



Human Rights Council
Working Group on the Universal Periodic Review
Thirty-seventh session
18–29 January 2021

Summary of Stakeholders' submissions on Georgia*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 30 stakeholders' submissions¹ to the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. The Public Defender's Office of Georgia (PDO) stated that the State hardly took any adequate measures to overcome stereotypes and wrong perceptions about vulnerable groups that caused discrimination. Women, persons with disabilities and representatives of the LGBT+ community remained the most vulnerable groups. The situation in terms of equality of religious and ethnic minorities was also critical.²

3. PDO stated that due to the increase in the number and influence of homophobic and anti-gender groups, LGBT+ persons were still subjected to oppression, violence and discrimination. They experienced obstacles in terms of exercising their labour rights, right to health and social security and right to education.³

4. PDO noted that environmental issues remained one of the main challenges. It noted a failure to take into account human rights in the practical implementation of large-scale infrastructural projects.⁴

5. PDO regretted that Parliament had not accepted the PDO's proposal of vesting it with the power to access case-files of cases involving ill-treatment and/or deprivation of life before the termination of investigations.⁵

* The present document was not edited before being sent to United Nations translation services.



6. PDO noted a continuing trend of a worsening of treatment of persons arrested in administrative proceedings, and stated that there had also been cases of alleged ill-treatment of juveniles.⁶
7. PDO noted that under the current regulation a doctor in the penitentiary system still reported a suspicious case of torture or other ill-treatment to the Investigative Department of the Ministry of Justice instead of to the independent investigative body, namely the State Inspector's Service, which undermined the effective investigation of alleged incidents of ill-treatment.⁷
8. PDO noted the following problematic issues regarding the penitentiary system: a lack of procedural and institutional safeguards against ill-treatment; maintenance of order and security; ensuring adequate conditions of imprisonment; shortage of activities aimed at prisoners' rehabilitation and resocialization and lack of contact with the outside world; shortcomings in medical care, preventive health care and mental health care.⁸
9. PDO stated that judges of the Supreme Court of Georgia were selected based on opaque procedures. Existing regulations had failed to ensure the selection of judges through duly transparent competition.⁹
10. PDO noted that it had been particularly problematic to ensure a free and pluralist media environment.¹⁰
11. PDO stated that disproportionate and unjustified force had been used against peaceful demonstrators.¹¹
12. PDO stated that NGOs and activists continued to face numerous challenges including attempts to discredit them, verbal and physical assaults, and intimidation, particularly affecting defenders of women's and LGBT+ rights.¹²
13. PDO stated that the low rate of identifying cases of human trafficking was problematic, and that more proactive efforts were necessary.¹³
14. PDO stated that there was no regulatory framework for the realisation of the right to adequate housing. There was also no governmental strategy or corresponding action plan for homeless persons. Some internally displaced persons continued to live in buildings and constructions that were dangerous to live in.¹⁴
15. PDO noted serious problems related to the health care infrastructure, a lack of qualified nurses and the accessibility of medicine.¹⁵
16. PDO stated that femicide remained an alarming challenge. There had also been no concrete measures taken to fight violence against women and domestic violence in terms of social work.¹⁶
17. PDO stated that there were shortcomings in terms of legislative regulation of crimes involving sexual violence, and at the stage of investigation, criminal prosecution and court trial of such cases.¹⁷
18. PDO stated that the practice of early marriage and engagement remained one of the most important challenges.¹⁸
19. PDO noted deficiencies in the system of social protection of children, including scarcity of children's programs and lack of efficiency of available programs, as well as the lack of sufficient numbers of social workers and psychologists. This negatively affected the level of protection from poverty and abuse, including sexual abuse of children, particularly of minors in State care.¹⁹
20. PDO stated that the timely identification of incidents of violence, in particular in secondary education establishments, remained problematic. It noted that there was still no strategy and action plan to overcome violence, in particular, bullying.²⁰
21. PDO noted that no significant steps had been taken to implement the Convention on the Rights of Persons with Disabilities and that no agency had been designated to coordinate that process. It noted that the State was unable to ensure the accessibility of rehabilitation services for adult persons with disabilities. Measures taken to protect the

rights of persons with psychiatric problems were not sufficient; the number of community services was low and their geographical coverage was not sufficient.²¹

III. Information provided by other stakeholders

A. Scope of international obligations and cooperation with international human rights mechanisms and bodies²²

22. JS7 recommended that the State ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.²³

23. JS7 and JS14 recommended that the State ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.²⁴

24. JS8 recommended that the State ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities.²⁵

25. JS7 recommended that the State submit the overdue national report to the Committee on Economic, Social and Cultural Rights.²⁶

26. Human Rights Watch (HRW) recommended that the Government ratify ILO Conventions 81 on Labour Inspectorate, 155 on Occupational Health and Safety, 176 on Safety and Health in mines, 14 on Weekly Rest, and 1 on Hours of Work in Industry.²⁷

B. National human rights framework²⁸

27. Penal Reform International (PRI) stated that the Ministry of Justice repeatedly failed to provide information relating to prisons requested by the Public Defender in its function as the national preventive mechanism, adequately respond to the issues of concern raised by the Public Defender, and prevent hindrances to the operation of its members.²⁹

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination³⁰

28. JS8 noted that racism and anti-migrant populism had become alarming issues in Georgia. It noted growing aggression, violence and xenophobia, especially against citizens of African and Asian countries. It noted that neo-fascist and far-right groups had assaulted people in public places and organised rallies with intimidating slogans targeting foreigners.³¹

