthening Human and Institutional capacity of the justice system

13.5.2.3. Strengthening the capacity of specialized professionals

MOI Academy's basic mandatory course envisions teaching on "juvenile interview methods" developed through joint cooperation of the UN Children's Fund (UNICEF) and the MOI. Prosecutors received training on juvenile justice issues. Specialized prosecutors were identified to handle juvenile criminal cases, who received training provided by the UN Children's Fund (UNICEF) and the European Union (EU) on: juvenile psychology, pedagogy and interview techniques.

• Through support of the UN Children's Fund (UNICEF) and the European Union (EU) managers of the structural divisions in the Prosecutors' Office received training on juvenile justice issues.

• a special manual was developed for prosecutors handling juvenile cases to be used by prosecutors when dealing with juveniles. The goal of the manual is to establish different approaches and standards when conducting investigative and procedural actions with participation of juvenile defendants, witnesses and victims.

• juvenile interview/interrogation methodology was developed.

13.5.2.4. Introducing juvenile focused approaches in the justice system.

Information to this regard is provided under activity report N 13.5.2.3;

13.5.3. Information database on children that come across the justice system.

13.5.3.1. Creation of the comprehensive information database on children that come across the justice system.

Analytical Unit of the Prosecution Service of Georgia receives real-time information on crimes committed by juveniles. Above issue was regulated by Chief Prosecutor's Decree in



2014. The level of information received and its nature provides possibility to analyze crimes committed by such category in different directions.

In the Georgian Penitentiary System there is a unified database of information on juveniles which systematically reflects information on juveniles from the day of their entry into the penitentiary system. When necessary, i.e. when imprisonment is changed to conditional sentence, this information is transferred to the National Probation Agency. At the same time, this information is also exchanged with Crime Prevention Center, in order to work together and prevent re-offending by juveniles in conflict with law.

13.5.4. Prevention of Juvenile Crimes

13.5.4.1. Strengthening an interagency mechanism for preventing juvenile crimes

Based on the initiative of the crime prevention center, a national strategy on juvenile crime prevention is being elaborated.

2014 the following activities were carried out for the purpose of preventing juvenile crime and raising legal awareness among juveniles:

- Meetings were held with school students. In close cooperation with the Ministry of Education and Science, prosecutors conducted school meetings throughout the country to provide school students with information about crime, its threats and punishment levels.
- A project named “Mock investigation” was launched. Within this project, prosecutors engaged with school students to jointly investigate a criminal case – they conducted various investigative actions (crime scene investigation witness interrogation, identification, searches, fingerprint recovery, etc). School students played the roles of witnesses, victims, experts, investigators and prosecutors. This project was launched in Kutaisi in 2014; It will be implemented in all regions of Georgia in 2015.

13.5.5. Strengthening liberal principles in the justice system

13.5.5.1. Strengthening the Diversion and Mediation Programs

In 2014, 40% of juvenile offenders were diverted from the criminal justice system.

13.5.5.3. Strengthening the mechanisms of individual approach, elaboration of individual punishment schemes, and pre-term conditional release.

A mechanism of individual punishment scheme for juveniles is elaborated in the penitentiary system. Individual assessments, monitoring and risk assessment tools are developed, procedures for developing individual planning schemes. For the purpose of successful implementation of the new approaches new functional authority of personnel was developed at the normative level and new case management system was introduced.



In accordance with the concept paper, a number of psychologists and social workers was increased among personnel of the juvenile rehabilitation offices. They were provided with trainings modeled on new approaches, based on new teaching curricula.

At the current stage, all juvenile offenders in the juvenile rehabilitation offices, are provided with individual planning of the punishment scheme, with the goal of minimizing risks and re-socializing the juvenile. Individual approaches are being applied.

For the targeted implementation of the individual punishment schemes, juveniles are enrolled in various educational, rehabilitative and sports activities.

Local juvenile councils are working effectively to provide for strengthening of pre-term conditional release. In most of the cases, oral hearings are conducted, which support transparency and trust towards the review process. Provision on the local juvenile councils is elaborated and it is up for review within the system.

13.6. Quality and inclusive education for all children

13.6.1. Increase indicators on early childhood teaching and preschool education from 52%–to 100%.

13.6.1.2. Introduction of university prep courses and refresher courses for preschool education specialists.

Children and Youth Development Clinic operates under a scientific research institute of Ilia State University. This preschool and inclusive education center offers 12 credit certification program on -Preschool Care for Child Development. This program was completed by 60 individuals. Currently 28 persons are enrolled in the program.

13.6.1.3. Elaboration and introduction of sanitary-hygiene and mandatory minimum nutrition norms for preschool institutions (kindergartens and alternative childcare centers). Elaboration, approval and financing of the National Educational Curricula for Preschool Education (kindergartens and alternative childcare centers).

“Technical regulation- about sanitary rules and norms of food service in preschool institutions” was approved by Decree N 78, issued by the Government of Georgia on January 15, 2014. The Ministry of Education is working on preparing educational program on Readiness for School, which will be piloted in 2015.

13.6.2. Accessibility of Quality General Education

13.6.2.1. Improving Training Program for Teachers at University level (Bachelor’s, Masters)



Information to this regard is provided in activity report under section N 13.6.1.2 on this report.

13.6.2.2. Inclusion of vulnerable children and out of school children (including children with special educational needs, ethnical minorities, and out of school children) in the process of general education.

The Department of National Educational Curricula of the Ministry of Education and Science of Georgia has been implementing a program called “second chance of education” for 2 years. The goal of the program is to allow out of school children, or children at risk of dropping out of school, to realize their right to education, maximum development of their skills for enrollment in the formal education system. Up to 3, 755 children with special educational needs are currently enrolled in school system.

Inclusive education is mandatory for all general educational institutions, including the 8 boarding schools which implement special educational programs for children with: development disorder (comprehension function and adoptive behavior deficiency), sensorial (listening and vision), behavior and emotional (repeat and consistent antisocial, aggressive behavior and insubordination, which is not a side symptom of a psychic condition, mood change or other disease) disorders.

