

**Comments by the Georgian authorities on the Report by Dunja Mijatović,  
Commissioner for Human Rights of the Council of Europe, following her  
visit to Georgia from 21 to 24 February 2022**

Georgia attaches great importance to the work of the Commissioner for Human Rights and reaffirms its strong commitment to advance human rights protection standards in the country.

Please, find below clarifications concerning some issues with regard to the report.

**General comments regarding the human rights situation in the occupied regions of Georgia**

Human rights situation in the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia is concerning and has been deteriorating due to Russia's illegal occupation of Georgian regions, its effective control over those regions, as attested in the Judgement of the European Court of Human Rights, as well as permanent violation of the EU-mediated 12 August 2008 Ceasefire Agreement, constant destructive activities and imposing restrictions.

People living in the Russia-occupied regions endure continuous violation of their basic human rights, isolation and discrimination, including violations of the right to life, torture and ill-treatment, kidnappings and arbitrary detentions, violations of property rights, restrictions of freedom of movement and residence, violations of the right to health, discrimination on ethnic grounds, violations of the right to receive education in native language and the continuous practice of the demolition of houses belonging to internally displaced persons. In addition, the illegal process of so-called "Borderization" has negative implications for the local population who lose access to their agricultural lands, churches, cemeteries and are deprived of the possibility to see their family members. Moreover, IDPs and refugees forcefully expelled from Abkhazia and Tskhinvali regions of Georgia continue to be deprived by the occupying power of their fundamental right to voluntary return to their places of origin in safety and dignity.

Therefore, Georgia expects that the Russia-Georgia conflict, the situation in the Russia-occupied territories of Georgia and grave human rights violations on the ground remain high on the Council of Europe's agenda. It is crucial that the international community, including the Council of Europe demonstrates its firm stance and gives due assessment to the mentioned illegal developments, calls on Russia to cease human rights violations on the ground, respect Georgia's sovereignty and territorial integrity, implement its obligations under the EU-mediated 12 August 2008 Ceasefire Agreement and withdraw its forces from Georgia's territory.

## **Information about significant achievements in the field of child protection system**

As a result of successful cooperation between UNICEF and the Government of Georgia Psycho-Social Service Centre for the juvenile victims of Violence has been established. Namely, in 2020, the Government of Georgia approved the concept of a center for psychological and social services for the children suspected to be victims of violence. The aim of the Center is to provide child victims with short and long-term psychosocial rehabilitation, prevent secondary victimization and conduct effective investigation. Both infrastructural and technical works, as well as training of professionals involved in the work of the center, were actively carried out through 2020-2021 years.

At first stage, the Centre has been launched in Tbilisi, in March, 2022, in a pilot mode. On the basis of pilot results, one more center will be established in Kutaisi in a short time frame. This innovative first-ever center in Georgia, is similar to so-called “BARNAHUS” model, which is well known in Scandinavian countries.

## **Combating discrimination and promoting tolerance**

### **1.1.1 Legislative and institutional framework**

#### **Paragraph 10:**

The paragraph 10 stated that “a new national human rights action plan is in preparation.” It should be noted that the Government of Georgia is finalizing its work on Second National Human Rights Strategy document (2022-2030) which will be followed by the National Action Plan on Human Rights.

In addition, the Government of Georgia is finalizing its work on two separate action plans for 2022-2024: “National Action Plan on the Implementation of the UN Resolutions 1325 on Women, Peace and Security” and the “National Action Plan for the Elimination of Violence against Women and Domestic Violence.” Both documents incorporate concrete actions aimed at promoting gender equality in the public and private sectors, eliminating discrimination and gender-based violence, encouraging women’s engagement in politics and public affairs, promoting women’s economic empowerment etc.

In the process of working on the Human Rights Strategies and Action Plans, the Government always actively cooperates with all stakeholders including NGOs. The first National Human Rights Strategy document (2014-2020) and three follow-up action plans (2014-2015; 2016-2017; 2018-2020) were elaborated with this spirit.

Set up by governmental ordinance, with the composition of the state agencies, international organizations, public defender's office and civil society organizations for the Development of the National Human Rights Strategy, the process of drafting a new, second national human rights strategy document (2022-2030) has been recently concluded.

The Strategy is designed to respond to national needs and challenges and, in this light, it is guided by the Constitution of Georgia while paying careful attention to international human rights standards as well as the United Nations Sustainable Development Goals.

Noticeably, out of the four key priorities of the document, one is dedicated to promoting equality, with special focus on the protection of rights of minorities and elimination of all forms of discrimination. Elimination of discrimination through raising awareness and building tolerance remains high on the agenda. In addition, the Government is working on establishing national mechanisms to ensure access to existing services, as well as create yet non-existing ones.

As it was mentioned the first draft of the Strategy is at the final stage and will be soon shared with the CSOs, Public Defender and International Organizations. The Government of Georgia will approve the second national human rights strategy document (2022-2030) and on the final stage the Parliament of Georgia will adopt that document.

### **1.1.2 Violence and hate crimes against LGBTI people**

#### **Paragraph 15:**

The Ministry of Internal Affairs immediately launched investigation on the basis of the violent acts carried out by the opponents of „Tbilisi Pride” on July 5-6, 2021. In the course of investigation all necessary investigative or procedural actions were carried out. Based on the evidence obtained as a result of the investigative actions carried out by the employees of the Ministry of Internal Affairs, a number of persons have already been arrested under the criminal law on the grounds of violence including unlawful interference with the journalists’ professional activities, using threat of violence.

It should also be noted that separate active case is under investigation within the Ministry of Internal Affairs of Georgia that is inquiring the facts of organization, management or participation in group violence as well as public incitement to acts of violence, persecution and unlawful interference with the journalist’s professional activities that took place on Rustaveli Avenue, Tbilisi.

Thus, at this point, 31 individuals have been charged as a result of the investigation carried out on the case of violence against Tbilisi Pride and 59 individuals and 1 legal person, including 48 journalists and cameramen and 7 human rights defenders and activists have been recognized as victims of these crimes. The Prosecution Service of Georgia (PSG) will take all necessary legal measures to protect the victims’ legitimate interests and will continue its strict policy to fight hate-crimes. The Prosecution Service of Georgia (PSG) has strict policy against discrimination-based hate crime. It also takes all necessary measures to protect the legitimate interests of victims.

#### **Paragraph 16:**

Human Rights Protection and Investigation Quality Monitoring Department of the Ministry of Internal Affairs, within its competence, ensures the timely response to the crimes committed on the grounds of intolerance and discrimination as well as their ongoing investigation.