29. The Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC) encouraged the authorities to pursue their efforts in efficiently combating hate crimes by systematically investigating in a timely manner all crimes committed with discriminatory intent. It also called on the authorities to step up their efforts to more efficiently prosecute and sanction such crimes.³²

30. JS14 recommended that the State continue training of police officers, prosecutors and judges to deal with hate crimes, and conduct awareness raising campaigns aimed at young persons on the consequences of hate violence.³³

31. ACFC called on the authorities to condemn systematically and in a timely manner all instances of intolerance, in particular in public discourse.³⁴

32. JS6 and JS10 recommended that the State establish without delay a hate crime investigation unit within the law enforcement system in order to strengthen the investigation, prosecution and prevention of hate crimes based on sexual orientation and gender identity (SOGI).³⁵

33. JS6 recommended that the State craft an educational campaign on SOGI with a view to addressing stigma, dispelling myths and combating stereotypes. It also recommended that the State regularly document bullying in educational settings based on SOGI.³⁶

34. ADF International recommended that the State promote intercultural and interreligious dialogue and cooperation.³⁷

35. JS10 stated that HIV/AIDS stigma and discrimination remained a challenge. Current legislation was discriminatory and reinforced HIV-related stigma.³⁸

Development, the environment, and business and human rights

36. The Council of Europe (CoE) stated that the Group of States against Corruption (GRECO) had welcomed the work carried out to improve the Law on Conflicts of Interest and Corruption in Public Institutions. GRECO had stated that the various measures contained therein should allow for a more effective monitoring of asset declarations of members of parliament, judges and prosecutors.³⁹

2. Civil and political rights

Right to life, liberty and security of person⁴⁰

37. Just Atonement Inc. (JAI) stated that in response to the widespread protests that began in the summer of 2019, police had used disproportionate and indiscriminate force and individuals had been detained. JAI noted a lack of accountability for such violations by law enforcement.⁴¹

38. The Institute for Democracy and Safe Development (IDSD) stated that the infrastructure of a number of penitentiary establishments was still outdated and should be renovated. Some establishments failed to provide each prisoner with a minimum living space of four square meters. Lack of outdoor exercise remained a serious problem in all closed-type facilities.⁴²

39. IDSD stated that the provision of adequate food to persons in temporary detention isolators remained problematic.⁴³

40. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) was concerned about the frequent use in prisons of so-called “de-escalation rooms”, for up to 72 hours, as de facto punishment.⁴⁴

41. PRI stated that special attention needed to be directed to the living conditions of life-sentenced prisoners. Life-sentenced persons lived in complete isolation for long periods, in violation of relevant international standards.⁴⁵

42. PRI recommended that the UPR WG encourages the Government to review the use of lengthy solitary confinement and placement in de-escalation rooms, particularly for individuals with mental health conditions.⁴⁶

43. The Global Initiative to End All Corporal Punishment of Children (GIEACPC) hoped that States would recommend that Georgia take all measures to ensure implementation of the prohibition of corporal punishment in all settings, including the home.⁴⁷

44. JS1 recommended that parliament amend the Criminal Procedure Code and adopt effective alternative detention measures in order to reduce the rate of imprisonment.⁴⁸

Administration of justice, including impunity, and the rule of law⁴⁹

45. JS1 stated that trust in the judiciary was critically low in the country.⁵⁰

46. The Institute for Development of Freedom of Information (IDFI) stated that achievement of judicial independence was significantly hindered by influential judicial group-members who held important administrative positions within the system. They delivered arbitrary decisions, and used their high positions and legislative deficiencies to strengthen their influence over the system.⁵¹

47. The Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) had recommended, inter alia, that the Government introduce enhanced protections against conflict of interest in the selection process of Supreme Court judges and to sufficiently prevent the influence of partisan politics in the process.⁵²

48. IDFI stated that the excessive caseload of common courts was a significant challenge.⁵³

49. The CoE noted that the Group of States against Corruption (GRECO) had stated that more was required on judicial reform, in particular in establishing clear and objective criteria for the promotion of judges, updating the Norms of Judicial Ethics, taking measures to increase the effectiveness of disciplinary proceedings and limiting the immunity of judges to “functional immunity”.⁵⁴

50. IDFI recommended that the State guarantee the independence of the judiciary by reforming the system of appointment of judges, and ensure justification of decisions and merit-based appointments.⁵⁵

51. IDFI stated that the Organic Law on the Prosecution Service did not require justification for promotion of prosecutors and that it did not detail promotion criteria for prosecutors and investigators.⁵⁶

52. JS1 recommended that the State determine the powers of the Prosecutor’s Council so that it can fulfil its constitutional obligations to guarantee the independence, transparency and efficiency of the Prosecutor’s Office.⁵⁷

53. HRW stated that impunity for abuses carried out by law enforcement officials remained a persistent problem.⁵⁸

54. CPT reiterated its recommendation that steps be taken to ensure that the right to have access to a lawyer (including an ex officio lawyer) is fully effective for all detained persons, as from the outset of deprivation of liberty.⁵⁹

55. JS10 stated that the Government had failed to adequately address violence against LGBTQI people, which had created a feeling of impunity and encouraged homo and transphobic violence in society.⁶⁰

56. JS1 stated that drug use without a prescription was a punishable act and lead to imposition of unjust and disproportionate penalties, both under administrative and criminal law.⁶¹

*Fundamental freedoms and the right to participate in public and political life*⁶²

57. JS13 stated that the State Agency for Religious Issues had repeatedly interfered to back municipal council decisions to block the building of new places of worship by Muslims, Jehovah's Witnesses, and Protestants. The Georgian Orthodox Church also often intervened to stop such building permits being issued.⁶³