13.6.2.3. Increasing Education’s Quality and Its Relevance

Based on the new standards for teachers, a working document was created which defines “ a scheme of beginning to teach, professional development and carrier advancement for teachers“. The Parliament adopted amendments to the law on General Education. Creation of the State Commission was decided to review “a scheme of beginning to teach, professional development and carrier advancement for teachers“ which is to be submitted to the Government of Georgia for approval. At the current stage, the Ministry of Education and Science of Georgia is working on the creation of the State Commission.

13.6.2.4. Improving computer systems for Quality assurance of education, for the purpose of compiling information, analyzing it and reporting on a regular basis about school enrollment, student attendance and achievements.

From the beginning of year 2015 it is planned to add additional indicators in the computer database on education management and to expand information gathering channels and analytic capacity, for the purpose of monitoring out of school children and children at risk of dropping out of school. In December 2014, a conference was held on above topic, by support of the UN Children’s Fund (UNICEF), and planning and introduction of subsequent activities was discussed. Besides the Ministry of Education and Science, other agencies involved in the process will include the Social Service Agency, National Agency of Statistics, Ministry of Health, Ministry of Internal Affairs and local municipal offices.



Rights of Internally Displaced Persons.

15.1. Strengthening legal and social rights of IDPs; formulation of policies focusing on the protection of their rights

15.1.1 Development of long-term living spaces/housing for IDPs.

15.1.1.1. Renovation of derelict buildings, construction of new apartment blocks, as well as the provision of standalone family homes to guarantee the long-term accommodation for IDPs.

The Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia elaborated a guiding principles, criteria and procedures for long term accommodation”, according of which 2620 IDPs were provided with housing in the past 2 years.

At the current stage, the ministry continues to work on long term accommodation plan for with the ‘Hualing International Special Economic Zone“, from which the Ministry procured 598 apartments during the current year, out of which 298 apartments will be transferred to IDPs by August 31, 2015, and the remaining 300 – by February and June of 2016.

The ministry cooperates with builders, and plans to procure housing for IDPs, from them. In 2015, 2 apartment buildings in Kutaisi, Zugdidi, and 2 or 3 apartment buildings in Gori will be constructed.

State approach to accommodation programs became more complex, that means, planning of accommodation programs in a way, that will take into account increased access for IDPs to living sources. Example of such an approach is “House in the Village” program, which allows to procure houses in the villages with accompanying land, to allow IDPs with accommodation to engage in farming and agriculture. The Ministry procured 190 such houses for IDPs and provided initial approval to 350 families regarding procurement of the housing. Currently procurement process is taking place.

Besides above mentioned, rehabilitation process for refugee housing in Vaziani, Kaspi, Gori, Khashuri, Akhaltsikhe, Zugdidi and Kutaisi is ongoing and 1030 IDP families will soon be given titles for the apartments.



15.1.1.2. Conducting a process of long term IDP accommodation in accordance with the “Rules and criteria for refugee accommodation” approved by Minister’s Decree # 320 on August 9, 2013.

For the purpose of accommodation of Internally Displaced Persons IDPs, Decree # 320 re “Rules and criteria for refugee accommodation and decree of the commission to study IDP issues” was approved by Minister of Internally Displaced Persons from the Occupied Territories, Accommodation and refugees of Georgia on August 9, 2013. Long term accommodation of IDPs is conducted in accordance with paragraph 1 of the decree, on “Rule for long term accommodation for IDPs” based on the criteria, housing standards and rules for distribution of housing, defined in the decree. It provides for providing accommodation to disabled refugee families, outside of the drawing process for housing seekers, by considering their specificity and needs.

In the past two years, 1865 families received housing in rehabilitated and constructed apartment buildings by the Ministry using relevant criteria. 565 of which were procured from private owners.

Total of rehabilitated and constructed objects in: Tbilisi- 389 apartments, Imereti– 545, Ajara-48, Samegrelo Z. Svaneti - 458, Racha- 8, Kvemo Kartli 253, Shida Kartli - 136, Samtskhe Javakheti- 18.

15.1.1.3. Transfer of lawfully used housing into the ownership of IDPs (former refugee settlement objects) in accordance with law.

In accordance with law, in the past two years, lawfully used housing was transferred into the ownership of 3757 refugee families. In year 2013 in Tbilisi - 873, Imereti, Guria, Racha-Lechkhumi-Kvemo Svaneti- 187, Samegrelo, Zemo Svaneti, Ajara - 32, Kvemo Kartli, Kakheti, Mtskheta Mtianeti- 220, Shida Kartli and Samtskhe Javakheti - 80. In Year 2014, in Tbilisi- 752, Imereti, Guria, Racha-Lechkhumi-Kvemo Svaneti-- 361, Samegrelo, Zemo Svaneti, Ajara - 610, Kvemo Kartli, Kakheti, Mtskheta Mtianeti-- 318, Shida Kartli and Samtskhe Javakheti - 324.

For the purpose of expediting the process of legalizing lawfully used housing into the ownership of IDPs, the Government’s Decree revitalized the project which allowed up to 10 000 – refugee families to legalize their housing. This process started in November 2014, and will continue for 10 months. At the first stage, during initial 2 months, 815 IDPs settlements will be studied. The second stage, which will continue for 8 months, envisages transfer of housing into the ownership of IDPs.

15.1.1.4. Protection of IDPs from illegal eviction of IDPs from lawfully used housing

The main guarantor of protection of IDPs from illegal eviction of IDPs from lawfully used housing is the Georgian Law on “Internally Displaced Persons-IDPs from Occupied Territories of Georgia” in articles 6 and 14, the protection of refugees’ rights related to accommodation.

During 2014, there were 120 cases of eviction of IDPs from illegal accommodation, although, the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia provided these IDPs with alternative accommodation, by providing them with the rental allowance.

15.1.1.5. Taking into Account Needs of Persons with Disabilities

Main priority of the Decree of the government of Georgia N 1162, adopted on July 13, 2012, approving “Government’s 2012-2014 Action Plan of the Strategy on Internally Displaced Persons-IDPs”, is a resolution of the long term accommodation of IDPs and creation of all necessary conditions in the newly rehabilitated and constructed apartment buildings for social integration, as stipulated by “law of Georgia on Social Protection of Persons with Disabilities”. As for today, 700 IDPs with disabilities are provided accommodation in the adopted environment.