For this purpose, within its mandate, the Human Rights Protection and Investigation Quality Monitoring Department, from the moment of receiving the notification about the crime, is involved and monitors the quality of the response of police units in the country to all those criminal cases, where might be a motive

of intolerance based on any of the signs provided by Article 531 of the Criminal Code of Georgia and verifies that police proceedings are conducted in accordance with the procedural norms.

For its part, the Department of Human Rights Protection of the Prosecutor General's Office of Georgia studies and monitors the cases of crimes committed with the motive of intolerance based on religion, sexual orientation and gender identity and expression. The data are analyzed and the results of monitoring are published on the official website of the Prosecution Service of Georgia, available in Georgian and English Languages.<sup>1</sup>

In case the criminal investigation includes discriminatory motive, these types of cases fall within the scope of the memorandum, which was signed in September 2020, between the Ministry of Internal Affairs, the Prosecutor General's Office, the Supreme Court and the National Statistics Office (Geostat). Data on the crimes committed with the motive of intolerance based on discrimination (hate crime), including data on crimes committed with the motives of discrimination based on religion and SOGIE (sexual orientation and gender identity and expression) elements, are collected using the methodology established by the Memorandum on Cooperation on Collection of Data on Crimes Committed on Grounds of Intolerance with Discrimination Basis and Publishing a Joint Report since September 2020.<sup>2</sup>

On March 1, 2022, the National Statistics Office of Georgia published a unified report on statistics of crimes committed on the grounds of intolerance. The published report contains statistical data produced by the Ministry of Internal Affairs, the Prosecutor's Office of Georgia and the Supreme Court of Georgia from January 1 to December 31, 2021, using a unified methodology in accordance with international standards for personal data protection.

### **PSG's statistical data on intolerance based on discrimination, 2016-2021**

As a result of rigorous policies implemented by the Prosecution Service of Georgia, including consistent monitoring of cases of intolerance based on discrimination, for crimes motivated by intolerance on the grounds of discrimination, 1509 individuals have been prosecuted in 2016-2021 and 1388 persons, including 10 legal and 1378 natural persons were granted a victim's status in 2019-2020.

These numbers break down into the following annual data:

2016 - 44 defendants:

2017 - 44 defendants:

2018 - 151 defendants:

2019 - 183 defendants; 221 victims, including 217 natural persons and 4 legal persons.

2020 - 253 defendants; 272 victims, including 268 natural persons and 4 legal persons.

2021 - 834 defendants; 895 victims, including 893 natural persons and 2 legal persons.

### **PSG's statistical data on intolerance based on SOGIE elements, 2016-2021**

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<sup>1</sup> See at: <https://pog.gov.ge/en/page/default/sheuwynareblobis-motiviT-chadenili-danashaulebi> (checked on: 19.04.2022);

<sup>2</sup> See at: <https://www.geostat.ge/media/35291/Memorandum--ENG.pdf> (checked on: 06.07.2022);

**162 individuals have been prosecuted** for the crimes motivated by intolerance based on discrimination on the grounds of the **SOGIE elements in 2016-2021**, including **34 cases of intersectional discrimination**.

These numbers break down into the following annual data:

**2016 – 4 defendants**

- 4 individuals for the crimes motivated by sexual orientation;

**2017 – 8 defendants**

- 4 individuals for the crimes motivated by sexual orientation;
- 4 individuals for the crimes motivated by gender identity;

**2018 – 27 defendants**

- 15 individuals for the crimes motivated by sexual orientation;
- 12 individuals for the crimes motivated by gender identity;

**2019 – 32 defendants**

- 19 individuals for the crimes motivated by sexual orientation;
- 12 individuals for the crimes motivated by gender identity;
- 1 individual for the crime motivated by sexual orientation and gender identity;

**2020 - 22 defendants**

- 11 individuals for the crimes motivated by sexual orientation
- 11 individuals for the crimes motivated by gender identity

**2021 – 69 defendants**

- 12 individuals for the crimes motivated by sexual orientation;
- 24 individuals for the crimes motivated by gender identity;
- 31 individuals for the crimes motivated by sexual orientation and gender identity;
- 2 individuals for the crimes motivated by gender and sexual orientation;

**PSG's statistical data on intolerance based on religion**

**43 individuals have been prosecuted** for the crimes motivated by intolerance based on discrimination on the grounds of **religion in 2016-2021**, including **3 cases of intersectional discrimination**.

These numbers break down into the following annual data:

**2016 – 16 defendants** for the crimes motivated by religion;

**2017 - 2 defendants** for the crimes motivated by religion;

**2018 - 2 defendants** for the crimes motivated by religion;

**2019 - 14 defendants**

- 13 individuals for the crimes motivated by religion;
- 1 individual for the crimes motivated by gender and religion;

**2020 – 4 defendants** for the crime motivated by religion;

**2021 – 5 defendants**

- 3 individuals were charged for the crimes motivated by religion;
- 2 individuals were charged for the crimes motivated by gender and religion.

### **Joint Statistical Data 2021**

According to the Joint Report of Data on Crimes Committed on Grounds of Intolerance with Discrimination Basis, 2021:

- 1703 investigations were initiated by the Ministry of Internal Affairs of Georgia on the cases of crimes motivated by intolerance based on discrimination, including 48 cases of gender identity, 58 cases of sexual orientation and 19 cases of religion, in 2021.
- 834 individuals were prosecuted by the Prosecution Service of Georgia prosecuted for crimes motivated by intolerance based on discrimination including 24 defendants for gender identity, 14 defendants for sexual orientation, 31 defendants for gender identity and sexual orientation and 5 defendants for religion, in 2021.
- 321 individuals were found guilty for crimes motivated by intolerance based on discrimination, including 11 for gender identity, 8 for sexual orientation, 1 for gender identity and sexual orientation and 2 for religion, in 2021.

### **Paragraph 17:**

The Prosecution Service of Georgia rigorously examines motives of intolerance based on elements of discrimination in the process of prosecutorial supervision.

As a result of persistent strict policy, motive of intolerance based on SOGIE elements been identified in the indictments of 162 individuals prosecuted for various categories of criminal acts through 2016-2021. 34 indictments indicated cases of intersectional discrimination, including 32 indictments indicating motives of sexual orientation and gender identity and 2 indictments indicating motives of sexual orientation and gender.

Motive of intolerance based on religion has been identified in the indictments of 43 individuals prosecuted for various categories of criminal acts through 2016-2021. 3 indictments indicated cases of intersectional discrimination based on religion and gender.

### **Paragraph 18:**

The Ministry of Internal Affairs of Georgia plans to specialize investigators on the topic of crimes committed on the grounds of intolerance and discrimination. After completing the specialization process, the investigators who have completed the above-mentioned course will be mainly involved in these categories of crimes. The commencement of the project within the Council of Europe has already been confirmed and the process of specialization will start within the year of 2022. It is noteworthy that the

Ministry of Internal Affairs has good experience in specializing the investigators, namely within the Ministry there are specialized investigators for the investigation of the cases of sexual violence and crimes committed by/against juveniles.

