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INTRODUCTION

Since Georgia's accession to the Council of Europe (CoE) on 27 April 1999 as its 41st member State, the main objective of co-operation activities has been to support the country in honouring its statutory obligations and specific commitments as a Council of Europe Member State, in order to improve democracy, human rights and the rule of law in the country.

The progress achieved and possible challenges encountered by the country were regularly followed by means of reports prepared by the Secretariat for the attention of the Committee of Ministers, as well as by PACE, the CoE Commissioner for Human Rights and other CoE monitoring bodies.

The present 2013-2015 Action Plan is a programming project instrument allowing for an inclusive and coherent approach to CoE-Georgia co-operation. It aims at supporting Georgia in meeting its statutory obligations and specific commitments as a CoE member State. This 2013-2015 co-operation document is a comprehensive and coherent package of projects jointly designed in close collaboration between the CoE and the Georgian authorities to help bring national legislation, institutions and practice in full conformity with European standards in the areas of human rights, the rule of law and democracy.

The priority areas for co-operation are derived from a number of sources: the Georgian reforms agenda, relevant CoE standards and the recommendations of CoE monitoring bodies, as well as the experience of the CoE's implementation of previous and ongoing projects in Georgia. Country-specific actions are complemented with relevant regional initiatives.

The results of co-operation between the CoE and Georgia, the lessons learned in this context and areas identified by the CoE and the Georgian authorities as priority sectors for co-operation were taken into consideration in the preparation of the present document. The CoE's country-specific projects in Georgia have recently focused on promotion and protection of human rights, particularly in the area of promoting penitentiary and judicial reform. Georgia has also been part of multilateral CoE projects, notably the joint European Union/Council of Europe regional programmes on the fight against ill-treatment and impunity as well as the promotion of media freedom and ethical journalism, and the Eastern Partnership facility, particularly in the fields of good governance, democracy and justice, where the CoE's expertise can prove most effective.

On the basis of extensive consultations between the CoE and the Georgian authorities, the following priority sectors for co-operation were identified: domestic implementation of the ECHR and the ECtHR's case-law, further reforms of the judiciary and penitentiary system, reform of police, liberalisation of criminal justice policies and practice, drug policy reforms, the fight against cybercrime, promoting independence and professionalism of the media, electoral standards, co-operation between authorities and civil society, protection of minorities and other vulnerable groups, education reforms, local self-governance, intercultural strategies, and confidence building.

PROGRAMMING FRAMEWORK

Projects included in the Action Plan are designed according to standard CoE criteria and are to be funded from multiple sources which include the CoE's ordinary budget as well as voluntary contributions from donor countries and international organisations. A number of projects mentioned in the Action Plan are being or will be implemented through EU/CoE Joint Programmes. As other international organisations and several partner States are active in Georgia, the Action Plan is developed in such a way as to take into account their activities, ensuring synergy and complementarity and avoiding overlap.

The Action Plan will be jointly assessed by the CoE and the Georgian authorities. The aim of the exercise will be to ensure the implementation of approved and financed projects and their achievements and results, as well as to agree, where necessary, on other relevant projects. A Steering Committee will be set up for that purpose. The Secretariat will provide the Committee of Ministers with regular updates on the progress of the programmes and projects, including mid-term and final reports prepared by the Office of the Directorate General of Programmes. At the end of its duration the current Action Plan and projects included in it shall be subject to an independent evaluation.

1. PROTECTION AND PROMOTION OF HUMAN RIGHTS

Country-specific priority action

The CoE plays a crucial role in assisting with national implementation of the European Convention on Human Rights (ECHR), which is contributing to democratic security in Europe as well as to European co-operation and integration. Country-specific action aimed at protecting and promoting human rights in Georgia, is proposed in the following fields:

- Ensure **compliance** of draft and existing **national legislation and practices with the ECHR and relevant ECtHR case law** in the field of **criminal justice**, following Interlaken and Brighton Declarations, Committee of Ministers Recommendation (2008) on improving the domestic capacity of execution of ECtHR judgments, and the CoE Human Rights Commissioner's Report on the administration of justice in Georgia (30 June 2011), as this could contribute to comprehensive reform of the judiciary by the Georgian authorities and would strengthen important civil and criminal procedure reforms;

- Ensure compatibility of school curricula with the CoE Charter on **Education for Democratic Citizenship and Human Rights Education**. Education is an important priority area on the domestic agenda and the work on the compatibility of the Georgian approach with CoE standards is particularly important in the light of the Georgian co-chairmanship of the Bologna Process Follow-up Group.

Country-specific interventions will be complemented by regional projects which help countries to implement the ECHR at the national level.

Multilateral/Regional action

Based on the Interlaken, Izmir and Brighton Declarations, Georgia benefits from multilateral technical assistance aimed at supporting **domestic implementation of the ECHR** through the dissemination of the case-law of the ECtHR.

1.1. Application of the European Convention on Human Rights and harmonisation of national legislation and judicial practice in line with European Standards

Duration: 24 months
Implementation status: proposed
Total cost: approximately €1 500 000
Funding status: required

Partners: **Ministry of Justice**[*] (including Department of State Representation to the International Human Rights Courts and Training Centre of the Ministry of Justice); Judiciary; Chief Prosecutor's Office; Georgian Bar Association; Public Defender's Office; Judiciary; Association of Judges; Parliament; "Georgian Lawyers for Independent Profession".
Sources of justification: Committee of Ministers Recommendation 4 (2004); Interlaken and Brighton Declarations; relevant case law of the European Court of Human Rights (ECtHR); Committee of Ministers' supervision of judgments; Committee of Ministers Recommendation

[*]Partners highlighted in bold in this document refer to the projects' leading partner institution or body.

(2008) on improving the domestic capacity of execution of the ECtHR judgments; Human Rights Commissioner's Report on the administration of justice in Georgia (30 June 2011); conclusions and recommendations of the report on training of judges produced under the Eastern Partnership project on the judiciary; requests by national authorities and partner institutions.

Short description

The proposed action pursues a double aim. First, to assist the Georgian authorities to continue the reform of the justice system and, hence, to ensure the further liberalisation of criminal justice policies and practice in line with CoE standards. This concerns in particular the provision of expertise as regards the development of new legislation or amendments to existing legislation, such as the Code of Criminal Procedure (CCP). Legislative reform in itself not being sufficient, capacity-building of legal practitioners will be carried out to ensure that the legislative framework is applied in line with European standards. This might also include themes such as legal reasoning. In parallel, training materials and tools will be developed and adapted to the specific needs of each target group, be it judges, prosecutors or lawyers.

In view of the adoption of amendments to the CCP and the impact that the CCP has had on the criminal justice system, special attention will be paid to ensuring that the CCP is implemented in line with European human rights standards, in particular the requirements of the ECHR. Assistance in the monitoring of implementation of the CCP will be provided in order to identify the obstacles to a proper implementation and if amendments are necessary, support will be provided to develop and adopt them.

Training for judges and prosecutors will be carried out on the basis of the findings and recommendations stemming from the monitoring. Amendments to the CCP will enhance judicial control over plea bargaining by explicitly requiring judges not only to assess the legality, but also the fairness of agreements between the prosecution and the defendant. Furthermore the jury trial was introduced into the CCP as of 2010, in the context of a broader reform of the criminal justice system, which moved from an inquisitorial to an adversarial procedure. It is of utmost importance that judges and prosecutors are adequately trained if the Georgian jury system is to be fully compliant with the standards of the ECHR.

The action also aims at reinforcing the role and contribution of the national training institutions in the judicial system and to develop the capacity of judges, prosecutors and lawyers to effectively apply the ECHR in national proceedings. In addition, the action will enhance the capacity of lawyers to use human rights-based arguments in national proceedings. This endeavour will be carried out in close co-operation with the European Programme for Human Rights Education for Legal Professionals (the HELP Programme).

Support will be provided to properly integrate the ECHR in initial and continuous training by the High School of Justice. There have been complaints that prosecutors – now that they are required to do more substantive work – lack basic writing skills, let alone those needed to apply the ECHR.

Overall objective

To strengthen the criminal justice legal framework in line with European human rights standards and enhance the capacity of legal professionals to apply it at national level.

Specific objectives

- To strengthen the capacity of the national judicial and the law enforcement institutions - including through strengthening Human Rights Units within the judiciary and prosecutorial service - to apply the ECHR effectively and develop practices in line with European standards;
- To support the Georgian authorities to approximate criminal justice-related legislation and practice, in line with the European standards and case law of the ECtHR.

Expected results

- Recommendations for amendments or adoption of new legislation related to criminal justice, including the Code of Criminal Procedure, the Code of Administrative Offences and the functioning of jury trials, in line with European standards, are formulated and expert support is provided to develop such legislation;
- Jury trials are operational in line with ECHR requirements;
- Judicial practice is harmonised through capacity building for legal professionals on the implementation of new legislation;
- Judges, prosecutors and lawyers are enabled to use the ECHR and its case law in national proceedings through initial and continuous training.

1.2. Improving the operational capacities of the Public Defender's Office

Duration: 24 months
Implementation status: proposed
Funding status: funding required
Total cost: €800 000

Partner: Public Defender's Office

Sources of justification: Interlaken and Brighton Declarations; relevant case law of the European Court of Human Rights (ECtHR); Committee of Ministers' supervision of judgments; Human Rights Commissioner's Reports on Georgia; requests by national authorities and partner institution.

Overall objective

To reinforce the impact of the Public Defender's Office's actions relating to the fight against intolerance, the protection of vulnerable persons, the protection of social rights and the fight against ill-treatment, in Tbilisi and the regions.

Specific objectives

- To contribute to the amendments of the Law on the Public Defender's Office, in line with the international standards which frame and guide the work of National Human Rights Institutions (the Paris Principles as adopted by the United Nations General Assembly in 1993);
- To contribute to the strengthening of the Public Defender's Office in the regions to deal with individual cases;
- To strengthen the Public Defender's Office in the submission of *amicus curiae* to the Constitutional Court and common courts;
- To strengthen the Public Defender's Office's analytical skills in dealing with issues such as the fight against intolerance, the protection of vulnerable persons, the protection of social rights and the fight against ill-treatment.

Expected results

- The law on the Public Defender's Office is amended in line with the Paris Principles;
- Regional offices are operational and are able to deal directly with individual cases. Hidden cases are identified;
- The number of *amicus curiae* to the Constitutional Court increases and are taken on board in the latter's rulings;
- Lawyers and staff of the Public Defender's Office are equipped to deal with individual cases and to prepare analytical reports on issues such as the fight against intolerance, the protection of social rights and the fight against ill-treatment and the protection of vulnerable groups including children, persons with disabilities, LGBT persons and victims of domestic violence.

1.3. Support to the Public Defender's Office in addressing the situation of IDPs and conflict-affected individuals

Duration: 24 months
Implementation status: ongoing
Total cost: €170 698
Funding status: funded (Swiss government: €100 000, UNHCR: €65 116, PDO: €5 582)

Partners: **Public Defender's Office;** Ministry of IDPs from the Occupied Territories, Accommodation and Refugees; UNHCR

Short description

Since 2009, the Council of Europe has supported the Public Defender's Office in monitoring the rights of IDPs and other conflict-affected individuals (as of January 2011 in co-operation with UNCHR). Monitoring by the Public Defender's Office identifies *inter alia* that IDPs and other conflict-affected individuals in Georgia today continue to face multiple challenges, including: a lack of information on their rights, security fears, health problems and poverty due to loss of sources of livelihood; much remains to be done in terms of integrating the displaced population in their new places of residence.
The current project is co-funded by UNHCR.

Overall objective

To enable effective monitoring of the situation of IDPs and other conflict-affected individuals with a view to strengthening the protection of their human rights.

Specific objectives

- Monitoring: obtaining accurate information on the situation of IDPs and other conflict-affected individuals;
- Provision of legal assistance and protection to IDPs and other conflict-affected individuals (specifically in such fields as privatisation, review of the legal framework applicable to IDPs, housing solutions, livelihood);
- Raising awareness of key stakeholders, as well as the general population, of the situation of IDPs, to create understanding of the difficulties they face.

Expected results

- Monitoring of IDP settlements/collective centres is provided throughout Georgia;
- Ongoing detection of systemic or individual problems that IDPs encounter in their daily life is provided;

- Relevant stakeholders are addressed by the Public Defender's Office with the aim of solving specific problems of IDPs;
- Legal assistance and protection to IDPs is provided, including but not limited to providing legal consultation on different matters, assisting them in writing complaints to the Public Defender's Office;
- The key stakeholders and general population awareness of the IDPs situation is raised as a result of the Public Defender's Office active participation in awareness raising/advocacy campaign.

1.4. Strengthening professional training on the European Convention on Human Rights – European Programme for Human Rights Education for Legal Professionals (the HELP Programme)

Duration: 10 months (1 March 2013 – 31 December 2013)
Implementation status: ongoing
Total cost: €60 000 (appropriation for Georgia under a multilateral project)
Funding status: Funded by the Council of Europe Human Rights Trust Fund

Partners: **Ministry of Justice** (including Department of State Representation to the International Human Rights Courts); Judiciary; Training Centre of the Ministry of Justice; Chief Prosecutor's Office; Police Academy; Georgian Bar Association; Public Defender's Office; Judiciary; Association of Judges; "Georgian Lawyers for Independent Profession".
Sources of justification: CM Rec.No 4 (2004); Interlaken and Brighton Declarations; relevant case law of the ECtHR, in particular on the Georgian legal profession; Committee of Ministers' supervision of judgments; Rec (2008) CM on improving the domestic capacity of execution of the ECtHR judgments; Human Rights Commissioner's Report on the administration of justice in Georgia (30 June 2011); conclusions and recommendations of the report on training of judges produced under the Eastern Partnership project on the judiciary; requests by national authorities and partner institutions.