58. ADF International recommended that the State take effective measures to guarantee religious minorities the right to build and maintain places of worship, and to address outstanding issues relating to the ownership of places of worship and related properties of religious minorities.⁶⁴

59. The European Commission against Racism and Intolerance (ECRI) concluded that the State Agency for Religious Issues had not taken any serious steps to cooperate with the Council of Religions, as previously recommended by it.⁶⁵

60. HRW recommended that the Government respect media pluralism and ensure space for open debate and an environment respecting dissenting voices, including on publicly-operated media platforms. It also recommended that the Government put an end to any political pressure against independent and critical media outlets.⁶⁶

61. JS9 recommended that the State ensure the disclosure of public information according to the law and in the timeframe prescribed by law.⁶⁷

62. JS17 stated that there were an increased number of attacks against human rights defenders or activists and a culture of impunity when such attacks occurred. These included media smear campaigns and attacks by senior state officials. Human rights defenders who defended the rights of LGBTQI+ people and/or ethnic minorities had been continuously under attack.⁶⁸

63. JS17 stated that administrative detention was frequently used disproportionately against activists.⁶⁹

64. JS17 recommended that the State investigate and prosecute all criminal attacks against human rights defenders effectively and ensure that attacks on human rights defenders, particularly minority rights defenders, receive high-level and public condemnation by State officials.⁷⁰

65. JS11 recommended that the Government review national legislation and policies to fully guarantee the safety of journalists, human rights defenders, and activists so that they can pursue their activities freely without undue interference, attacks or intimidation.⁷¹

66. JS6 recommended that the State enable the safe and peaceful gatherings of LGBTQI activists and take preventive measures to deter violence, hatred and discriminatory attitudes and behaviour. It recommended that the State properly address and investigate cases of violence by far-right groups when they occur.⁷²

67. The CoE European Committee of Social Rights (ECSR) stated that it had not been established that employees were adequately protected against discrimination on grounds of trade union membership in practice, and that trade unions were entitled to perform and indeed perform their activities without interferences from authorities and/or employers.⁷³

68. The ECSR stated that it had not been established that in general the right to collective action of workers and employers, including the right to strike, was adequately recognized.⁷⁴

69. The International Fellowship of Reconciliation (IFOR) stated that concerns remained about the discrepancy between the duration of alternative service and that of military service.⁷⁵

Right to privacy and family life

70. JS11 stated that in 2017, Parliament had passed new regulations to enhance government surveillance, despite strong criticism by various stakeholders, including civil society organizations, the Public Defender and political parties. The new regulations had created the Operative Technical Agency under the State Security Service, charged with sweeping surveillance activities over computer and telecommunications networks.⁷⁶

71. JS11 stated that the surveillance practices used by the Government had mainly targeted journalists, opposition figures, and exiles from other countries living in Georgia.⁷⁷

72. JS3 stated that women with disabilities found it particularly challenging to have a private and family life. The situation was aggravated for women who were placed in boarding houses under State care and institutions.⁷⁸

73. JS10 stated that the Law on HIV infection/AIDS did not provide sufficient safeguards to protect patients' rights, especially the right to privacy and confidentiality.⁷⁹

3. Economic, social and cultural rights

*Right to work and to just and favourable conditions of work*⁸⁰

74. The ECSR noted that employment policy efforts had not been adequate in combatting unemployment and promoting job creation.⁸¹

75. HRW recommended that the Government ensure that labour laws were in line with international labour standards and Georgia's international human rights commitments, addressing in particular gaps with respect to working hours, weekly rest, night work, payment of overtime hours and work on public holidays. It also recommended that the Government establish a fully-fledged, independent and appropriately staffed, trained, and

resourced Labour Inspectorate with a broad mandate to inspect all issues pertaining to workplace safety and working conditions.⁸²

76. JS7 recommended that the State increase the number of social workers and implement systemic reforms to improve their working conditions.⁸³

77. The ECSR stated that there was no explicit statutory guarantee of equal pay for work of equal value.⁸⁴

78. The ECSR stated that it had not been established that there was adequate prevention of sexual harassment in relation to the workplace.⁸⁵

Right to social security

79. The ECSR stated that the number of risks covered by the system of social security was inadequate, as there was no provision for family benefits, unemployment benefits or work injuries/occupational diseases benefits. It also stated that it had not been established that the level of minimum sickness benefits was adequate.⁸⁶

80. JS5 stated that no information on social services was translated in minority languages, social workers did not speak minority languages, and the method to gather information from minority families about their economic condition was questionable.⁸⁷

Right to an adequate standard of living⁸⁸

81. JS8 stated that child poverty remained high; every fifth child lived in a household where their basic needs were not met. There was a considerable increase in the share of children living below the subsistence minimum.⁸⁹

82. JS7 stated that the placement of teenagers under state protection due to poverty was still an issue. It recommended that the State create a social protection strategy for children focused on overcoming child poverty and strengthening families.⁹⁰

83. JS7 stated that the Government had failed to take effective steps towards protection of the right to adequate housing and eradication of homelessness. Problems faced by persons who had become homeless as a result of socioeconomic vulnerability were aggravated by the absence of a national housing strategy and the lack of a relevant legislative and institutional framework and housing services.⁹¹

84. JS7 recommended that the State elaborate national standards regulating eviction procedures, which duly take into account the needs of persons/households facing evictions.⁹²

85. The ECSR stated that the measures that had been taken to ensure access to safe drinking water in rural areas had been insufficient.⁹³

Right to health⁹⁴

86. JS7 stated that most villages did not have local outpatient clinics, which posed many problems for the realization of children's right to health.⁹⁵