At the same time, based on paragraph 13, article 3, of the decree N 320 issued on August 9, 2013 by the Minister of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia, IDPs with disabilities shall be provided with accommodation outside of the drawing process considering their health condition, as to construction projects, accommodation for disabled persons should be designed so as to support the ability to live independently.

15.1.1.6. Expediting a process of transferring of lawfully used housing (former refugee settlement objects) and rehabilitated or newly constructed housing into the ownership of IDPs in accordance with law.

Based on the Government’s decree a project on “Transfer of lawfully used housing into the ownership of Internally Displaced Persons-IDPs” is in the works. The project envisions transfer of lawfully used housing throughout Georgia into the ownership of up to 10, 000 refugee families during year 2015.



15.1.1.7. Renew and update based on the new law the “Government’s 2012-2014 Action Plan of the Strategy on Internally Displaced Persons-IDPs”.

Update of the “Government’s 2012-2014 Action Plan of the Strategy on Internally Displaced Persons-IDPs” is planned to take place in beginning of next year, as a result of which action plan for 2014-2016 will be developed.

15.1.1.8. Take measures to adopt necessary additional protection mechanisms, by increasing role of local self-government bodies in solving refugee problems, and by permanent review and perfection of the “Law of Georgia on Internally Displaced Persons-IDPs” (which entered into force on March 1, 2014) with the view of insuring its conformity with international standards.

In order to ensure the conformity of the “Law of Georgia on Internally Displaced Persons-IDPs” to the international standards, a commission was created based on the decree of the Minister of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia. Members of the Commission are the Public Defender’s Office representatives, international and national local non-governmental organizations. Currently the work is focused on analyzing legal aspects of moving from refugee-status-based assistance to needs-based assistance and after completion of work, relevant amendments will be made to the law.

15.1.2. Social-Economic Integration of Internally Displaced Persons- IDPs;

15.1.2.1. Develop, Provide more financing and more active operation of the Leal Entity of Public Law

15.1.2.2. Development and implementation of programs/projects on Sources of Living

For the social and economic integration of the internally displaced persons, a national strategy on IDP livelihood was created, which was approved by the government in 2014. The goal of the strategy is to develop social and economic capacity of IDPs with the united efforts of: state agencies, donor organizations, International, national and local non-governmental organizations, and the private (business) sector through creating opportunities for realization of the capacities potential of IDPs and their host communities. Attainment of this goal will help to move away from refugee status related assistance to self-help and will increase their role in the future development of the state economy. Currently, work is in progress to develop Action Plan for the Strategy on Provision of IDPs with Sources of Living.

15.1.2.3. Ensuring involvement of refugees in the integration process on other territory of the country, before their return to their permanent residences

A Legal Entity of Public Law, an “Agency for Provision of IDPs with Sources of Living” was created to develop Action Plan and National Strategy on Provision of IDPs with Sources of Living. Activity of the agency is mainly related to issues of social-economic integration of IDPs, employment, improvement of services, infrastructure, and living conditions, which will in a longer perspective support creation of durable sources of living for IDPs and increase their welfare.

At the current stage the agency is hiring its staff and is identifying pilot projects. The Agency developed the concept paper and operative procedures, which define principles and scope of its operation, models, procedures for selection of projects and its beneficiaries, and other operative issues.

The Agency will be the main instrument for identification of developing and implementing programs on livelihood. The Ministry will also cooperate with relevant agencies/organizations, Specifically, based on exchange of information and analysis of projects related to livelihood of the IDPs, specific projects will be identified, planned and carried out in the areas of agriculture, service delivery, small business development, and etc. Support will be also provided in the direction of professional skill development and retraining of IDPs. Economic activity of IDPs will be facilitated through: support in the creation and registration and development of the company, support in accessing inexpensive loans and etc. It is also planned to motivate business representatives, and support establishment of corporate social responsibility notion in business organizations with the purpose of increasing refugee involvement in their projects and activities. The agency already received 10 project applications which are now being prepared by Agency’s project managers for review at the first meeting of the commission.

Rights of Refugees

16.1. Protection of Rights stipulated by Geneva Convention of 1951 on the “Status of Refugees”

16.1.1. Improvement/Perfection of the relevant legislative base

16.1.1.2. Renew President’s relevant decree on Provision of Asylum to Foreigners/prepare draft of the new decree



Rule on issuance of temporary identification cards was approved by Decree N 50 of the Minister of Justice, on November 4, 2014.

The ministry elaborated draft of the Provision on “Provision of Asylum to Foreigners” which was approved by Decree N 227 of the President of Georgia in 2014.

The Provision stipulates granting asylum by the President of Georgia to those foreigners who are not in Georgia at the time of application for asylum and are persecuted in the country of their citizenship or the country of residence based on race, religion, belief, nationality, affiliation with specific social groups or political views.

The document defines procedures for application for asylum, its review, approval termination or revocation process. As well as rights and responsibilities of Asylum seekers.

16.1.1.3. Enlargement of the Center of Asylum Seekers.

It is planned to build a second building of the Martkopi Center for receiving and accommodating Asylum Seekers. The building’s design is completed and current work involves obtaining construction permits. Construction will start in 2015. Construction and equipment of the Center is fully funded by the U.S. Defense Cooperation Office. After completion of the construction, the ministry will be able to provide temporary shelter additionally to 80 individuals at a minimum.

Construction of a new shelter is a step forward for the Ministry and the Government, in the direction of developing asylum system and bringing it closer with international standards. The new center will enable the Ministry to increase its capacity of receiving asylum seekers.

At the backdrop of severe world conflicts and permanent development of Human Rights and economy in Georgia the number of asylum seekers has increased in Georgia. In 2014, more than 1, 600 foreigners applied to Georgia to receive international protection.