Short description

The activities include the adaptation of the e-learning course on child-friendly justice and participation in it by some participation to the 2013 HELP Network Conference on "Cross-cutting aspects in training of legal professionals"; contributing to the development of the HELP national page in Georgian in co-operation with the HELP Focal Point for Georgia.
Particular attention will be devoted to the impact of the activities. Experience shows that while the training as such is effective, it is far from certain whether the target groups apply the knowledge acquired once they return to their daily functions. It would be important to analyse where possible obstacles lie to full application of the ECHR by judges, prosecutors and lawyers, and to then formulate recommendations for overcoming them.

Overall objective

To support member states in implementing the European Convention on Human Rights (ECHR) at the national level, by enhancing judges', prosecutors' and lawyers' capacity to apply the ECHR in their daily work.

Specific objectives

- To enhance the capacity of judges, prosecutors and lawyers to apply the ECHR at the national level by providing them with adequate e-learning on the ECHR and related themes;
- To enhance the capacity of lawyers to comply with the admissibility criteria in applications submitted to the ECtHR and to increase the quality of well-founded applications before the ECtHR.

Expected results

- Model ECHR curricula is integrated in the national mandatory training for judges and prosecutors, as well as for lawyers;
- HELP methodology and tools are used;
- Access to ECHR materials and tools, including those available on-line is provided;
- Participation of Georgian national training institutions in the HELP Network for the exchange of good practices and experience is increased.

1.5. Strengthening the capacity of lawyers and human rights defenders for domestic application of the European Convention on Human Rights (ECHR) and of the Revised European Social Charter (RESC)

Duration: 30 months (1 January 2013 – 30 June 2015)
Implementation status: ongoing (regional project for 6 countries, including Georgia)
Total cost: €300 000 (approximate budget allocation for Georgia from a regional programme)
Funding status: Funding secured (Joint Programme between the European Union and the Council of Europe)

Partners: **Georgian Bar Association**, Georgian Lawyers for Independent Profession", Human Rights NGOs

Source of justification: national judgments and ECtHR case law, their statistics and results of monitoring; analytical exercises; experts' and participants' feedback; test results; mission reports, project reports and other relevant documentation prepared within the framework of the project's objective; enrolment of lawyers to the HELP website and their participation in its forums, discussions and updates of materials; feedback from the HELP Programme's Coordinator and focal points.

Short description

The activities will include review of the current lacuna in training programmes for lawyers as regards human rights training; preparation, publication and distribution of training programme/curricula and capacity building materials, CoE handbooks on human rights, training modules in national languages; regional training-of-trainers (ToT) seminars for national ECHR lawyers' trainers from Bar associations and human rights NGOs; thematic workshops for lawyers and human rights NGO activists; regional conferences for sharing best practices; setting-up of a regional forum on the HELP website, to be used as a regional exchange platform between lawyers and human rights defenders; drafting of country-specific guidelines on the use of domestic remedies in anti-discrimination cases; translation and dissemination of the handbook on European case law on non-discrimination produced by the EU Fundamental Rights Agency and the ECtHR into the national languages of the partner countries.

Overall objective

To develop national capacities for effective human rights protection by increasing knowledge and skills on the European Convention on Human Rights (ECHR) and the Revised European Social Charter (RESC).

Expected results

- The national capacities to train and re-train lawyers on selected articles of the ECHR through the prism of Article 14 and Protocol No.12 of the ECHR, as well as the RESC (Article E) are strengthened;
- National groups of trainers are trained and become operational; the ability of lawyers to promote domestically European human rights standards and use them in litigation/legal proceedings before national courts, as well as before the ECtHR in the case of well-substantiated applications and to avoid submission to the ECtHR of manifestly unfounded or inadmissible claims is developed; regional co-operation and networking among bar and lawyers' associations and between lawyers and human rights defenders of the partner countries is promoted and strengthened;
- E-learning courses are designed for the target group lawyers;
- Use of and reference to the resources and expertise of the European Programme for Human Rights Education for Legal Professionals (the HELP Programme) is increased;
- Targeted human rights materials are made available in the national languages of the partner countries on the HELP website.

1.6. Promoting Education for Democratic Citizenship and Human Rights Education in schools

Duration: 24 months
Implementation status: proposed
Total cost: €500 000
Funding status: funding required

Partners: **Ministry of Education and Science;** policy-makers and human rights professional organisations, including the Public Defender's Office; education professionals, universities, pilot schools, teacher associations; NGOs

Source of justification: request of the national authorities

Short description

For the last 15 years, Education for Democratic Citizenship and Human Rights Education (EDC/HRE) has been a flagship area, on which the Council of Europe has adopted reference texts, developed policy frameworks, supported networks and produced a wealth of materials. One of the main outcomes of this programme is the Council of Europe Charter on EDC/HRE, adopted in May 2010 (Recommendation CM/REC (2010) 7) in. This Charter is now available in a children-friendly 'Charter for All' format. A set of guidelines for various target audiences on this topic, known as the 'EDC/HRE pack', provides supporting materials on a broad range of topics, from teacher training, democratic governance and quality assurance, to policy development and implementation.

This project will work at two levels:

- On the one hand, it will aim at making policy-makers and education professionals aware of the main instruments developed by the Council of Europe in the field of Education for Democratic Citizenship and Human Rights Education through awareness-raising events. At least three awareness-raising events should be organised;
- On the other hand, in order to bridge the gap between policy and practice, EDC/HRE tools will be tested in pilot schools. It is foreseen that at least two pilot schools will be selected and training sessions for teachers will take place. Subsequently, classes, integrating principles of the EDC/HRE, will be held in the pilot schools. A seminar to discuss the results of piloting will be organised at the end of this phase.

Overall objective

To support reforms in primary and secondary schools based on the principles of human rights and democracy and taking into account European standards and practice.

Specific objectives

- To raise awareness and understanding among policy makers, educators and civil society of European standards and best practices in the field of education, and in particular of those related to Education for Democratic Citizenship and Human Rights Education (EDC/HRE), including on tolerance and non-discrimination towards minorities and prohibition of religious proselitism in schools;
- To pilot EDC/HRE tools in selected secondary schools, in particular focusing on promoting democratic governance in educational institutions;
- To train multipliers among educators in Education for Democratic Citizenship and Human Rights Education (EDC/HRE).

Expected results

- Key target groups are familiar with the EDC/HRE concept and are confident to use it in their work;
- The EDC/HRE materials are used in decision-making in the field of education and in initial and in-service teacher training;
- The EDC/HRE materials are introduced and used in pilot schools and further disseminated.

2. INDEPENDENCE AND EFFICIENCY OF THE JUDICIARY

Country-specific priority action

Co-operation with the CoE in the field of justice reform and rule of law in recent years was instrumental in helping to modernise laws and practices in Georgia and to reinforce judicial bodies and institutions in line with European standards and practices. The Georgian Government has set a number of important priorities in this area, in particular through a National Criminal Justice Reform Strategy and Action Plan, envisioning some liberalisation of the criminal justice system while maintaining a low crime rate. These results were highlighted by the outcomes of the meetings with relevant Georgian authorities during the fact-finding mission of January 2013, findings and outcomes of the previous CoE projects in this field implemented in Georgia in the framework of the EU/CoE "Eastern Partnership Facility", as well as relevant opinions of the Venice Commission on Georgian legislation, CEPEJ report on European judicial systems (2010-2012 cycle) and ECRI recommendations on democratic participation and the judiciary.

The present Action Plan will assist Georgia in such areas as:

- **Enhancing the justice system** by strengthening the efficiency, delivery and quality of justice services and improving its compatibility with European standards and supporting the professional capacity development of lawyers;
- Supporting development of a credible, coherent, effective, well-administered continuous **legal education system**;
- **Assisting police reforms** by contributing to the introduction of community-oriented policing and effective prevention and investigation of ill-treatment by law-enforcement agencies, in compliance with the new 2013 Strategy of the Ministry of Internal Affairs and the 2013 Code of Police Ethics, and with CoE standards and good practices (i.e. CM Rec(2001)10 on the European Code of Police Ethics, CPT standards; case law of the European Court of Human Rights (ECtHR).

Multilateral/Regional action

Ongoing multilateral initiatives implemented by the CoE in the region will complement the country-specific interventions foreseen in the field of the justice system reforms. Georgia benefits from participation in the regional projects within the framework of the joint EU/CoE Eastern Partnership facility aiming at **enhancing judicial reforms in the region.**

2.1. Strengthening the Independence and Efficiency of Justice

Duration: 20 months (starting in 2014)
Implementation status: proposed
Total cost: €803,973
Funding status: funding required

Partners: **Ministry of Justice;** Chief Prosecutor's Office; Judiciary.

Source of justification: CEPEJ 4th Evaluation Report on European judicial systems for the 2010-2012 cycle; findings and recommendations contained in the reports of the EU/CoE Joint Project "Eastern Partnership – Enhancing judicial reform in the Eastern Partnership countries": "Judicial Self-Governing Bodies and Judges' Career" (September 2011 and March 2013), and "Efficient Judicial Systems" (March 2013); ECRI recommendations on democratic participation and the judiciary; Venice Commission opinion on the draft amendments to the Organic Law on Courts of General Jurisdiction of Georgia (March 2013); National Criminal Justice Reform Strategy and Action Plan.

Short description

The project proposal is in part a follow-up to the project "Promotion of Judicial Reform, Human and Minority Rights", funded by the Government of Denmark, which ends on 30 September 2013. It gives effect to a wish expressed by the Georgian authorities and partners for continued support in this area.

The Council of Europe has carried out extensive technical assistance in the field of justice reform and rule of law in Georgia over the past five years. Co-operation has been instrumental in helping Georgia reform its laws and codes and in reinforcing its self-governing judicial bodies and institutions. This assistance was also aimed at modernising the judicial and human rights protection systems, in accordance with European standards, in order to fulfil the commitments that Georgia had undertaken upon its accession to the Council of Europe. Continued support is very much valued by the new Government of Georgia, in particular in such important areas as the efficient functioning of the judicial system and the effective delivery of justice to guarantee an equal access to justice to all

citizens, irrespective of their ethnic or religious identity, or sexual orientation. The Project proposal is built around two components: promoting justice and judicial reform in Georgia (Component 1) and enhancing good governance within the judiciary in Georgia (Component 2). Under Component 1 work will focus on consolidating knowledge of European rule of law standards, including on effective prosecution of hate crimes, and their application in the day-to-day work of key stakeholders within the justice system. Some procedural rules will also be reinforced. In addition, assistance will be provided with a view to improving the compatibility of Georgian legislation concerning the selection, appointment and promotion of judges and the organisation of the judicial system in line with relevant European standards, thereby increasing the level of independence of the judicial body. Under Component 2, special attention will be paid to ensuring that proposed new laws to strengthen good governance in Georgia are drafted in line with European standards, and to developing a strong judicial public service.

Overall objective

To support the strengthening of the justice system and the justice administration, and ensuring further standardisation of criminal, civil and administrative justice policies and practice in line with CoE recommendations and instruments.

Specific objectives

- To strengthen the effectiveness of the judiciary and continue the reform of the justice system through capacity-building support (component 1);
- To strengthen the implementation of principles of public law and good governance in a democratic State (component 2);
- To strengthen the court management system, including training curriculum for court managers and development of job descriptions (component 3);
- To assist in introduction of an electronic case assignment system (component 4).

Expected results

- Procedural rules for civil and criminal cases are further revised in line with European standards (Outcome 1);
- A strategy for judicial self-governance in line with European standards and practice is developed and implemented (Outcome 2);
- Judicial training bodies are strengthened and the training of the judiciary improved (Outcome 3);
- Rules for the public administration within the judiciary are developed in line with European principles and practice, particularly the rule of law, and protection of minorities from discrimination and effective prosecution of hate crimes (Outcome 4);
- The legislative process is improved with particular reference to consultation of the judiciary and the legal profession (Outcome 5).

2.2. Support to the Georgian Bar Association

Duration: 18 months
Implementation status: proposed
Total cost: €400 000
Funding status: funding required

Partners: **Georgian Bar Association**

Source of justification: Recent introduction of adversial criminal justice system; findings and recommendations contained in the report "The Profession of Lawyer" of the EU/CoE Joint Project "Eastern Partnership – Enhancing judicial reform in the Eastern Partnership countries" (May 2012); ECtHR case-law; Government plan to establish an independent Legal Aid service by the end of 2013. The project would link to the regional HELP Programme (see project 1.1.4.)

Short description

The Georgian Bar Association aims to develop credible, coherent, effective, well-administered continuous legal education system. Following recommendations, meetings, and discussions, the law establishing mandatory continuous legal education became effective on 1 January 2012 only. Lawyers as auxiliaries of justice play an important role in ensuring, together with judges, that fair trial procedures as prescribed by the European Convention on Human Rights and the principle of equality of arms are respected by the State. In order to achieve this goal, they should attain a high level of professionalism and specific skills. The Project aims at supporting the Georgian Bar Association in its institutional reinforcement and in achieving professional capacity development of lawyers, notably through training.

Overall objective

The main objective is two-fold:

- To build and strengthen structural capacities of the Georgian Bar Association, including the development of software with technical assistance and to produce recommendations on its institutional structure and functioning;
- To build and strengthen training capacities of the Georgian Bar Association, to improve the domestic application of the ECHR with technical assistance, including training tools, and to produce recommendations on the training structure and the organisation of training.

Specific objectives

- To develop a strategy for the Georgian Bar Association to improve the delivery of legal services to plaintiffs, defendants and victims as a means of ensuring equal access to justice;
- To enhance capacities of the Georgian Bar Association by providing regulatory, institutional, strategic and training support;
- To reinforce the Georgian Bar Association in its training capacity, establishing a pool of national trainers in the field and developing specific training tools. Support will be provided in building a result-oriented strategy.

