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### **Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21**

#### **Georgia\***

The present report is a summary of 22 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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



## **I. Information provided by the national human rights institution of the State under review accredited in full compliance with the Paris Principles**

1. The Public Defender (PD) welcomed the ratification by Georgia of the Convention on the Rights of Persons with Disabilities (CRPD), but was concerned that the Government had failed to take effective steps to harmonize national legislation with the Convention.<sup>2</sup> It called for ratification of its Optional Protocol.<sup>3</sup>

2. PD welcomed the signing of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and called for its ratification.<sup>4</sup>

3. PD encouraged the State Agency for Religious Affairs to intensify its efforts to resolve any confrontations involving religious minorities and noted acts of violence against Muslim communities in the period 2012-2014. It called on the Government to ensure effective and prompt investigations into alleged crimes against religious minorities and ensure their integration into society.<sup>5</sup>

4. PD noted obstacles facing the National Preventive Mechanism against torture (NPM) and made recommendations on improving its access to classified information on detainees and video recordings.<sup>6</sup> It also made recommendations on improving the conditions of detention and the provision of rehabilitation for prisoners.<sup>7</sup> PD was further concerned at the increasing number of suicides in prisons.<sup>8</sup>

5. PD was concerned that ill-treatment persisted in police stations and penitentiaries. It had concerns, inter alia, that investigations were unreasonably prolonged and that criminal prosecutions had not been launched in relation to allegations from 2013 and 2014.<sup>9</sup> It recommended that an independent body be established to investigate cases of death, torture or degrading treatment allegedly committed by representatives of the law enforcement bodies.<sup>10</sup>

6. PD was alarmed that, despite the strengthening of measures to identify cases of domestic violence, cases of femicide were increasing. It also raised other concerns such as the low rate of reporting of cases of domestic or sexual violence and the practice of early and forced marriages.<sup>11</sup>

7. PD reported that the inspectorate for monitoring safety at work and other labour-related issues had not operated since 2006 and the State Programme on Monitoring Labour Conditions, which was introduced in March 2015, could not be considered to be an adequate substitute.<sup>12</sup>

8. PD considered that realizing the right to adequate housing was a major challenge, both in the legislation and in practice. The definition of homeless persons in the law was vague; and there was no instrument to ensure that local municipalities provided shelter in accordance with the law.<sup>13</sup>

9. PD was concerned about problems in the provision of healthcare for socially-vulnerable individuals who were at risk of contagious diseases. There were acute problems in access to health services in the mountainous regions, including a lack of facilities and shortages of materials and qualified staff.<sup>14</sup>

10. PD stated that integration of persons with disabilities into society was problematic; there was a lack of equal opportunities; an absence of statistics; inadequate social protection and healthcare; barriers to access and a low participation rate in decision-making and socio-

economic development.<sup>15</sup> Rehabilitation services were offered mainly by non-governmental organizations (NGOs) and only for children.<sup>16</sup>

11. PD was concerned that the 2014 Strategy for the Repatriation of Meskhetians lacked an action plan. This population faced challenges in accessing education and the possibility of learning the Georgian language and their lack of Georgian citizenship hampered their integration into society.<sup>17</sup>

12. PD welcomed the new Law on Internally-Displaced Persons (IDPs), but noted gaps in the definition of IDPs and of their allowances. Large numbers of IDPs still lived in poor conditions and their health and safety was under threat.<sup>18</sup> It recommended reviewing the law and replacing assistance based on status with assistance based on needs.<sup>19</sup> PD was particularly concerned about the lack of access to employment and healthcare and lack of freedom of movement for those living close to the administrative border line.<sup>20</sup>

## **II. Information provided by other stakeholders**

### **A. Background and framework**

#### **1. Scope of international obligations<sup>21</sup>**

13. Joint Submission 10 (JS10) recommended ratification of International Labour Organization (ILO) Conventions: 81 on a Labour Inspection Convention; 129 on Labour Inspection (Agriculture); 155 on Occupational Safety and Health; 176 on Safety and Health in Mines; and 183 on Maternity Protection.<sup>22</sup> Joint Submission 7 (JS7) and JS10 recommended ratification of ILO Convention 156 on Workers with Family Responsibilities and JS7, Convention 158 on Termination of Employment.<sup>23</sup>

14. The Armenian Community of Georgia (ACG) recommended accession to the European Charter for Regional or Minority languages.<sup>24</sup>

#### **2. Institutional and human rights infrastructure and policy measures**

15. Joint Submission 6 (JS6) noted the Parliament's adoption in 2011 of resolutions on approving the 2012-2015 National Action Plan for Implementation of the UN Security Council Resolutions on Women, Peace and Security.<sup>25</sup> It recommended that existing policy documents, including national plans and strategies, be taken into account in working on the new National Action Plan.<sup>26</sup> It also observed that women's engagement in conflict resolution processes in Georgia was at a low level.<sup>27</sup>

16. Joint Submission 9 (JS9) recommended that international human rights standards, including on non-discrimination, relating to sexuality, reproductive rights and women's rights be integrated in to the training programmes for all ranks of justice officials and not be treated as an additional class separated from the curriculum.<sup>28</sup>

17. JS9 recommended increasing the accessibility of the services of the Office of PD for the most vulnerable and marginalized groups.<sup>29</sup>

### **B. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **1. Equality and non-discrimination**

18. Joint Submission 4 (JS4) noted the adoption of the Law on the Elimination of All Forms of Discrimination in 2014 and that the Public Defender had been charged with

monitoring its implementation. It was concerned that the Government had not considered NGO demands to strengthen the mechanism and that the law did not provide for sanctions in cases of discrimination.<sup>30</sup>

19. In monitoring the media in 2014, Joint Submission 1 (JS1) noted incidents of hate speech and discrimination by opposition and Government figures which targeted foreigners and lesbian, gay, bisexual and transgender (LGBT) persons.<sup>31</sup> In relation to hate speech, JS1 also called on the public broadcaster to respect minority rights and the National Communication Commission to ensure proper implementation of self-regulation mechanisms.<sup>32</sup> JS4 was concerned that official statistical data on hate crimes in general or hate crimes and discrimination against LGBT persons was not being gathered; there were neither efficient mechanisms, nor a strategy on hate crimes towards LGBT persons and it called for a specialized police unit to work specifically on hate crimes.<sup>33</sup> Joint Submission 8 (JS8) noted that the Criminal Code was amended in 2012 to allow for higher sanctions for crimes based upon hate, including sexual orientation and gender identity, but that the article was not implemented in practice.<sup>34</sup> The Council of Europe (CoE) mentioned that its Human Rights Commissioner (CoE-Commissioner) considered that dissuasive criminal sanctions needed to be applied in respect of perpetrators of violent hate crimes.<sup>35</sup>

20. Joint Submission 5 (JS5) called for education on tolerance in schools.<sup>36</sup>

21. JS6 stated that gender neutral language and the general recognition of non-discrimination on the basis of sex could be found in almost all the major legislative acts of the country. However, none of these general provisions were accompanied with realistic legal mechanisms to ensure equality.<sup>37</sup> JS8 noted that the Gender Equality Council, established by the Parliament in 2008, had rarely met since 2012.<sup>38</sup> JS6 called for the Gender Equality Council to be given state funding to ensure its smooth operation and for support to coordination of the work of different bodies working on gender equality.<sup>39</sup> It also noted that mainstreaming of gender issues in local government was limited.<sup>40</sup>