**Paragraph 19:**

The Witness and Victim Coordinator Service was expanded in 2020 to cover all police units of the Ministry of Internal Affairs of Georgia.

The priority of the Witness and Victim Coordinators is to provide support and services for the victims and witnesses of crimes such as: crimes committed on the grounds of discrimination, domestic violence, human trafficking, sexual abuse, as well as to provide support for juveniles and persons with disabilities.

It is noteworthy that, according to the 10 years action plan of the Ministry of Internal Affairs, by 2024, the witness and victim coordination service will be further enlarged by adding 50 more employees.

The manual of the witness and victim coordinators operating at the Prosecution Service of Georgia, commends to assign the witness and victim coordinator to the cases of crimes motivated by intolerance based on discrimination. With the support of the Council of Europe, 18 witness and victim coordinators took trainings on crimes motivated by intolerance in the course of specialization following the order of 2020 of the Prosecutor General of Georgia, which established that the cases of crimes committed on the grounds of intolerance should be handled by specialized prosecutors and investigators.

**1.1.4 Hate speech and other manifestations of intolerance**

**Paragraph 23:**

Kindly note that pursuant to the Georgian legislation in force, hate speech is subject to self-regulation mechanism only and therefore, the Georgian National Communications Commission has no effective back-stop powers in this regard. Specifically, the Communications Commission does not regulate content, including hate speech and war propaganda, apart from any content having a harmful influence on minors as well as obscenity. Based on the current legislation, response measures for other violations can only be carried out within the self-regulation mechanism of the broadcasters. Decisions made within the self-regulation mechanism cannot be appealed before the Communications Commission or in court.

However, to ensure full compliance of the Georgian legal framework with the Audiovisual Media Services Directive (2010/13/EU), the Communications Commission prepared the relevant draft amendments to the “Law on Broadcasting” with the support of European experts (the working process included the European Commission, the European Reconstruction and Development Bank (EBRD) together with international companies such as, Grant Thornton, Analysis Mason, Pierstone, as well as the Belgian media expert Jean-Francois Fournemont) and submitted it to the Parliament of Georgia. The amendments will enable the decisions of self-regulatory bodies to be appealed to the Communications Commission and/or the Court, it is worth noting that in order to promote the strengthening of self-regulatory mechanism, the Commission took the feedback from broadcasters and civil society into consideration and decided to leave the relevant

issues to the self-regulatory body at this stage, while making it possible to appeal a decision of the latter to the Commission or the Court only in case an interested party would be unsatisfied with the self-regulatory body decision.

The substantial argument behind such changes is that the possibility to appeal a self-regulatory body decision to the Commission or the court, will significantly increase the efficiency of the self-regulatory mechanism, while the broadcasters will review the appeals more vigilantly, as the inefficiency of the actual self-regulatory mechanism is considered as an important drawback including by the civil society, while the Communications Commission fully acknowledges the damaging impact of hate speech on public interests. Furthermore, it is important to emphasize that in order to protect the public interests, issues such as hate speech, war propaganda and harmful influence on minors, are always subject to appeal to the regulatory authority and the court in every Member State of the European Union.

It has to be noted hereby that the above legislative package has not become a legislative initiative as of now due to the existing controversy even vis-à-vis the conciliating version of the draft law.

Moreover, please be informed that the television station in question (“Alt-Info”) has been authorized for broadcasting since November 26, 2020, while in September 2021, the authorization has been modified to national coverage. Such modification of the authorization to switch to the nationwide broadcasting represents a formal procedure that does not envisage content review by the Commission.

Furthermore, it has to be noted that the broadcasting legal framework in Georgia is considered as one of the most liberal across the Europe. As a result of the media legislation reform, including the digital Broadcasting Reform and digital switchover in 2015 as well as the simplification of the procedure for the establishment of a TV channel, any interested party can acquire authorization and start broadcasting within 10 days without a need of any license. The simplification of the procedures for obtaining the Broadcasting permit and the new liberal Media policy in Georgia has resulted in the increased number of TV broadcasters, which in turn, encouraged media pluralism in Georgia. As a result, there are more than 100 broadcasters in Georgia.

### **1.1.5 Freedom of Assembly, Expression, and Association**

#### **Paragraph 26:**

With the purpose of ensuring the safe environment during Tbilisi Pride Week 2022, the MIA held systematic meetings with the organizers of the event, with the participation of the representatives from UN, Public Defender’s Office, Diplomatic Corps and NGOs. The meetings aimed at planning preventive measures and eliminating possible violence acts against participants of the events scheduled within the Pride Week from the side of the opposing groups.

It should be mentioned that this year in Georgia Pride Week was held peacefully without any serious accidents. Police managed to ensure full protection of the LGBTQI community and participants of the events, despite attempts of the homophobic groups to demolish the pride week events.

It is notable that the management of the events by the Police was assessed positively from the community and diplomatic corps. We consider that this was the result of an exemplary cooperation between representatives of MIA and organizers of the pride week during the planning of the events.

### **1.1.8 Conclusions and recommendations**

#### **Paragraph 35:**

Hate crime is referred as a crime committed with the motive of intolerance on the basis of discrimination in Georgian Law. Motive of intolerance on the basis of discrimination is defined in Article 53<sup>1</sup> §1 of the Criminal Code of Georgia and serves as an aggravating factor for punishment. Article 53<sup>1</sup> §3 defines, that in the case of imposing a fixed term imprisonment for a crime committed with the motive of intolerance based on relevant sign (signs) of discrimination, the term of a sentence to be served shall exceed, at least by one year, the minimum term of sentence provided for the committed crime under the respective article or part of an article of the criminal code of Georgia. In the process of prosecutorial supervision, prosecutors examine cases, identify the motive of intolerance on the basis of discrimination in the indictment and apply it at substantial hearing of the case as an aggravating factor for punishment.

Following the order of 2020 of the Prosecutor General of Georgia, specialized prosecutors and investigators handle the cases of crimes committed on the grounds of intolerance. The process of specialization was conducted through trainings supported by the Council of Europe. Currently 131 employees of the Prosecution Service of Georgia are specialized in crimes committed on the grounds of intolerance, including 37 managers, 76 prosecutors and investigators and 18 witness and victim coordinators. Special recommendation has been developed and implemented in the prosecution service of Georgia on proper application of Article 53<sup>1</sup> §1 of the Criminal Code of Georgia, which instructs prosecutors and investigators on identification and utilization of the motive of intolerance of based on discrimination as an aggravating circumstance for punishment. The prosecutors and investigators apply rigorous approach in the process of prosecutorial supervision and investigation to identify the motive of intolerance on the grounds of discrimination and contemplate it in the indictments and other relevant materials of the case.