Rights of Eco-Migrants

17. Legal and Social Protection of Persons Subject to Displacement as a result of Natural or Technological Disaster (eco-migrants) :



17.1. Providing settlement for Persons Subject to Displacement as a result of Natural or Technological Disaster (eco-migrants)

17.1.1. Settlement of Persons Subject to Displacement as a result of Natural or Technological Disaster (eco-migrants) taking into account Ministry funding and in accordance with the Decree N 779 issued by the Minister of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia on November 13, 2013.

The Decree N 779 issued by the Minister of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia on November 13, 2013, created a “Commission to regulate the settlement issue for Families Victimized and Subject to Displacement as a result of Natural Disasters”. The commission identified 33 families based on Ministry’s funding scope, that were victimized and subject to displacement as a result of natural disasters, and gave them a chance to find and identify a house in a municipality of their choosing. The Ministry will procure the house within 20,000 GEL.

At the current stage, houses identified by the selected families are procured based on the opinion of the National Forensic Laboratory of Georgia. 32 houses were already procured. Additionally, within the scope of grant agreement signed with the Swiss Development and Cooperation Agency, the Ministry was able to procure 4 houses.

17.1.2. Insure legislative regulation of rights of the Persons Subject to Displacement as a result of Natural or Technological Catastrophe (eco-migrants)

The Decree N 123 issued by the Minister of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia on June 6, 2013, created a commission, which involved representatives from various state agencies, representatives of the Public Defender’s Office, international and non-governmental organizations. The Commission developed a draft “Law on Eco-Migrants”.

At the current moment, the ministry is guided by the Minister’s decree N 779, of November 13, 2013 (normative act) which defines the “Families Victimized and Subject to Displacement as a result of Natural Disasters” – („the group of persons of the same kin or non-kin linkages having a permanent living in the separate living area, who are jointly engaged in household activities, (family may be one person) and live in the building/house that carries increased risk to life or health, or live in the zones of natural or anthropogenic catastrophes or/and zones that carry such risk“). The decree also regulates the procedures for providing housing to “Families Victimized and Subject to Displacement as a result of Natural Disasters” to wit:

- category of victims;
- the procedures for providing housing for victims;
- the criteria for providing housing for victims;
- procurement of private houses by the Ministry;
- Procedures for Monitoring of housing which is registered as the Ministry's Property and was provided to the Families Victimized and Subject to Displacement as a result of Natural Disasters" and registration of title.

17.1.3. Establishment and upkeep of the Database of Eco-Migrants

The Ministry elaborated a concept paper on creation of a database of Families Victimized and Subject to Displacement as a result of Natural Disasters, which is important for effective planning and implementation of the Ministry's functions and goals.

The Ministry is actively working with different international organizations to define ultimate aims of the database and to obtain financial support for related software for the database.

17.1.4. Initiate the process of Title Registration to Eco-Migrants on the housing they were provided with before January 1, 2014, in accordance with the law.

For the purpose of initiating a process of Title Registration to Eco-Migrants who already received housing provided by The Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia, in accordance with the Decree N 1200 of the Minister of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia, from May of the current year, the Department of Eco-Migrant Issues is creating a database (profiling) of houses procured by the Ministry during 2004-2012 in various municipalities and of families that are using this housing. Currently, the database is completed, and the data is being analyzed. It will be possible to start title registration process, after creating cadastral maps of houses and attached agricultural land procured by the ministry and after their renewed registration in the Agency of Property Registration.

Rights of Repatriated Individuals

18. Realization of the right of repatriated individuals, those forcefully displaced from the Soviet Georgia in the 40s of the XX century by former USSR



18.1. Development of the Strategy and Action Plan about integration of repatriated individuals, those forcefully displaced from the Soviet Georgia in the 40s of the XX century by former USSR

18.1.1. Active cooperation with relevant state agencies for the purpose of Development of the Strategy and Action Plan about integration of repatriated individuals, those forcefully displaced from the Soviet Georgia in the 40s of the XX century by former USSR

The Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia, in close cooperation with members of the State Interagency Council on Repatriated individuals- those forcefully displaced from the Soviet Georgia in the 40s of the XX century by former USSR, developed a Draft State Strategy on Repatriated individuals- those forcefully displaced from the Soviet Georgia in the 40s of the XX century by former USSR. The Strategy was adopted on September 12, 2014 by Government's Decree N 1671.

The strategy envisions support for respectful and voluntary return of repatriated individuals and their civil integration.

Action Plan for the Strategy is being currently developed.

Protection of Rights of Individuals Living on Occupied Territories and Near the Borderlines along the Occupied Territories

19.1. Protection of Rights of Individuals Living on Occupied Territories and Near the Borderlines along the Occupied Territories and improving their hefty social-economic and humanitarian conditions.

19.1.1. Providing for Healthcare, access to education, improvement of social-economic conditions and infrastructure, and maximum security protection for persons living near the borderlines of Occupied Territories;

19.1.1.1. Construction of the new Ambulatories and their equipment with modern medical technologies; professional training of medical personnel;



Ambulatories were established in 19 villages at the borderline with the goal of providing a quality medical service.

19.1.1.2. Creating special conditions for teachers and school students; allowing maximum benefits for students; improving teaching infrastructure and services;

Rehabilitation was conducted to public schools in: Arkhisi- Gori municipality, village Perevi-in Sachkhere municipality, village Lia's N1 public school –in Tslenjikha Municipality. Construction of the Public School is currently ongoing in village Abano- of the Kareli municipality. Funding was provided to 471 students for the school year 2013-2014. This included 444 BA and 27 MA students. During school year 2014-2015 funding will be provided to 600 students living near the borderlines. At the end of year 2013, 345 first year school students from 30 public schools were provided with "Buki Netbooks", 34 laptop computers were provided to 1st grade class coordinator teachers from 30 public schools, 6 laptop computers were provided to most accomplished students from 4 public schools. Within a joint project of the UNDP and the UNHCR, rehabilitation of the kindergarten was completed in village Dvani of Kareli municipality. 40 children from village Dvani and village Takhtisdziri will be able to enroll in this kindergarten.

19.1.1.3. Construction, rebuilding and development of various household and public infrastructure; mobilizing international donors for additional response to their needs.