Expected results

- The training and supervisory functions of the Bar Association are reviewed, clarified and reinforced;
- Officials and staff of the Bar Association are trained on modern management techniques;
- An improved and compulsory registration system and procedures for student lawyers and practising lawyers is put in place;
- A revised Code of Conduct for lawyers practicing in Georgia is established in line with European standards and practice;
- Recommendations are made to improve the entrance examination for student lawyers and overall training process;

- Curricula for continuous training courses are developed on legal techniques (reasoning, writing, research, advocacy), court procedure, legal practice and professional ethics is in line with European standards;
- A pool of approved local trainers is established;
- Software for e-learning is developed.

2.3. Enhancing judicial reform in the Eastern Partnership countries

Duration: 34 months (01/03/2011 - 31/12/2013)
Implementation status: ongoing
Total cost: €154 000 (approximate budget allocation for Georgia from the total €923,995 of the regional EU/CoE programme)
Funding status: funding secured (EU/CoE Joint Project - Eastern Partnership Facility)

Partners: Ministries of Justice of the beneficiary countries, juridical communities.

Source of justification: The ECtHR's judgments; CM and PACE Recommendations; Recommendations of CEPEJ on increasing the independence, efficiency and professionalism of the judicial systems.

Short description

The Project mobilises expertise and experience from all participating beneficiary and contributing countries. It provides the opportunity to discuss the legal and practical obstacles to the implementation of the applicable European standards in the participating countries and to further adjust their respective policies in the areas of particular concern identified by the Project, the CoE monitoring mechanisms, the EU progress reports and the beneficiary countries themselves.

Overall objective

To support and enhance the ongoing process of reform of the judiciary with a view to increasing the independence, efficiency, and professionalism of the judicial systems of the participating beneficiary countries, through intensive information exchange and best practice sharing.

Specific objectives

To provide a forum for discussing among the participating countries applicable European standards on the judiciary and their state of implementation; to identify good practices and extract key findings for shared use.

Expected results

- Identification of legal and practical obstacles to the implementation of the relevant European standards in the areas of concern. Formulation of recommendations and best practices to address these obstacles;
- Dissemination of the Project's proposals among national authorities and other stakeholders.

3. PENITENTIARY SYSTEM AND POLICE REFORM

Country-specific priority action

The CoE actions in the field of penitentiary system and police reform focus specifically on combating ill-treatment and impunity:

- Protect **human rights in prisons and other closed institutions** following recommendations of the CPT Reports on its 2010 and 2012 visits to Georgia, recent case-law of the ECtHR in respect of Georgia on violation of ECHR Articles 2 and 3, relevant annual and special reports of 2012 of the Public Defender's Office, as well as the Georgian government's 2011-2013 Strategy and Action Plan on Penitentiary Health care Reform, and implementation of the Code of Imprisonment;
- Assistance in introduction of **community-oriented policing** and effective investigation of complaints against police actions;
- Combating threats to the rule of law by **increasing capacity** of the authorities **to respond effectively to problems related to drug use** as well as **to improve social reintegration of offenders** given the importance of both topics to the Georgian authorities and CPT recommendations in its 2010 and 2012 visit Reports.

Multilateral/Regional action

Through the regional Joint Programme between the European Union and the CoE entitled "Combating ill-treatment and impunity" Georgia is assisted in strengthening the effectiveness of **investigations of allegations of ill-treatment** as well as **combating cybercrime.**

3.1. Reinforcing the fight against ill-treatment and impunity

Duration: 30 months (1 July 2011 – 31 December 2013)
Implementation status: ongoing Joint Programme between the European Union and the Council of Europe
Total cost: €400 000 (approximate budget allocation for Georgia from a regional programme)
Funding status: Funding secured (CoE/EU Joint Programme)

Partners: **Ministry of Justice** (including Department of State Representation to the International Human Rights Courts); **Ministry of Corrections and Legal Assistance;** Training Centre of the Ministry of Justice; Chief Prosecutor's Office; Police Academy; Georgian Bar Association; Public Defender's Office; Ministry of Internal Affairs; Judiciary; Association of Judges, Parliament.

Source of justification: ECtHR judgments with findings of violations in Georgia as regards ill-treatment and its improper investigation; Supervision of the execution of judgments by the Committee of Ministers; Reports of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its periodic visits to Georgia; Interlaken and Brighton Declarations; Requests by national authorities and partner institutions.

Short description

The project is a follow-up to the Joint Programme (JP) between the European Union and the Council of Europe entitled "Combating ill-treatment and impunity". It is designed to maintain the momentum reached and to build on the latter's progress, to develop the productive partnership with national authorities and other stakeholders, to further disseminate the accumulated expertise and to introduce new important elements, namely combating ill-treatment in pre-trial detention facilities and penitentiary institutions.

The activities will include a series of international and national expert meetings with key decision makers and legal professionals; a series of training seminars for relevant stakeholders on European criteria for the effective investigation of ill-treatment; regional conferences for the exchange of best practices; preparation, publication and distribution in national languages of relevant training and capacity-building materials including the Court's case law, legislative expertise, research/studies of operational framework, training handbooks, modules and brochures for law enforcement and penitentiary officials.

Overall objective

To reinforce national capacities for combating ill-treatment by law enforcement agencies and penitentiary institutions, including strengthening the effectiveness of investigations of allegations of ill-treatment.

Specific objectives

- To further develop the regulatory framework and to support complaint systems that meet international standards, to enable key groups of legal professionals and decision makers to apply these standards in their daily work, and to promote regional synergy and co-operation;
- To facilitate measures needed to execute the relevant judgments of the ECtHR and compliance with the recommendations of the CPT.

Expected results

- Better conformity to European standards of the regulatory framework and institutional/operational systems for preventing and effectively investigating complaints of ill-treatment, leading to imposition of sanctions, when appropriate will be ensured;
- Relevant actors, including judges, prosecutors, lawyers, police and penitentiary officials will be trained and provided with access to relevant materials, and will be able to fulfil their responsibilities in accordance with these standards;
- Regional co-operation will be reinforced and good practices will be exchanged by Georgia with four other beneficiary countries, with input from other CoE member states with relevant experience.

3.2. Human rights and healthcare in prisons and other closed institutions

Duration: 30 months (March 2013 – September 2015)
Implementation status: ongoing
Total cost: €3 340 000
Funding status: funding secured (EU/CoE Joint Programme)

Partners: **Ministry of Corrections and Legal Assistance**; Ministry of Internal Affairs; Ministry of Justice; Chief Prosecutor's Office, Ministry of Labour, Health and Social Affairs; Public Defender's Office; Parliament.

Sources of justification: CPT Report on 2010 visit to Georgia; 2012 Annual Report of the Public Defender's Office; Special Report of the Public Defender's Office on Conditions in Psychiatric Establishments in 2012; 2012 Special Report of the Public Defender's Office on Monitoring of Penitentiary Institutions and Temporary Detention Isolators; Recent case-law of the ECtHR on violations of ECHR Articles 2 and 3: Makharadze and Sikharulidze v Georgia (Appl. 35254/07; 22.11.2011), Mikiashvili v Georgia (Appl. 18996/06; 09.10.2012); 2011-2013 Strategy on Penitentiary System Health care Reform and its 2012-2013 Action Plan developed and adopted with support of the CoE-implemented project "Denmark's Georgia Programme 2010-2013 – Promotion of Judicial Reform, Human and Minority Rights".

Overall objective

To strengthen human rights and improve the provision of healthcare (including mental health care) in prisons, police detention and other closed facilities in Georgia, in line with European standards.

Specific objectives

- To improve the provision of health care in prisons and police detention facilities, in line with European standards;
- To strengthen the protection of human rights of those with mental disorders in prisons, police detention facilities and other closed facilities, such as psychiatric institutions, in line with European standards;
- To strengthen the monitoring and investigative functions of state bodies to prevent and combat ill-treatment and impunity, in line with European and other international standards.

Expected results

The project contributes to an improved access to health care for inmates and detainees and provides improved standards, institutional framework and organisational capacity for the provision of mental care in prisons, police detention facilities and other closed facilities, such as psychiatric institutions, in accordance with European standards. A reinforced standard national monitoring and investigative systems for preventing and combating ill-treatment for better handling allegations of ill-treatment is also among the expected project results.
Activities under the first project component include assessing the implementation of the penitentiary system health care strategy and action plan (2012-2013) and the drafting of new ones for the period 2015-2016; the development of code of ethics and training programmes for medical staff and conducting those trainings. In addition, manuals, compilations of ECtHR case-law, European standards and Georgian legislation as well as thematic booklets will be developed and published and medical equipment will be purchased. These activities will be assisted by organising expert consultations and various meetings, round tables and a needs assessment on harm reduction and psycho-social rehabilitation.
An action plan on mental health reform will be developed under the second project component as well as guidelines on treatment and management of mental disorders and mechanisms for screening and identifying mental disorders upon entering prisons and police detention facilities. The project will provide expertise on Georgian legislation on mental health care and work on the improvement of the existing mental health complaints mechanism. Conducting of trainings, training-of-trainers sessions, and awareness raising activities are also among the planned activities.

The third project component will focus on the monitoring and investigation of ill-treatment by providing expertise on the institutional set-up and regulatory framework of monitoring and investigation bodies. Its activities will contribute to the development of a new action plan on combating ill-treatment by providing expertise and will address the training needs by developing training programmes and conducting tailor-made trainings and coaching. Handbooks for monitoring ill-treatment, as well as booklets for prisoners, will be developed and published.

3.3. Support to police reform

Duration: 30 months
Implementation status: proposed
Total cost: €2 000 000
Funding status: funding required

Partners: **Ministry of Internal Affairs** and its training institutions; Ministry of Justice; Chief Prosecutor's Office; Public Defender's Office; Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees.

Sources of justification: CM Rec(2001)10 on the European Code of Police Ethics; CPT standards; case law of the European Court of Human Rights (ECtHR); Ministry of Internal Affairs 2013 Strategy and New Code of Police Ethics, requests from the national authorities; (NB the project links to the EU/CoE JP on human rights and health care in prisons and other closed institutions).

Short description

The project contributes to the ongoing police reforms in Georgia by assisting the national authorities in the introduction of community-oriented policing. Among its expected results, the project foresees revised organisational policies and operational procedures in the police which meet the requirements of European standards in several areas, such as crowd control measures, combating ill-treatment in police custody, effective investigation of complaints against police actions, and community policing.

The project activities comprise a review of the existing concept of community policing and the development of an Action Plan for its implementation; revision of standard operational procedures for public security police (patrol units, traffic police, neighbourhood police) and for crime prevention and investigation staff; design and production of training materials and organisation of training for all members of the police on the new Police Code of Ethics and its embedding into the basic police training curriculum. Other staff capacity-building activities will include the design and provision of task-specific, in-service training for crime prevention and uniformed police officers (encounters with the community; prevention and management of conflicts, communication skills) and for criminal investigation staff on the rule of law and human rights in criminal investigations (integrity of criminal procedures, investigation and interrogation techniques, ECtHR case-law).

Besides the activities targeting the police, activities are planned which help the police to open towards the public. Thus the development and testing of possible co-operation methods and schemes between police and educational institutions, local councils or any other public or non-governmental organisation or institutions which can link the police to the most vulnerable groups (e.g. hospitals, retirement houses, churches, minority groups, internally displaced persons, etc.) is foreseen as well as assistance in designing and organising a media campaign for informing the general public and raising their awareness on the nature of changes in the police.

Overall objective

To strengthen the respect for human rights and rule of law in the police service in Georgia and increase public confidence in police operations.

Specific objectives

- To harmonise police procedures and operations in line with European standards and increase their transparency and professionalism, and prevent police corruption;
- To support establishment of community-oriented policing through strengthening the respect for human rights and rule of law in the police service in Georgia and increasing public confidence in police operations;
- To reinforce the police capacity for effective application of crowd control measures in the context of avoiding disproportionate use of force in line with European standards;
- To reinforce police capacity for effective investigation of hate crimes in line with European standards;
- To address regulatory and institutional/operational framework for prevention of ill-treatment in police custody and effective investigation into complaints regarding police actions;
- To reinforce police capacity to respond to cases of domestic violence;
- To improve public-police relations through enhanced communication and mutual understanding.

Expected results

- The current regulatory framework and procedures and mechanisms for combating ill-treatment by police will be addressed;
- The professionalism of police officers and prosecutors will be upgraded and their capacity to prevent violations of the ECHR enhanced;
- Georgian police officers will be familiar with the community-oriented policing concept and practices and will be enabled to address public safety issues proactively and in line with European standards and practices;
- A core group of police officers' trainers on prevention of torture and ill-treatment, illegal arrests, procedural rights surrounding police custody, the positive obligation to protect detainees, witnesses, and the investigation of allegations of ill-treatment will be established to provide cascade seminars to their peers throughout the country;
- Police officers will be able to apply the ECHR and CPT standards for combating ill-treatment and impunity in their daily work;
- A core group of police officers' trainers on the appropriate use of force against demonstrators, prevention of torture and ill-treatment during demonstrations will be established to provide cascade seminars to their peers throughout the country;
- The police will be enabled to conduct special operations such as crowd/riot control measures in line with European standards for non-infliction of human losses/injuries;
- All legal acts as regards crowd/anti-riot operations will be brought in line with European standards;
- Georgian police officers will be familiar with the harmonised policies, including the new Code of Police Ethics and the standardised operational instructions, and their professional skills will be improved in specific areas;
- The police will be enabled to provide proactive and intentional criminal justice responses to domestic violence co-ordinated with other agencies and services;
- Apart from the improved organisational framework and capacities for upholding and safeguarding the rule of law and human rights, enhanced co-operation between the police and other public or non-governmental organisations and the media will be ensured;
- An increased public awareness on positive changes in policing is expected.

3.4. Successful social re-integration of persons released from prison

Duration: 24 months
Implementation status: proposed
Total cost: €800 000
Funding status: funding required

Partners: **Ministry of Corrections and Legal Assistance**; Ministry of Internal Affairs; Ministry of Labour, Health and Social Affairs.

Sources of justification: CPT Standards; relevant case law of the European Court of Human Rights (ECtHR); Request from national authorities; the proposed action builds on the results from the DANIDA II project and would link to the EU/CoE JP on human rights and health care in prisons and other closed institutions, and to the drugs programme.