#### **Paragraph 36:**

Human Rights Protection and Investigation Quality Monitoring Department of the Ministry of Internal Affairs continuously conducts informational meetings with target groups, as well as provided training courses for police officers on matters falling under the competence of the Department.

Since January 2020, on the basis of combining training materials developed by the OSCE ODIHR and the Council of Europe, the process of cascading training of employees of the Ministry of Internal Affairs on the topic of effective identification and investigation of hate crimes has been launched. The psychologists and representatives of local NGOs are involved in the training process. Since 2020, within the framework of cascade training series, 23 training activities were conducted (including 4 in online format) and more than 400 employees of various territorial bodies of the Ministry of Internal Affairs were trained.

In 2020, based on materials provided by the experts of the Council of Europe and with regard to the discrimination, hate speech and intolerance on the grounds of discrimination, a cascading training module and curriculum have been developed for the investigators. On the basis of the mentioned curriculum, since 2020, 5 trainings were conducted and more than 80 employees of various territorial bodies of the Ministry of Internal Affairs were trained.

#### **Paragraph 40:**

Apart from the informational meetings with target groups and training courses for police officers on matters falling under the competence of the Human Rights Protection and Investigation Quality Monitoring Department, MIA representatives are regularly provided with training courses on human rights, equality and discrimination related topics at the MIA Academy. Training programs comprise human rights related topics like:

- Prohibition of discrimination, essence, core international documents on direct and indirect discrimination, positive obligations of the state;
- Prohibition of discrimination and regulatory national legislation “Law of Georgia on the Elimination of All Forms of Discrimination”;
- Definition of hate crime and related concepts, peculiarities of investigation of hate crime.

## **1.2. Religious minorities**

### **1.2.1 Legal and Regulatory Framework**

#### **Paragraph 45:**

Freedom of belief, religion and conscience is guaranteed by the Constitution of Georgia (Article 16). Article 9 of the Constitution recognizes the special role of the Apostolic Autocephalous Orthodox Church of Georgia in the history of Georgia and also creates a constitutional guarantee of the separation of state and religion (secularism).

There is no state religion in Georgia. However, the constitutional agreement signed between the State of Georgia and the Apostolic Autocephalous Orthodox Church of Georgia and the agreements signed on behalf of the state among the State Agency for Religious Issues and four religious denominations -Islamic, Armenian Apostolic, Catholic and Jewish communities, within the framework of symbolic and partial compensation for the damage caused during the Soviet totalitarian regime is worth noting.

According to the General Population Census of 2014, 2.94% of the population of Georgia are followers of the Armenian Apostolic Church (instead of 3.9% given in the report).

#### **Paragraph 46:**

By adopting the anti-discrimination law, the state strengthened the protection of the equality of religious associations in order to overcome any discriminatory treatment, and on July 3, 2018, the Constitutional Court of Georgia adopted a decision (N1/1/811) by which it recognized as discriminatory the norm of the Law of Georgia "On State Property" (Article 63), which provided for the possibility of free ownership of state property only for the Apostolic Autocephalous Orthodox Church of Georgia. The mentioned norm was declared invalid as of December 31, 2018. Accordingly, after December 31, 2018, all religious associations registered in Georgia had the right to receive property from the state free of charge. However, according to the Law of Georgia dated May 29, 2020 (No. 5989 - website, 10.06.2020), the aforementioned article was amended, and as of today, according to the decision of the Government of Georgia, state property can be transferred free of charge only to internally displaced persons from the occupied territories of Georgia, and no religious association can receive state property for free. Accordingly, the principle of equality between religions and non-discriminatory treatment is fully respected.

According to the decision of the Constitutional Court of Georgia dated July 3, 2018 (No. 1/2/671), the following words of Article 168, Part 2, Subsection "b" of the Tax Code of Georgia were declared unconstitutional and invalid: the normative content which exempted from VAT without the right of deduction the services of construction, restoration and painting of temples and churches provided only by the order of the Patriarchate of Georgia.

As a result of the amendments/additions made to the Tax Code of Georgia, the mentioned tax benefit is provided by the first part of Article 170 (benefits in the medical, educational, cultural, sports and social fields) and the following are exempted from VAT without the right of deduction: "t) restoration and/or painting of a temple or church building." Accordingly, the restoration and/or painting of any religious building is exempted from VAT without the right of deduction, regardless of their religious affiliation, and non-discriminatory treatment is fully protected.

### **1.2.2. Investigations into hate crimes on the basis of religion or belief**

#### **Paragraph 48:**

The case of Mikeladze v. Georgia (Mokhe Case) has been investigated by the investigative unit of Samtskhe-Javakheti Regional Prosecutor's Office. As a result of investigation victim's status has been granted to one individual and two police officers were prosecuted for exceeding official powers on the grounds of intolerance based on religion, crime prescribed under Article 333 §3 (b) of the Criminal Code of Georgia. The case is being heard before the court.

#### **Paragraph 49:**

##### **Samtatskaro**

The Ministry of Internal Affairs of Georgia is investigating a fact of Unlawful interference with the performance of a religious rite, crime prescribed under Article 155 §1 of the Criminal Code of Georgia,

that allegedly took place in Dedoplistskaro municipality, Samtarkaro. In the course of investigation, more than 100 witnesses have been interviewed, including Christian and Muslim religious leaders and community, medical forensic examination has been performed, relevant materials were obtained and examined. To this date victim's status has not been granted and prosecution has not been launched.

### ***Nigvziani***

The Ministry of Internal Affairs of Georgia was investigating a fact of Unlawful interference with the performance of a religious rite, crime prescribed under Article 155 §1 of the Criminal Code of Georgia, that allegedly took place in Lanchkuti municipality, Nigvziani. In the course of investigation 51 witnesses were interviewed, including Christian and Muslim religious leaders and community, relevant materials were obtained and examined, including news reports and media portals.

The investigation proved that an act of the acts of intimidating religious beliefs of Muslim community, violence or threats against them did not occur, neither Unlawful interference with the performance of a religious rite took place. According to established facts, the investigation has been terminated under Article 105 §1 (a) of the Criminal Procedure Code of Georgia, because the act provided for by the criminal law did not take place.

### ***Tsintskaro***

The Ministry of Internal Affairs of Georgia was investigating a fact of damaging or destruction of property in Tetrtskaro municipality, Tsintskaro, crime prescribed under Article 187 §1 of the Criminal Code of Georgia. In the course of investigation witnesses were interviewed, crime scene was inspected, investigative experiment has been conducted, relevant materials were obtained and examined.

