



Statement by H.E. Ms Khatuna Totladze  
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Mr President,  
Excellencies,  
Distinguished Delegates,

We are glad to be here again at the Human Rights Council in order to present our position on the received recommendations during the second UPR cycle.

Georgia received 203 recommendations and has carefully reviewed them with all relevant agencies and stakeholders. As a result of these consultations, Georgia supported 191 recommendations. Our response is contained in the document: A/HRC/31/15/add.1

Allow me to present an overview of our approach to these recommendations and highlight some major developments, which took place since last November.

I would like to start with **international treaties**: Georgia has ratified most of the UN human rights treaties, and has supported all recommendations relating to accession to the remaining international human rights instruments.

Georgia has accepted all recommendations related to the **cooperation with human rights mechanisms**. We are committed to continue close cooperation

with the mechanisms as well as our engagement with civil society. We are committed to fulfilling our reporting obligations in good faith and in this context have developed an inclusive national reporting process with the active involvement of all relevant stakeholders.

Moreover, in order to ensure coordination between its national agencies on the implementation of the UPR and UN-treaty-bodies recommendations, the Government plans to include these recommendations in a National Action Plan for the Protection of Human Rights for 2016-17. The Action Plan is now being finalized in consultation with civil society representatives and international organizations. In addition, the Georgian Foreign Ministry's Ambassador at Large on Human Rights is responsible for monitoring the country's implementation of the UPR recommendations.

Georgia has accepted the recommendations on engagement with the international community to ensure that international human rights monitoring mechanisms have access to **occupied regions** of Abkhazia and Tskhinvali/South Ossetia. Given the imminence threat of further deterioration of human rights situation in Georgia's occupied territories, the need for effective human rights monitoring is becoming increasingly acute.

We have supported recommendations on the strengthening of measures for the **protection of IDPs**. While IDPs from Georgia's occupied regions continue to be denied their right to return to their homes, the Government is working hard to provide them with adequate housing. Initiative groups, representing IDPs, are involved in decision-making process. The "Action Plan for the Implementation of the State Strategy on IDPs 2015-16" was developed with their involvement as well as with that of international and local NGO's. In 2016-17, the Government plans to review the Housing Policy in order to fast-track privatization and to resolve issues related to the legal ownership of living spaces. Since 2012, all

evictions have been voluntary, IDP families were kept adequately informed and were offered alternative housing. The Government works hard to ensure that levels of safety, health and sanitation in the accommodation provided are adequate, and that the right to family unity is respected.

We have also supported recommendations on **equality and non-discrimination**. In active co-operation with civil society and international actors, we have enacted a new Anti-discrimination Law, which explicitly prohibits all forms of discrimination. The budget of the Office of the Public Defender, whose tasks include monitoring of the implementation of the law, has already been considerably increased. Moreover, we will reinforce the equality provisions in the new National Action Plan on Human Rights for 2016-17 with a particular focus on minority groups. This new Action Plan reaffirms our commitment to address violence and hate speech against minorities, and provides for the effective implementation of the country's equality legislation, including through effective investigative measures.

Regarding the recommendation to establish a specialized police unit for the investigation of **hate crimes**, in consultations with relevant stakeholders we plan to identify, assign and train specialized police officers for hate crime investigation in all regional police departments.

We have supported all recommendations regarding **freedom of religion or belief, freedom of expression and the right to peaceful assembly**. We continue work towards full enjoyment of freedom of religion or belief in accordance with international human rights law and to promote interreligious and intercultural dialogue and tolerance. We are committed to safeguarding media freedom and have already undertaken relevant steps.

Recommendations were also made in respect to the **women's rights, the fight against domestic violence and violence against women**. All these recommendations have been supported. The new National Action Plan on Human Rights for 2016-17 further strengthens our efforts to promote gender equality and the political participation of women. The President and the Speaker of Parliament have openly declared their support for the introduction of mandatory political quotas to increase women's participation in decision-making processes. The country is continuing to harmonize its human rights legislation with international standards. In coming months, Georgia will ratify the Istanbul Convention. Furthermore, Domestic Violence Council under the Prime-Minister's office is now developing a new Action Plan on violence against women and domestic violence, and this year will see the opening of a fourth shelter for victims of domestic violence in Kakheti as well as the country's first crisis centre. Along to the efforts against gender based and domestic violence, in close cooperation with the EU, Ministry of Internal Affairs has been implementing, new program to fight domestic violence.

With regard to the supported recommendations on the prevention of **child marriages**, Georgia undertook another step forward. Namely, in addition to criminalizing forced marriage, last December, the Parliament adopted amendments to the Civil Code, which annulled provisions allowing marriage from the age of 16 with the consent of parents or guardians. The minimum age for marriage in Georgia is now 18.