87. The ECSR stated that the measures taken to reduce infant and maternal mortality had been insufficient.⁹⁶

88. JS7 recommended that the State increase funding for children in State care to protect their health, including mental health.⁹⁷

89. JS7 recommended that the State develop a strategy for child suicide prevention.⁹⁸

90. JS7 recommended that the State establish and implement appropriate services for children with complex behavioural and mental health problems.⁹⁹

91. CPT was very concerned by the persistent serious shortcomings in the provision of mental health care in prisons and expressed the view that there was a lack of a national strategy of dealing with challenging mentally disordered prisoners.¹⁰⁰

92. JS4 stated that women and girls with disabilities did not have access to information about State health programs, in particular those residing in rural areas and regions settled by ethnic minorities.¹⁰¹

93. JS4 and JS15 recommended that the Government ensure that sexual and reproductive health services, including abortion and contraception services and information, are available, accessible and affordable to all women and girls.¹⁰²

94. JS15 recommended that the State revise article 139 of the Law on Health Care to remove the mandatory waiting period for women who decide to have an abortion.¹⁰³

95. JS10 and JS15 recommended that the State integrate safe abortion services in the primary healthcare system.¹⁰⁴

96. JS1 stated that persons addicted to drugs were not adequately provided with treatment tailored to their medical, psychological and social needs. Psychosocial rehabilitation was non-existent. It stated that the state did not have institutional mechanisms for the provision of treatment as an alternative to punishment.¹⁰⁵

97. JS6 stated that LGBTI persons had repeatedly reported that medical personnel displayed homophobic attitudes towards them.¹⁰⁶

98. JS6 recommended that the State eliminate abusive requirements as prerequisites for gender marker change.¹⁰⁷

*Right to education*¹⁰⁸

99. JS7 stated that the old and damaged infrastructure of schools remained one of the most important issues. Accessibility standards for persons with disabilities could mostly not be met.¹⁰⁹

100. JS7 recommended that the State promote the improvement of water supply system and water quality in schools and pre-schools.¹¹⁰

101. JS7 recommended that the State develop and implement a State mechanism to ensure the inclusion of Gypsy children in early education.¹¹¹

102. JS7 recommended that the State provide children of ethnic minorities with educational resources and quality textbooks and increase the quality of teaching the State language to them.¹¹²

103. JS5 stated that the qualification of teachers remained problematic, particularly in the bilingual system. Graduates of the special university program “1+4” were not supported to get fulltime employment at public schools.¹¹³

104. JS7 stated that funding allocated for inclusive education was not enough to satisfy the complex needs of students with special educational needs or to hire inclusive education specialists.¹¹⁴

105. JS10 recommended that the State develop and implement a comprehensive curriculum on sexual and reproductive health and rights, taking into account the cultural context and age appropriateness.¹¹⁵

106. The International Federation of Library Associations and Institutions (IFLA) encouraged support for library initiatives to ensure access to information and knowledge for remote and rural residents, as well as other vulnerable groups.¹¹⁶

4. Rights of specific persons or groups

*Women*¹¹⁷

107. JS15 stated that despite State action on domestic violence and violence against women, the implementation of effective preventive measures remained a challenge.¹¹⁸

108. JS15 stated that psycho-social rehabilitation and educational programs in shelters for victims of domestic violence remained insufficient.¹¹⁹

109. JS2 recommended that the Government take all appropriate measures, including counselling treatment for violent parents and shelters, to ensure effective protection of women and children victims of domestic violence.¹²⁰

110. JS15 recommended that the State develop supportive programs for victims of domestic violence and violence against women after they leave shelters.¹²¹

111. JS15 recommended that the State provide continuous education on domestic violence for social workers of the State Social Service Agency.¹²²

112. JS16 stated that sexual violence was prevalent but largely underreported. Perpetrators were brought to justice in only a small number of reported cases.¹²³

113. JS16 recommended that the State conduct regular trainings for investigators, prosecutors, judges, lawyers and forensic medical examiners on the specific nature of sexual violence crimes and interaction with survivors, with a specific focus on eliminating gender stereotypes and avoiding secondary victimisation.¹²⁴

*Children*¹²⁵

114. JS12 recommended that the Government amend the Criminal code by making trafficking and the sexual exploitation of children separate crimes.¹²⁶

115. JS2 stated that the child protection system was not yet ready to adequately respond and protect the rights of children affected by violence, including victims and witnesses.¹²⁷

116. JS12 recommended that the Government provide specific national, child-friendly complaint mechanisms for child victims of sexual exploitation.¹²⁸

117. JS2 stated that violence against children continued to prevail at home, including through domestic violence, at school and within the community and the level of tolerance had not significantly decreased. Outside interventions, including by social workers, social service providers and the police, were perceived as a violation of the right to private life or family life and a threat to traditional values.¹²⁹

118. JS2 stated that professionals working with children at risk or victim of violence, including sexual abuse, were not adequately trained to identify, address and take appropriate measures or engage with referral mechanisms, especially in rural and highland regions where sexual violence still remained a difficult issue to unveil.¹³⁰

119. JS12 stated that there was no legal framework in place that protected children from sexual exploitation of children in travel and tourism. The introduction of the new Code on the Rights of the Child still had not addressed such offences.¹³¹

120. JS8 stated that due to a malfunctioning social security system and crisis in the childcare system, the State failed to prevent child abandonment and placed children in large, mostly unlicensed residential facilities. Restrictions established in the institutions, a strict method of discipline and the sheer number of minors did not give rise to a family-like inclusive environment.¹³²