The investigation proved that an act of the acts of damaging the property took place, but the property belonged to the state authorities and material damage amounted 40 Gel, which did not elevate to the act punishable under the Criminal Code of Georgia. According to established facts, the investigation has been terminated under Article 105 §1 (a) of the Criminal Procedure Code of Georgia, because the act provided for by the criminal law did not take place.

### ***Kobuleti***

The Ministry of Internal Affairs of Georgia is investigating a fact of Persecution, because of religious activities, crime prescribed under Article 156 §1 of the Criminal Code of Georgia, that allegedly took place in Kobuleti municipality. In the course of investigation more than 100 witnesses have been interviewed, commodity forensic examination, ballistic forensic examination and traceological examination have been performed, relevant materials were obtained and examined. To this date victim's status has not been granted and prosecution has not been launched.

### ***Mokhe***

Reference to comment on §48.

**Paragraph 50:**

The Ministry of Internal Affairs of Georgia investigated the acts of violence that took place in Chokhatauri municipality, Buknari. Victim's status was granted to 5 individuals. Diversion was applied to 2 individuals, 1 of them was diverted for the act of violence, crime prescribed under Article 126 §1 of the Criminal Code of Georgia, and another one was diverted for the act of violence committed in aggravated circumstances, crime prescribed under Article 126 §1<sup>1</sup> (c) of the Criminal Code of Georgia. 1 person was charged and convicted for intentional less grave bodily injury, crime prescribed under Article 120 §2 (a)(c) of the Criminal Code of Georgia.

**Paragraph 52:**

In Georgia, construction permits are issued by municipalities of self-governing units. It is important to note that the regulations related to construction permits are common to all and the legislation does not provide for different regulations for the construction of religious buildings. Even the term "cult building" does not exist in the construction legislation. The process of obtaining a construction permit is transparent, prescribed by law, predictable and non-discriminatory.

The state, through the State Agency for Religious Issues, supports religious organizations in free access to places of worship and in the functioning of religious organizations.

The evidence of a non-discriminatory approach to the construction of religious buildings is the statistics of functioning religious buildings belonging to religious minorities:

The ratio<sup>3</sup> of various religious communities vis-à-vis houses of worship in Georgia

1. Orthodox Christians - 3,097,573

Churches - 2001

Ratio of followers per one church - 1,548

2. Muslims - 398,677

Mosques - 277

Ratio of followers per one mosque - 1 439

3. Followers of the Armenian Apostolic Church - 109,041

Churches - 58

Ratio of followers per one church - 1,880

4. Catholics - 19,195

Churches - 31

Ratio of followers per one church - 619

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<sup>3</sup> Ratio - refers to the number of the followers per one place of worship.

5. Jehovah's Witnesses - 12,395

Cult buildings - 89

Ratio of followers per one cult building - 139

6. Yezidis - 8,591

Cult building - 1

Ratio of followers per one cult building - 8,591

7. Jews - 1,417

Synagogues - 20

Ratio of followers per one synagogue - 74

8. Representatives of other small denominations and persons who did not specify their religion - 6,915

In Georgia, there are 42 religious buildings of small denominations

*Note:* The data on the religious affiliation of the population of Georgia is based on the 2014 General Population Census.

The non-governmental organization "New Mosque Construction Fund" is requesting permission to build a new mosque in Batumi. Batumi City Hall did not meet their request, which was appealed to the court and the process is ongoing in the Supreme Court. It should be noted, that there is no consensus between the aforementioned non-governmental organization and the Administration of All Muslims of Georgia regarding the construction of a new mosque.

### **Paragraphs 52 and 53:**

When discussing the issue of restitution of property confiscated by the Soviet totalitarian regime, the most important cornerstone is that independent Georgia is not the legal successor of the Soviet regime. Accordingly, independent Georgia has no legal and moral obligation to restore property confiscated by the Soviet regime and compensate for damages. On the basis of good will and based on the principles of the rule of law, the state of Georgia returns the religious buildings that became state property after the restoration of independence, to the respective religious associations. It is also an important cornerstone that none of the religious associations operating today (except the Georgian Orthodox Church) are the legal successors of the religious association functioning in the Soviet period, and they have no legal or hereditary ties with them. All of them are newly registered. Due to the high standards of freedom of registration of religious associations in Georgia, more than one religious association of almost every religious denomination is registered. Accordingly, the state returns the state-owned religious buildings to the relevant religious associations with the right of perpetual use, which practically differs from the property right only in such a degree that they cannot alienate these buildings. A large part of such religious buildings has already been returned to the respective religious associations. The issue is an ongoing process and it continues. Also, there are several cases when two or more religious denominations claim historical ownership of one and the same religious building. The issues of such controversial religious buildings are considered individually. There is also the practice of resolving disputes through the courts.

It is also worth noting that, despite the fact that Georgia has no obligation to restitution of property confiscated during the Soviet period, and since independent Georgia is not the legal successor of the Soviet Union, the state of Georgia returns to the religious associations those cult buildings that became the actual property of the state after the restoration of independence. In addition, it should be noted, that from 2014 to the present, the following have been transferred to religious organizations:

1. 228 mosques, both Sunni and Shiite, were handed over to the Administration of All Muslims of Georgia; 1300 sq.m. land for building the central office in Tbilisi; in addition, in 2015, the state bought two 4-storey buildings in Batumi and handed over to the LEPL Administration of All Muslims of Georgia: one building - for the Mufti's residence, the other - for a religious school (madrasa), with a total cost of 5 million GEL.
2. 20 synagogues were given to the Jewish community of Georgia;
3. The Evangelical-Protestant Church of Georgia was given - 1006 sq.m. land in Gori, together with the church and buildings on it. In 2022, with the help of the State Agency for Religious Issues, they received permission to build a church. In the same year, the state allocated 15,000 GEL for the construction of a new church. Currently, a new church is being built in Gori;
4. Armenian Apostolic Orthodox Church of Georgia was given a plot of land and the Church named after the Mother of God in the village of Didi Khanchali in Ninotsminda Municipality;
5. 5500 sq.m plot of land together with the church, buildings and cemetery in Tbilisi were given to the Evangelical-Lutheran Church of Georgia;
6. The Union of Baptist Churches of Georgia built a church in Tbilisi, which was opened in the fall of 2017;
7. An international Baptist church was built and is functioning in Tbilisi with the support of the state;
8. Instead of 500 sq.m plot of land in Rustavi requested by the Apostolic Administration of the Caucasus 1200 sq.m. plot of land was given to the Administration with the right to own property and build a church. A church has been built on this place, which is functioning today.
9. With the direct recommendation of the Agency, Tbilisi municipality provided financial assistance to the Spiritual Council of Yezidis. As a result, the Yezidi temple and cultural center were built.

