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Council of Europe Action Plan for Georgia 2013 – 2015 Progress Review Report

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LIST OF ABBREVIATIONS

CEB	Council of Europe Development Bank
CEC	Central Election Commission
CEPEJ	European Commission for the Efficiency of Justice
CETS	Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data
CM	Committee of Ministers of the Council of Europe
CoE	Council of Europe
Congress	CoE Congress of Local and Regional Authorities
CPT	Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
EaP	European Union Eastern Partnership
ECHR	European Convention on Human Rights
ECRI	European Commission against Racism and Intolerance
ECtHR	European Court of Human Rights
ESC	European Social Charter
EU	European Union
EXEC	Department for the Execution of Judgments of the European Court of Human Rights
GR-DEM	Rapporteur Group on Democracy
GRECO	Group of States against Corruption
HELP	European Programme for Human Rights Education for Legal Professionals (HELP Programme)
HSoJ	High School of Justice
MoJ	Ministry of Justice
MONEYVAL	Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism
NGO	Non-governmental organisation
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organisation for Security and Co-operation in Europe
PACE	Parliamentary Assembly of the CoE
PCF	European Union/Council of Europe Eastern Partnership Programmatic Co-operation Framework
PDO	Public Defender's Office
RESC	Revised European Social Charter
VC	European Commission for Democracy through Law (Venice Commission)

I. OVERVIEW

1. Introduction

The Council of Europe Action Plan for Georgia 2013 – 2015 (ODGProg/Inf(2013)15) was adopted by the Committee of Ministers in October 2013. The Action Plan responds to the priorities of the reforms in Georgia and to its commitments as a member State of the Organisation. On the basis of extensive consultations between the Council of Europe and the Georgian authorities, the Action Plan represents a comprehensive co-operation framework to support Georgia in a number of key areas, such as domestic implementation of the European Convention on Human Rights and the case-law of the European Court of Human Rights. The Plan is backed by over €10 million in funding from the European Union and the Council of Europe member States.

The progress report reviews the work done in 2013 – 2014. The report has been developed in consultation with the Georgian authorities and consists of a narrative part with consolidated information about major achievements to date in each of the priority areas and an annexed list with a review of individual project actions, along with funding information.

The Action Plan benefited from the remarkable support and active participation of Georgian state institutions, specialised agencies and non-governmental organisations.

2. Main Achievements

In summary, the main achievements of the Action Plan to date are as follows:

- The legislative framework governing the independence and professionalism of the judiciary improved following the acceptance of recommendations on the selection, appointment and disciplinary procedures in respect of judges;
- Healthcare service standards in prisons were developed, and revision of legislation and capacity-building measures contributed to better healthcare for prisoners;
- The High School of Justice has adopted a new strategy action plan 2014 – 2018 and training curriculum, thus strengthening its capacity to address the needs of the Georgian judiciary;
- The capacity of the Central Election Commission to deal with electoral dispute resolution increased, the organisational capacity for political campaigns of women candidates increased;
- Activities on multicultural education, language learning and architectural heritage management contributed to strengthening contacts between representatives of civil society and professional groups from Tbilisi, Kutaisi, Abkhazia region and Tskhinvali region.

The progress report also highlights the following developments:

- The acceptance of recommendations to protect victims in criminal proceedings contributed to strengthening victims' rights;
- Legal protection of whistle-blowers improved in line with CoE recommendations;
- An assessment of the risk of corruption within the prosecution service focused on the legal framework and the current exercise of discretion;
- A group of 18 legal professionals was trained to form a pool of trainers on ECHR and ECtHR case law, with a special emphasis on discrimination, contributing to the improvement in the capacity of the Georgian Bar Association and the human rights community to deliver training on these topics to legal professionals.
- Over 1 000 lawyers and human rights defenders improved their knowledge of the ECHR and ECtHR case law and learned about the application of European anti-discrimination standards through thematic workshops and cascade training sessions organised by the CoE;
- Access to rehabilitation programmes for inmates with addiction problems was improved;
- Acceptance of recommendations on by-laws regulating psycho-social rehabilitation of inmates, management of hunger strikes and transfer of medical files helped to improve healthcare system in prisons;