22. JS5 mentioned rulings of the Constitutional Court which had invalidated measures which had restricted foreigners' title to agricultural land and called for the implementation of the Court's rulings.<sup>41</sup>

23. Joint Submission 2 (JS2) and JS5 were concerned about bullying of LGBT youth in schools.<sup>42</sup>

24. JS8 stated that transgender persons did not have access to legal recognition of their gender without sex-reassignment surgery.<sup>43</sup>

25. JS7 considered that there had been discrimination based on political affiliations in layoffs of public employees following the elections in 2012 and 2014.<sup>44</sup>

## **2. Right to life, liberty and security of the person**

26. JS7 mentioned a 2014 survey of prisoners in which, inter alia, 64 per cent of respondent prisoners stated that torture "occurred daily" in penitentiaries.<sup>45</sup> Joint Submission 12 (JS12) stated that torture and degrading treatment were widespread before the elections of 2012 and that no significant steps had been taken by the current Government to investigate and prosecute offenders, provide compensation and rehabilitate victims.<sup>46</sup> CoE-Commissioner underlined that victims, witnesses and their families needed to be protected during investigations, including against retaliation from officials implicated in the cases and that adequate legal remedies, medical and psycho-social assistance be provided.<sup>47</sup> JS12 was concerned that NGOs were not granted access to prisons for monitoring purposes and that exclusive powers for such monitoring were vested in the NPM.<sup>48</sup>

27. The Committee for the Prevention of Torture (CoE-CPT) of the CoE recommended in 2010 that the authorities review the living space per prisoner so as to ensure at least 4m<sup>2</sup> per prisoner and to adopt other measures to limit overcrowding in prisons.<sup>49</sup> In 2012 CoE-Commissioner called for a more humane and human rights-orientated criminal justice policy and less resort to detention on remand and imprisonment.<sup>50</sup> JS12 was concerned that the management was failing to manage prison sub-cultures efficiently and that this exacerbated inter-prisoner violence.<sup>51</sup> JS12 and CoE-CPT mentioned concerns about the adequacy of healthcare services in prisons.<sup>52</sup>

28. In 2010 CoE-CPT raised concerns about inhuman and degrading conditions in one of the psychiatric institutions which it visited.<sup>53</sup> JS5 stated that persons with disabilities residing in large psychiatric establishments were subjected to systematic violence.<sup>54</sup>

29. JS12 referred to complaints of illegal imprisonment and recommended the setting up of an adequate mechanism for reviewing alleged cases of illegal imprisonment and other forms of miscarriage of justice.<sup>55</sup>

30. JS8 noted that Georgia accepted recommendations on combatting violence against women and domestic violence in the first UPR, but that 2014 was an unprecedented year with up to 30 cases of deaths resulting from such violence.<sup>56</sup> JS6 acknowledged the measures which had been taken in the reporting period, but considered that the state had been unable to ensure the coordinated operation of all mechanisms.<sup>57</sup> JS8 noted that the Ministry of Internal Affairs had initiated a strategy on the issue of femicide at the end of 2014, but that it had not been adopted and had been criticized for its inclusion of stereotypical attitudes.<sup>58</sup>

31. JS8 noted that the Law on the Elimination of All Forms of Discrimination omitted harassment as a form of discrimination.<sup>59</sup> JS10 noted that there was no definition of sexual harassment at work in Georgian legislation that would entail administrative or criminal responsibility for such behaviour.<sup>60</sup> JS6 recommended that violence committed by a partner be qualified as domestic violence.<sup>61</sup> JS8 described various gaps in the legislation and its implementation. It noted that rehabilitation centres were envisaged under the Law on Domestic Violence, but these centres had never existed, and that the shelters for victims were not accessible to various groups of marginalized women.<sup>62</sup> JS15 recommended increasing the number of shelters.<sup>63</sup> Noting that police officers did not provide adequate assistance to victims, JS8 recommended that the Ministry of Internal Affairs establish a specialized unit to combat domestic violence.<sup>64</sup> JS6 also recommended intensive training for police officers, prosecutors and judges on the issue.<sup>65</sup>

32. JS2 called for all kinds of corporal punishment of children to be made a crime and for awareness-raising campaigns to increase public knowledge about its harmful effects.<sup>66</sup>

33. JS2 recommended establishing services for victims of sexual abuse in all regional centres and a unified standard of services for child victims of sexual abuse with multi-disciplinary teams.<sup>67</sup> JS15 recommended providing access to comprehensive and integrated social, health and legal services for all female survivors of sexual and gender-based violence.<sup>68</sup> JS2 also recommended retraining law enforcement staff in communicating with victims of sexual abuse and implementation of awareness-raising campaigns on sexual abuse among the general population.<sup>69</sup>

34. JS2 noted recommendations accepted in the first UPR relating to street children, but stated that there was no database on street children and this prevented effective measures to eradicate the problem.<sup>70</sup> JS2 also highlighted the lack of a mechanism to identify and react to cases of labour exploitation of children living or working on the streets.<sup>71</sup>

35. CoE referred to the 2012 findings of the Group of Experts on Action against Trafficking in Human Beings (GRETA). These included the need for Georgia to strengthen

preventive measures for vulnerable groups such as IDPs, orphans and street children. It also referred to the need to secure the proper identification of victims and their possibility of a period for recovery and reflection before having to decide on whether to co-operate with the law enforcement authorities. It further noted that few victims had benefitted from rehabilitation and reintegration plans and that the number of prosecutions and convictions had reduced significantly since 2010.<sup>72</sup>

### 3. Administration of justice, including impunity, and the rule of law

36. JS12 noted the broad powers of the High Council of Justice relating to judicial administration, but observed that these powers were not balanced by adequate standards of accountability and transparency and a number of important issues of its work were left unregulated.<sup>73</sup> It mentioned flaws in the disciplinary system for judges and that the draft law on the issue was a step forward, but it addressed only part of the problems.<sup>74</sup> JS12 recommended strengthening the human rights education of future judges.<sup>75</sup>

37. JS12 recommended that the appointment procedure for the Chief Prosecutor be reformed, including by placing the final approval of the appointment under the authority of the Parliament.<sup>76</sup> It observed that the Prime Minister held the exclusive power of the Chief Prosecutor's appointment and dismissal and that the Prosecutor's dismissal could occur at any time.<sup>77</sup>

38. The Organization for Security and Co-operation in Europe - Office for Democratic Organizations and Human Rights (OSCE-ODIHR) referred to the findings and recommendations in its trial monitoring project in 2013-2014. Problematic practices highlighted in the report related to the use of pre-trial detention as a preventive measure; lack of transparency on judicial appointments and transfers of judges; lack of effective rules of evidence; ineffective protection of witnesses; timeliness of trials; reasoning of judicial decisions; the conduct of trials in absentia; and issues related to the presumption of innocence.<sup>78</sup> JS12 mentioned hundreds of allegations of miscarriages of justice which emerged after the change of government following the 2012 elections and the absence of a mechanism to address them.<sup>79</sup> CoE-Commissioner noted allegations of convictions based on coerced testimony, problematic use of plea bargaining, selective targeting of political opponents through the criminal justice system and illegal property transfers.<sup>80</sup>

39. JS7 recommended that Georgia ensure that all detainees have access to social rehabilitation through educational, rehabilitation and employment programmes.<sup>81</sup> JS12 recommending setting up a mechanism for the review of life sentences at regular intervals.<sup>82</sup>