Within the rehabilitation project of Saltvisi-Tiriponi irrigation system, rehabilitation was completed on Tiriponi water channel. 6 pumping stations for water were renovated during fall of the current year to support improvements in the water irrigation systems. With the goal of supplying local residents with drinking water, bore wells were made and water systems rehabilitated in 9 villages. A process of installing infrastructure for natural gas supply is ongoing along the borderline villages. natural gas pipes are already installed. The government of Georgia allocated 2, 288, 000 GEL from the State budget for providing heating to 11 440 families. Each family received 200 GEL. UNHCR provided financial support (500 GEL per the beneficiary) to 1311 vulnerable families (with many kids, left alone and persons with disabilities).

19.1.1.4. Stabilization of the criminological situation; avoiding possible provocations deriving from occupied territories, creation of the safest possible environment at the borderlines;

After the war in August 2008, Ministry of Internal Affairs of Georgia was provided with a special mandate to insure security of the local community near the borderlines of occupied territories and provide for stability, peace and security in the region. In accordance with the August 12, 2008 agreement and its implementing document, Ministry of Internal Affairs is the only state law enforcement agency which is represented in the occupation line and territories alongside it.



Various divisions of the Ministry of Internal Affairs are always present at the permanent and temporary stations near the occupation line. They provide 24 hour control of territories near the occupation line.

The Ministry uses the following mechanisms for preventing incidents, provision of local security guarantees, and effective protection of security and other rights of people living on territories near the occupation line: “hot line” which operates under the European Union’s Monitoring Mission in Georgia, Incident Prevention and Response Mechanism (IPRM) and Geneva International Discussions. Ministry of Internal Affairs is actively working to restore incident prevention and response mechanism for Occupied Abkhazia.

19.2. Provision of Healthcare and Access to Education to Persons Living on Occupied Territories; Support for Free Movement and Mobilization of Efforts for the Protection of Human Right and Security.

19.2.1. The Highest level Access to healthcare programs for this segment of the Georgian population;

19.2.1.1. Continuation of referral program services, improvement of mechanisms and dissemination of information about the program.

During 2014, 259 persons living on the occupied territory of Autonomous Republic of Abkhazia and 323 persons living in the Tskhinvali region used the referral program,.

19.2.2. The Highest level Access to State Educational Programs for part of individuals living on occupied territories

19.2.2.2. Introduction of maximum possible educational benefits at Georgian Universities for students from Occupied Territories

The decree of the Government of Georgia N 501, issued on August 18, 2014, specifies “Establishment of funding levels and conditions for social grants provided to students who enrolled in accredited High Educational Programs as a result of National Entry Exams in High Educational Institutions”. The Decree envisioned funding of education for certain category of students who enrolled in accredited High Educational Programs as a result of National Entry Exams in High Educational Institutions, including students who during the past 2 years studied and received a certificate of full general education from general educational institutions located on occupied territories of Georgia or who studied on the occupied territory during the last year, before August 7, 2008, and received a certificate of completion of full general education outside the occupied territory. The Program provides 4-6 year funding to students (based on the length of the program) at the maximum state



funded educational grant level(2250 GEL per year). During 2014, social grants were provided to 83 students living on the occupied territory of the Autonomous Republic of Abkhazia and 102 students living on the territory of the Former South Ossetia Autonomous District.

19.2.3. Facilitation of cross movement and contacts between people living along the borderline, and upkeep of kin relationships; Eradication of problems caused by the process of building barriers and barbed wires.

„19.2.3.1. Providing for safest possible environment at the borderlines; keeping international community informed, engaged and mobilize their response to terminate installation process of barbed wires and resolving residents' problems caused by this process; Making use of the Geneva International Talks and the IPRM mechanism.

The Ministry of Foreign Affairs continues to work towards having international community declare clear position on: a) a process of construction of barbed wires, b) violation of the rights of residents living along the borderline of occupied territories of Georgia;

The Ministry of Foreign Affairs continues to work to insure that the UN, European Union (EUMM), OSCE and COE institutions underline in their statements/resolutions/reports: a) a process of construction of barbed wires, b) violation of the rights of residents living along the borderline of occupied territories of Georgia.

The Ministry of Foreign Affairs of Georgia, in cooperation with other relevant bodies of Georgia is keeping international community informed, involved and mobilizes their response to terminate installation process of barbed wires and resolve residents' problems caused by this process, including by use of Geneva International Talks and the IPRM mechanism.

The Ministry of Foreign Affairs continues to seek support from foreign countries and donor organizations for Internally Displaced Persons and residents living along the borderlines of occupied territories of Georgia;

19.2.4. Minimizing heavy humanitarian consequences for people living along the borderlines of occupied territories; Eradication of gross violations of human rights, various forms of discrimination and violence, including robbery, kidnapping and extortion;



„19.2.4.1. Keeping international community informed about human rights violations, including through existing mechanisms (Geneva International Talks and the IPRM Mechanism); Support for international engagement for the protection of human rights; including setup of the international monitoring mechanism on human rights on occupied territories;

The Ministry of Foreign Affairs continues to work towards having international community declare its clear position on violations of human rights of people living on occupied territories of Georgia;

The Ministry of Foreign Affairs continues to inform the international community about human rights violations, including through existing mechanisms (Geneva International Talks and the IPRM Mechanism); and continues to support international engagement for the Human Rights Protection;

The Ministry of foreign Affairs continues to work with international organizations, so that they could strengthen their efforts in regard to starting the monitoring mechanism of the protection of human rights on the occupied territories of Georgia.

Representative of the State Minister of Reconciliation and Civic Equality always takes part in the meetings held within the framework of the incident prevention and response mechanism (IPRM). This format is used to review different facts of violation of human rights carried out on the occupied territories of Georgia (restriction of movement, illegal arrests, infringement on the private property, provision of medical service, right to education, challenges related to supply of drinking water and irrigation system, etc). During Geneva International Talks and all international level meetings information is continuously provided regarding discriminatory treatment and violations of human rights of people living on occupied Abkhazian Autonomous Republic and in the Tskhinvali Region.

Considering the fact that the Georgian Government is unable to exercise control on Abkhazia and the Tskhinvali region, the Ministry of Internal Affairs does not have complete information about existing criminological situation on the occupied territories.