Short description

The project activities will include the analysis and assessment of available rehabilitation methods and services, drafting recommendations for their development and introduction in Georgia and testing methods in practice by prison and probation officers. The project also foresees designing a training programme and developing training material on risk and needs assessment, individualised sentence planning, treatment programmes and pre-release programmes in co-operation with the Penitentiary and Probation Training Centre, and the organisation of in-service training courses for the various categories of prison staff involved in rehabilitation of prisoners (social workers, psychologists, custodial staff, etc.) and for the probation officers who work with conditionally released persons. The project intends to integrate positive experiences from previous pilot projects, e.g. half-way houses, and to build on and take forward the results from the DANIDA II project and seek synergy with other ongoing projects in the penitentiary field and substance abuse treatment programmes.

Overall objective

To improve the social re-integration of persons released from prisons in Georgia, in line with the Council of Europe recommendations, through the introduction of rehabilitation programmes, pre-release programmes and post-release care.

Specific objectives

- To develop and strengthen the institutional, organisational and regulatory preconditions for effective preparation of prisoners for release;
- To introduce substance abuse treatment programmes for prisoners.
- To improve the operational and professional capacity of the national authorities for the implementation of tasks assisting the social reintegration of persons released from prisons, especially those whose treatment needs continuation after the release.

Expected results

- The Georgian prison administration and probation service will be assisted in revising their policy documents and procedures focusing on prisoners' rehabilitation;

- In co-operation with the Prison Study Centre, the development of specific treatment programmes and pre-release programmes and practices for individualised case management as well as the piloting of practical methods which can be used by the probation officers in supporting the reintegration of persons conditionally released from prison is foreseen;
- Apart from the theoretical and practical guidance and tools to be provided for the prison and probation staff, the involvement of other public and non-governmental organisations will be promoted and the ways to extend and intensify the areas of co-operation with them for the successful reintegration of prisoners in the society will be explored.

3.5. Criminal Justice Responses to Drug Users in Prisons

Duration: 30 months
Implementation status: proposed
Total cost: €400 000
Funding status: funding required

Partners: **Ministry of Corrections and Legal Assistance (MCLA);** NGO in co-operation with the Ministry of Justice; an Inter-agency Council (including the Ministry of Labour, Health and Social Affairs, Ministry of Internal Affairs, MCLA and Ministry of Education and Science); United Nations Office on Drugs and Crime (UNODC); Chief Prosecutor's Office; High School of Justice.

Source of justification: CPT Report to the Georgian Government (2010); Draft Resolution by the CoE Committee on Legal Affairs and Human Rights on alternatives to imprisonment; CoE Revised European Prison Rules.

Short description

The imprisonment rate in Georgia was the highest in Europe in 2012, and remains relatively high even after post-amnesty law releases in early 2013. Harsh drug laws that criminalise the possessions of small quantities of drugs have resulted in many persons being convicted for drug offences, and there are concerns in Georgia that recidivism combined with strict drug laws may lead again to a high rate of incarceration of drug offenders.

Creating legal alternatives to imprisonment for drug offenders, improvement of pre-release programmes for drug-using inmates, through-care and the establishment of links to community services are areas of high importance for a justice reform based on human rights. The objective of the project "Criminal Justice Responses to Drug Users in Prisons" is to raise awareness among judges and policy makers in Georgia about the consequences of different sanctions for drug-using offenders.

Workshops and round tables will create a platform for Georgian policy makers, judges and lawyers to critically discuss the severity of drug offences in order to determine the appropriate judgements and level of punishment. The project will contribute to the improvement of training and education of judges and court personnel and the facilitation of access to justice and transparency of the judiciary.

Moreover, the project aims at improving drug and harm reduction services (HIV and Hepatitis C prevention) for drug users in the prison system with a special focus on linking prison and community service.

Overall objective

To support drug policy development and judicial reform through improved efficiency and capacity of the Georgian justice system, based on respect for human rights in line with European standards.

Specific objectives

- To raise awareness among policy makers, judges and lawyers about different sanctions for drug using offenders including alterative sanctions as alternatives for imprisonment;
- To develop guidelines and recommendations for pre-release programmes prisoners with a history of drug use;
- To improve through-care for drug-using offenders by linking prison and community services;
- To develop guidelines for medical and psycho-social treatment of drug users in the penitentiary system;
- To run information campaigns including development of video-clips for prisoners related to blood-borne diseases and harm reduction for drug users.

Expected results

- Improved knowledge of judges and lawyers about different possible judgements for drug-related offences and alternative sanctions;
- Prosecuting authorities empowered to make use of their discretion to decide not to prosecute on the basis that the person is making positive progress on a health and social care programme that addresses his/her drug use and related criminal activity (within the boundaries set by the legislation);
- Reduced incarceration rates for drug offences and/or drug-related offences;
- Improved knowledge of medical and psychological staff working in prisons concerning treatment for drug offenders;
- Guidelines developed regarding medical and psycho-social treatment of drug users in the penitentiary system;
- Inter-agency group created linking prison and community services with the aim of improving through care for drug using offenders;
- Public and political debate created about criminal justice responses to drug offences.

3.6. Co-operation against cybercrime in the Eastern Partnership countries

Duration: 34 months (01/03/2011 - 31/12/2013)
Implementation status: ongoing
Total cost: €120 700 (approximate budget allocation to Georgia from the €724,000 of the regional EU/CoE programme)
Funding status: funding secured (EU/CoE Joint Project - Eastern Partnership Facility)

Partners: Ministry of Justice; Ministry of Internal Affairs; High Council of Justice; specialised agencies; local NGOs; Chief Prosecutor's Office; Public Defender's Office

Source of justification: Convention on Cybercrime (ETS No. 185); European Convention for Mutual Legal Assistance in Criminal Matters; 2nd Additional Protocol to this Convention (ETS No. 182); Financial Action Task Force (FATF)

Short description

The purpose of this project is to strengthen national capacities of Georgia (along with other members of Eastern Partnership Initiative) to effectively investigate, prosecute and cooperate against cybercrime. By the end of the project it is expected that the standards and practices of Georgia (along with other EAP countries) are more in line with international standards, including in particular the Budapest Convention on Cybercrime, a document on regional and domestic priorities regarding cybercrime to be adopted by Eastern Partnership countries and assessment reports are adopted for each Eastern Partnership country.
It addresses the following needs related to cybercrime:

- Policies and awareness of decision-makers: The project will raise awareness among decision-makers and help them determine strategic priorities regarding cybercrime and electronic evidence;
- Harmonised and effective legislation based on the Budapest Convention on Cybercrime: The project will assess legislation in place, help draft proposals for amendments to legislation and assess the effectiveness of legislation, among other things based on criminal justice statistics and case law;
- Judicial and law enforcement training on cybercrime and electronic evidence;
- Law enforcement – Internet service provider co-operation in the investigation of cybercrime;
- International co-operation, including judicial and police co-operation and strengthening of 24/7 points of contact;
- Financial investigations: measures to prevent and control laundering and to search, seize and confiscate crime proceeds on the Internet.

Overall objective

To enhance the reform processes in the six partner countries through a multilateral approach and to bring them closer to CoE and EU standards in core areas covered by the Eastern Partnership Platform 1.

Specific objective

To strengthen the capacities of criminal justice authorities of Georgia to cooperate effectively against cybercrime in line with European and international instruments and practices.

Expected results

- Georgia has defined strategic priorities regarding cybercrime and assessed measures taken;
- Georgia is provided with the tools for action against cybercrime;
- Georgia participates more actively in international cybercrime efforts.

4. MEDIA FREEDOM, FREEDOM OF EXPRESSION AND ASSOCIATION

Country-specific priority action

The CoE standards in the field of media freedom, freedom of expression and association play an important role in the development of the independent and pluralistic media landscape in Europe and contribute to higher quality of journalism. Continued protection of human rights and rule of law on the Internet is another priority area for action in Georgia. The interventions in these fields will focus on:

- Promotion of **freedom, professionalism and pluralism of the media** (ECHR Article 10) in light of the last Georgian report on the compliance with obligations and commitments, national ongoing discussions on digitalisation, the issue of privacy and data protection and as a follow-up to the Georgia-specific outcomes of the EU/CoE Joint Program "Promoting Freedom, Professionalism and Pluralism of media in the South Caucasus and Moldova" implemented in 2011-2012;
- Fostering freedom of expression and association through increased **protection of human rights and rule of law on the Internet** and arrangements for multi-stakeholder dialogue among international organisations, states, internet platforms and operators and civil society in line with the case-law of the ECtHR related to the Internet and freedom of expression, the CoE Internet governance strategy, PACE texts resolutions and recommendations on the Internet, and national legislation.

4.1. Promoting freedom, professionalism and pluralism of the media

Duration: 24 months
Implementation status: proposed
Total project cost: €250 000
Funding status: funding required

Partners: **Council of Journalistic Ethics;** Ministry of Economy and Sustainable Development; Parliament; Georgian National Communications Commission; Public service broadcaster; Universities, notably journalism faculties; Georgian Bar Association

Source of justification: This project builds on the achievements and lessons learned from the Joint Program "Promoting freedom, professionalism and pluralism of media in the South Caucasus and Moldova" for 2011-2012.

Short description

The aim of the project is to continue to develop legal and institutional guarantees for freedom of expression, higher quality journalism and a pluralistic media landscape, and to support the public advocacy campaign against hate speech and intolerance against minorities in the media**,** in line with Council of Europe standards. Both "traditional" and "new" media will be targeted. The project will be linked to the regional activities of the Council of Europe aimed at exchange of experience, co-operation, networking and synergies in appropriate areas such as journalism education and training, self-regulation and media professionalism. The project is based on the results of the regional project "Promoting freedom, professionalism and pluralism of the media in the South Caucasus and Moldova" (2011-2012). Georgian representatives were active participants of the activities which addressed media self-regulation including a code of ethics for broadcasters, the development of curricula on new on-line and alternative media, web journalism and access to official documents. The project helped to identify a need for further development of the legal and institutional guarantees for freedom of expression, higher quality journalism and a pluralistic media landscape, and support for the public advocacy campaign against hate speech and intolerance against minorities in the media, in line with Council of Europe standards.

Overall objective

To promote freedom of expression and information and assist in the development of independent and pluralistic media, in accordance with Council of Europe standards.

Specific objectives

- Provide legal assistance to the authorities to align media-related regulations (e.g. regarding digital broadcasting, must-carry, on-line media, defamation, protection of journalists, access to public information and transparency of media ownership) with Council of Europe standards;
- Improve the implementation of the media-related legal framework through the incorporation in public authorities' daily practice of European standards in the field of freedom of expression (through training of public officials responsible for the implementation of laws, including on access to public information, and for media lawyers notably working in watchdog NGOs to be able to defend the rights of media professionals);
- Continue to promote the independence and help strengthen the professionalism of the broadcasting regulatory bodies and the public service broadcasters (notably through increased awareness and effective implementation of the Code for Broadcasters of the Georgian National Communications Commission);
- Improve professionalism, responsibility and respect of ethical rules among journalists and continue to raise awareness and understanding of their rights;
- Raise awareness among media professionals about hate speech and intolerance against minorities, and provide support for the public advocacy campaign against hate speech and intolerance in the media;
- Improve the effectiveness and visibility of self-regulatory mechanisms supported by journalists, media managers and owners such as the Charter of journalistic ethics;
- Improve the quality of journalism education and training especially as concerns the rights and responsibilities of journalists (development of curricula, preparation of textbooks and other teaching materials and training of trainers - university professors and trainers of practicing journalists);
- Enhance co-operation between local authorities, media and civil society.

Expected results

- Media-related laws and regulations are revised in line with CoE standards;
- Awareness is raised among media professionals and media lawyers of CoE standards of media professionalism and the rights and responsibilities of journalists;
- Increased capacity of public authorities, including from regulatory bodies, to uphold CoE standards of media freedom and pluralism;
- Co-operation between local authorities, media and civil society is established.

4.2. Protecting internet freedom through legislation and arrangements for multi-stakeholder dialogue

Duration: 24 months
Implementation status: proposed
Total cost: €400 000
Funding status: funding required

Partners: **Ministry of Justice/ Data Exchange Agency**; Ministry of Internal Affairs; Ministry of Regional Development and Infrastructure; Georgian National Communications Commission; Parliament; national NGOs; Internet Service Providers (ISPs).

Sources of justification: European Convention on Human Rights (Art. 8, 10, 11, 13); CoE standards on the Internet (e.g. Internet Governance Principles, net neutrality, public service value of Internet, etc.); CoE Internet governance strategy 2012-2015; Case-law of the European Court of Human Rights related to the Internet and freedom of expression; CoE Parliamentary Assembly (PACE) adopted texts on the Internet; PACE and CoE Commissioner for Human Rights monitoring reports; Georgian Law on Information Security adopted in 2012.

Short description

Independent, pluralistic and professional media and, increasingly, the internet (through new media, platforms and applications) are fundamental for democracy, transparency and accountability (including combatting corruption). The internet is an ideal tool to enhance good governance and promote participation in democratic and administrative processes and increase transparency and accountability. Internet freedom must therefore be constructed and protected through legislation and arrangements for multi-stakeholder dialogue. In 2012 Georgia adopted a Law on Information Security, prepared by the Data Exchange Agency under the Ministry of Justice. The Law was meant to enhance security of data in the advent of new technologies. The Law stirred controversy in the country, especially among civil society, due to its highly negative impact on freedom of expression, particularly on the Internet, since it introduced arbitrary procedures in the classification of information available to the public. Moreover the Law contradicted the provisions of the Georgian Constitution with regard to freedom of expression.

Overall objective

To enhance good governance in the digital age through increased protection of human rights and rule of law on the Internet.