40. CoE referred to the CoE-Commissioner's 2014 findings that serious efforts had been made to address the long-standing problems of ill-treatment and impunity, particularly in the prison system; his caution against complacency; and his reiteration of the need for effective investigations into any misconduct.<sup>83</sup> JS12 considered that the right to an effective remedy of the victims of torture, deprivation of the right to life, illegal imprisonment and other human rights violations committed before 2012, needed to be fulfilled.<sup>84</sup> It considered that the General Inspectorate of the Ministry of Internal Affairs lacked sufficient guarantees of independence and noted that no independent mechanism had been set up for the investigation of alleged criminal offences committed by law-enforcement representatives, as recommended by the Human Rights Committee.<sup>85</sup> JS12 also recommended that the quality of judicial control of the activities of the security services be improved.<sup>86</sup>

41. JS7 referred to the findings by NGOs of evidence of crimes committed during the 2008 armed conflict, including war crimes and crimes against humanity and stated that none of the countries involved had admitted that crimes had been committed. It noted that

Georgia had started investigations into seven cases in which the accused were members of the Georgian forces.<sup>87</sup>

42. JS2 recommended abolishing disproportionate regulations to ensure effective communication with the outside world for minors in preliminary custody.<sup>88</sup>

#### **4. Right to privacy and family life**

43. Joint Submission 13 (JS13) noted the appointment of the Personal Data Protection Inspector in 2013. It recommended raising public awareness of the issues because of the novelty of the legislation; further development of the legislation, including the revision of the regulations on the powers of law-enforcement agencies in secret surveillance; and an increased role for the Inspector.<sup>89</sup>

44. JS2 noted the acceptance of recommendations on the alternative care for children, including those with disabilities, and avoiding their institutionalization.<sup>90</sup> It observed that some children continued to live in institutions, including unlicensed institutions run by religious organizations, and called for their closure.<sup>91</sup> It noted that there were no standards or system for licencing foster carers and that other child welfare resources provided by the state were insufficient.<sup>92</sup>

45. JS5 called for the right to family unity to be respected when the application on granting or extending residence permits for foreigners was rejected.<sup>93</sup>

#### **5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life**

46. JS5 stated Georgia had not followed up on most recommendations concerning freedom of religion from the first UPR and that the situation of freedom of religion had worsened considerably after the 2012 government transition.<sup>94</sup> JS1 stated that the State Agency for Religious Affairs was founded in 2014 without consultations with a wide range of religious organizations or NGOs concerned with the rights of religious minorities and recommended its abolition.<sup>95</sup> JS5 mentioned problems for religious organizations in obtaining building permits and called for the problems regarding property restitution and the building of places of worship to be resolved.<sup>96</sup> The European Association of Jehovah's Christian Witnesses called for prosecution and punishment of individuals guilty of religiously-motivated crimes against Jehovah's witnesses and their places of worship.<sup>97</sup> JS5 noted acts of violence against Muslims and Jehovah's Witnesses and a sense of impunity or inadequate state reactions to the incidents.<sup>98</sup> JS5 stated that religious indoctrination, proselytism and religious discrimination in schools had been problematic in schools for years.<sup>99</sup>

47. Joint Submission (JS14) mentioned that Georgia supported the recommendation on reducing the length of alternative service for conscientious objectors so that it was the same length as the military service, but there had been no action to implement it.<sup>100</sup> It noted that in 2011 a civilian alternative to reserve military duty had been introduced.<sup>101</sup>

48. JS13 noted that a number of NGOs and media organizations considered that a draft amendment to the Criminal Code envisaging the criminalization of incitement to hatred carried a significant risk of unreasonably restricting freedom of expression and of the media. The NGOs had called on the Parliament to terminate its examination of the bill.<sup>102</sup>

49. JS13 noted the recommendations supported by Georgia from the first UPR concerning the investigation and prosecution of cases of intimidation and violence against journalists.<sup>103</sup> It provided information on the investigations which it had received from the Prosecutor's Office, noting that according to the last response which was received in 2013, out of 38 cases filed by an NGO, only 3 had been transferred to the courts and final verdicts

rendered.<sup>104</sup> JS13 stated that there had not been speedy and effective investigations of crimes against journalists committed after the 2012 parliamentary elections.<sup>105</sup>

50. JS13 stated that cases of verbal abuse of journalists by high-level officials remained without the response envisaged in the law.<sup>106</sup>

51. JS13 noted deterioration in access to public information since 2014, especially in the law enforcement structures.<sup>107</sup> It recommended, inter alia, that the Government should prepare a new law on freedom of information in cooperation with civil society.<sup>108</sup>

52. JS13 recommended ensuring that the Georgian and Adjara Public Broadcasters had real independence.<sup>109</sup>

53. JS7 mentioned that NGOs had raised concerns about derogatory statements made by government leaders and members of the majority party in the Parliament on the activities of Georgian human rights defenders and recommended that the Government refrain from interfering in their activities.<sup>110</sup>

54. JS13 noted amendments to the Law on Assembly and Manifestation following a recommendation in the first UPR, but that restrictions remained.<sup>111</sup> It recommended further amendments, including allowing the recognition of the right to spontaneous demonstration.<sup>112</sup>

55. JS8 and JS13 referred to the violent disruption of demonstrations in 2012 and 2013 which were marking the international day against homophobia and transphobia and the failure of the police to control the counter-demonstrators.<sup>113</sup> JS8 called for effective independent investigations into these and related events.<sup>114</sup>

56. JS8 noted the acceptance of recommendations on measures to guarantee a higher representation of women in decision-making at the first UPR.<sup>115</sup> It stated that the representation of women in politics and leadership positions had not improved; women had only 11 percent of the seats following the 2012 parliamentary elections and gender imbalance was evident in the executive authorities.<sup>116</sup> JS6 highlighted the recommendations of the treaty bodies on the issue, including on the need for mandatory quotas for women, and noted the lack of use of special measures in Georgia.<sup>117</sup> Joint Submission 3 (JS3) noted the low representation of women from ethnic minorities in municipal administrations and offered recommendations to address it.<sup>118</sup>

57. ACG mentioned the recommendations which were accepted in the first UPR on the participation of ethnic minorities in political, economic and social life and stated that further efforts were needed to implement them.<sup>119</sup> It recommended that Georgia allocate quotas for members of minorities in the representative political bodies and develop media campaigns to raise public awareness of the issue and importance of participation of minorities in political life.<sup>120</sup>

## **6. Right to work and to just and favourable conditions of work**

58. JS10 was concerned that the main factor causing discrimination in labour relations was the lack of an obligation on an employer to explain the reasons for refusing to hire someone.<sup>121</sup> It also noted that court cases on discrimination at work were rare.<sup>122</sup> It recommended training judges, prosecutors and lawyers in dealing with the cases related to discrimination in labour relations.<sup>123</sup>

59. JS10 noted amendments to the Labour Code in 2013, but that the standards implemented were insufficient for the proper protection of labour rights.<sup>124</sup> It recommended, inter alia, the development of regulations and transparent procedures for promotion and career development.<sup>125</sup>