The government of Georgia symbolically and partially compensates religious associations for the damage caused during the Soviet totalitarian regime. Compensation for damage is done within the scope of state discretion, as it has neither a legal nor a moral obligation to compensate for the damage caused by the Soviet regime. The state compensates the aforementioned damage to five religious communities: the Georgian Orthodox Church, Muslim, Armenian Apostolic, Catholic and Jewish communities. If the damage caused during the Soviet totalitarian regime is confirmed, the circle of beneficiaries receiving the compensation for the damage will be increased and other religious communities will also enjoy compensation.

In 2022, the partial and symbolic compensation for the damages caused during the Soviet totalitarian regime for four religious denominations (Islamic, Jewish, Roman-Catholic and Armenian Apostolic Communities) have been increased by 1 million GEL.

See the table:

Religious association	2014	2015	2016	2017	2018	2019	2020	2021	2022	total
Muslim community	1 100 000	2 200 000	2 750 000	2 750 000	2 750 000	2 750 000	2 750 000	2 750 000	3 350 000	23 150 000
Catholic community	200 000	400 000	550 000	550 000	550 000	550 000	550 000	550 000	650 000	4 550 000
Armenian Apostolic community	300 000	600 000	800 000	800 000	800 000	800 000	800 000	800 000	1 000 000	6 700 000
Jewish community	150 000	300 000	400 000	400 000	400 000	400 000	400 000	400 000	500 000	3 350 000
<b>total</b>	1 750 000	3 500 000	4 500 000	4 500 000	4 500 000	4 500 000	4 500 000	4 500 000	5 500 000	37 750 000

It should be noted that there are 4 mosques operating in Batumi, including the main mosque, which was reconstructed/renovated with the support of the state in 2021, namely: commercial spaces around the mosque were purchased and transferred to the mosque, the roof was repaired, the facade and interior walls of the mosque were repaired and painted, the floor was replaced and heating was installed, the first and second floors of the mosque were expanded, large spaces were added and renovated, in particular, the hall, the rooms for guests and pilgrims, the yard was also arranged, the lawns were painted and green plants were planted. Therefore, on religious holidays, the mosque can fully accommodate the congregation and there is no more prayer outside the mosque.

**Paragraph 55:**

There is a very close and fruitful cooperation from the side of the state with the religious associations operating in Georgia (with the full range of religious denominations), which, of course, includes a comprehensive dialogue.

There is an Inter-religious Council at the State Agency for Religious Issues, which is a clear example of cooperation and dialogue between the state and religious associations. It is a deliberative body based on the

principle of a round table, within the framework of which important proposals for religious associations are prepared/voiced. The Agency, as an intermediary link between the state and religious associations, provides utmost support for the issues raised at the Council. Today, 12 religious organizations are united in the Inter-religious Council:

1. Apostolic Autocephalous Orthodox Church of Georgia;
2. Administration of All Muslims of Georgia;
3. Diocese of the Armenian Apostolic Orthodox Church of Georgia;
4. Apostolic Administration of the Caucasus;
5. Union of Jews of Georgia;
6. Tbilisi International Baptist Church;
7. Union of Baptist Churches of Georgia;
8. Evangelical-Lutheran Church of Georgia;
9. Evangelical-Protestant Church of Georgia;
10. Evangelical Faith Church of Georgia;
11. Spiritual Council of Yezidis of Georgia;
12. International Society for Krishna Consciousness.

Considering the scale of these religious organizations (for example, the Georgian Orthodox Church represents approximately 84% of the population of Georgia; Administration of All Muslims of Georgia represents approximately 95% of the Muslim community living in Georgia; the Diocese of the Armenian Apostolic Orthodox Church of Georgia represents 100% of the followers of the Armenian Church, Apostolic Administration of the Caucasus unites 3 association of Catholic denominations and represents 100% of the Catholic community in Georgia, etc.) the Inter-religious council with the Agency represents almost the full majority of the religious spectrum in Georgia. Also, the membership of the Inter-religious Council is free and in case of desire any religious association can join the activities of the Council.

A high platform for dialogue between the state and religious associations is the practice established by the State Agency for Religious Issues, the cycle of annual Inter-religious conferences - "Inter-religious Dialogue for Peace", where all religions have the opportunity to participate and express their opinions publicly from a high platform, as far as the conferences organized by the Agency are attended by the Members of the Parliament and Government of Georgia, representatives of academic circles and the diplomatic corps and, of course, leaders of religious organizations themselves. Till today, four Interreligious conferences have been held:

- 2016 - "Inter-religious Dialogue for Peace";
- 2017 - "Inter-religious Dialogue for Peace" - "Religious Tolerance in Georgia";
- 2018 - "Inter-religious Dialogue for Peace" - "The Role of Religions in Georgia - 1918-2018";
- 2019 - "Inter-religious Dialogue for Peace" - "Religions on the Georgia's Way to European Integration".

After the conferences, the religious organizations operating in Georgia sign thematic declarations where they agree on common values. (*Note: Due to the COVID-19 pandemic, the conferences in 2020-2021 were not held*).

A number of Inter-religious events are held at the initiative of the State Agency for Religious Issues, which are aimed at encouraging direct communication and dialogue between religions, for example:

- Celebrating the International Day for Tolerance (November 16) - when one of the religious associations hosts all other religions (in the church, residence, etc.).

2016 - The host was: Georgian Orthodox Church;

2017 - The host was: Union of Jews of Georgia;

2018 - The host was: Apostolic Administration of the Caucasus;

2019 - The host was: Administration of All Muslims of Georgia;

2020 - The host was: Union of Baptist Churches of Georgia;

2021 – The host was: Evangelical-Protestant Church of Georgia.

As a result of close cooperation and dialogue with the religious organizations operating in Georgia, both with the representatives of the religious majority and the minority, the State Agency for Religious Issues implemented the following projects:

- Annual inter-religious calendar (including calendar in Braille for the blind);
  - Three versions of the religious map: 1) regional; 2) district; 3) map of functioning cult buildings;
  - Editions: 1) "Religions in Georgia"; 2) "Functioning Cult Buildings in Tbilisi as of 2020"; 3) "Occupied Heritage";
- 
- In 2015, a greening campaign was organized within the framework of which, under the organization of the State Agency for Religious Issues and with the support of Tbilisi City Hall more than 50 representatives of different religions planted approximately 1000 trees in the Dendrological Park near the Tbilisi Sea.
  - In 2018, the Agency held the exhibition "Religions in Georgia" at the National Museum of Georgia. The purpose of the exposition was to strengthen the environment of religious diversity, tolerance and mutual respect in Georgia, to raise public awareness and to provide them with information about religions.
  - In 2022, on the initiative of the State Agency for Religious Issues and with the support of the Georgian Chess Federation, "Georgia's first team chess championship among religious organizations" was held.