Specific objectives

- To review the existing legal framework and support Internet policies/regulations which maximise the right to freedom of expression, understood as the right to receive and impart information through new technological means;
- To strengthen the watchdog role of civil society and the media on Internet and human rights;
- To increase the Internet private sector's understanding and respect for human rights and transparency of services provided to Internet users;
- To increase the dialogue and accountability of government in relation with all categories of stakeholders through an open, inclusive multi-stakeholder participatory mechanism based on human rights and fundamental freedoms;
- To support and encourage national representatives to participate in the international Internet governance and human rights dialogue as EuroDIG, IGF, etc.

Expected results

- Increased compliance of the national legal frameworks and policies/regulations with CoE standards on freedom of expression (including the right to receive and impart information, protection of journalists and bloggers, protection and promotion of freedom of expression on privately operated internet platform, etc.);
- Increased knowledge of relevant state authorities (Parliament, government, judiciary and regulatory authority) about Internet governance and human rights standards of the Council of Europe (Internet governance principles, freedom of expression, public service value of the Internet, net neutrality, etc.), and relevant European Court of Human Rights case-law;

- Increased knowledge and awareness of Internet users on Internet governance and human rights adopted and promoted by the CoE (CoE Compendium of the Human Rights of Internet Users). Increased knowledge and capacity of the Internet service providers to protect human rights and Internet governance standards as adopted and promoted by the CoE;
- A sustained dialogue and relationship (Internet Governance Forum) between public, private and civil society sectors is built up in line with the Internet governance principles and human rights standards of the Council of Europe.

4.3. Enhancing the right to private life and data protection

Duration: 24 months
Implementation status: proposed
Total cost: €250 000
Funding status: funding required

Partners: **Ministry of Justice;** Ministry of Internal Affairs; academia; media; private sector; various European Data protection Authorities

Sources of justification: Georgia ratified Convention 108 and became a Party in April 2006, subscribing to its principles and committing to translate them into the national legislation. Compliance with ECHR (Article 8) and Convention 108. Resolution No. 3 on data protection and privacy in the third millennium (in particular paragraph 17); PACE Resolution 1843 (2011) on the protection of privacy and personal data on the Internet and online media (in particular paragraphs 4, 8 and 12).

Short description

Georgia ratified the Convention for the Protection of Human Rights and Fundamental Freedoms on 20/05/1999 and became Party to Convention 108 on 1/04/2006, thereby undertaking the commitment to protect the right to privacy (Article 8 of the ECHR) and to take the necessary measures in its domestic law to give effect to the basic principles for data protection set out in Convention 108. Articles 20 and 41 of the Georgian Constitution protect the right to private life, and the law on data protection entered into force in May 2012. The Council of Europe, with the assistance of experts in data protection, is in a position to offer expertise to contribute to the enhancement of the data protection legislation aimed at protecting individuals with regard to the processing of personal data, thus securing the further compliance of the Georgian national system with its international commitments. The effectiveness of the data protection system should furthermore be secured through a supported implementation of the legal framework, in particular with the oversight of an independent supervisory authority.

Overall objective

To develop and strengthen Georgia's data protection system by promoting and implementing the data protection principles laid down and safeguarded in the relevant CoE standards and in line with other European standards (EU framework).

Specific objectives

- To provide an appropriate legislative and regulatory framework for the protection of individuals with regard to their right to privacy and data protection;
- To provide the institutional framework enabling enforcement and supervision of the effective implementation of the relevant legislation;

- To harmonise law enforcement procedures and operations in line with the Council of Europe data protection standards and in particular Recommendation R(87)15 regulating the use of personal data in the police sector;
- To enhance balancing between freedom of expression and data protection in the Media sector;
- To contribute to raising public awareness on basic rules and principles of personal data protection.

Expected results

- Assessment of the data protection legislation in light of Convention 108 and other relevant standards in the field and alignment where it appears necessary;
- Effective functioning of the supervisory authority entrusted with the task of overseeing the implementation of the data protection legislation;
- Series of capacity building activities (expert seminars, study visits and training sessions) aimed at the supervisory authority;
- Development of guidelines and recommendations reinforcing the effective implementation of data protection legislation and safeguards in the law enforcement sector;
- Development of specific recommendations on the respect of privacy in the media coverage;
- Data protection awareness raising activities and campaign.

5. FREE AND FAIR ELECTIONS

Country-specific priority action

The present action plan will support Georgia in ensuring compliance with international standards in upcoming local elections in the framework of the assistance programme for elections in Georgia for the period 2012 – 2014 which has been approved by the Committee of Ministers on 11 January 2012.

Multilateral/Regional action

Georgia benefits from participation in the regional project within the framework of the EU/CoE Eastern Partnership Facility which **supports electoral standards.**

5.1. Assistance to local self-government elections

Duration: 12 months
Implementation status: ongoing
Total cost: €130 000
Funding status: €40 000 available

Partners: **Ministry of Education and Science;** International Society for Fair Elections and Democracy (ISFED); Caucasus Institute for Peace, Development and Democracy (CIPDD) and Universities; Central Election Commission (for voter participation in the regions and awareness-raising among youth and first time voters); local NGOs and political parties

Source of justification: The proposal is part of the overall assistance programme for elections in Georgia for the period 2012 – 2014 as approved by the CM on 11 January 2012. It addresses the recommendations formulated in the election monitoring reports of PACE, Congress and OSCE/ODIHR and to the Joint Opinions by the OSCE/ODIHR and the Venice Commission.

Short description

Gender equality and protection of minority rights including in political life is provided by the Georgian constitution and other by-laws. However, women and minorities are still under-represented in political life. One of the needs and specific objectives of the programme is therefore to empower women to take more active roles in politics and to participate in 2014 local elections both as voters and candidates. Furthermore, first time voters and voters in remote regions have limited understanding of mechanisms of civil participation and involvement in political life which has an impact on the participation in elections. The proposed programme will therefore raise their awareness with a view to increasing their participation in local elections in 2014. Finally, NGOs need to be trained in order to ensure efficient reporting on election monitoring.

Overall objective

To support Georgia in ensuring compliance with international standards in upcoming local elections through the promotion of voter's awareness raising and public discussions on electoral matters.

Specific objectives

- To increase women and minority engagement in local elections;
- To enhance election monitoring reporting capacity of NGOs;
- To increase voter participation in the regions, especially in areas inhabited by large number of ethnic minorities;
- To raise youth and first time voters' awareness on principles of free and fair elections.

Expected results

- Increased participation of women and minorities in the political process as political activists, party members, candidates and voters;
- Improved knowledge by women and minorities on democracy, electoral system in Georgia and voter's list basic principles;
- Improved knowledge of women's and minority rights;
- Skills and drafting techniques of NGOs in charge for monitoring local self-government elections have improved;
- Monitoring reports are drafted according to the handbook on international monitoring standards for domestic observation and their quality is improved;
- Handbook on international monitoring standards for domestic observation is widely disseminated;
- High participation in local elections, in particular in remote regions, is ensured;
- Students/first time voters with a focus on minorities will increase their knowledge of the role and importance of elections in a democratic state;
- Increased participation of young voters (in particular from minority groups) in local elections.

5.2. Training of the electoral administration

Duration: 12 months
Implementation status: funding required
Total cost: €100 000
Funding status: €15 000 available (VC from Switzerland)

Partners: **Central Election Commission**; Judiciary.

Source of justification: The proposal is part of the overall assistance programme for elections in Georgia for the period 2012 – 2014 as approved by the CM on 11 January 2012. It addresses the recommendations formulated in the election monitoring reports of PACE, Congress and OSCE/ODIHR and to the Joint Opinions by the OSCE/ODIHR and the Venice Commission.

Short description

- Dispute resolution courses;
- Training for judges on elections matters.

Overall objective

To support Georgia in developing capacity on dispute resolution related to elections as well as increase knowledge and skills of judges in applying elections related legislation.

Specific objectives

- To provide advice and expertise to the CEC on effective remedies, efficiently administering of complaints and appeals and streamlining advice to be given to the various levels of election administration;
- To provide training on the amendments to the electoral law and related legislation to judges.

Expected results

- Gaps in existing legislation and practice to address complaints and appeals are identified, feasible changes are suggested;
- Judges have necessary knowledge and expertise on electoral law and related legislation.

5.3. Support free and fair elections in the Eastern Partnership countries

Duration: 34 months (01/03/2011 - 31/12/2013)
Implementation status: ongoing
Total cost: €156 000 (approximate budget allocation for Georgia from the total €923,995 of the regional EU/CoE programme)
Funding status: funding secured (EU/CoE Joint Project - Eastern Partnership Facility)

Partners: **Central electoral administrations** of the beneficiary countries, local NGOs

Source of justification: CM and PACE recommendations, Venice Commission opinions

Short description/objectives

The overall aim of the project is to ensure the effective implementation of the principles of the European electoral heritage, relying notably on capacity building and awareness raising activities involving both the competent authorities and civil society.

Specific objectives

- To enhance the capacity of the electoral administration at all levels to organise elections in compliance with European standards. This is to be carried essentially by involving local experts and making them the focal point for the training of election commissions and officials at all levels, so as to ensure sustainability;

- To address problems of common concern in the region linked to the organisation of democratic elections and, notably, to the modernisation of the electoral process such as the creation of accessible electronic voter registers or mechanisms for the registration of voters abroad;
- To support civil society in developing its capacity to act as a reliable source of independent national observers for elections in a sustainable manner relying on a regional exchange of knowledge and experience and pooling of training resources;
- To involve voters more deeply in the electoral process as a pre-condition for full participation in public and political life, making them aware of the importance of participating (and hence abstaining from) in elections, the individual rights of each voter, and the freedom of choice in the casting of a ballot;
- The activities will target in particular young first-time voters and women, to fight phenomena such as family voting.

Expected results

- Better compliance with and awareness of European electoral standards in Georgia: electoral administrations are better prepared to fulfil their tasks; NGOs are better prepared to fulfil their role as observers and provide constructive criticism about the electoral process; voters are better aware of their role in the functioning of democratic elections and increase their participation;
- Methodology for the training of domestic observers is elaborated and cascade trainings carried out according to it. An overview of best practices for domestic observation is drafted and published. A curriculum on elections for high school is elaborated. An analysis of measures aimed at increasing women's participation in political life is carried out and recommendations formulated.

6. GOOD GOVERNANCE

Country-specific priority action

CoE and Georgian government aim to foster **good governance in higher education institutions** of Georgia and contribute to their further enhancement in line European standards and practices.

Multilateral/Regional action

Georgia benefits from participation in the regional project within the framework of the EU/CoE Eastern Partnership Facility which supports **fight against corruption in the region**.

6.1. Supporting higher education reform

Duration: 12 months
Implementation status: proposed
Total cost: €100 000
Funding status: funding required

Partners: **Ministry of Education and Science**

Source of justification: the project proposal follows up on the request of the national authorities of Georgia

Short description

Georgia is a fully-fledged member of the European Higher Education Area, having acceded to the Bologna Process in 2005. As of July 2013 (together with Lithuania) Georgia assumed the co-chairmanship of the Bologna Process Follow-Up Group.

Overall objective

To support democratic reforms in higher education to fully align with the Georgian Higher Education system and practice with the European Higher Education Area.

Specific objectives

- To strengthen the Quality Assurance Agency of Georgia, so that it actively promotes a quality culture among the concerned institutions and stakeholders;
- To examine current practices of internal quality development in higher education institutions of Georgia and contribute to their further enhancement in line with the relevant parts for internal Quality Assurance of the European Standards and Guidelines (ESG);
- To contribute to the successful implementation of the national qualifications framework in Georgia;
- To raise awareness of the principles of university autonomy and academic freedom in higher education institutions of Georgia.

Expected results

- Expert recommendations on the further development of external and internal quality assurance systems of Georgia are considered and introduced into practice;
- The national qualifications system ensures coherence between different parts of the education system of Georgia;
- Key target groups are fully aware of the principles of university autonomy and academic freedom.

6.2. Good governance and the fight against corruption in the Eastern Partnership countries

Duration: 34 months (01/03/2011 - 31/12/2013)
Implementation status: ongoing
Total cost: €187 700 (approximate budget allocation to Georgia from the total €1,126,365 of the regional EU/CoE programme)
Funding status: funding secured (EU/CoE Joint Project - Eastern Partnership Facility)

Partners: Ministry of Justice; Ministry of Internal Affairs; Ministry of Finance; Judiciary; specialised agencies on anti-corruption; Civil Society and Private Sector Associations; Central electoral administrations; Chief Prosecutor's Office

Source of justification: GRECO recommendations; MONEYVAL recommendations

Short description

The purpose of this project is to strengthen national capacities of Georgia (along with other members of Eastern Partnership Initiative) to apply prevention and law enforcement measures in order to enhance their good governance and fight against corruption.
Furthermore this regional project being part of the EaP/CoE Facility will:

- increase regional dialogue and create a forum for sharing good practices in the prevention and fight against economic crime;
- Good Governance and the fight against corruption remain an acknowledged priority and thus results and work under this project will be reviewed by the Eastern Partner;
- address the relevant GRECO and MONEYVAL recommendations through Pilot Activities;
- Provision of specialised training to law enforcement staff and with regard to detecting and investigating corruption offences those directly involved in the fight against corruption (Rec vi) from the joint 1st and 2nd GRECO evaluation Report.

Overall objective

To enhance the reform processes in the six partner countries through a multilateral approach and to bring them closer to CoE and EU standards in core areas covered by the Eastern Partnership Platform 1.

Specific objective

To enhance good governance and strengthen the capacities of the public administration and criminal justice sector in order to effectively prevent and fight corruption in line with the CoE Conventions and other international treaties.

All activities will follow a regional approach and combine technical advice, with training, assessments, development of methodologies, and policy design and tools exchange in the area of good governance, corruption and money laundering.

Expected results

- Georgia has defined and is committed to apply policy and prevention measures concerning enhancement of good governance and the fight against corruption;
- Georgia is provided with the tools for effective law enforcement and implementation of legal frameworks when fighting economic crime;
- Georgia efficiently applies and implements European and international standards on good governance and the fight against corruption when addressing its specific needs.