60. JS10 stated that despite positive steps taken in the legislation, gender discrimination at work remained a problem.<sup>126</sup> Stereotypes in society were a factor and women working in the private sector suffered discrimination in relation to maternity leave.<sup>127</sup> The legislation did not define and regulate the principle of equal remuneration for equal work.<sup>128</sup> JS7 noted that there was a substantial gender imbalance at the higher levels of public institutions and that vertical segregation was deeply rooted in every field of employment.<sup>129</sup> It called on the Government to adopt a strategy to reduce this and noted the absence of effective mechanisms to combat discrimination in the recruitment process.<sup>130</sup>

## **7. Right to social security and to an adequate standard of living**

61. JS8 considered that the measures taken following the recommendations received in the first UPR concerning the protection of socially-vulnerable women had not been effective.<sup>131</sup>

62. The Human Rights Education and Monitoring Centre (EMC) noted the acceptance of the recommendation on the protection of the rights of the socially vulnerable at the first UPR.<sup>132</sup> It was concerned that the Government had not thoroughly implemented the recommendation, in particular with regard to people who were homeless due to their socio-economic vulnerability or as a result of natural disasters.<sup>133</sup> It mentioned that the laws did not entitle homeless persons living on the streets to the social assistance and measures contained in the National Human Rights Strategy (2014-2020) on the right to housing had not been integrated into the action plan for 2014-2015.<sup>134</sup>

63. CoE mentioned that in 2013 the European Committee of Social Rights (CoE-ECSR) had been unable to establish that adequate measures had been taken to ensure access to safe drinking water in rural areas.<sup>135</sup>

## **8. Right to health**

64. CoE mentioned that CoE-ECSR had found in 2013 that the measures taken to reduce infant and maternal mortality rates had been insufficient and that it had not established that there was a public health system providing universal coverage.<sup>136</sup>

65. JS2 stated that there were not enough services for children with mental health problems and the availability of the services was also problematic in some areas in the country.<sup>137</sup>

66. JS9 recommended the adoption of a comprehensive law on reproductive health rights including measures to address barriers to access to healthcare.<sup>138</sup> JS7 recommended the inclusion of a course on reproductive health and rights in public schools' curricula and the training of teachers on reproductive health rights.<sup>139</sup>

67. JS9 stated that access to and use of family planning services remained limited; the majority of family doctors had insufficient knowledge of modern contraceptives; and the reproductive and sexual health needs of adolescents were largely unmet.<sup>140</sup> Joint Submission 11 (JS11) observed that many women did not have access to quality and affordable abortion services and there was a particular lack of information on contraception in rural areas.<sup>141</sup> JS9 called for the removal of the mandatory waiting periods for women who decide to have an abortion.<sup>142</sup>

68. JS11 stated that women who use drugs remained one of the most marginalized and underserved groups in Georgia.<sup>143</sup> JS8 recommended the development of gender-focused treatment and harm reduction services and making them accessible to women drug users.<sup>144</sup> Joint Submission 15 (JS15) made recommendations on preventing HIV infection in the context of sexual violence, drug use and sex workers.<sup>145</sup>

69. JS11 observed that there had been a decrease in the availability of palliative care and children needing palliative care were served in adult departments of hospitals.<sup>146</sup>

70. JS11 stated that persons with mental health problems were not provided with an adequate standard of treatment and care by the State and made recommendations for its improvement.<sup>147</sup>

71. JS4 noted that state action plans, strategies and research on healthcare did not take into consideration any specific needs of LGBT people, especially of transgender persons.<sup>148</sup>

## **9. Right to education**

72. JS3 referred to the limited access to pre-school education in the Kvemo-Kartli region where there is a large Azeri minority population.<sup>149</sup>

73. JS3 noted the positive impact of the “1+4” programme to facilitate access to university for members of minorities. It recommended conducting wider awareness-raising campaigns on the programme and creating a monitoring mechanism to prevent students from failing.<sup>150</sup>

## **10. Cultural rights**

74. JS10 recommended the transparent elaboration of a state policy for the protection and development of cultural heritage and its effective implementation and had other observations on the issue.<sup>151</sup>

75. JS3 recommended increasing state funding for supporting the protection of the cultural heritage and cultural centres of minorities.<sup>152</sup>

## **11. Persons with disabilities**

76. JS5 noted the acceptance of the recommendations to strengthen the protection of persons with disabilities, but stated that Georgia had not thoroughly implemented the recommendations and that numerous important problems remained unresolved.<sup>153</sup> It observed that, despite the ratification of CRPD, Georgia had still not reviewed the normative framework in light of the spirit of the convention; many aspects of the legislation were in contradiction with the approaches in the convention.<sup>154</sup> It noted that there was no unified statistical data on persons with disabilities living in Georgia.<sup>155</sup> JS7 stated that the rights of persons of disabilities were being violated as local municipalities in charge of service provision were not fulfilling their obligations under the law.<sup>156</sup> JS5 recommended creating a national framework for granting the status of a person with disability based on the social model.<sup>157</sup>

77. JS5 was concerned that accessibility to physical space, public transport, information and services for persons with disabilities remained problematic and Government regulations on the adaptation of buildings were not being implemented.<sup>158</sup>

78. JS5 observed that the legislation did not ensure inclusive education for persons with disabilities and that the education system allowed the existence of specialized schools.<sup>159</sup>

79. JS5 noted that the legislation and state policy did not ensure special protection of the labour rights of persons with disabilities and did not promote their access to employment.<sup>160</sup>

80. CoE mentioned that in 2012 CoE-ECSR had found that it had not been established that persons with disabilities enjoyed effective protection against discrimination in the fields of housing, transport, telecommunications and culture and leisure activities.<sup>161</sup>

81. JS5 stated that the Universal Health Insurance Program was not informed about the special needs of the persons with disabilities.<sup>162</sup>

82. JS5 stated that the rehabilitation programs for children with disabilities failed to respond to the standard of territorial accessibility, they were not sufficient and not available to those over 18 years of age.<sup>163</sup>

## **12. Minorities**

83. JS5 stated that legislation governing ethnic minorities was sparse and the Government's action plan for tolerance and civil integration was reviewed in 2014-2015, but did not have a sufficient budget. The plan did not foresee awareness raising activities in support of anti-discrimination and intercultural dialogue.<sup>164</sup> In 2010 the European Commission against Racism and Intolerance (CoE-ECRI) observed that contacts between the majority population and ethnic minorities were limited and that language was one of the main obstacles and more needed to be done to ensure that members of ethnic minorities spoke Georgian.<sup>165</sup> CoE-Commissioner recommended that efforts be made to render the Georgian media landscape accessible to members of minority groups who do not understand Georgian.<sup>166</sup> JS5 called for broadcasting tailored to the interests and needs of minority communities.<sup>167</sup>

84. JS3 and CoE referred to marginalization of the Roma and the prejudice against them.<sup>168</sup> JS1 recommended the elaboration of a strategy and action plan for their integration and inclusion and it and JS3 mentioned specific issues such as ensuring that they were issued with personal documents.<sup>169</sup>

85. CoE-ECRI highlighted issues such as the need to reform the teaching of Georgian to ethnic minority pupils.<sup>170</sup> JS5 called for access to high quality pre-school education for minorities; to ensure the teaching and preservation of minority languages.<sup>171</sup>

86. ACG called for the promotion of the Armenian language in the areas where Armenians lived compactly and the protection of their schools.<sup>172</sup> JS3 described the problems affecting ethnic Armenians in the Samtskhe-Javakheti region of Georgia, including those who had acquired foreign citizenship, and made recommendations to address them.<sup>173</sup>

## **13. Internally displaced persons**

87. JS5 noted steps in the direction of addressing the challenges affecting IDPs since the first UPR, but these had not resulted in the complete resolution of the problems.<sup>174</sup>

## Notes

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

*Civil society:**Individual submissions:*

ACG	Armenian Community of Georgia, Tbilisi (Georgia);
EAJCW	European Association of Jehovah’s Christian Witnesses, Kraainem (Belgium);
EMC	Human Rights Education and Monitoring Centre, Tbilisi (Georgia);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London (United Kingdom of Great Britain and Northern Ireland).