It should be noted that the creation of the State Agency for Religious Issues aims to recognize the high importance of the relationship between the state and religious associations and transferring it into a qualified institutional framework. The Agency determines the official religious policy of the state of Georgia and its main function is to protect human religious rights and promote the activities of religious associations, based on the universal principles of freedom of religion. The Agency operates in accordance with the constitutional principles of secularism, equality and the rule of law and applies non-discriminatory measures toward all religious organizations. The high level of trust in the State Agency for Religious Issues is confirmed by the cooperation with the Agency within the framework of free will of the majority of religious associations operating in Georgia.

It should be also noted that the State Agency for Religious Issues actively cooperates with various state and cultural and educational bodies (Tbilisi City Hall, Tbilisi City Council, local governments, universities, Z. Zhvania School of Public Administration, museums, National Library of the Parliament of Georgia, UNICEF, Chess Federation, etc.) with which a memorandum of cooperation has been signed. The Agency has taken a number of steps in order to communicate and cooperate with the Public Defender and the Council of Religions, namely: the Agency systematically invites the Public Defender and the Council of Religions to the events organized by the Agency, and despite repeated official invitations, the office of the Public Defender has not taken any corresponding steps. It should be noted, that the Council of Religions under the Public Defender has never applied to the Agency.

### **Paragraph 58:**

The State Agency for Religious Issues systematically conducts activities to support the environment of tolerance and non-discrimination and to raise public awareness in this regard.

For the aforementioned purpose, the State Agency for Religious Issues has been conducting awareness-raising trainings with various audiences since its creation: to public servants of various ranks, employees of the Ministry of Internal Affairs, students of almost all higher education institutions, representatives of mass media, clergy.

## **2. Labour rights**

### **2.5 Persons with disabilities and other vulnerable groups**

#### **Paragraph 80:**

In November 2021, in close cooperation with the UN Agencies, the Public Defender's Office, and the civil society sector, the Government Administration established the **Interagency Coordination Committee on the Rights of Persons with Disabilities**. The committee is accountable to the Government of Georgia and ensures implementation of international and national obligations regarding the protection of the rights of persons with disabilities, including the recommendations of the UN Committee on the Rights of Persons with Disabilities. The first meeting of the Committee was held in December 2021.

In order to ensure the active engagement of the persons with disabilities, PDOs (Organizations of persons with disabilities) and the organizations representing and working on the rights of persons with disabilities, the Committee established the Consultative Council. The members were selected based on their work experience on the rights of persons with disabilities. The Committee announced an open call for the applications in December 2021.

In addition to the representatives of the Georgian government administration, the open call commission also included the Deputy Public Defender of Georgia, a representative of the United Nations Development Program (UNDP) and a representative of the EU Delegation to Georgia.

The Administration of the Government of Georgia coordinates the implementation of the obligations of the Law of Georgia on the Rights of Persons with Disabilities and the communication between the agencies. The law obliges state agencies, local governments and administrative bodies to develop and approve annual action plans on the rights of persons with disabilities, indicating the measures and deadlines to be implemented for them. By 2021, the action plan for Persons with Disabilities has been approved by all ministries, administrative bodies and 64 local municipalities. The Administration of the Government of Georgia is coordinating development the action plans for 2022 of the ministries, state agencies and municipalities.

### **Paragraph 92:**

Along with infrastructural arrangements, public VET institutions provide special services to the above-mentioned groups (e.g. Sign-language Interpreter, assistants, specialists of inclusive education, transportation etc.), use adapted learning materials and guides; Special trainings for teachers and inclusive education specialists are constantly planned and provided.

In order to ensure that all persons receive an education based on their individual educational needs and abilities, rule of enrollment in educational institutions differently regulates enrollment procedures for applicants with special educational needs. A person who has been certified by a multidisciplinary team as a person with special educational needs, passes the professional orientation in accordance with the established procedure – tries out key aspects of different programs and chooses the relevant program.

Draft rule on the Identification of Persons with Special Educational needs and Implementation of Inclusive Vocational Education was developed. The rule will significantly improve the quality of inclusive education in VET institutions. It will consolidate and specify all the existing regulations related to inclusive vocational education. The regulation is under discussion with involved parties. Its approval is planned for 2022.

## **3. Environment and Human Rights**

### ***Environmental Impact Assessment***

To ensure the effective environmental governance in the country, in 2017 Georgia adopted a Law of Georgia “Environmental Assessment Code”, which introduces principles of the EU Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) directives, as well as the approaches of the Espoo Convention and its protocol on SEA and the Aarhus Convention. One of the main objectives of

the Code is to proportionally take account of the environmental, social and economic interests of the State and the public in decision-making on the implementation of strategic documents or activities which may have significant effects on the environment. In accordance with the EA Code, all the activities that may have significant effects on the environment and/or human life and health are subject to EIA procedures, including all the large-scale infrastructural projects. It should be noted that the environmental impact assessment procedure was mandatory in Georgia before the adoption of the new Code. The Code expanded the list of activities subject to an EIA procedure and introduced Annex II – list of activities subject to an EIA on the basis of a screening decision.

Furthermore, the Code introduced a new procedure, strategic environmental assessment (SEA), which aims at the integration of environmental and human health related aspects in strategic planning to minimise adverse effects on the environment and human health and ensure public participation in the preparation and adoption/approval of a strategic document. In accordance with the SEA procedure, strategic documents prepared by administrative authorities at all levels, are subject to SEA, including the spatial planning documents, which is a complete novelty in Georgia.

As for the improvement of the legislative framework, changes were made in the Annexes of the Environmental Assessment Code recently, as the threshold of activities were specified, namely, some of the mining activities that usually were made subject to the EIA procedure in practice, were transferred to Annex 1. Specifically, open-pit mining of minerals when the surface of the mining site is more than 10 hectares (Annex I, paragraph 26) is subject to the Scoping and EIA procedures. As for the activities related to the open pit mining of peat, when the surface of the mining site is more than 10 hectares, as well as mining of solid minerals (except sand-gravel) by open pit method, when the surface of the mining site is more than 5 hectares (Annex II, paragraph 2.1.) are subject to the Screening procedure. These specific activities will be applied from 1 January 2023.

The Fourth National Environmental Action Programme for 2022-2026 contains specific objectives and activities in order to improve the quality of the EIA documentation and enhance the mechanisms of public participation in decision-making processes.