7. LOCAL DEMOCRACY

Country-specific priority action

Strengthening democratic governance and participation, promoting inclusiveness as well as cultural diversity are key priorities for CoE action in Georgia.

- Support to the legislative and **territorial-administrative reforms** in Georgia is a primary focus of the present Action Plan and a priority of the Georgian authorities as set out in the Strategy Document "The Main Principles of the Strategy on Decentralization and Self-Government Development of the Government of Georgia for 2013-2014", defining the Government's main directions of reform approved in February 2013. **Financial and human resources management on the local level** should be improved based on European standards and benchmarking processes

as recommended by the Congress of Local and Regional Authorities of Europe in Recommendation 334(2013) on local and regional democracy in Georgia. Substantial progress has been made in the field of local and regional democracy since the Congress visits to Georgia in 2003 and 2004 and the principles of the Charter are to a high extent integrated in constitutional provisions. However, based on the results of the monitoring and fact-finding missions to Georgia (2012 and 2013) the Congress made a number of additional recommendations aimed at supporting democratic local governance, assistance for the transfer of competences, financial decentralisation, and delivery of local services;

- The Congress of Local and Regional Authorities of Europe will be involved in **strengthening leadership capacities of local elected representatives** and one of the priorities of the present Action Plan **is to promote public ethics** at local level;

Multilateral/Regional action

Georgia benefits from participation in the regional project within the framework of the EU/CoE Eastern Partnership Facility which **supports electoral standards.**

7.1. Strengthening the legal framework governing local self-government

Duration: 36 months
Implementation status: proposed
Total cost: €400 000
Funding status: €50 000 available

Partners: **Ministry of Regional Development and Infrastructure**; Parliament; National Association of Local Authorities of Georgia (NALAG)

Source of justification: Ordinance of the Government of Georgia № 223 of 1 March, 2013 on the Main Principles of the Strategy on Decentralization and Self-government Development of the Government of Georgia for 2013-2014; Congress Recommendation 334(2013) on local and regional democracy in Georgia; Appraisal reports prepared by the Directorate General of Democracy and Political Affairs

- The Organic Law of Georgia on Local Self-Government (22 June 2010)
- The Law on Tbilisi, Capital of Georgia (23 June 2010)
- The Law on Changes and Amendments to the Constitution of Georgia (chapters concerning the organisation of local self-Government (23 June 2010)

Short description

The Council of Europe has developed extensive experience in providing support to countries, which undertake a political commitment to carry out reforms concerning legislative norms, policies and institutions in the field of local government. The approach used by the Centre of Expertise to support local government reform is tailor-made and includes, depending on the various topics and of specific needs of public authorities in a particular country:

- analysis of legislation in the light of Council of Europe standards, but also of the best of European practice, as identified in the framework of CoE intergovernmental work;
- organisation of peer reviews in order to formulate basic recommendations for the government reform;
- support to the preparation and implementation of decentralisation strategies;
- training to the topics identified during the programmes, which is offered, in different format, to decision makers and to those who prepare these decisions;
- evaluation using the various check lists prepared by the Centre.

For several years, the Council of Europe has been very active in promoting local self-government reform in Georgia, through continuous support to the revision of basic laws of local democracy in line with the principles of the European Charter of Local Self-Government, ratified by the Georgian authorities in 2004, as well as assistance to building the capacities of Georgian municipalities, in particular in the field of strategic municipal planning. It thus plays a specific role compared to other international organisations.

In the field of legislative reforms, throughout 2010-2012 the Council of Europe has notably been requested to provide an analysis on amendments adapted to the Law "On the Capital of Georgia – Tbilisi" and the Organic Law of Georgia "On Local Self-Government". The present proposal takes into consideration the large scale reforms planned by the authorities in the field of local government in 2013-2014.

Overall objective

The programme will provide policy advice as well as the legal and technical assistance targeted to support the legislative and territorial-administrative reforms undertaken by Georgian authorities.

The Secretariat of the Council of Europe commits itself to engaging well-known international experts in the process of analysing and advising on the preparation of new legal instruments. International experts in close co-operation with local experts shall ensure the sustainability of the process. At the meantime the process allows for local experts to become better acquainted with the European standards of local self-government.

Specific objectives

- To provide CoE legal expertise, policy advice and support to the process of legislative reforms envisaged to be implemented in the field of local self-government and territorial structure aimed at strengthening the capacities for local and regional authorities;
- To consolidate a sound institutional and legislative framework for the functioning of local and regional democracy;
- To further develop the system of decentralised governance, which is fully empowered to serve citizens' needs in accordance with established European standards.

Expected results

- CoE legal expertise and policy advice are provided to the process of legislative reforms envisaged to be implemented in the field of local self-government and territorial restructuring, aimed at strengthening the capacities for local and regional authorities;
- CoE contribution is made towards a consolidated a sound institutional and legislative framework for the functioning of local and regional democracy is established;
- CoE takes part in the process of developing the system of decentralised governance, which is fully empowered to serve citizens' needs in accordance with established European standards.

7.2. Strengthening leadership capacities of local elected representatives and local communities

Duration: 36 months
Implementation status: proposed
Funding status: Funding available: €30 000; Funding required: €950 000.
Total cost: €980 000

Partners: **Ministry of Regional Development and Infrastructure; National Association of Local Authorities of Georgia (NALAG)**; Parliament; Local NGOs; Local Democracy Agency; Political parties

Sources of justification: Congress monitoring and fact-finding missions to Georgia (2012 and 2013); close co-operation with the National Association of Local Authorities of Georgia (NALAG) and Georgian central authorities; compliance with the European Charter of Local Self-Government; Congress text and follow-up to previous activities; Recommendation 334(2013) on local and regional democracy in Georgia; Resolution 347(2012) and Recommendation 328(2012) on the right of local authorities to be consulted by other levels of government; Recommendation 291 (2010) on municipal elections in Georgia (30 May 2010); support of the Congress to the setting up of the National Association of Local Authorities of Georgia (NALAG) in 2004 and to meetings of its executive board in 2005

Short description

Georgia has been a member of the Council of Europe since 1999 and has signed the European Charter of Local Self-Government (ECLSG) on 26 October 2004 and ratified it on 8 December 2004 with entry into force on 1 April 2005. It has not signed the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority.

The Congress supported in 2004 the creation of NALAG and its first activities in 2005 in co-operation with the Norwegian Association of Local and Regional Authorities, and with the financial support of Norway and of the European Union. Georgia has considerably improved local and regional democracy since the ratification of the ECLSG and has integrated the principles of local self-governance to the domestic legislation in two big scale decentralisation reforms, in 2006 and 2011.

Georgian authorities have proved willingness to take the Congress recommendations into account. Recent regional developments and the special status granted to Tbilisi as well as the direct election of the mayor of Tbilisi are considered as a positive example.
The new government, formed after the 2012 elections, has expressed its willingness to undertake a large scale reform in a certain number of areas regarding local government, including more effective subsidiarity, increased financial autonomy and citizen participation in local decision-making. The government is also committed to regular contacts and co-operation with the Congress with a view to implement Recommendation 334 (2013) on local and regional democracy in Georgia. The Georgian authorities have decided to engage in a post-monitoring process, which will start in July 2013 with a view to drawing up a road map based on the above-mentioned recommendations.

This proposal for co-operation (2013 to 2016) takes into consideration the reform planned by the government for 2013-2014, the elections to be held in 2014 and the need for empowering local elected representatives for a successful implementation of the reform. It also takes into account the conclusions of the Congress fact-finding mission to recent events in Georgia in February 2013, which are reflected in Recommendation 334(2013). Furthermore, particular attention will be paid to citizen participation in local political life and to gender balance.

Overall objective

To develop the leadership capacities of potential and future elected representatives at local level, in order ultimately to improve local political governance in the country and nurture confidence and trust in local and regional authorities.

Specific objectives

The project consists of three components to be implemented in different time frames, before and after the next local election scheduled in 2014, which have a critical importance for the completion of the process of institutionalising local democracy in the country:

- Promoting the consultation process between central authorities and local authorities in the framework of the forthcoming local government reform (2013-2014);
- Training of young local political leaders (women and men), during the pre-electoral period (January - September 2014);
- Local elected representatives: leader for change, following the local elections scheduled in 2014.

The components target different groups and consider as a major challenge the strengthening of the leadership capacities of local elected representatives in accordance to European standards on local democracy and the principles of the European Charter of local self-government. Furthermore, specific action will be geared to the gender balance in public and political life and to increasing the number of women in executive positions in political life.

Expected results

- Local government units are involved in the consultation process on the forthcoming local government reform and protect their legitimate interest, and contribute to the process of implementation of Recommendation 334(2013). Members of the National Parliament and local elected representatives are able to discuss draft laws within an institutional framework;
- Young leaders, women and men, are involved in local politics and are trained to stand for local elections in 2014 with a good understanding of the role of local authorities in accordance with European standards on local democracy and in particular with the European Charter of local self-government;
- Newly local elected representatives have a better understanding of their role and duties as part of the overall political and decision-making system. They improve their practices and develop dialogue with citizens by setting-up participatory processes.

7.3. Involvement of civil society organisations of national minorities in the democratic decision making process

Duration: 24 months
Implementation status: proposed
Total cost: €112 000
Funding status: funding required

Partners: **Office of the State Minister for Reintegration**; line Ministries; and civil society organisations of national minorities and/or working on the issues of national minorities
Source of justification: The integration of different minorities in Georgian society requires the authorities to step up their efforts to improve the participation of national minorities in public life (PACE Resolution 1801 (2011)1 on the honouring of obligations and commitments by Georgia, paragraph 20 and 17.1); the respective roles of civil society organisations, political movements and parties, and national authorities need to be better understood by all actors of the democratic political process.

Short description

The project will provide capacity-building measures to civil society organisations and local, regional and national authorities so as to improve participation of organisations of national minorities in the democratic decision-making process, including on issues of relevance to

these communities and their integration in Georgian society. It will also support activities for raising civic awareness among representatives of national minorities based on the principles of non-discrimination, equality and full-fledged citizens' rights and obligations constituting inseparable parts of Georgian citizenship.

Overall objective

To create an environment in which civil society organisations of national minorities can participate in the democratic decision-making process, including on issues concerning their communities. Contribute to integrating national minorities into Georgian society.

Specific objectives

- To improve understanding of civil society participation in the democratic decision-making processes at local, regional and national levels, based on the Code of Good Practice for Civil Participation in the Decision-making Process;
- To enhance the capacity of civil society organisations of national minorities to organise and to play a proactive role in civil dialogue and co-operation with public authorities in areas such as: participation of national minorities in democratic and administrative processes concerning them, multilingual teaching of national minorities and cultural activities and facilities of national minorities, and other issues related to the rights of national minorities.

Expected results

- Public authorities at local, regional and national levels as well as civil society organisations understand their respective roles in the democratic decision-making process concerning minority issues;
- Arrangements for interaction between civil society organisations of national minorities and local, regional and national authorities are in place;
- The organisational capacity of civil society organisations of national minorities is improved;
- The capacity of civil society to play a proactive role in civil dialogue and participation in respect of their constituencies and the integration of minorities in Georgian society are strengthened.

7.4. Intercultural Cities

Duration: 36 months
Implementation status: proposed
Total cost: €286 400
Funding status: funding required

Partners: **Ministry of Culture and Monument Protection;** Ministry of Regional Development and Infrastructure; Office of the State Minister for Reintegration; Parliament of Georgia; elected city officials, civil servants, professionals and civil society; the ICC network

Source of justification: Joining the ICC emerged as part of a new CoE Action Plan for Georgia in discussion with the Ministry of Culture and Monument Protection during a DG PROG visit to Georgia on 14-15/02/2013; Active participation of the city of Gori (mayor, city officials, municipal development agency) in ICC events in 2013; Historically multi-ethnic composition of Georgia, where national minorities (Azeris, Armenians, Russians, Ossetians, Yazidis, Greeks, Ukrainians, etc.) make up about 20% of the population; White Paper on Intercultural dialogue (2008); Report of the Group of Eminent Persons "Living Together" (2011);

Recommendation 261 (2009) and Resolution 280 (2009) of the Congress of Local and Regional Authorities of Europe on "Intercultural Cities".

Short description

The project will provide ICC peer and expert support to ethnically diverse Georgian cities – Gori (pilot) and six others (to be identified at a later stage) – in developing intercultural strategies for the management of diversity as an advantage, better integration of minorities and engaging citizens in policy making, as well as in sharing experience through a national network.

The project activities will include: baseline assessment of the existing diversity policies in participating cities; expert visits and review of the existing diversity landscape, policies and needs of the cities and the preparation of intercultural profiles with recommendations; experience exchange through meetings and information sharing with other cities in the European (e.g., policy analysis and vision building workshops on the spot; assistance with intercultural strategy development; international meeting of Mayors and city coordinators; study visits to other cities; seminars on public safety, urban planning, intercultural competence and engaging citizens in diversity; media diversity and business development training, etc.).

Overall objective

- To strengthen the capacity of Gori as a pilot city to review – with the participation of international experts, officials, citizens and peers from other cities – its policies and governance from an intercultural perspective; to enable the city's learning from successful practice in other cities; and to identify a set of objectives, indicators and a plan of action which will form its intercultural strategy;
- To set up a national ICC network and thus transfer Gori's experience to a larger number of Georgian cities.

Specific objectives

- To enable a number of Georgian cities to acquire an advanced understanding of the concept of diversity advantage and adapt it to their specific historic, demographic and political context;
- To empower intercultural innovators in the local institutions and civil society to design, negotiate and implement local intercultural policies based on these concepts;
- To create local partnerships to support and monitor the development of local intercultural policies;
- To work with local media to encourage them to build a positive discourse and balanced reporting on diversity;
- To support joint initiatives using diverse cultural and human capital and aiming at fostering co-operation between cities, both nationally and internationally;
- To facilitate exchange of experience in diversity management between Georgian cities and other ICC networks, in particular the European ones.