- The training of over 300 prison managers, staff and medical doctors in health prevention contributed to improvement of conditions of detention;
- The training of 30 prosecutors and investigators contributed to improvements in practice of ill-treatment investigations;
- Workshops, roundtable discussions and information-sharing meetings have contributed to advocacy on behalf of the internally-displaced persons (IDPs); over 1 500 IDPs were provided with legal consultations in 2013 – 2014.

3. Framework for Implementation

The Council of Europe and Georgian authorities have established a joint Steering Committee to assess implementation of the Action Plan. The committee's first meeting took place in February 2015 in Tbilisi.

The Action Plan includes 34 projects for a total amount of €16 million. As of January 2015, there are 12 projects implemented by the Directorate General of Human Rights and Rule of Law, the Directorate General of Democracy, as well as the Congress of Local and Regional Authorities of Europe.

The Action Plan implementation includes needs-assessment, legislative expertise, capacity-building and training, awareness-raising and peer-to-peer reviews in such fields as reform of the judiciary and penitentiary, reform of policing, liberalisation of criminal justice policies and practice, freedom of the media and protection of minorities and other vulnerable groups, elections. Other priorities include drug policy reform, the fight against cybercrime, human rights education, local self-governance, intercultural strategies and confidence-building.

The projects are implemented in close co-ordination with the Georgian government and international partners active in Georgia, notably with the Delegation of the European Union to Georgia, development agencies of the CoE member States and the United Nations.

Co-operation between CoE and Georgian authorities takes into account the activities of other international organisations (EU, UN, OSCE, etc.) and partner states to ensure synergy and complementarity, and to avoid overlap.

4. Council of Europe Office in Georgia

The Council of Europe Office in Georgia plays an important role in co-ordination and implementation of the Action Plan. It currently employs 16 staff members and is responsible for implementation of 12 de-centralised projects and assists Major Administrative Entities with implementation of regional and thematic programmes.

The Office facilitates contacts with international partners present in the field. The Office also contributes to the increased visibility of the Organisation's actions in Georgia and significantly contributes to efficient and effective use of resources through de-centralised project management. The Office provides regular support to different Council of Europe bodies for the organisation of events and project activities in, and monitoring visits to, Georgia.

5. Overview of Resource Mobilisation

In line with Council of Europe resource mobilisation strategy, fundraising efforts under the co-ordination of the Office of the Directorate General of Programmes have been concentrated on the Action Plan as a whole. The revised overall budget of the Action Plan is approximately €15.8 million. Funding amounting to more than €10 million (63% of the total budget) has been secured for the programming cycle 2013 – 2015.

Substantial funding has been secured *via* the partnership between the Council of Europe and the European Union, with over €4 million allocated to Georgia within regional frameworks, including within the Eastern Partnership Facility.

As from 2015 Georgia is also benefiting from participation in projects to be funded through the Programmatic Co-operation Framework (PCF) between the Council of Europe and the European Union in areas related to the application of the ECHR and harmonisation of national legislation and judicial practice with European standards, promoting education for democratic citizenship and human rights, the functioning of the Georgian Bar Association, reintegration of persons released from prisons, media freedom, protection of internet freedom, electoral assistance, anti-money laundering measures and integration of national minorities. Funding of approximately €3 million under the PCF has been secured for country-specific projects within the current programming cycle ending in 2017.

Four key programme areas of the Action Plan (protection and promotion of human rights, independence and efficiency of the judiciary, media freedom and electoral assistance) are being implemented with voluntary contributions coming from member States totalling almost €1.8 million. Denmark, the largest bilateral donor, provided funding of approximately €600,000, closely followed by Norway, Switzerland, the Human Rights Trust Fund (Finland, Germany, Netherlands, Norway, Switzerland and United Kingdom) and Netherlands. Norway has contributed non-earmarked funding to the Action Plan.