According statistics on persons arrested by the Russian occupation forces on charges of illegal crossing of the occupation line, that were identified by the Ministry of Internal Affairs, in Abkhazia, the figure is dropped by 17,8% as compared to 2013 statistic. And in the Tskhinvali region by 1.4%. As to statistics of robberies in Abkhazia and Gali region in 2014 it dropped by 14.5% .

Rights of Persons with Disabilities



20. Providing Equal Opportunities for Persons with Disabilities

20.1. Brining Georgian legislation in line with international standards; Facilitation of inclusion of persons with disabilities in the decision-making process.

20.1.1. Elaboration and adoption of the Antidiscrimination Legislation which will cover aspects related to the persons with disabilities.

On May 2, 2014, the Georgian Parliament adopted a law on “Prevention of all forms of discrimination”. For the monitoring of the law of eradication of all forms of discrimination, Public Defender’s Office created an Equality Department.

20.1.2. Reform of the system of evaluation of disabilities and assignment of such status and continued gradual moving to a social model

The draft social model of evaluation and relevant legislative draft package has been developed, although it requires final revision of certain issues and the UN Children’s Fund (UNICEF) provided 75 000 EUR funding for this purpose from March 2015.

20.1.3. Facilitation of inclusion of persons with disabilities in the decision-making process.

The State Coordination Council on Persons with Disabilities chaired by the Prime Minister, operates as the implementation mechanism for the UN Convention on the Rights of Persons with Disabilities, as for Human Rights Secretariat was tasked with identifying convention coordination function. Currently the provision of the Council is being elaborated in order to be in full conformity with the convention’s requirements.

The Ministry of Labor, Health and Social Affairs of Georgia is responsible for elaborating action plans and programs for Persons with Disabilities with participation of stakeholders and Persons with Disabilities.

20.1.4. Make legislative base in line with international standards (make national legislation in line with the requirements of the UN Convention of Persons with Disabilities).

Discussion on necessary legislative amendments takes place within 2 frameworks:

1. Within the framework of the WG provided for in the Government’s Human Rights Action Plan, Chapter on Persons with Disabilities.

2. Meetings organized by the Secretariat on the Human Rights Protection with relevant non-governmental and international organizations, by following the principle of inclusion of all interested stakeholders, for the purpose identifying needs, and having main directions identified in the convention reflected in the relevant action plan.



20.2. Raising Public Awareness

20.2.1. Raising public awareness on issues related to the persons with disabilities (media representatives, including informing journalists and providing them with training on issues related to persons with disabilities)

A relevant project is being designed. After coordination with donor organizations relevant activities will be carried out.

20.6. Insuring Access to Education

20.6.1. Creation of the legislative framework for education of persons with special educational needs.

Education of students with special educational needs is regulated by the Law on General Education and the National Curriculum. According existing legislation, enrollment in schools of children with special educational needs is carried out based on the recommendation of the multidisciplinary group under the Ministry of Education and Science and the parent's decision. Children with special educational needs have a right to receive education based on the individual teaching plan.

For the purpose of increasing access to high quality vocational education for persons with special educational needs and the introduction of inclusive education principles in the professional education, administration of the project on,, introduction of inclusive education in Georgia's professional education and vocational system (grant agreement #01/03-25.01.2013) elaborated a legislative package which was integrated into the Law of Georgia on General Education.

20.6.2. Establishment of the adequate funding system for children and students with special educational. Education

From September 2013, amendment was made to the Government's Decree on "Student's Funding Allowance for Standard Voucher on General Education" (adopted on January 29 , 2013 by Decree N9) . Amendment added paragraph 13, which provides additional funding, designed to support inclusive education in public schools.

Public schools were provided with additional funding for supporting inclusive education in schools.



- For every 1-6 students with special educational needs, the school has -1 professional (psychologist or spec. teacher or coordinator);
- For every 7-13 students with special educational needs, the school has -2 professionals (psychologist or spec. teacher or coordinator);
- For every 14-23 students with special educational needs, the school has -3 professionals (psychologist or spec. teacher or coordinator);
- For more than 23 students with special educational needs, the school has -4 professionals.

This funding mechanism was tested during 2013-2014. In 2015 existing model will be analyzed.

Persons interested in receiving vocational training, which have special educational needs as confirmed by the group of experts of the Ministry of Education and Science, receive 100% state funding for vocational education.

The Ministry of Education and Science has a social program for certain category of students who get enrolled in accredited High Educational Programs as a result of National Entry Exams in High Educational Institutions, including students with disabilities. Funding levels and conditions is defined annually by the Government's Decree.

In accordance with August 18, 2014 Government's Decree N501, Article 3, para 1, subparagraph "i" and Article 7, para 2, subparagraph "e", funding for accredited BA programs was provided to 34 students, who have clear/substantial/moderate disability.

In accordance with August 18, 2014 Government's Decree N501, Article 1, para 3, subparagraph "b", funding for accredited MA programs was provided to 5 students, who have clear/substantial/moderate disability.

20.6.3. Provision of continues and quality education for persons with special educational needs in preschool, general, vocational and high educational levels.

The Ministry of Education and Science of Georgia has a multidisciplinary group which evaluates school students with special educational needs and selects for them the best educational plan. The group members include: psychologists, occupational therapist, teachers/spec. The function of the multidisciplinary group is to provide qualified assistance in the process of inclusive education to all schools in Tbilisi and in the regions and specialized schools when necessary.

Through December 2014 the ministry of Education and Science received **2663** applications to evaluate children.