Significant reforms have also been carried out to prevent and punish acts of **torture and ill-treatment**. Georgia's efforts were positively assessed by the Special Rapporteur during his visit to Georgia last year. We have also supported recommendations regarding the establishment of independent investigative mechanisms, and are currently engaged in intensive consultations with relevant stakeholders to discuss various models. Our commitment to establish thorough,

transparent, independent and effective investigative mechanisms is clearly stated in our Association Agenda with the EU as well as in our National Human Rights Strategy and Action Plan, and reaffirmed in a newly-adopted anti-torture action plan.

We have supported all recommendations related to the **penitentiary system**. Some of these have been already partially implemented, and decisive steps have notably been taken to bring Georgia's penitentiary system in line with international standards. These comprehensive reforms aim to improve legal frameworks, upgrade management systems and gradually introduce modern prison management practices. These efforts will guarantee the maximum protection of inmates' rights and improve their conditions, and will ensure their re-socialization and rehabilitation and prevent recidivism. Significant progress was also made towards eliminating overcrowding.

In order to prevent human rights violations in correctional facilities, Ministry of Corrections strengthened its internal monitoring mechanisms by introducing a new structural Systemic Monitoring Unit. Furthermore, a Special Consultative Board was created which includes civil society representatives. External monitoring of penitentiary establishments is ensured by the unimpeded access to the penitentiary establishments of the Public Defender and members of the National Preventive Mechanism. I would also like to highlight the fact that, from 2016 they are authorized to take photographs to document potential abuse.

As part of efforts to reform Georgia's juvenile justice system, an individual approach to children has been introduced and their rehabilitation and re-socialization has been made a priority. All young convicts have unrestricted access to education, and a public school is functioning within the Juvenile Rehabilitation Establishment. Georgia has also introduced a new form of

alternative sanction - house arrest, which enables young people to serve their sentence without being isolated from their families and communities.

Following the construction of adequate infrastructure at Prison No. 5, female convicts are now able to have long-term visits. A special "Mother and Child Unit" has also been established in which female inmates and their children (up to the age of 3) live together with the permission of the guardianship organ. Breastfeeding mothers, pregnant inmates and mothers with young children have access, according to their needs, to special nutrition, medical services and specific sanitary and hygienic conditions.

Georgia also supported the recommendations it received concerning the **fight against trafficking in human beings**. Our policy in this regard based on 4 pillars: Prevention, Protection, Prosecution and Partnership. Four mobile inspection groups of the Ministry of Internal Affairs regularly operate in high-risk areas; a special Anti-trafficking Unit and a task force of investigators and prosecutors have been created and tasked with proactively identifying trafficking as well as effectively investigating and prosecuting perpetrators within a defined geographical area; special guidelines have been approved for law enforcement agencies, setting standards for the interrogation of victims, including minors; and Standard Operating Procedures promote the proactive identification of trafficking cases.

We also pay particular attention to prevent human trafficking among minors, especially street-children. With this in mind, last December Georgia's Inter-agency Council approved a legislative package aimed at creating a legal framework to provide children living and/or working in the streets with identification documents, at further improving the child protection referral mechanism, and at strengthening the role of social workers during the

separation of minors from perpetrators or the removal of children from their family. The draft amendments are being discussed in the Parliament.

Georgia also supported recommendations on **strengthening the independence of the judiciary**. The country's judiciary has benefited from wide-ranging reforms, and has become more democratic and transparent. In 2015, we launched a third phase of reforms of the judiciary. The aim of this new set of legislative amendments is to ensure the greater internal independence of judges and their more extensive involvement in the management of their respective courts. These amendments are currently being considered by Parliament.

Special focus has been placed on the pre-trial detention, which is now only used in exceptional cases. Last July, the Parliament passed amendments to the Criminal Procedure Code, which introduces a regular and automatic judicial review of pre-trial detention.

In terms of **prosecutorial** reform, the Government is prioritizing the further development of an independent, depoliticized and accountable prosecutorial system. The procedures for the appointment or removal from office of Chief Prosecutor were fundamentally improved to make the process more open and transparent, and on 27 November 2015 Parliament elected a new Chief Prosecutor according to these new procedures.

We have supported all recommendations relating to persons with **disabilities**, and Georgia is now in the process of finalizing the initial state report under the CRPD. Furthermore, with the support of the UNDP, OHCHR, UNICEF and the EU, and in co-operation with all relevant stakeholders, we are going to strengthen institutional mechanisms for the implementation of the Convention. Georgia has notably supported recommendations on the accession to the

Optional Protocol to the Convention, and is working hard to harmonize its domestic legislation and practices with the standards of the Convention.