6. Council of Europe Development Bank

In 2013 and 2012, the Council of Europe Development Bank (CEB) approved three loans in favour of projects in Georgia for a total amount €42.7 million to be lent to Small and Medium-sized Enterprises (SMEs) for the partial financing of productive investments. The aim of these projects is to facilitate access to credit by SMEs and to foster the creation and preservation of viable jobs throughout Georgia.

II. SECTOR REVIEW

1. Protection and promotion of human rights

BACKGROUND

The AP projects in this sector aim to improve effective implementation of European human rights standards in Georgia. Most activities in 2014 focused on provision of expertise as regards the drafting of new legislation or amendments to existing legislation, as well as on dissemination of the case-law of the ECtHR. The CoE supported the Public Defender Office (PDO) in monitoring the situation of Internally Displaced Persons (IDPs) and contributed to legal assistance provided to vulnerable IDPs. The Parliamentary Assembly of the Council of Europe (PACE) designed an information seminar with the specific objective to increase the awareness and knowledge of newly elected members of the Committee of Human Rights and Civil Integration of the Parliament of Georgia and its staff, on the standards and practices on human rights (including religious freedom) and legal issues of the Council of Europe.

SECTOR IMPACT

The Action Plan has contributed to strengthening capacity of the national judicial and the law enforcement institutions to apply the ECHR effectively and develop practices in line with European human rights' standards. It has increased the awareness of Georgian stakeholders about CoE human rights' mechanisms, the application of the Revised European Social Charter (RESC) and the rights of refugees and minority groups. The Plan also strengthened the capacity of lawyers and human rights defenders to apply ECHR and the RESC domestically, with special emphasis on the application of Article 14 of the ECHR and its protocol 12.

ACTIVITIES AND RESULTS

The Plan supported continued monitoring of Internally Displaced Persons' (IDPs') settlements by the Office of the Public Defender. Over 1 200 monitoring visits were conducted by the PDO staff and over 1 500 IDPs were provided with legal advice in 2013 – 2014. An essay competition for students on the topic of internal displacement in Georgia was launched in December. In November a new component was launched covering the issues of refugees, asylum seekers and humanitarian status holders. A report on the human rights' situation of IDPs has been issued.

Strengthening the capacity of lawyers and human rights defenders for domestic application of the ECHR and Revised European Social Charter (RESC) was another priority of the CoE activities. A group of 18 professionals was trained through a series of seminars to train trainers and a refresher course on ECHR, RESC, and especially on the application of European anti-discrimination standards. This group of professionals now has the competence and motivation to provide large-scale simultaneous training of legal professionals on anti-discrimination legislation and practices, thus contributing to sustainability and multiplication of the results. Since January 2014 those trainers organised 22 cascade training sessions for 880 lawyers and human rights defenders on admissibility standards to the European Court of Human Rights, European anti-discrimination standards and on the Revised European Social Charter. Five thematic workshops were held since November 2013 under a programme catering to over 300 legal professionals. A workshop on anti-discrimination under the European Convention on Human Rights – Protection against Discrimination on the grounds of Religion, Expression and Assembly – took place in December 2013. It was then followed by four different thematic workshops in 2014: on the right to respect for one's private and family life through the prism of non-discrimination; on the Admissibility Criteria under the European Convention on Human Rights; on the RESC and the mechanism to monitor its application in Georgia and a high-level workshop on legal and political aspects of non-discrimination in co-operation with a number of international partners (USAID, East-West Management Institute, UNDP, American Bar Association and Open Society Georgia Foundation). Guidelines on the Use of Domestic Remedies in anti-discrimination cases were also developed, providing a step-by-step guide for lawyers to deal with discrimination using the national legislative framework in combination with European standards. An e-learning course on anti-discrimination was translated into Georgian and adapted for the needs of Georgian professionals and is available through the HELP Programme. The Fundamental Rights Agency / ECtHR Handbook on European non-discrimination law was translated, published and distributed among the Project's target audience. Representatives of the Bar and human rights organisations had an opportunity to network and exchange experience with colleagues from Armenia, Azerbaijan, the Republic of Moldova, Russia and Ukraine within two international conferences held in the Project, of which one was conducted in Tbilisi in April 2014. Georgian lawyers take part in an international moot court competition, which will culminate in a final round to be held in Strasbourg in June 2015.