- The multidisciplinary group evaluated 30 high school graduates whose purpose was to take part in the University Entry Exams;
- The multidisciplinary group evaluated 121 high school students for purposes of taking part in the school's graduation exams;
- The multidisciplinary group evaluated 209 children for enrollment in the specialized boarding schools. 77 got enrolled in the boarding school and the rest continued to go to various public schools.
- A template of the evaluation portfolio for children with special educational needs is elaborated and published.
- Teachers of boarding schools and from selected public schools received training in the use of the portfolio.
- The multidisciplinary group members received skills development training to obtain authority to conduct identification of persons with special education needs, and the right to use and interpret the evaluation instrument.
- Relevant experts elaborated regulations on inclusive educational process for schools, which was approved by the Decree of the Minister of Education in 2015.
- Simultaneously with the reform process in vocational education system, the Ministry of Education and Science of Georgia, in cooperation with the Norwegian Ministry of Education and Research, started to implement inclusive vocational education in vocational institutions in 2013, within a framework of the project on "introduction of inclusive education in vocational education and training system" (grant agreement #01/03-25.01.2013). by strengthening inclusive vocational education, The Ministry is taking note of the convention on persons with disabilities (2006) and provides for the protection of the fundamental rights defined in the convention.

During fall enrollment 2013, 51 persons with special educational needs registered their interest for various vocational programs. During 2014 Spring enrollment - 43, and during 2014 fall enrollment -109 persons. Currently, in vocational institutions throughout the whole Georgia, persons with special educational needs are enrolled in 31 different educational programs.

For the purpose of providing high quality education to persons with special educational needs and providing them with support in the learning process, training was provided to teachers of vocational programs. New staff positions were created in vocational educational institutions, such as: inclusive educational specialist, assistant (who also received trainings) and sign language translator, which allows teaching in sign language for students with hearing disability who use sign language.

For the purpose of providing high quality education to persons with special educational needs and monitoring of educational process, the Ministry of Education and Science created a monitoring and support group for vocational institutions, which is staffed by 5 members of the multidisciplinary group under the Unit for Development of Inclusive Education.



For the purpose of adopting physical environment in vocational institutions, architectural projects based on universal design principles were developed for 5 vocational centers by the end of 2014.

In 2014, Ilia State University offered MA course on Special Teachers for the first time. Subject matter instructors who were trained in vocational skills retraining modules by the National Center for the Professional Development of Teachers, were also touch theory on inclusive education. All teachers, spec. Teachers of boarding schools received special training on this matter. At the current stage a retraining scheme is being designed for special teachers of public schools.

20.6.4. Creating a monitoring mechanism for education for persons with special educational needs.

The Ministry of Education and Science of Georgia, with support of the European Union, and in close cooperation with the non-governmental organizations, is working on creating a monitoring model for inclusive education, in order to evaluate the quality of inclusive education.

20.7. Insuring Equal Environment for Healthcare.

20.7.1. Equal access to healthcare services without discrimination on the grounds of disabilities.

Children with disabilities and persons with substantial disabilities are fully integrated into the “universal health program” since September 2014. The program covers emergency ambulance service and medical transportation, services of the family doctor and specialist-doctors, emergency ambulatory and hospital services. Planned surgical operations, birth delivery, treatment and diagnostic examination of oncology patients-chemotherapy, hormone therapy, and ray therapy, as well as examinations and medication necessary for such treatment. From January 1, 2015, services for children with disabilities in the day care centers will be fully funded by the State. In 2015, a home care program will be launched for children with grave and deep mental retardation. Home care services will be provided by the multidisciplinary group- occupational therapist, psychologist, pediatrician, development specialist, speech therapist, social worker and a nurse. Specialized nurse will allow parents who don't get help to start employment. The program is intended for children with grave and deep intellectual disability and grave physical disability and are between the age of 7-18. With donor assistance, training of specialists will start from January 2015, and the program will be launched in September 2015.



20.7.3. Improve purposefulness, structure and effectiveness of managing state healthcare programs for persons with disabilities.

Information to this regard is reported under activity report N 20.7.1.

20.7.4. Improving health insurance system for persons with disabilities.

Information to this regard is reported under activity report N 20.7.1.

20.8 . Habilitation and Rehabilitation

20.8.1. Access to existing habilitation and rehabilitation services and programs.

The territorial application of services, financial affordability, number of providers, and number of funded courses was expanded. New services were launched in Telavi, Kutaisi, and Tbilisi. Percentage of co-funding for families of beneficiaries was reduced from 25% to 10% from April 2014. And it was fully abolished from November. The budget of the program amounted 1,241,000 GEL in 2013, and 1,424,530 Gel in 2014. Maximum number of funded courses per beneficiary increased from 5 to 7.

20.8.2. Improve quality and effectiveness of habilitation and rehabilitation measures

From January 1, 2015, services for children with disabilities in the day centers will be fully funded by the State. In 2015, a home care program will be launched for children with grave and deep mental retardation. Home care services will be provided by the multidisciplinary group- occupational therapist, psychologist, pediatrician, development specialist, speech therapist, social worker and a nurse. Specialized nurse will allow parents who don't have assistance to start employment. The program is intended for children with grave and deep intellectual disability and grave physical disability and are between the age of 7-18. With donor assistance, training of specialists will start from January 2015, and the program will be launched in September 2015.

20.8.5. Launching an early intervention system within State habilitation and rehabilitation program for children.

A concept paper and standards on early intervention services was developed with stakeholder involvement and will be approved after completion of the relevant procedures.



20.9. Support for Work and Employment

20.9.3. Increase competitiveness of job seeking persons with disabilities on the labor market.

Alternative testing system was developed for students with special educational needs, which enables them to try 3 different professions, and also includes elements of professional counseling. With the goal of improving professional counseling, a new mechanism of professional counseling is being developed within the project on “introduction of inclusive education in vocational education and retraining system of Georgia.”

Inclusive vocational education assists persons with special educational needs to receive vocational education that matches market demand and teaches necessary skills for employment, which is a necessary precondition for further employment. At the same time, the project works with potential employers on a regular basis to popularize and increase employment opportunities for persons with special educational needs.

An study on “ Attitudes of employers towards persons with special educational needs and disabilities” was carried out within the project framework (2014). The study intended to identify barriers and resources which exist for employment of persons with special educational needs and disabilities. This, in turn, can make support for employment of persons with special educational needs following their vocational training -more focused.

20.10. Social Protection

20.10.2. Improve purposefulness, structure and effectiveness of managing state social protection programs for persons with disabilities.