*Joint submissions:*

JS1	Joint submission 1 submitted by: United Nations Association of Georgia (UNAG); Media Development Foundation (MDF); Georgian Democracy Initiative (GDI); Tolerance and Diversity Institute (TDI), European Center for Minority Issues (ECMI Caucasus), Tbilisi (Georgia);
JS2	Joint submission 2 submitted by: Georgian Coalition for Children and Youth Welfare-GCCY; Partnership for Human Rights (PHR); Children of Georgia (COG); Global Initiative on Psychiatry (GIP); Georgian Center for Psychosocial and Medical Rehabilitation of Torture Victims (GCRT); Save the children; Women’s Initiatives Supporting Group (WISG); and Rehabilitation Initiative for Vulnerable Groups (RIVG), Tbilisi (Georgia);
JS3	Joint submission 3 submitted by: Coalition of NGOs for UPR - Georgia (GrassGroup); Tolerance, Human Rights Monitoring Group of Ethnic Minorities Protection of the Rights of Ethnic Minorities Armenian Union of Adjara (AUA); Civil Education for Law State (CELS); Sane Population of Javakheti Open Borders, of Georgia;
JS4	Joint submission 4 submitted by: Women's Initiatives Supporting Group (WISG), Tbilisi (Georgia) and European Region of the International Lesbian, Gay, Bisexual and Intersex Association (ILGA-Europe), Brussels (Belgium);
JS5	Joint submission 5 submitted by: NGOs for Vulnerable Groups comprising: Human Rights Education and Monitoring Centre, Identoba, Georgian Young Lawyers’ Association (GYLA), Analytical Center for Interethnic Cooperation and Consultations, Accessible Environment for Everyone (ERTADORG), Partnership for Human Rights (PHR), Tbilisi, Civic Integration Foundation (CIF), Public Movement Multinational Georgia (PMMG), Tbilisi (Georgia);
JS6	Joint submission 6 submitted by: Women's Information Center (JS6); Coalition for Women’s Political Development, Tbilisi (Georgia);
JS7	Joint submission 7 submitted by: Coalition of NGOs for the UPR of Georgia: Article 42 of the Constitution (Article 42), Human Rights House Foundation (HRHF), Human Rights House Georgia, Georgian Center for Psychosocial and Medical Rehabilitation of Torture Victims, Tbilisi (Georgia);
JS8	Joint submission 8 submitted by: Coalition of NGOs on Women's Rights in Georgia comprising: Sapari, International Society for Fair Elections and Democracy (ISFED), Human Rights Education and Monitoring Center (EMC); Women's Initiatives Supporting Group (WISG); ACESO International for Women; Health Education Rights Alternative (HERA XXI); Alternative Georgia, Tbilisi (Georgia);
JS9	Joint submission 9 submitted by: Health Education Rights Alternative, (HERA-XXI), Tbilisi (Georgia) and Sexual Rights Initiative (SRI), Ottawa (Canada);
JS10	Joint submission 10 submitted by: Georgian Young Lawyers’ Association (GYLA), Partnership for Human Rights (PHR) and Womens’ Initiatives Support Group (WISG) , Tbilisi (Georgia);
JS11	Joint submission 11 submitted by: Georgian Young Lawyers' Association (GYLA), Open Society Georgia Foundation, Union “Step to Future”,

- Georgian Harm Reduction Network, Alternative Georgia and Partnership for Human Rights, Georgian Young Lawyers' Association, Union "Step to Future", Georgian Harm Reduction Network, Alternative Georgia, Partnership for Human Rights, Women's Initiatives Supporting Group and HERA XXI, Tbilisi (Georgia);
- JS12 Joint submission 12 submitted by: Georgian Young Lawyers' Association (GYLA), Human Rights Education and Monitoring Center (EMC), Penal Reform International (PRI), Georgian Center for the Rehabilitation of Torture Victims (GCRT), Tbilisi (Georgia);
- JS13 Joint submission 13 submitted by: Georgian Young Lawyers' Association (GYLA), Georgian Charter of Journalistic Ethics, Institute for Development of Freedom of Information (IDFI), Identoba, Womens' Initiatives Support Groups (WISG), Tbilisi (Georgia);
- JS14 Joint Submission 14 submitted by: International Fellowship of Reconciliation, Geneva (Switzerland) and Conscience and Peace Tax International, Leuven (Belgium);
- JS15 Joint Submission 15 submitted by: Real People Real Vision, Tbilisi (Georgia) and Sexual Rights Initiative, Ottawa (Canada).
- National human rights institution:*
- PD Public Defender\* (Ombudsman), Tbilisi (Georgia).
- Regional intergovernmental organization(s):*
- CoE The Council of Europe, Strasbourg (France);
- Attachments:
- CoE-CPT(2010) - Report to the Georgian Government on the visit to Georgia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 5 to 15 February 2010, CPT/Inf (2010) 27;
- CoE-CPT(2010-Response) - Response of the Georgian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Georgia from 5 to 15 February 2010, Strasbourg, 16 June 2011, CPT/Inf (2011) 19;
- CoE-CPT(2012) - Report to the Georgian Government on the visit to Georgia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 19 to 23 November 2012, Strasbourg, 31 July 2013, CPT/Inf (2013) 18;
- CoE-CPT(2012-Response) - Response of the Georgian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Georgia from 19 to 23 November 2012, CPT/Inf (2013) 19;
- CoE-Commissioner(letter 2012) - Letter from Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, to Bidzina Ivanishvili, Prime Minister of the Republic of Georgia, 21 October 2012;
- CoE-Commissioner(2014) - Report by Nils Muižnieks Commissioner for Human Rights of the Council of Europe Following his Visit to Georgia from 20 to 25 January 2014, CommDH(2014)9, 12 May 2014;
- GRETA(2011) - Group of Experts on Action against Trafficking in Human Beings - Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Georgia - First evaluation round - Strasbourg, 7 February 2012, GRETA(2011)24;
- ECRI(2010) - European Commission against Racism and Intolerance, Report on Georgia (fourth monitoring cycle), Published on 15 June 2010, CRI(2010)17;
- ECRI(2013) - European Commission against Racism and Intolerance Conclusions on the Implementation of the Recommendations in Respect of Georgia Subject to Interim Follow-Up, Adopted on 20 June 2013, CRI(2013)41;

CoE-ECSR(2013) - European Committee of Social Rights, Conclusions 2013 (Georgia), Articles 11, 12 and 14 of the Revised Charter, January 2014;  
 CoE-ECSR(2012) - European Committee of Social Rights, Conclusions 2013 (Georgia), Articles 1, 10, 15, 18 and 20 of the Revised Charter, January 2013;  
 OSCE-ODIHR Organization for Security and Co-operation in Europe – Office for Democratic Institutions and Human Rights, Warsaw (Poland);  
 Attachments:

OSCE-ODIHR Trial Monitoring Report Georgia, Warsaw, 9 December 2014.