What it pertains to public participation, it should be highlighted that the Code ensures a high degree of public participation at all stages of the EIA and SEA procedures. Namely, the Code provides for the public concerned, including for all local communities likely to be affected by the project, the opportunity to participate in decision-making processes at the earliest stage possible, to have timely, efficient and adequate access to information and to relevant documents, to participate in public hearings and submit their opinions and comments. EIA and SEA related comprehensive information is widely disseminated through electronic tools, including web-pages, social media pages, email subscribers, as well as printing media. The information on holding of public reviews are placed at public places. We are using all the possible means to disseminate the information. It ensures that the views of all stakeholders are duly taken into account in the decision-making process. MEPA prepares reports together with environmental decisions reflecting the issues of the involvement of public and whether the opinions/comments of the public were taken into account.

By following the various mechanisms of informing the public and disseminating information defined by the EA Code, the public receives information on administrative proceedings related to different planned projects that have started or are currently ongoing. However, being interested in specific issues based on the received information and participating in the public hearings, is a right of the public, not the obligation.

Furthermore, consultations with international experts have confirmed this approach as the best available practice.

Further improvement of the EIA and SEA system in the country still remains one of our main priorities. We are planning to introduce sectoral guidelines according to the EU best practice and increase public awareness and public participation during the EIA and SEA procedures. For that purpose, the electronic system of environmental assessment has been developed, which will unify all administrative procedures and submitted applications/documents and will ensure for the public, systematic and simplified access to information related to the environmental assessment procedures.

Moreover, it should be mentioned that Georgia continuously advances implementation mechanisms to support the realization of environmental human rights even more effectively. Environmental Information and Education Centre of the Ministry of Environmental Protection and Agriculture of Georgia strengthens its activities towards this direction. Among others, the Centre aims to prepare and activate the public for the meaningful participation in environmental decision making through supporting capacity building of various stakeholders on environmental human rights and responsibilities, as well as encouraging informed decision making through educational and awareness raising projects throughout the country.

In addition, to strengthen the effective implementation of public participation mechanisms, institutional changes are being initiated by the Government. Namely, along with EIA and SEA, organizing public hearings on all environmental issues dealt by different institutions of MEPA, will be under the functions of the one agency - Environmental Information and Education Centre. This will support to organize, observe, monitor and analyze the quality of procedure, and scale up the whole public participation mechanism.

### ***Ambient Air quality***

As a result of the legislative amendments to the law of Georgia “On Ambient Air Protection” in 2020, gradually Georgia will fully switch to the European ambient air quality management system in line with appropriate EU directives.

According to the amendments, the Ministry of Environmental Protection and Agriculture of Georgia has already established 5 zones and one agglomeration for ambient air quality monitoring and management throughout the whole country. Ambient air quality management plans and short-term action plans will be developed in the zones and agglomerations where the problem of pollution or the risk of a problem arises. In 2020, the Government of Georgia adopted an air quality plan for the city of Rustavi (2020-2022), where the biggest industrial zone in the country is located. Therefore, most of the plan's activities are dedicated to reducing emissions from the industrial sector not only in Rustavi, but throughout the country.

In order to prevent and reduce ambient air pollution from the industrial sector, more than 85 big industrial facilities having significant negative impact on the air quality in some of the industrial cities of Georgia, are obliged to carry out continuous self-monitoring of air emissions from stationary pollution sources according to the recent legislative amendments. These new regulations can be considered as a step forward to introduce new requirements according to the Industrial Emissions Directive of the EU in the future. The draft law is elaborated according to the Industrial Emissions Directive and parliamentary discussions on

this draft law, will start this year. The draft law will introduce new obligations for the large industrial facilities to introduce BAT's in their facilities and improve the protection of environmental standards.

Furthermore, sanctions were significantly increased for industrial sector in 2021 for the absence or non-use of emission abatement systems, for exceeding the emission limit values of harmful substances, for non-compliance with the conditions established by the environmental impact permit/environmental decision and the failure to perform the duties imposed by the state control authority. The legislative changes have also strengthened the capabilities of state enforcement bodies to suspend activities of companies in case they severely violate legislation and create threat to the population and the environment.

With regard to the ambient air quality assessment, it should be highlighted that the automatic air quality monitoring network has been expanded in previous years. In 2015 there was only one automatic monitoring station in Georgia, now there are 8. In order to improve the ambient air quality assessment system, Georgia plans to further expand the automatic monitoring network according to the air quality monitoring network development plan, which has been elaborated with an active involvement of the experienced European experts. This year it is planned to buy and install additional 8 stationary and 1 mobile automatic monitoring stations and by the end of 2024 the country will be fully covered with necessary monitoring stations according to the EU standards.

In order to provide online information on ambient air quality in a convenient form for the public, the ambient air quality portal - air.gov.ge was launched in 2019, through which the results of ambient air quality monitoring are provided to the public in real time, using the European Air Quality Index. The portal has great importance for ambient air protection policy, in terms of raising public awareness on ambient air quality issues and facilitate ongoing reforms in the field of ambient air quality management. It is also planned to create an appropriate mobile application, which will provide wider access to information on ambient air quality.

### ***The Protocol on PRTRs***

As a signatory to the Protocol on PRTRs, becoming a party to the Protocol is on the country's agenda. Therefore, the Ministry of Environmental Protection and Agriculture of Georgia (MEPA) is working in this direction progressively. In particular, a national register on ambient air has been already developed which is publicly available and is in line with the requirements of the Protocol on PRTRs; water information e-system was created, also, waste - e-system for companies' accounting/reporting exists, but its further development will be necessary to obtain/collect more information and data in compliance with the requirements of PRTR. In addition, Environmental Impact Assessment report comprises information on potential adverse effects and emissions (such as water, air, soil and subsoil pollution, waste, noise, vibration, light, heat, radiation) at the stages of construction and operation. The operator/developer has the reporting obligation to the MEPA. At this stage, considering the possibility of both collecting more information as well as data processing relevant to the pollutant release and transfer register, further development of relevant electronic systems is one of the priorities of the MEPA.

### ***Disaster risk reduction***

The Government of Georgia and UNDP, with funding from the Green Climate Fund (GCF), Swiss and Swedish governments are implementing a 7-year programme dedicated to reducing the risk of climate-driven disasters in Georgia. The project aims to develop early warning systems throughout the country to ensure effective preventive systems for the disaster risk reduction as well as the construction of flood preventive infrastructures in particular regions of Georgia which suffers from intensive flooding.

All the above-mentioned underlines Government's efforts to improve all the issues raised in the Commissioner's report. As for the non-governmental sector, NGO's working for environmental protection are involved in the decision-making processes and the Government is willing to improve the coordination with the non-governmental sector. Accordingly, we don't agree with the opinion that their rights or involvement are neglected.

#### **4.1 Situation of internally displaced persons**

##### **Paragraph 123:**

In the last sentence (*"The current target is to resettle all IDPs who are still living in collective centers and close them down by 2024"*) the time period is not correct and does not correspond to the reality.