Since 2012, representatives of the Georgian national training institutions and bar association took part in the work of the European Human Rights Training Network (the HELP Network). The network assists judges, prosecutors and lawyers to apply the ECHR at national level by developing curricula and training materials adapted to all different needs and aimed to facilitate their everyday work.

The Action Plan also contributed to the improvement of the Criminal Procedure Code of Georgia by providing an opinion on the draft of the document in August 2014.

The Georgian version of the information video clip presenting the execution of ECtHR judgments and the Committee of Ministers' supervision is available on the Execution Department website. It provides useful information for applicants, governmental bodies and NGOs about procedures concerning execution of judgments.

PROGRAMMING OUTLOOK

In 2015, the launch of new activities aimed at the application of the European Convention on Human Rights and harmonisation of national legislation and judicial practice in line with European standards, will further contribute to the improvement of legislation related to criminal justice and will reinforce the impact of the Public Defender's Office 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, as will the improvement in the operational capacities of the Public Defender's Office. In addition, Georgia may benefit from participation in a regional programme on education for democratic citizenship and human rights education.

Through the regional programmes, the Council of Europe and the European Union, in co-operation with the countries of the Eastern Partnership (Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine), will implement a number of initiatives which will focus on the role of national parliaments in the development of human rights. This programme foresees activities with members of committees and their staff dealing with human rights in different countries.

Following the successful implementation of the regional HELP programme in Georgia, additional country-specific actions might be considered, for example: to adapt HELP model curricula to the Georgian legal order; to develop self-learning resources in the Georgian language on ECHR articles and themes; and to set up a hot-line for Georgian lawyers and potential applicants on the ECtHR admissibility criteria. Recent discussions with the HELP partners have confirmed the national training institutions' commitment to further adapt HELP courses to the needs of legal professionals. For instance, the Georgian Bar Association is prepared to make the HELP course on the "Introduction to the ECHR" mandatory for all Georgian lawyers when they start their professional practice.

2. Independence and efficiency of the judiciary

BACKGROUND

The Action Plan has contributed to modernisation of laws and practices in Georgia, thus bringing them closer in line with European standards. Implementation of the National Criminal Justice Reform Strategy and Action Plan has started to deliver concrete results, which are also reflected in better performing courts.²

Within the framework of the Action Plan, activities in 2014 focused on strengthening judicial self-governance, improving procedural guarantees for handling criminal cases and enhancing the capacity of national training institutions for the judiciary.

SECTOR IMPACT

The Action Plan focused on strengthening the independence and efficiency of the justice system and contributed to the improvement in the selection and appointment of judges. CoE recommendations helped to increase the independence of the judiciary and to bring judicial self-governance closer to European standards. The Guidebook on reasoning of judgments in criminal cases contributed to judges' improved skills when writing motivations for their decisions. The document was published with the CoE's support and widely disseminated among judges and other court staff. The protection of the rights of victims in criminal proceedings was strengthened as a result of recommendations developed with the assistance of the CoE.

The Plan contributed to development in the capacity of the High School of Justice (HSoJ). The Strategy and Action Plan for 2014 – 2018 was adopted in July 2014 following a comprehensive needs assessment of the School. Implementation of the strategy strengthens and modernises the institution and institutional resources (material or human). Introduction of the new training curricula increased the proportion of training on practical skills provided to judges. Through a combination of train-the-trainers programme and study visits, the skills and knowledge of the HSoJ management and trainers have increased to address the needs of future judges and the judiciary of Georgia. For the first time in Georgia a training course for court managers was implemented. The HSoJ has a pool of 20 trainers available to cascade further training on issues of court organisation and management.