Georgia supported the recommendations concerning the enhancement of the **social dialogue**, as well as ensuring adequate protection and promotion of economic rights of the labour force, e.g. through the establishment of an efficient labour inspection mechanism with executive powers.

In 2013 we launched Universal Healthcare Programme, which integrates the vulnerable groups of population. As a result, coverage has expanded substantially and rapidly from 29.5% of the population in 2010 to 99.9% in 2014. Currently, 90% of population, including women is beneficiaries of the Programme.

The Government has approved the State Concept of Healthcare System for “Universal Health Care and Quality Control for the Protection of Patients Rights”. One of the priority areas for the development of the healthcare sector in 2014-20 is maternal and child health promotion. Recommendations are being considered regarding the involvement in state financing programmes of the supply of contraceptives from 2017 and the provision of respective counseling services.

Georgia has also supported recommendations on **ethnic and religious minorities**. The effective implementation of a state policy for equality and civic integration is an important priority. The new State Strategy and Action Plan for Civic Equality and Integration 2015-20 builds upon earlier experiences and introduces some new approaches. It is based upon the principle of equality and the “more diversity, more integration” approach, and aims to contribute to the provision of equality; ensure the full participation of ethnic minorities in all spheres of public life; and preserve the culture and identity of national



minorities. The Strategy pays special attention to social and economic integration of Georgia's Roma population.

We have also supported the recommendations on the **right to education**. These recommendations are either implemented or are in the process of implementation. According to Georgian legislation, general education is accessible for all regardless of citizenship. Free general education is provided at all public schools in Georgia, and every child has the right to access the same quality of education regardless of religion, sex, social background, race, etc. Georgia is fully dedicated to an inclusive educational system, which supports the integration of children with special needs into mainstream schools, enabling them to acquire all the knowledge and skills they need, and providing them with tailored schooling according to their needs. All public schools are supplied with free textbooks and examinations are free of charge, and free school buses run in a number of remote or mountainous areas. Ethnic minorities have access to all stages of education (preschool, general, higher and professional), also in their native languages; they are provided with special intensified courses in State language to ensure their full involvement in the country's social and political life. National standards and mechanisms to monitor the quality of education are being developed, and the Government is carrying out all the necessary steps to encourage the school attendance of girls in particular.

Georgia also supports the recommendations it has received regarding the **repatriation** of people forced into exile by the former USSR in the 1940s. The country undertook this commitment upon its accession to the Council of Europe, but the Government cannot accept the term "Meskhetian Turks". The commitments Georgia undertook when it joined the Council of Europe employ the term "Meskhetian population", since the majority of those who were forced into exile from Georgia's region of Samtskhe-Javakheti by the USSR in 1944

were ethnic Georgians. The Government has finished drafting an Action Plan on the Implementation of the State Strategy for the Repatriation of forcefully exiled persons.

A series of important measures was also taken over the past few years to facilitate the integration of persons holding **refugee and humanitarian** status. Relevant legislation was strengthened and aligned with international standards. Georgia's Migration Strategy for 2016-20 and its respective Action Plan foresee the provision of integration programmes and state services such as education and healthcare for asylum-seekers, refugees and humanitarian status holders. Moreover, the beneficiaries of these programmes will also have access to Georgian language courses.

It should be noted that Georgian legislation guarantees the observance of the principle of non-refoulement. In 2015, amendment of the Criminal Code introduced the non-penalization of asylum-seekers for illegal entry or presence on Georgian territory when coming directly from somewhere where their life or freedom is threatened.

Ladies and Gentlemen,

Time does not allow me to address each recommendation separately, but I hope Georgia's approach and engagement clearly indicates the importance we pay to the UPR process and underlines our commitment to protect and promote human rights.

Mr President,

On behalf of the Government, I would like to thank the delegations for their valuable recommendations and extend my gratitude to everyone involved in

the UPR process in Georgia - particularly to the Office of the Public Defender, represented here today, and to the representatives of various NGOs, who remain actively engaged with us. I also wish to thank the Office of the UN High Commissioner for Human Rights (OHCHR) in Tbilisi for their assistance throughout this process, as well as the UNDP office in Tbilisi, who organized special training sessions on the UPR for the inter-agency working group responsible for preparing state reports under the UN human rights treaties.

And last but not least, let me extend our sincere gratitude to the members of the Troika and the Secretariat for their invaluable assistance.

Georgia is determined to continue to work to comply with its international human rights obligations and to pursue its close co-operation with all stakeholders in its efforts to meet these commitments. In order to keep the international community informed on the implementation process of the received recommendations, Georgia pledged to submit a mid-term report.

Thank you.