- <sup>2</sup> PD, para. 25. See also A/HRC/17/11/Add.1, paras. 105, 105.2 (Argentina), 105.3 (Algeria), 105.4 (Mexico), 105.5 (India), 106, 106.1 (Spain), 106.4 (Kyrgyzstan), 106.5 (Slovenia), 106.6 (Austria), 106.7 (China) and 106.8 (Serbia); A/HRC/17/11/Add.1.
- <sup>3</sup> PD, para. 28. See also JS5, p. 10; A/HRC/17/11, paras. 106, 106.1 (Spain), 106.4 (Kyrgyzstan), 106.5 (Slovenia), 106.6 and 106.8 (Serbia); A/HRC/17/11/Add.1.
- <sup>4</sup> PD, paras. 29 and 33. See also JS10, para. 1.14; JS6, p. 8.
- <sup>5</sup> PD, paras. 34 and 37. See also OSCE-ODIHR, pp.6-7; JS3, p. 8; EAJCW, paras. 1 and 17-19.
- <sup>6</sup> PD, para. 12. See also paras. 5-8; A/HRC/17/11, paras. 105 and 105.9 (Spain).
- <sup>7</sup> PD, para. 12. See also paras. 6-7, 9 and 11; A/HRC/17/11, paras. 105, 105.32 (Slovakia), 105.33 (Switzerland), 105.34 (Austria), 105.35 (Greece), 105.36 (Australia), 105.37 (Sweden) and 105.38 (Bulgaria).
- <sup>8</sup> PD, para. 7. See also JS12, para. 5.3.
- <sup>9</sup> PD, para. 13. See also JS7, paras. 10, 13, 15 and 16; A/HRC/17/11, paras. 105, 105.10, 105.56 (Switzerland), 106, 106.41 (Hungary) and 106.43 (Canada); A/HRC/17/11/Add.1.
- <sup>10</sup> PD, para. 14.
- <sup>11</sup> PD, paras 30-31. See also para. 33; JS8, p. 2; JS15, para. 20; JS7, paras. 27 and 33; A/HRC/17/11, 105, 105.38 (Bulgaria), 105.39 (Norway), 105.40 (Norway), 105.42 (Argentina), and 105.43 (Iraq).
- <sup>12</sup> PD, para. 17. See also para. 19; JS10, paras. 1.2-1.3.
- <sup>13</sup> PD, para 16. See also para. 19; EMC, paras. 3-6; A/HRC/17/11, paras. 105, 105.93 (United Kingdom of Great Britain and Northern Ireland), 106 and 106.62 (Sweden); A/HRC/17/11/Add.1.
- <sup>14</sup> PD, para. 18. See also para. 19.
- <sup>15</sup> PD, para. 26. See also para 28; A/HRC/17/11, paras. 105, 105.17 (Ecuador) and 105.18 (Canada).
- <sup>16</sup> PD, para. 27. See also para. 28.
- <sup>17</sup> PD, para 23. See also para. 24; A/HRC/17/11, paras. 106, 106.55 (Russian Federation), 106.56 (Turkey), 106.57 (Turkey) and 106.58 (Turkey); A/HRC/17/11/Add.1.
- <sup>18</sup> PD, para. 20. A/HRC/17/11 paras. 105, 105.82 (Jordan), 105.83 (Brazil), 105.84 (Netherlands), 105.85 (France), 105.86 (Lithuania), 105.87 (Chile), 105.88 (Australia), 105.89 (Ecuador), 105.90 (Malaysia), 105.91 (Greece), 105.92 (Switzerland), 105.93 (United Kingdom of Great Britain and Northern Ireland), 105.94 (Spain), 105.95 (Netherlands), 105.96 (Austria), 106 and 106.61 (Canada); A/HRC/17/11/Add.1.
- <sup>19</sup> PD, para. 24.
- <sup>20</sup> PD, para. 22. See also para 24.
- <sup>21</sup> The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child

OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

- <sup>22</sup> JS10, para. 1.14.
- <sup>23</sup> JS7, p. 13; JS10, para. 1.14.
- <sup>24</sup> ACG, p.5.
- <sup>25</sup> JS6 p. 9.
- <sup>26</sup> JS6 p. 10.
- <sup>27</sup> JS6 p. 9.
- <sup>28</sup> JS9, p.10. See also JS4, para. 23.
- <sup>29</sup> JS9, p. 9.
- <sup>30</sup> JS4, paras. 7-8. See also OSCE/ODIHR, p. 4. See also JS9, pp. 3 and 8; A/HRC/17/11, paras. 106, 106.27 (Lithuania) and 106.28 (Bulgaria).
- <sup>31</sup> JS1, pp.9-10. See also JS4, pp. 16 and 18; JS5, paras. 3.10-3.11; CoE, p.4. CoE-Commissioner(2014), pp. 4, 22-23 and 28; OSCE-ODIHR, pp. 6-7; A/HRC/17/11, paras. 107 and 107.2 (Bolivia).
- <sup>32</sup> JS1, pp.10-11. See also CoE-Commissioner(2014), para. p. 28.
- <sup>33</sup> JS4, paras. 16, 19 and 23.
- <sup>34</sup> JS8, para. 8.
- <sup>35</sup> COE, p. 4. See also CoE-Commissioner(2014), para. p. 28.
- <sup>36</sup> JS5, para. 4.4. See also A/HRC/17/11, paras. 105 and 105.75 (Brazil).
- <sup>37</sup> JS6, p. 2. See also A/HRC/17/11, paras. 105, 105.23 (Sri Lanka), 105.24 (Brazil), 105.25 (Ecuador), 105.26 (Spain), 106 and 106.19 (Bolivia); A/HRC/17/11/Add.1.
- <sup>38</sup> JS8, para. 4.
- <sup>39</sup> JS6, p. 7. See also, pp. 4-6.
- <sup>40</sup> JS6, pp. 5-6.
- <sup>41</sup> JS5, paras. 5.3-5.5.
- <sup>42</sup> GCCY, paras. 2 and 39; JS5, para. 3.8. See also JS4, paras. 31-33 and p. 7.
- <sup>43</sup> JS8, para. 24. See also para. 25; WISG, paras 9-15; JS5, para. 39.
- <sup>44</sup> JS7, paras. 20-22 and p. 9.
- <sup>45</sup> JS7, para 10. See also A/HRC/17/11, paras. 105, 105.10 (Denmark), 105.28 (Republic of Moldova), 105.29 (Kazakhstan) and 105.30 (Canada).
- <sup>46</sup> JS12, para 5.1. See also JS7, para. 12; See also paras. 5.2-5.9; CoE, pp. 2-3; A/HRC/17/11, paras. 105, 105.56 (Switzerland), 106, 106.41 (Hungary) and 106.43 (Canada).
- <sup>47</sup> CoE, p. 3; See also CoE-Commissioner(2014), p. 15; CoE-Commissioner(letter 2012); A/HRC/17/11, paras. 105 and 105.9 (Spain).
- <sup>48</sup> JS12, para. 5.6.
- <sup>49</sup> CoE, p. 1; See also CoE-CPT(2010), para. 47; COE-CPT(Response); PD, para. 12; A/HRC/17/11, paras. 105 and 105.30 (Canada).
- <sup>50</sup> CoE, p. 3. See also CoE-Commissioner(letter 2012).
- <sup>51</sup> JS12, para. 5.7.
- <sup>52</sup> JS12, para. 5.5; CoE, p. 2. See also CoE-CPT(2012), paras. 46-49; COE-CPT(Response), pp. 20-24; PD, para. 10; A/HRC/17/11, paras. 105, 105.36 (Australia) and 105.37 (Sweden).
- <sup>53</sup> CoE, p. 1. See also CoE-CPT(2010), paras. 6-7 and 122-123; CoE-CPT(2010-Response), pp. 29-36.
- <sup>54</sup> JS5, para. 7.12.
- <sup>55</sup> JS12, paras. 1.4.4 and 1.4.7.
- <sup>56</sup> JS8, paras. 9-10. See also para. 11; JS6, pp. 7-8; JS7, para. 27; JS12, para. 3.4; A/HRC/17/11, paras. 105, 105.24 (Brazil), 105.25 (Ecuador), 105.38 (Bulgaria), 105.39 (Norway), 105.40, 105.41 (Mexico), 105.42 (Argentina), 105.43 (Iraq), 106 and 106.26 (Russian Federation).