121. JS8 recommended that the State register all non-licensed establishments by the end of 2020 and grant them with a licence if the licensing requirements are met. It also recommended that the State immediately accommodate children living in institutions which do not meet the licensing requirements in alternative care facilities and/or fulfil their needs.¹³³

122. JS12 stated that a range of complex social, cultural and economic factors contributed to the high prevalence of child marriage in Georgia. It disproportionately affected those living in rural areas.¹³⁴

123. JS2 stated that measures and commitments carried out towards reforming the juvenile justice system had not reached the expected objectives.¹³⁵

124. JS7 stated that very often children living and working on the streets were victims of labour exploitation. It recommended that the State create an effective referral mechanism that focuses on identifying and responding effectively to child labour.¹³⁶

125. United Families International (UFI) stated that Georgia was a popular destination for third-party reproduction. A marriage certificate of couples was not needed until the birth of the baby in Georgia and foreign couples were not required to travel to the country to sign a surrogacy agreement. Many Georgian surrogate women were victims of domestic abuse, and some men coerced their wives into being surrogates for money.¹³⁷

*Persons with disabilities*¹³⁸

126. JS8 recommended that all State agencies, in a unified manner, collect comprehensive statistical data regarding persons with disabilities in the country.¹³⁹

127. JS7 recommended that the State develop an action plan for the deinstitutionalization of large-sized psychiatric facilities and boarding houses for persons with disabilities. It recommended that the State carry out the deinstitutionalization process in a due time-frame, in parallel with creating various community, including housing, services.¹⁴⁰

128. JS10 stated that women and girls with disabilities had limited information and access to existing health and social welfare programs, in particular those residing in rural areas and in regions settled by ethnic minorities.¹⁴¹

129. JS3 recommended that the Government ensure complete access to sexual and reproductive health rights services, including contraception and abortions, and the infrastructural changes necessary to accommodate women with disabilities.¹⁴²

130. JS4 recommended that the Government ensure access to sexual and reproductive health services in psychiatric facilities.¹⁴³

131. JS3 also recommended that the Government secure the necessary support in terms of accessible housing, education, employment, and personal assistance for enabling childcare and parenthood for women with disabilities.¹⁴⁴

*Minorities*¹⁴⁵

132. JS8 stated that the participation of ethnic minorities in political, social and cultural life remained a challenge. The dominant political and cultural agenda suppressed their rights, including the right to use their language when communicating with governmental authorities, the right to exercise their culture freely and the right to effectively participate in decision-making processes.¹⁴⁶

133. ACFC called on the State to effectively consult representatives of national minorities before designing and launching important infrastructural projects that may affect them.¹⁴⁷

134. JS5 stated that access to information by minorities was hindered due to the digital divide in minority villages and small towns. The lack of access to information in a minority understandable language became crucial during the Covid-19 pandemic.¹⁴⁸

135. ACFC called on the authorities, while promoting the use of the State language, to effectively guarantee the right to use minority languages orally and in writing for persons belonging to national minorities, in relations between those persons and the administrative or judicial authorities, in areas traditionally inhabited by those persons or where they live in substantial numbers. It also called on the authorities to envisage translating relevant pieces of legislation into minority languages.¹⁴⁹

136. JS5 and JS8 recommended that the State adopt positive measures to encourage the employment of ethnic minorities in central and local government institutions, with a particular emphasis on graduates of the university program “1+4”.¹⁵⁰

137. JS5 recommended that the State conduct a comprehensive study of gaps in the minority education system, including the gaps in state language teaching, and the roots of unequal conditions.¹⁵¹

138. JS5 recommended that the State create a list of ethnic minority cultural objects and heritage and take specific measures for their protection and popularization.¹⁵²

*Migrants, refugees, asylum seekers and internally displaced persons*¹⁵³

139. JS8 noted a negative trend emerging in delaying preliminary interviews of asylum seekers and suspending the issuing of temporary identification cards. It stated that as a consequence, asylum seekers were prevented from being issued personal documents, limiting immediate access to health care, education and other basic social services.¹⁵⁴

140. JS8 recommended that the State ensure that persons who may be in need of international protection are registered as asylum seekers and are given a preliminary interview.¹⁵⁵

141. The ECSR stated that it had not been established that equal treatment was secured in practice between migrant workers and nationals with regard to remuneration and working conditions, and accommodation.¹⁵⁶

142. JS10 stated that migrants living in Georgia did not have equal access to HIV-related medical services.¹⁵⁷

143. JS12 stated that while some internally displaced persons (IDPs) had benefited from Government efforts to provide housing, the number of beneficiaries remained limited. A large number of IDPs, many of whom were children, continued to live in deteriorating collective centres, and there was a considerable lack of information on those IDPs living in private accommodation.¹⁵⁸

5. Specific regions or territories¹⁵⁹

144. JAI stated that the consequences of the alleged borderization had the ability to directly impact the citizens of Georgia. Georgian citizens near the South Ossetia borders had found themselves suddenly in a different territory, affecting their lands and businesses. This impacted the ability to work, obtain food, and provide themselves with an adequate standard of living. Agriculture was further affected in communities near or on the borders, as farmers are afraid of going near them due to the threat of detention.¹⁶⁰

145. JAI stated that there had been allegations of residents of South Ossetia being unable to cross the border when seeking medical help.¹⁶¹

146. JS5 recommended that the State continue cooperating with the international organizations and on a diplomatic level to ensure access of international human rights monitoring mechanisms and humanitarian organizations to Abkhazia and South Ossetia.¹⁶²

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a national human rights institution with "A" status).