Expected results

- Strengthened capacity of the target groups to design, negotiate and evaluate diversity policies in consultation with citizens as final beneficiaries;
- Improved horizontal co-operation between cities;
- More peaceful, cohesive and better environment created for the final beneficiaries, with greater possibilities to participate in political, cultural and social life.

7.5. Community-led Urban Strategies in Historic Towns (COMUS)

Duration: 24 months
Implementation status: Negotiation with EU in progress (regional project for 5 countries, including Georgia)
Total cost: €500 000 (€100 000 approximate budget allocation for Georgia)
Funding status: Funding pre-secured (Joint Programme between the European Union and the Council of Europe)

Partners: **Ministry of Culture and Monument Protection;** Ministry of Regional Development and Infrastructure; municipalities
Source of justification: COMUS is based on the results achieved as part of the Kyiv Initiative (2009-2011) and participates within the EU Eastern Partnership Programme

Short description

COMUS will look at the most appropriate means of reinvesting in historic towns. Two pilot towns in Georgia (ten in the whole region), closely connected with their surrounding environments, will test targeted interventions on their historic heritage, where local stakeholders face difficulties in improving living conditions, creating social cohesion or economic activities, and where the preservation of the natural and cultural heritage also raises issues at national level.

The claiming of a community's identity, together with the identification and promotion of its cultural heritage, is the starting point for development through dialogue, between all stakeholders and everyone's participation in decision-making processes and a shared vision for the future. Elected representatives, experts and specialists, inhabitants, associations and interest groups, investors, visitors, users and institutions, all have a specific role to play in complex urban development processes. This local development approach is based on highly operational processes which seek to avoid the traditional money- and time-wasting approach of collecting large quantities of statistical information, and focuses rather on the urban reflection to identify what is really at stake in each town. The integrated approach, focused on potentials, rather than obstacles and the number of issues involved, represents a break from classical analytical methods.

Overall objective

To assist national, regional and local authorities in implementing strategic revitalisation and to contribute to social and economically sustainable development. In this approach, the built heritage is considered an economic and social factor, going beyond simple conservation and restoration, to encourage and facilitate rehabilitation which provides new uses and new possibilities for the local population, whilst being integrated with the planning of the built environment's future shape.

Expected results

- The impact of COMUS will be at the level of future national and local urban rehabilitation policies;
- The results in the pilot towns will be promoted to serve as examples to stimulate debate and discussion in other historic towns facing similar development challenges;
- Historic towns will feel stimulated to use the same methodology and to apply it to elaborating projects which can attract investments;
- Municipal authorities will be aware of the direct benefits they can reap from replicating the methodology, namely strengthening their autonomy and developing local capacity to take on development initiatives;

- COMUS will contribute to demonstrating the value of heritage in development processes, especially when integrated into community-led and place-specific approaches;
- The Ministries of Culture will find the relevant arguments in the experience that they need to enhance their institutional role in development processes;
- Ministries of Culture will find opportunities to propose innovative partnerships and new ways to collaborate with municipalities, and will also develop new partnerships with other Ministries competent in the field of urban planning, and these will contribute to increasing inter-ministerial co-operation;
- The follow-up of the action will identify possible simple ways to strengthen national policies and address recommendations for developing new programmes to support local development;
- The needs for legal and institutional improvements will be clearly identified at the end of the action and reform processes suggested.

7.6. Empowering local and regional communities to protect and promote cultural heritage (LoRDeP)

Duration: 36 months
Implementation status: proposed
Total cost: approximately €450 000 (€250 000 for Gori operational phase project and/or €200 000 for action in a second territory)
Funding status: funding required

Partners: **Ministry of Culture and Monument Protection**; Ministry of Regional Development and Infrastructure; Ministry of Education and Science; Ministry of Economy and Sustainable Development; Ministry of Environment and Natural Resources Protection; municipalities

Source of justification: The PIAG project (Post-Conflict Immediate Actions for the Social and Economic Revitalisation of the Communities and Cultural Environment in the Municipality of Gori) was carried out from 2008 to 2010. Investment actions were identified and a further operational phase to be based on national initiatives is required. Other initiatives in regions facing development problems would benefit from the PIAG methodology.

Short description

The LoRDeP process is implemented through:

- promotion of heritage protection and conservation, and landscape preservation, as factors in social and economic development;
- active support for the involvement of the local population in the monitoring of public activities, which is necessary if projects are to be sustained;
- an integrated approach to the development process, in which the notions of heritage and landscape are key elements (a factor in improving identity and cohesion).

The LoRDeP makes it possible to explore new approaches and methods in matters of direct concern to the public authorities. It therefore helps amend existing policies: this makes State and local authority practices more effective by directly influencing the legislative and regulatory framework, whilst reinforcing the role of the local population and civil society in the decision-making process. It requires genuine partnership between stakeholders and total commitment by the State in underwriting the scheme and applying the results towards the following areas:

- the orientation of territories towards a development dynamic: the aim of the process, which will create wealth in the territories, is to ensure that programmes providing facilities and spatial development are part of overall strategies, thereby ensuring effective investment and maximisation of the potential of the territory;

- the promotion of new development models: the combined treatment of social, economic and environmental issues calls for an integrated, non-compartmentalised approach to the complex issues of heritage protection, conservation, enhancement, funding and management, involving all associated sectors (culture, education, youth, sports, social cohesion, economy, etc.) without giving prominence to one sector over another;
- the development of local professional skills: the promotion of specific know-how and the development of tools for managing change, for making strategic choices and for ensuring that these are followed through. This calls for enhanced skills, including leadership and mobilisation of local stakeholders;
- the awareness of interdependence within and between territories: involving local stakeholders and partners from outside the territory presupposes and requires the development of mechanisms for participation and dialogue.

Overall objective

To help national, regional and local institutions examine the long-term potential of territories, and the institutional and legislative frameworks that determine regional policies and decentralisation mechanisms.

Specific objectives

The examination of long-term potential for development is conducted through a specific process leading to the design of a "Territory Charter" which sets out:

- An integrated (trans-sectorial) project for the long-term development of the territory;
- The broad guidelines and strategies for development and upgrading of territories;
- The measures (the operational programme) that will enable these to be achieved.

Expected results

- The LoRDeP puts in place a local development and consultation process during which the different possible options for development can be considered;
- Conservation and revitalisation of cultural and natural heritage, and landscape resources are promoted as factors for cultural dialogue and socio-economic development;
- Local communities are actively involved in decision-making processes and in the monitoring of public activities to ensure the sustainability of projects;
- An integrated and holistic approach is applied to the development process, in which the notions of preserving cultural heritage and landscape, and fostering cultural dialogue, are key elements as factors of identity and cohesion;
- The idea that "living together" in mutual understanding, respect and tolerance can foster innovative development processes for communities, is endorsed;
- Cohesive living environments are promoted where diversity represents a richness for our changing society;
- Management of diversity through increased intercultural dialogue and citizen participation within the rules of democratic governance is strengthened;
- Territorial Diagnosis and Strategies are agreed by all parties, and published;
- The territorial long-term development plan is adopted by inter-ministerial commissions and the priority investments implemented;
- The LDPP model is institutionalised at national level, inserting the LoRDeP methodology into national planning procedures, and reconciling national sectorial policies.

8. TOLERANCE AND ANTI-DISCRIMINATION POLICIES

Country-specific priority action

Protection of minority rights and their fully-fledged co-existence in society is an essential issue for the Georgian Government. Capacity building and expertise provided by the Council of Europe within the framework of the present Action Plan will help Georgia to fulfil one of its remaining accession commitments, namely ratification of the European Charter for Regional or Minority Languages (ECRML) and to address the issue of national minorities. Involvement of civil society organisations of national minorities in the democratic decision-making process will help to create conditions for the future ratification of the ECRML.

8.1. Civic Integration of National Minorities in Georgia and the European Charter for Regional or Minority Languages (ECRML)

Duration: 24 months
Implementation status: proposed
Total cost: approximately €350 000
Funding status: funding required

Partners: **Office of the State Minister for Reintegration**; line Ministries including Ministry of Education and Science; Ministry of Culture and Monument Protection; Ministry of Justice; civil society organisations of national minorities and/or working on issues of national minorities.

Source of justification: Ratification of the ECRML is a pending post-accession commitment of Georgia to the Council of Europe, publicly confirmed by members of the Government in April 2013.

Short description

Georgia already ratified the Framework Convention for the Protection of National Minorities (FCNM) in 2005. Extensive recommendations regarding the language rights of persons belonging to national minorities were made in the first Opinion of the Advisory Committee of the FCNM in 2009. Georgia is currently approaching the second monitoring cycle.
This project will provide legal assistance and capacity building for ratification and implementation of the European Charter for Regional or Minority Languages (ECRML). In June 2013, CoE experts assisted the Georgian side with the assessment and preliminary selection of ECRML provisions. On an as-needed basis, the CoE will continue providing expert and legal support to the existing specialised working group composed of representatives of relevant Georgian national authorities and experts on the ECRML. In parallel, after the draft ratification instrument is prepared for ratification, or as otherwise needed, awareness-raising activities about the ECRML will be carried out to inform decision makers, professionals and the general population. Both elements will help create the conditions for the ratification of the ECRML.

In addition the CoE will support capacity building of relevant national and local institutions for its effective and due implementation, linking it to the implementation of the language, education and culture-related provisions of the FCNM and related recommendations.

Overall objective

To create the conditions for the ratification of the ECRML and for subsequent implementation; to promote linguistic, educational and cultural aspects of civil integration of national minorities.

Specific objectives

1. Bearing in mind the ECRML's "menu" system (i.e. states ratify only ECRML provisions selected by them), examine and help select, if further needed, ECRML provisions for Georgia and facilitate their implementation.

2. Parallel awareness-raising activities on ratification of the ECRML as well as subsequent capacity building activities for the implementation of the ECRML will be carried out involving the following target groups:

- decision makers (e.g. parliamentarians, mayors in regions inhabited by national minorities);
- professionals (e.g. information and capacity building seminars for practitioners in the fields of education, culture, judiciary, media, administration and minority NGOs, publication of specific information material);
- general population: raising awareness and understanding for the (linguistic) identities of national minorities (e.g. production and distribution of information materials, information kits for parents about the advantages of plurilingualism, newspaper/broadcast features, cultural activities).

In the framework of the capacity building activities, medium-term strategies for the application of the ECRML provisions to each of the minority languages would be developed, taking stock of already existing measures. The results of this work would serve as a factual basis for the drafting of Georgia's first report on the application of the ECRML which will be due one year after ratification.

3. In the context of applying the ECRML, the following transversal objectives in the fields of language, education and culture would be pursued, where appropriate:

- to develop a comprehensive system of plurilingual education (state language/minority language/foreign languages) for the national minorities (in particular Armenians and Azeris) with a focus on the ways of teaching the official language without detriment to the teaching of minority languages and the need to take care of the special (linguistic) needs of national minorities;
- to foster dialogue with the people in Abkhazia and South Ossetia regions by promoting the Abkhazian and Ossetian languages in other parts of Georgia;
- to ensure participation/consultation of national minorities in the democratic and administrative processes concerning them (to be coordinated with NGO project of Civil Society Division);
- to assist in developing a comprehensive cultural policy that includes national minorities; develop a "Cultural Route of National Minorities" (touristic "road") which links monuments or institutions related to the heritage of national minorities with a view to supporting the development of tourism and furthering a positive image of minorities in the population.

Expected results

Ratification of the ECRML was the subject of a lively debate in Georgian domestic politics in March and April 2013 during which members of the Government confirmed their commitment to ratify. In June 2013, upon Georgia's request, a CoE expert visited Tbilisi to assist, together with the ECMI expert, the Georgian side with the assessment and preliminary selection of ECRML provisions for the draft ratification instrument.

- the protection of national minorities and the promotion of their linguistic, educational and cultural rights will be further improved, in accordance with European minority standards;

- representatives of the national authorities and experts on the ECRML will have prepared a draft ratification instrument concerning this treaty (which is the most important element in the preparation of any ECRML ratification) which can be used by the authorities during the further preparation of ratification;
- awareness-raising activities will have provided decision makers, professionals and the general population with accurate and objective information about the ECRML;
- the capacity of the authorities to deal with the ratification and subsequent implementation of the ECRML will be enhanced inter alia in the fields of education, administration/justice and culture.

8.2. Support the development of the Strategy for integration of national minorities

Duration: 24 months
Implementation status: proposed
Total cost: €250 000
Funding status: funding required

Partners: **Office of the State Minister for Reintegration (SMR);** Ministry of Justice; State Interagency Commission; Public Defender's Office; line Ministries; a working group of NGOs and SMR staff working on the new strategy;

Source of justification: the National Concept for Tolerance and Civil Integration and its respective Action Plan 2009-2014; the elaboration of the New Concept and the Action Plan.

Short description

The project will provide expert support on minorities integration policy development and evaluation to national, local authorities and the State Interagency Commission in order to conduct analysis of the National Concept for Tolerance and Civil Integration and its respective Action Plan 2009-2014 (which is currently under implementation and expires in 2014), as well as of its past implementation, and help develop new national strategy for civil integration based on broad participation. The project will include the following major components:

- Allocation of expert(s) to analyse National Concept for Tolerance and Civil Integration and its respective Action Plan 2009-2014, which expires in 2014, as well as its past implementation, and to develop, based on consultations with the national, local authorities, members of State Interagency Commission and the NGOs represented in the working group, the new civil integration strategy;
- Facilitation of international experience sharing and best practices in civil integration policy through study visits and seminars, in addition to allocations of an international expert;
- Arrangement of regular meetings and information sessions in Georgia's respective regions inhabited by national minorities involving all local stakeholders.

Overall objective

To improve Georgia's national minorities' integration policy and promote its effective implementation; enhance the capacity of local and national authorities in minorities' integration policy planning and participation of national minority communities and organisations in the policy-making process, including drafting of the new national strategy; contribute to integrating national minorities into the Georgian society.