- <sup>57</sup> JS6, p. 7. See also JS7, paras. 29-31.
- <sup>58</sup> JS8, para. 5.
- <sup>59</sup> JS8, para. 6.
- <sup>60</sup> JS10, para. 10.
- <sup>61</sup> JS6, p. 8.
- <sup>62</sup> JS8, paras. 3 and 11. See also A/HRC/17/11, paras. 105 and 105.41 (Mexico).
- <sup>63</sup> JS15, para. 23. See also JS6, p. 8.
- <sup>64</sup> JS8, p. 4.
- <sup>65</sup> JS6, p. 8.
- <sup>66</sup> GCCY, p. 7. See also paras. 17-21; GIEACPC, pp. 1-2; CoE, p. 15; CoE-ESCR(2011), p. 16; A/HRC/17/11, paras. 106, 106.26 (Russian Federation) and 106.36 (Mexico); A/HRC/17/11/Add.1.
- <sup>67</sup> JS2, p. 7.
- <sup>68</sup> JS15, para. 16.
- <sup>69</sup> GCCY, p. 6. See also paras. 12-16.
- <sup>70</sup> GCCY, paras. 1-2 and 22-23, p. 7; See also paras. 24-31; A/HRC/17/11, paras. 105, 105.45 (Algeria), 106 and 106.37 (Hungary); A/HRC/17/11/Add.1.
- <sup>71</sup> JS2, para. 25.
- <sup>72</sup> CoE, p. 7. See also GRETA(2011).
- <sup>73</sup> JS12, paras. 1.1.1-1.1.2. See also paras. 1.1.3 and 1.4.7; CoE, p. 3; CoE-Commissioner(2014), paras. 25-29 and 38; OSCE-ODIHR, pp. 7-8; OSCE-ODIHR Trial Monitoring Report Georgia, paras. 27-29 and 57; A/HRC/17/11, paras. 105, 105.6 (France), 105.47 (Latvia), 105.48 (Australia), 105.49 (Greece), 105.50 (Republic of Moldova), 105.51 (Lithuania), 105.52 (Chile), 105.53 (Hungary), 105.54 (Slovakia), 105.55 (Poland), 106, 106.39 (United States of America), 106.40 (Switzerland), 107 and 107.5 (Czech Republic); A/HRC/17/11/Add.1.
- <sup>74</sup> JS12, paras. 1.2.1-1.2.2 See also para. 1.4.7.
- <sup>75</sup> JS12, para. 1.4.7. See also A/HRC/17/11, paras. 105, 105.53 (Hungary) and 105.55 (Poland).
- <sup>76</sup> JS12, para. 2.5.
- <sup>77</sup> JS12, para. 2.2. See also para. 2.1.
- <sup>78</sup> OSCE-ODIHR, p. 8. See also OSCE-ODIHR Trial Monitoring Report Georgia; JS12, para. 3.1; JS12, paras. 1.2.1-1.2.2 and 1.4.7.
- <sup>79</sup> JS12, paras. 1.4.1-1.4.2. See also para. 1.4.7.
- <sup>80</sup> CoE, p. 4. See also CoE Commissioner(2014), paras. 15, 17-20, 41 and 48.
- <sup>81</sup> JS7, p. 3. See also paras. 3-4; PD, para. 11.
- <sup>82</sup> JS12, para. 1.4.7.
- <sup>83</sup> CoE, p. 3. See also CoE-Commissioner(2014); A/HRC/17/11, paras. 105, 105.6 (France), 105.47 (Latvia), 105.48 (Australia), 105.49 (Greece), 105.50 (Republic of Moldova), 105.51 (Lithuania), 105.52 (Chile), 105.53 (Hungary), 105.54 (Slovakia), 105.55 (Poland), 106, 106.39 (United States of America), 106.40 (Switzerland), 107 and 107.5 (Czech Republic); A/HRC/17/11/Add.1.
- <sup>84</sup> JS12, para. 3.4. See also paras. 3.1-3.3.
- <sup>85</sup> JS12, para. 4.5. See also para. 4.6.
- <sup>86</sup> JS12, para. 4.6.
- <sup>87</sup> JS7, para. 18.
- <sup>88</sup> GCCY, p. 8. See also paras. 2 and 36-37.
- <sup>89</sup> JS13, paras. 2.1, 2.5 and 2.6. See also CoE, p. 3.
- <sup>90</sup> GCCY, para. 3. See also A/HRC/17/11, paras. 105, 105.18 (Canada), 105.20 (Bangladesh), 106 and 106.22 (Brazil); A/HRC/17/11/Add.1.
- <sup>91</sup> GCCY, paras. 2, 9-10, p. 6. See also JS5, para. 7.13.
- <sup>92</sup> GCCY, paras. 4-6.
- <sup>93</sup> JS5, p. 7.
- <sup>94</sup> JS5, paras. 2.1 and 2.3. See also A/HRC/17/11, paras. 105, 105.60 (Bulgaria), 105.61 (Slovakia), 105.62 (Denmark), 106, 106.47 (Holy See), 106.48 (Holy See) and 106.49 (Ecuador). A/HRC/17/11/Add.1.
- <sup>95</sup> JS1, pp. 6-7. See also JS5, paras. 2.14 and p. 3.
- <sup>96</sup> JS5, para. 2.13 and p. 3. See also EAJCW, para. 19.
- <sup>97</sup> EAJCW, p. 2.
- <sup>98</sup> JS5, paras. 2.4 and 2.6. See also PD, para. 34.