*Civil society**Individual submissions:*

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|-------------------|---|
| ADF International | Alliance Defending Freedom, Geneva (Switzerland); |
| GIEACPC | Global Initiative to End All Corporal Punishment of Children, London (United Kingdom); |
| HRW | Human Rights Watch, Geneva (Switzerland); |
| IDFI | Institute for Development of Freedom of Information, Tbilisi (Georgia); |
| IDSD | Institute for Democracy and Safe Development, Tbilisi (Georgia); |
| IFLA | International Federation of Library Associations and Institutions, the Hague (the Netherlands); |
| IFOR | International Fellowship of Reconciliation, Utrecht (the Netherlands); |
| JAI | Just Atonement Inc., New York (United States of America) |
| PRI | Penal Reform International, London (United Kingdom of Great Britain and Northern Ireland); |
| UFI | United Families International, Gilbert (United States of |

| | |
|---------------------------|--|
| | America). |
| <i>Joint submissions:</i> | |
| JS1 | Joint submission 1 submitted by: Human Rights Education and Monitoring Center, Tbilisi (Georgia); Georgian Young Lawyers' Association, Tbilisi (Georgia); |
| JS2 | Joint submission 2 submitted by: International Catholic Child Bureau, Geneva (Switzerland); Public Health Foundation of Georgia, Tbilisi (Georgia); |
| JS3 | Joint submission 3 submitted by: Partnership for Human Rights, Tbilisi (Georgia); Sexual Rights Initiative, Geneva (Switzerland); |
| JS4 | Joint submission 4 submitted by: HERA-XXI, Tbilisi (Georgia); Sexual Rights Initiative, Geneva (Switzerland); |
| JS5 | Joint submission 5 submitted by: Human Rights Education and Monitoring Center, Tbilisi (Georgia); Civil Integration Foundation, Tbilisi (Georgia); Peace Foundation, Tbilisi (Georgia); Human Rights Center, Tbilisi (Georgia); Democracy Research Institute, Tbilisi (Georgia); Youth for Diplomatic Engagement, Tbilisi (Georgia); Georgian Muslims Union, Tbilisi (Georgia); Pankisi Youth Initiative Group (Georgia); Kakheti Regional Development Fund (Georgia); Platform Salam, Tbilisi (Georgia); Georgian Evangelist-Baptist Church, Tbilisi (Georgia); the Supreme Religious Administration of Georgia's All Muslims (Georgia); |
| JS6 | Joint submission 6 submitted by: Women's Initiative's Supporting Group, Tbilisi (Georgia); European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association, Brussels (Belgium); |
| JS7 | Joint submission 7 submitted by: Human Rights Education and Monitoring Center, Tbilisi (Georgia); Georgian Young Lawyers' Association, Tbilisi (Georgia); Partnership for Human Rights, Tbilisi (Georgia); |
| JS8 | Joint submission 8 submitted by: Partnership for Human Rights, Tbilisi (Georgia); Georgian Young Lawyers' Association, Tbilisi (Georgia); Union 'Sapari', Tbilisi (Georgia); Women's Initiatives Supporting Group, Tbilisi (Georgia); Tolerance and Diversity Institute, Tbilisi (Georgia); Human Rights Education and Monitoring Center, Tbilisi (Georgia); Rights Georgia, Tbilisi (Georgia); Georgian Democracy Initiative, Tbilisi (Georgia); Human Rights Center, Tbilisi (Georgia); Equality movement, Tbilisi (Georgia); Open Society Georgia Foundation, Tbilisi (Georgia); |
| JS9 | Joint submission 9 submitted by: Georgian Young Lawyers' Association, Tbilisi (Georgia); Georgian Charter of Journalistic Ethics, Tbilisi (Georgia); |
| JS10 | Joint submission 10 submitted by: Human Rights Education and Monitoring Center, Tbilisi (Georgia); Center for Information and Counselling on Reproductive Health - Tanadgoma, Tbilisi (Georgia); Women's Initiatives Supporting Group, Tbilisi (Georgia); Association HERA XXI, Tbilisi (Georgia); Equality Movement, Tbilisi (Georgia); |
| JS11 | Joint submission 11 submitted by: Access Now, New York (United States of America); Media Development Foundation, Tbilisi (Georgia); |
| JS12 | Joint submission 12 submitted by: Public Health Foundation of Georgia, Tbilisi (Georgia); ECPAT International, Bangkok (Thailand); |
| JS13 | Joint submission 13 submitted by: Tolerance and Diversity Institute, Tbilisi (Georgia); Forum 18, Oslo (Norway); |
| JS14 | Joint submission 14 submitted by: Tolerance and Diversity Institute, Tbilisi (Georgia); Center for Participation and |