Specific objectives

- To identify gaps between current policies and practices and international standards in the field of national minority integration through conducting analysis of policies, including the National Concept for Tolerance and Civil Integration and its respective Action Plan 2009-2014;
- To provide expertise and recommendations to national authorities to produce new national strategy for integration of national minorities;
- To enhance the capacity of civil society organisations of national minorities, national and local authorities and population in the regions inhabited by national minorities to participate in civil integration policy planning and evaluation.

Expected results

- New national strategy for civil integration is elaborated reflecting the recommendations and expertise provided by the Council of Europe through analysis of National Concept for Tolerance and Civil Integration and its Action Plan, and its past implementation;
- Civil society organisations of national minorities have necessary opportunities to participate in the policy-making process;
- Local population of national minorities have greater say in elaboration of national strategy;
- National and local authorities' capacity for policy planning and evaluation are improved.

8.3. No Hate Speech Movement - Campaign of Young People for Human Rights Online

Duration: 36 months
Implementation status: proposed
Total cost: €75 000
Funding status: €5 000 available (Ordinary Budget)

Partners: **Ministry of Sport and Youth Affairs;** Ministry of Education and Science; National campaign committee for the No Hate Speech Movement in Georgia
Sources of justification: Joint Council on Youth campaign No Hate Speech Movement and the project Young people combating hate speech online.

Short description

The youth campaign No Hate Speech Movement, as a de-centralised campaign, is a unique opportunity to counter hate speech, with an emphasis on young people as agents and as beneficiaries of the campaign. The campaign in Georgia does not make sense if it does not address the divisive factors between communities.

As defined by the Committee of Ministers' Recommendation R 97 (20) on Hate Speech, hate speech covers "all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism…". Combating hate speech and promoting human rights online is the purpose of the youth campaign No Hate Speech Movement. As a de-centralised campaign, the No Hate Speech Movement has many supporters and advocates in Georgia. A national campaign committee was set up in response to a call by the Council of Europe. As the committee is preparing its plan of activities and campaign youth activists are being trained. It is important that they target some of their activities and the sense of the campaign on hate speech at Georgian minority communities and citizens.

Overall objective

To combat hate speech and promote a culture of peace, human rights and reconciliation by raising young people's awareness about hate speech and reducing their acceptance of hate speech.

Specific objectives

- to carry out a national online campaign in Georgia against hate speech targeted at minorities and internally displaced people;
- to support confidence-building and reconciliation measures through non-formal education activities in school and out-of-school;
- to create an online site for combating hate speech in general in the society and hate speech against minorities;
- to support young people in all regions of Georgia to act for human rights and work towards overcoming dividing lines and combating hate speech.

Expected results

- the No Hate Speech Movement campaign in Georgia will mobilise and reach out to minority communities and young people from internally displaced communities;
- an online site is created and relevant training is provided to young activists to combat hate speech in general in the society and hate speech against minorities;
- human rights education and peace-building activities will be implemented with young people taking in non-formal education activities and in school classes, with a particular emphasis on young people and schools placed in communities with ethnic minorities;
- the levels of acceptance and tolerance to hate speech in Georgia, particularly in the forms and media addressed at young people and involving ethnic minorities or nationalities, will be reduced;
- expressions and manifestations of rejection of hate speech by young people will be made visible through campaign materials, social networks and online media in Georgia, hence breaking the cycles of hate fuelling and violence fuelling violence.

9. CONFIDENCE BUILDING MEASURES

9.1. People-to-people contacts for conflict-affected areas

Duration: 24 months
Implementation status: proposed
Total cost: €540 000
Funding status: €140 000 available (Ordinary Budget)

Partners: **Office of the State Minister for Reintegration**; Civil society on both sides of the ABL; NGOs representatives; Ministry of Education and Science; Ministry of Culture and Monument Protection; Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees; Media; Liaison Mechanism; UN and other international organisations; Public Defender's Office

Source of justification: Request of national authorities

Short description

Seminars, trainings, round tables, sport and cultural events are organised for participants from both sides of the Administrative Boundary Lines belonging to a given group to discuss common problems and challenges and discuss the implementation of human rights and European norms.

Particular attention will be devoted to addressing divisive factors among youth and to promote education for human rights and democratic citizenship, building notably on the experience of the work carried out with youth NGOs in various member States experiencing or having experienced a post-conflict situation.

In addition, specific expertise is provided to the Georgian authorities, at their request, on technical and legal aspects for the implementation of their conflict related policy, including the aspects of the policy related to the internally displaced persons.

Overall objective

To enhance the respect of human rights and European norms in conflict affected areas and support dialogue between the target groups across the ABL.

Specific objectives

- To improve contacts and establish a framework for co-operation between journalists, teachers, educators, civil society, students;
- To improve human rights and professional standards for these professions in conflict affected areas;
- To contribute to the conflict settlement process by maintaining a dialogue between participants;
- To ensure that the applied policies are in line with European standards and norms.

Expected results

- Participants develop contacts with their counterparts on the other side of the ABL;
- Human rights and professional standards are better known and respected in the conflict affected areas;
- The target groups have better knowledge of the situation on the other side of the ABL and of the way in which the conflict is perceived;
- Participants acquire a better knowledge of European norms relevant to their respective professions.

Addendum 1 : Action Plan and project management capacity development for national stakeholders

Duration: 36 months
Implementation status: proposed
Total cost: €75 000
Funding status: Funding required

Partners: **Ministry of Foreign Affairs,** main national stakeholders

Short description

The project is carried out to ensure optimal implementation of the CoE Action Plan for Georgia 2013-2015. It aims to develop capacities in planning and managing for results of the national and local counterparts involved in the implementation of the Action Plan. There is a possibility of organising a special module on project management for the representatives of the Central Election Commission.

Overall objective

To establish the Action Plan for Georgia as a results-based management tool through training and coaching programmes for national stakeholders.

Specific objectives

- to develop a common approach and understanding of project management, fundraising, monitoring and evaluation among all Georgian Action Plan stakeholders;
- to support the national counterparts' ownership and commitment to implement the Action Plan.

APPENDIX 1 : FINANCIAL TABLE

Total number of projects: **34**

TOTAL ACTION PLAN BUDGET: **€ 16 941 471**

SECTORS	Total funds secured	Additional funds required	Total
1. Protection and promotion of Human rights (6 projects)	€ 530 698	€ 2 800 000	€ 3 330 698
2. Independence and efficiency of the judiciary (3 projects)	€ 154 000	€ 1 203 973	€ 1 357 973
3. Penitentiary system and police reforms (6 projects)	€ 3 860 700	€ 3 200 000	€ 7 060 700
4. Media freedom, freedom of expression and association (3 projects)		€ 900 000	€ 900 000
5. Free and fair elections (3 projects)	€ 211 000	€ 175 000	€ 386 000
6. Good governance (2 projects)	€ 187 700	€ 100 000	€ 287 700
7. Local democracy (6 projects)	€ 180 000	€ 2 148 400	€ 2 328 400
8. Tolerance and anti-discrimination policies (3 projects)	€ 5 000	€ 670 000	€ 675 000
9. CBMs (1 project)	€ 140 000	€ 400 000	€ 540 000
10. AP and project management capacity development (1 project)		€ 75 000	€ 75 000
TOTAL	**€ 5 269 098**	**€ 11 672 373**	**€ 16 941 471**

APPENDIX 2 : LIST OF NATIONAL STAKEHOLDERS

Association of Judges
Caucasus Institute for Peace, Development and Democracy
Central Election Commission
Chief Prosecutor's Office
Council of Journalistic Ethics
Department of State Representation to the International Human Rights Courts
Georgian Bar Association
Georgian National Communications Commission
Judiciary
Human Rights Education Centre
International Society for Fair Elections and Democracy
Ministry of Corrections and Legal Assistance
Ministry of Culture and Monument Protection
Ministry of Economy and Sustainable Development
Ministry of Education and Science
Ministry of Environment and Natural Resources Protection
Ministry of Internal Affairs
Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees
Ministry of Justice
Ministry of Labour, Health and Social Affairs
Ministry of Regional Development and Infrastructure
Ministry of Sport and Youth Affairs
National Association of Local Authorities of Georgia
National campaign committee for the No Hate Speech Movement in Georgia
Office of the State Minister for Reintegration
Parliament
Police Academy
Public Defender's Office
Training Centre of the Ministry of Justice

APPENDIX 3 : COE AND GEORGIAN NATIONAL DOCUMENTATION RELEVANT TO THE IMPLEMENTATION OF COUNCIL OF EUROPE ACTION PLAN FOR GEORGIA 2013-2015:

65 Council of Europe treaties signed and ratified by Georgia;

The "Georgian report on compliance with obligations and commitments" prepared by the Council of Europe Secretariat and discussed by the Committee of Ministers (CM) on 16 June 2011 and the relevant decisions adopted by the Ministers' Deputies on 29 June 2011;

CM Recommendation 2(2008) on improving the domestic capacity of execution of ECtHR judgments;

The Council of Europe Commissioner for Human Rights Report on the administration of justice in Georgia (30 June 2011);

Case-law of the ECtHR in respect of Georgia on violation of ECHR Articles 2 and 3;

Public Defender's Office annual and special reports of 2012;

Georgian government's 2011-2013 Strategy and Action Plan on Penitentiary System Health care Reform, and the Code of Imprisonment;

Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education;

CM Recommendation 4(2004) on Human Rights in university education and professional training;

Interlaken and Brighton Declarations;

Conclusions and recommendations of the report on training of judges produced under the Eastern Partnership project on the judiciary;

Code of Criminal Procedure (CCP) of Georgia;

CM Recommendation 6(2006)(6) on internally displaced persons;

ECtHR judgments with findings of violations in Georgia as regards ill-treatment and its improper investigation;

Reports of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visits to Georgia;

2012 Special Reports of the Public Defender's Office on Conditions in Psychiatric Establishments and on Monitoring of Penitentiary Institutions and Temporary Detention Isolators;

National Criminal Justice Reform Strategy and Action Plan;

Amnesty Law of Georgia;

ECRI recommendations on democratic participation and judiciary;

2013 Strategy of the Ministry of Internal Affairs and the 2013 Code of Police Ethics;

CM Rec(2001)10 on the European Code of Police Ethics;

CEPEJ 4th Evaluation Report on European judicial systems for the 2010-2012 cycle;

Findings and recommendations contained in the reports of the EU/CoE Joint Project "Eastern Partnership – Enhancing judicial reform in the Eastern Partnership countries": "Judicial Self-Governing Bodies and Judges' Career" (September 2011 and March 2013), and "Efficient Judicial Systems" (March 2013);

Venice Commission opinion on the draft amendments to the Organic Law on Courts of General Jurisdiction of Georgia (March 2013);

Findings and recommendations contained in the report "The Profession of Lawyer" of the EU/CoE Joint Project "Eastern Partnership – Enhancing judicial reform in the Eastern Partnership countries" (May 2012);

CoE adopted standards on Internet (e.g. Internet Governance Principles, net neutrality, public service value of Internet, etc.);

Internet governance strategy 2012 -2015;

Case-law of the European Court of Human Rights related to Internet and freedom of expression;

CoE Internet governance strategy;

PACE Recommendation 1998 (2012) "The protection of freedom of expression and information on the Internet and online media "

PACE Resolution 1877(2012) "The protection of freedom of expression and information on the Internet and online media"

PACE Recommendation 1984 (2011) "The protection of privacy and personal data on the Internet and online media"

PACE Resolution 1843(2011) The protection of privacy and personal data on the Internet and online media;

PACE and European Commissioner for Human Rights monitoring reports;

2012 Georgia Law on Information Security;

30th CoE Conference of Ministers of Resolution No. 3 on data protection and privacy in the third millennium;

PACE Resolution 1843 (2011) on the protection of privacy and personal data on the Internet and online media;

Council of Europe Recommendation R(87)15 regulating the use of personal data in the police sector;

Draft Resolution by the Council of Europe Committee on Legal Affairs and Human Rights on alternatives to imprisonment;

Council of Europe Prisons Rules;

CoE Congress of Local and Regional Authorities Recommendation 334(2013) on local and regional democracy in Georgia;

Ordinance of the Government of Georgia № 223 of 1 March, 2013 on the Main Principles of the Strategy on Decentralization and Self-government Development of the Government of Georgia for 2013-2014;

Appraisal reports prepared by the CoE Directorate General of Democracy and Political Affairs;

The Organic Law of Georgia on Local Self-Government (22 June 2010);

The Law on Tbilisi, Capital of Georgia (23 June 2010);

The Law on Changes and Amendments to the Constitution of Georgia (chapters concerning the organisation of local self-Government (23 June 2010);

Additional recommendations by the CoE Congress in a result of monitoring and fact-finding missions to Georgia (2012 and 2013);

European Charter of Local Self-Government;

PACE Resolution 347(2012) and Recommendation 328(2012) on the right of local authorities to be consulted by other levels of government;

PACE Recommendation 291(2010) on municipal elections in Georgia (30 May 2010);

PACE Resolution 1801 (2011)1 **"**The honouring of obligations and commitments by Georgia";

White Paper on Intercultural dialogue (2008);

Report of the Group of Eminent Persons "Living Together" (2011);

Recommendation 261 (2009) and Resolution 280 (2009) of the Congress of Local and Regional Authorities "Intercultural Cities";

CoE assistance programme for elections in Georgia for the period 2012 – 2014 approved by the CM on 11 January 2012;

European Charter for Regional or Minority Languages (ECRML);

National Concept for Tolerance and Civil Integration and its respective Action Plan 2009-2014;

Council of Europe Disability Action Plan 2006-2015;

CM Recommendation R 97 (20) on Hate Speech;

'Compass, Manual for Human Rights Education with Young People' published by the Youth Department in 2012;

Decisions on priorities and expected results for the youth sector of the Council of Europe for 2014-2015 Programme and Budget.