- <sup>99</sup> JS5, para. 2.11.
- <sup>100</sup> CPTI-IFOR, paras. 8-9. See also A/HRC/17/11, paras. 105 and 105.63 (Slovenia).
- <sup>101</sup> CPTI-IFOR, para. 11.
- <sup>102</sup> JS13, paras. 1.1-1.2.
- <sup>103</sup> JS13, paras. 3.1. See also A/HRC/17/11, paras. 105, 105.58 (Czech Republic), 105.59 (Chile), 105.65 (Poland), 106 and 106.45 (Norway); A/HRC/17/11/Add.1.
- <sup>104</sup> JS13, para. 3.2.
- <sup>105</sup> JS13, para. 3.3.
- <sup>106</sup> JS13, paras. 3.5-3.6.
- <sup>107</sup> JS13, para. 1.4. See also, A/HRC/17/11, paras. 105 and 105.68 (Netherlands).
- <sup>108</sup> JS13, para. 1.9. See also paras. 1.3-1.10.
- <sup>109</sup> JS13, paras. 3.8-3.9.
- <sup>110</sup> JS7, paras. 40 and p. 14. See also paras. 41-44.
- <sup>111</sup> JS13, paras. 5.1-5.3. See also A/HRC/17/11, paras. 106 and 106.52 (Czech Republic); A/HRC/17/11/Add.1.
- <sup>112</sup> JS13, para. 5.10. See also CoE, p. 9.
- <sup>113</sup> JS8, pp. 8-9; JS13, paras. 5.7-5.10. See also CoE-Commissioner(2014), paras. 69-71.
- <sup>114</sup> JS8, p. 8.
- <sup>115</sup> JS8, para. 13. See also A/HRC/17/11, paras. 105, 105.23 (Sri Lanka), 105.24 (Brazil), 106, 106.32 (Spain), 106.33 (Algeria) and 106.34 (Bulgaria); A/HRC/17/11/Add.1.
- <sup>116</sup> JS8, para. 14. See also OSCE-ODIHR, p. 8; JS3, p. 3.
- <sup>117</sup> JS6, pp. 2-3 and 5.
- <sup>118</sup> JS3, pp. 3-4 and 9.
- <sup>119</sup> ACG, pp. 2-4. See also A/HRC/17/11, paras. 105 and 105.77 (Pakistan), 105.78 (Bolivia) and 105.79 (Pakistan).
- <sup>120</sup> ACG, p. 4. See also PD, para. 35.
- <sup>121</sup> JS10, paras. 1.8. See also para. 1.14; CoE, p. 13; ESCR(2012), pp. 6-7; A/HRC/17/11, paras. 105 and 105.25 (Ecuador).
- <sup>122</sup> JS10, para. 1.12.
- <sup>123</sup> JS10, para. 1.14.
- <sup>124</sup> JS10, para. 1.2.
- <sup>125</sup> JS10, para. 1.14.
- <sup>126</sup> JS10, para. 1.5. See also CoE, p.13; ESCR Conclusions (2012), p.22; A/HRC/17/11, paras. 105 and 105.25 (Ecuador).
- <sup>127</sup> JS10, paras. 1.11 and 1.15.
- <sup>128</sup> JS10, paras. 1.9 and 1.14.
- <sup>129</sup> JS7, para. 37.
- <sup>130</sup> JS7, para. 36 and p. 9.
- <sup>131</sup> JS8, para. 18. See also A/HRC/17/11, paras. 105, 105.12 (Japan), 105.14 (Azerbaijan), 105.21 (Jordan), 105.42 (Argentina), 105.43 (Iraq), 106, 106.19 (Bolivia) and 106.27 (Lithuania); A/HRC/17/11/Add.1.
- <sup>132</sup> EMC, para. 1. See also A/HRC/17/11, paras. 105 and 105.12 (Japan).
- <sup>133</sup> EMC, para. 2.
- <sup>134</sup> EMC, paras. 11-12.
- <sup>135</sup> CoE, p. 14, CoE-ESCR(2013), p. 10.
- <sup>136</sup> CoE, p. 13, CoE-ESCR(2013), p. 6; A/HRC/17/11, paras. 106 and 106.21 (Malaysia); A/HRC/17/11/Add.1.
- <sup>137</sup> GCCY, para. 2. See also, paras. 33-35 and p. 7.
- <sup>138</sup> JS9, p. 9.
- <sup>139</sup> JS7, p. 11.
- <sup>140</sup> JS9, p. 7.
- <sup>141</sup> JS11, para. 8.1.1. See also JS9, p. 5.
- <sup>142</sup> JS9, p. 9.
- <sup>143</sup> JS11, para. 3.1.2.
- <sup>144</sup> JS8, p. 10. See also JS15, para. 26.
- <sup>145</sup> JS15, paras. 24-27. See also para. 8.

- <sup>146</sup> JS11, para. 5.1.  
<sup>147</sup> JS11, paras. 6.1-6.8.  
<sup>148</sup> JS4, paras. 37-47. See also JS11, paras. 7.1-7.1.5.  
<sup>149</sup> JS3, pp. 1-2 and 8.  
<sup>150</sup> JS3, pp. 2-3 and 8-9.  
<sup>151</sup> JS10, para. 2.2.10.  
<sup>152</sup> JS3, p. 9.  
<sup>153</sup> JS5, para. 7.2. See also GCCY, para. 3; A/HRC/17/11, paras. 105, 105.16 (Azerbaijan), 105.17 (Ecuador), 105.18 (Canada), 105.19 (Denmark), 105.20 (Bangladesh), 105.45 (Algeria), 106 and 106.22 (Brazil).  
<sup>154</sup> JS5, para. 7.3. See also PD, para. 25; A/HRC/17/11, paras. 105, 105.2 (Argentina), 105.3 (Algeria), 105.4 (Mexico), 105.5 (India), 106, 106.1 (Spain), 106.4 (Kyrgyzstan), 106.5 (Slovenia), 106.6 (Austria), 106.7 (China) and 106.8 (Serbia); A/HRC/17/11/Add.1.  
<sup>155</sup> JS5, para. 7.6. See also PD, para. 26.  
<sup>156</sup> JS7, para 23.  
<sup>157</sup> JS5, p. 10.  
<sup>158</sup> JS5, para. 7.10.  
<sup>159</sup> JS5, para. 7.9.  
<sup>160</sup> JS5, para. 7.11.  
<sup>161</sup> CoE, p. 13; CoE-ESCR (2012), pp. 15-16.  
<sup>162</sup> JS5, para. 7.7.  
<sup>163</sup> JS5, para. 7.8.  
<sup>164</sup> JS5, para. 4.1.  
<sup>165</sup> CoE, p. 5. See also p. 6; ECRI(2010), p. 8.  
<sup>166</sup> CoE-Commissioner(2014), para. p. 28.  
<sup>167</sup> JS5, p. 6.  
<sup>168</sup> JS3, p. 7; CoE, p. 5.  
<sup>169</sup> JS1, p. 12-13; JS3, pp. 7 and 10.  
<sup>170</sup> CoE, p. 5. See also ECRI, p. 9; A/HRC/17/11. paras.105 and 105.79 (Pakistan).  
<sup>171</sup> JS5, p. 6.  
<sup>172</sup> ACG, p. 5. See also p. 4; A/HRC/17/11, paras. 105, 105.79 (Pakistan), 107 and 107.1 (Bangladesh); A/HRC/17/11/Add.1.  
<sup>173</sup> JS3, pp. 6-7 and 9.  
<sup>174</sup> JS5, para. 6.1. See also A/HRC/17/11, paras. 105, 105.11 (Austria), 105.83 (Brazil), 105.84 (Netherlands), 105.85 (France), 105.86 (Lithuania), 105.87 (Chile), 105.88 (Australia), 105.89 (Ecuador), 105.90 (Malaysia), 105.91 (Greece), 105.92 (Switzerland), 105.93 (United Kingdom of Great Britain and Northern Ireland), 105.94 (Spain), 105.95 (Netherlands), 105.96 (Austria), 106, 106.13 (Bolivarian Republic of Venezuela), 106.60 (Sweden) and 106.61 (Canada); A/HRC/17/11/Add.1.
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