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| JS15 | Development, Tbilisi (Georgia); Joint submission 15 submitted by: HERA-XXI, Tbilisi (Georgia); Anti-Violence Network of Georgia, Tbilisi (Georgia); Cultural-Humanitarian Fund 'Sukhumi', Kutaisi (Georgia) |
| JS16 | Joint submission 16 submitted by: Equality Now, Nairobi (Kenya); Georgian Young Lawyers Association, Tbilisi (Georgia); Union Sapari, Tbilisi (Georgia); Rights Georgia, Tbilisi (Georgia); Partnership for Human Rights, Tbilisi (Georgia); Women's Initiatives Supporting Group, Tbilisi (Georgia); Human Rights Centre, Tbilisi (Georgia); Anti-Violence Network of Georgia, Tbilisi (Georgia); Georgian Democracy Initiative, Tbilisi (Georgia); Coalition for Independent Living, Women's Information Centre, Tbilisi (Georgia); Women Engage for a Common Future, Tbilisi (Georgia); Taso Foundation, Tbilisi (Georgia); Open Society Foundation Georgia, Tbilisi (Georgia); Tbilisi Pride, Tbilisi (Georgia); Human Rights Education and Monitoring Centre, Tbilisi (Georgia); Cultural-Humanitarian Fund "Sukhumi", Kutaisi (Georgia); |
| JS17 | Joint submission 17 submitted by: Human Rights House Tbilisi, Tbilisi (Georgia); Human Rights House Foundation, Geneva (Switzerland). |
| <i>National human rights institution:</i> | |
| PDO | Public Defender's Office of Georgia*, Tbilisi (Georgia). |
| <i>Regional intergovernmental organization(s):</i> | |
| CoE | The Council of Europe, Strasbourg (France); Attachments: ACFC – Advisory Committee on the Framework Convention for the Protection of National Minorities, Third Opinion on Georgia, March 2019 (ACFC/OP/III(2019)002); CPT – European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, Report to the Georgian Government on the visit to Georgia carried out from 10 to 21 September 2018, CPT/Inf (2019) 16 (May 2019); ECRI – European Commission against Racism and Intolerance, ECRI Conclusions on the Implementation of the Recommendations in Respect of Georgia Subject to Interim Follow-Up, December 2018 (CRI(2019)4). ECSR – The European Committee of Social Rights, Factsheet Georgia (March 2019). |
| OSCE-ODIHR | Organization for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights, Warsaw (Poland). |
| 2 | 2 PDO submission to the universal periodic review of Georgia, para. 29. |
| 3 | Ibid., para. 37. |
| 4 | Ibid., para. 18. |
| 5 | Ibid., paras. 6-7. |
| 6 | Ibid., para. 12. |
| 7 | Ibid., para. 13. |
| 8 | Ibid., para. 15. |
| 9 | Ibid., paras. 24. |
| 10 | Ibid., para. 39. |
| 11 | Ibid., para. 55. |
| 12 | Ibid., para. 53. |
| 13 | Ibid., para. 34. |
| 14 | Ibid., paras. 22-23. |
| 15 | Ibid., para. 20. |
| 16 | Ibid., paras. 32-33. |
| 17 | Ibid., para. 34. |
| 18 | Ibid., para. 35. |
| 19 | Ibid., para. 43. |

- ²⁰ Ibid., paras. 47-48.
- ²¹ Ibid., paras. 49-50.
- ²² For relevant recommendations see A/HRC/31/15, paras. 116.1–116.19, 116.23, 117.1–117.6, 117.31, and 118.1.
- ²³ JS7, p. 2.
- ²⁴ JS7, p. 2; JS14, para. 29.
- ²⁵ JS8, para. 27.
- ²⁶ JS7, p. 2.
- ²⁷ HRW, para. 7. See also JS7, pp. 6.
- ²⁸ For relevant recommendations see A/HRC/31/15, paras. 117.8, 117.10–117.14, 117.20, 117.22–117.30, 117.32–117.34, 117.37, 117.45–117.46, 117.48–117.49, 117.70, 118.2–118.8, 118.14–118.15, 118.17–118.18, 118.36, and 119.1.
- ²⁹ PRI, para. 1.4. (f).
- ³⁰ For relevant recommendations see A/HRC/31/15, paras. 117.7, 117.41–117.44, 117.47, 117.92–117.93, 117.114, 118.9–118.10, 118.32, 118.34 and 119.5.
- ³¹ JS8, para. 66. See also JS14, para. 8.
- ³² ACFC, para. 68. See also JS8, para. 67; JS14, para. 11.
- ³³ JS14, para. 38.
- ³⁴ ACFC, para. 67.
- ³⁵ JS6, para. 10, JS10, p. 5. See also JS8, para. 44.
- ³⁶ JS6, paras. 32-33. See also JS8, para. 44.
- ³⁷ ADF International, paras. 10 and 19. See also JS13, p. 16.
- ³⁸ JS10, para. 55.
- ³⁹ CoE, p. 9.
- ⁴⁰ For relevant recommendations see A/HRC/31/15, paras. 117.50–117.57, 117.78–117.81, 117.84, 118.11, 118.28–118.31, and 119.2.
- ⁴¹ JAI, paras. 22-23.
- ⁴² IDSD, paras. 4-7.
- ⁴³ Ibid., para. 3.
- ⁴⁴ CPT, p. 7.
- ⁴⁵ PRI, para. 2.7.
- ⁴⁶ Ibid., p. 1.
- ⁴⁷ GIEACPC, p. 1.
- ⁴⁸ JS1, p. 15.
- ⁴⁹ For relevant recommendations see A/HRC/31/15, paras. 117.74–117.77, and 118.19–118.27.
- ⁵⁰ JS1, para. 1.1.
- ⁵¹ IDFI, para. 3. See also CoE, p. 2.
- ⁵² OSCE/ODIHR, para. 30 (d).
- ⁵³ IDFI, para. 13.
- ⁵⁴ CoE, p. 9.
- ⁵⁵ IDFI, para. 14(a). See also, CoE, p. 2.
- ⁵⁶ IDFI, para. 20. See also CoE, pp. 3 and 9.
- ⁵⁷ JS1, p. 8.
- ⁵⁸ HRW, para. 9. See also IDSD, para. 16.
- ⁵⁹ CPT, p. 4.
- ⁶⁰ JS10, para. 18.
- ⁶¹ JS1, para. 4.1.
- ⁶² For relevant recommendations see A/HRC/31/15, paras. 117.18, 117.21, 117.40, 117.87, 117.91, 117.94–117.102, 118.35, 118.37, and 119.6.
- ⁶³ JS13, paras. 5 and 34.
- ⁶⁴ ADF International, para. 19. See also JS5, paras. 54-58, JS8, para. 52.
- ⁶⁵ ECRI, p. 6.
- ⁶⁶ HRW, paras. 16 and 23. See also IDFI, paras. 24 and 28 (a); JS11, paras. 17-19 and 54.
- ⁶⁷ JS9, p. 4.
- ⁶⁸ JS17, paras. 1 and 9.
- ⁶⁹ Ibid., para. 38.
- ⁷⁰ Ibid., paras. 19-20.
- ⁷¹ JS11, para. 59.
- ⁷² JS6, paras. 25-26. See also JS11, paras. 34-37.
- ⁷³ ECSR, p. 4.
- ⁷⁴ Ibid., p. 4.
- ⁷⁵ IFOR, para. 3-4.