Decree of the Minister of Labor, Health and Social Affairs of Georgia issued on February 23, 2014, N01-54/6, identifies minimum standards for services for persons with disabilities and elderly in 24 hour specialized institutions.

20.10.3. Support for the development of alternative social services.

According recent data provided by the Social Service Agency, during 2014, in communal organizations all 180 spots were filled and Several new providers got registered.

20.11. Support for participation in political and public life

20.11.1. Revitalizing a process insuring equal election environment for persons with disabilities

During 2014 local municipal elections, an election PSA of the CEC was accompanied by sign language translation for voters with hearing disability and was shown via use of portable



computers. This activity was carried out at 400 precincts identified beforehand of the first round of elections, and at 300 precincts before the second round of municipal elections.

Shortsighted voters had a chance to use special magnifying tool- a lens sheet, at the election precinct. This tool could be used both by shortsighted voters, as well as by voters with 4% eyesight. On election day, June 15, a lens sheet was used by 4284 shortsighted voters, and during the second round of elections by 801 voters. The project was implemented through financial support of International Foundation for Electoral Systems (IFES).

On the election day, CEC provided transportation to election precincts for persons with disabilities by mobile groups and adapted transportation.

During first round of the election 13 portable wheelchair ramps were used.

Number of adopted election precincts in Tbilisi and in the regional election districts was 464.

Number of portable computers distributed to election Districts in Tbilisi and in the regions was - 400.

On June 15, 4883 persons with disabilities participated in the election.

On July 12 1267 persons with disabilities participated in the second round of election.

According Election District Commissions in Tbilisi and in the regions, number of special voting cabins distributed to the election precincts was – 800.



Protection of the Right to Property

22. Create guarantees of irrevocability of property rights in accordance with internationally accepted standards

22.1. Improve and advance registration of real property.

22.1.1. Creation of the unified electronic cadastral database. Transfer property registered via paper based mapping drawings into electronic system.

Creation of the unified electronic cadastral database is completed. Computer software systems necessary for transferring property registered via paper based mapping drawings into electronic system is perfect and the process is done in gradual steps. So far 10300 cases have been reviewed.

22.1.2. Registration of the real property located on the territory of Shatili Community in the unified property registration system.

Due to weather conditions, satellite images of the territory were taken partially. (for territory where satellite images could not be taken, satellite images provided by the Ministry of Defense are being used) geodesic measuring is completed. In-camera examination of the taken images is completed. A process of creating orthophotos, cadastral maps and drawings is completed (as of now, technical documentation is prepared for 10 settlements in the Shatili community, in total 217 real property items).

22.1.3. Registration of the real property located in the borderline of the occupied territories (Dvani and Ditsi municipalities) in the unified property registration system.

Property ownership documents were requested from the Georgian National Archive's territorial offices. Registration and specification of the real property is completed. Lists of owners/users is prepared based on the systemically registered data. Cadastral drawings are prepared with corrected figures for purposes of future registration.

Protection of Environmental Rights

23. Create guarantees for irrevocability of Environmental Rights in accordance with internationally accepted standards



23.1. Creation of the sound licensing mechanism for influences on the environment and introduction of sound legal standards for securing environmental rights of people.

23.1.1. Make legal database in compliance with international standards and euro directives.

A draft law on “Assessment of influences on the environment and strategic environmental study” is being developed within a project on “Green economy in eastern partnership countries”, with a goal of improving existing licensing system to make it compatible with the European Commission directives.

23.1.1.2. Introduce public involvement mechanisms in the decision-making process and plan and organize public awareness campaign to raise awareness about environmental rights.

A new draft law on “Assessment of influences on the environment and strategic environmental study” will create a mechanism for public involvement in the decision-making process and conformity of access to information about environmental protection with international standards. To wit, through introduction of new regulations, public will have ability to take part and participate in every stage of licensing- be it screening and scoping stages or the decision making process.

Public consultation mechanism which corresponds with international standards will be introduced, information about environmental protection activities will be accessible and help establish a proper communication between the ministry and the activity implementers.

23.2. Introduce a mechanism of strategic assessment of environmental protection.

23.2.1 Complete an initial stage of the pilot project on strategic assessment of environmental protection.

A new draft law on “Assessment of influences on the environment and strategic environmental study” will create a mechanism of strategic assessment of environmental protection, which will insure prevention and mitigation of significantly damaging influences on the environment and its high level protection.

23.2.2 Introduce a procedure which provides for integration of the existing knowledge about issues of environmental protection.

A new draft law on “Assessment of influences on the environment and strategic environmental study” will create an effective mechanism of public participation and public consultations in the process of strategic environmental study.



23.3. Unified electronic database and webpage

23.3.1 Improve licensing for influences on the environment/update database of organizations that issue expert opinions on environmental issues.

Georgian Ministry of Environment and Natural Resource Protection keeps a unified database of licenses that have influence on the environment and list of organizations that issue expert opinions on environmental issues. The database is subject to daily updates on licenses on activities that influence the environment and information about expert opinions on ecological issues.

23.3.2. Create an electronic software with integrated licensing and control mechanism for influences over environment.

With the purpose of updating its database, the Georgian Ministry of Environment and Natural Resource Protection, has access to public registry information, from which it receives information about:

- category of land;
- ownership of land;
- issued licenses and mining assignments;
- aero-photos and detailed cadastral maps;

The Ministry also has a relevant software (base inspector) which includes necessary information about issued licenses about influences on the environment, licenses for the use of natural resources and control activities carried out by the Ministry.

23.3.3. Monitoring and analysis of timeframes of documentation submitted to the Ministry for purposes of insuring conformity with the conditions contained in the licenses for influences over environment/ and the ecological expert opinion

For purposes of insuring conformity with the conditions contained in the licenses for influences over environment/ and the ecological expert opinion, the Georgian Ministry of Environment and Natural Resource Protection carries out monitoring and analysis of timeframes of documentation filed with application.



23.4 Creation of a web page, with will contain databases on environmental protection

23.4.1. Collection of information from various agencies; Providing public with digested information about environmental protection in understandable format.

The Georgian Ministry of Environment and Natural Resource Protection plans to create a web page in 2015 which will include databases on Environmental Protection.