- 76 JS11, paras. 10-11.
77 Ibid., para. 51.
78 JS3, paras. 27-28.
79 JS10, para. 55.
80 For relevant recommendations see A/HRC/31/15, paras. 117.111 and 118.39.
81 ECSR, p. 3.
82 HRW, para. 7. See also JS7, paras. 21 and 26-30.
83 JS7, p. 9.
84 ECSR, p. 3.
85 Ibid., p. 4.
86 Ibid., p. 3.
87 JS5, para. 37.
88 For relevant recommendations see A/HRC/31/15, paras. 118.40 and 118.53.
89 JS8, para. 16.
90 JS7, p. 8.
91 Ibid., paras. 7-8.
92 JS7, p. 5.
93 ECSR, p. 3.
94 For relevant recommendations see A/HRC/31/15, paras. 117.104–117.105, and 118.41–118.43.
95 JS7, p. 11.
96 ECSR, p. 3.
97 JS7, p. 11.
98 Ibid., p. 11.
99 Ibid., p. 11.
100 CPT, p. 6.
101 JS4, para. 39.
102 JS4, para. 40; JS15, para. 16.
103 JS15, para. 33. See also JS4, para. 40.
104 JS10, p. 9; JS15, para. 34.
105 JS1, para. 4.6.
106 JS6, para. 37.
107 JS6, para. 40. See also JS10, para. 22.
108 For relevant recommendations see A/HRC/31/15, paras. 117.106–117.109, 117.115, and 118.44–118.46.
109 JS7, para. 38.
110 Ibid., p. 10.
111 Ibid., p. 9.
112 JS7, para. 37 and p. 10. See also JS14, para. 29.
113 JS5, para. 22.
114 JS7, para. 38.
115 JS10, p. 8.
116 IFLA, pp. 3-4.
117 For relevant recommendations see A/HRC/31/15, paras. 117.9, 117.35–117.36, 117.38–117.39, 117.58–117.64, 117.66–117.69, 117.71–117.73, 117.82–117.83, 118.12–118.13, and 118.16.
118 JS15, para. 52.
119 Ibid., para. 59.
120 JS2, p. 10.
121 JS15, para. 62.
122 Ibid., para. 63.
123 JS16, paras. 6-7.
124 JS16, p. 10. See also JS8, para. 38.
125 For relevant recommendations see A/HRC/31/15, paras. 117.15–117.17, 117.65, 117.85–117.86 and 117.90.
126 JS12, p. 10.
127 JS2, para. 2.10.
128 JS12, p. 16.
129 JS2, paras. 6-8.
130 JS2, para. 11. See also JS12, paras. 59 and 63.
131 JS12, para. 46.
132 JS8, paras. 16 and 18. See also JS7, para. 34.
133 JS8, para. 20.
134 JS12, paras. 10 and 22.

- ¹³⁵ JS2, para. 23.
¹³⁶ JS7, para. 32 and page 9.
¹³⁷ UFI, paras. 9-10, 31 and 35.
¹³⁸ For relevant recommendations see A/HRC/31/15, paras. 117.110, and 117.112–117.113.
¹³⁹ JS8, para. 27.
¹⁴⁰ JS7, p. 5. See also JS3, p. 9.
¹⁴¹ JS10, para. 53. See also JS15, paras. 15 and 20.
¹⁴² JS3, p. 9. See also JS4, para. 46 and JS7, para. 43.
¹⁴³ JS4, para. 48. See also JS7, p. 12.
¹⁴⁴ JS3, p. 9.
¹⁴⁵ For relevant recommendations see A/HRC/31/15, paras. 117.103, 117.116, 118.38, 118.47–118.51, 119.4 and 119.7.
¹⁴⁶ JS8, para. 54.
¹⁴⁷ ACFC, para. 136. See also JS5, p. 14.
¹⁴⁸ JS5, para. 15.
¹⁴⁹ ACFC, para. 108. See also JS5, para. 14 and JS8, para. 59.
¹⁵⁰ JS5, p. 3; JS8, para. 59.
¹⁵¹ JS5, p. 5.
¹⁵² Ibid., p. 4.
¹⁵³ For relevant recommendations see A/HRC/31/15, paras. 117.117–117.119, and 118.54.
¹⁵⁴ JS8, para. 64.
¹⁵⁵ Ibid. para. 67.
¹⁵⁶ ECSR, p. 6.
¹⁵⁷ JS10, para. 57.
¹⁵⁸ JS12, para. 8.
¹⁵⁹ For relevant recommendations see A/HRC/31/15, paras. 116.20–116.22, and 119.3.
¹⁶⁰ JAI, paras. 14-15.
¹⁶¹ Ibid., para. 17.
¹⁶² JS5, p. 11.
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