ACTIVITIES AND RESULTS

The Action Plan contributed to strengthening the independence and efficiency of the justice system in Georgia by supporting ongoing judicial reform undertaken by the Georgian authorities. To this end, the Plan facilitated discussions and exchanges of views between international experts and members of the Constitutional Reform Commission of Georgia. Various models of selection and appointment of judges and their qualifications were discussed. In the same vein, the Joint Opinion of the Venice Commission and Directorate of Human Rights of the Directorate of General of Human Rights and Rule of Law (DGI) of the Council of Europe on amendments to the procedural rules adopted on 10 – 11 October 2014 was translated into Georgian and widely disseminated to interested parties and the public at large in Georgia.

² Disposition time of civil (and commercial) non-litigious cases: 25 days; clearance rate of administrative law cases: 108.2 %; disposition time of administrative cases: 58 days; clearance rate of the total number of criminal cases: 143.6 %; disposition time of criminal cases: 36 days.

Similarly, the Action Plan is supporting the efforts of the national authorities in liberalising and modernising the criminal law. At the moment, based on a request received from the Ministry of Justice, an assessment is being done by CoE experts for a range of amendments to the Criminal Code of Georgia. The draft legal opinion will be followed up by a round-table discussion aiming to present an assessment of the amendments to the Criminal Code and corresponding recommendations to the national stakeholders and representatives of the civil society.

The Plan supported the work of the Supreme Court Commission on Reasoning, Form and Stylistic Coherence of the Judgments in Criminal Cases. As a result of the Commission's work, a Guidebook (compilation of recommendations) on reasoning of judgments in criminal cases has been developed with the involvement of a CoE expert, which includes *inter alia* the principles outlined in the case-law of the European Court of Human Rights on reasoning of court decisions. The Guidebook is an important tool for judges in writing the motivation of their decisions. The document was published with CoE's support and widely disseminated among judges and other court staff.

In order to strengthen the protection of the rights of victims in criminal proceedings, the CoE is continuously supporting the work of the witness and victim co-ordinators in the Chief Prosecutor's Office. As a result of a meeting between witness and victim co-ordinators, recommendations were developed for the improvement of relevant guidelines. Also, together with the Chief Prosecutor's Office, a CoE expert commenced preparatory work for a comprehensive assessment of the effectiveness of the respect of the rights of victims at pre-trial stages of criminal proceedings. The aim of the assessment is to follow the implementation of the provisions recently introduced in the Criminal Procedure Code of Georgia strengthening the rights of victims.

The Action Plan also aims to improve the ethical and disciplinary framework for the judiciary. To this end, in February a training session for the representatives of the Disciplinary Committee, the High Council of Justice and Disciplinary Chamber of the Supreme Court of Georgia was organised, where international experts had the opportunity to tackle various aspects of the disciplinary proceedings in respect of judges according to European standards and best practices.

The Action Plan supported development of the capacity of the High School of Justice of Georgia by strengthening and modernising the institution and institutional resources in addressing the modern needs of future judges and the judiciary of Georgia. A comprehensive needs assessment has allowed to gain a thorough knowledge on strengths and weaknesses of the institution and to put in place a short- and long-term Strategy and Action plan for 2014 – 2018 addressing those shortcomings. These documents were presented to the HSoJ's Independent Board, the highest collective management body of the HSoJ, and were unanimously adopted by its members on 1 July 2014.

The Plan also helped the HSoJ in developing new courses on court management issues (the first such curriculum in the country) and building the capacity of the trainers on court management. The focus of the training was on a wide range of issues related to European court management practice, quality and efficiency in court management, performance management, building employee engagement, and incentive mechanisms for time and stress management. In the long run these activities will also contribute to improving the management of the Georgian courts and professionalise the court management at large.

PROGRAMMING OUTLOOK

The support provided to the Georgian Bar Association (GBA) will intensify in 2015. The Action Plan will address issues identified in the report, "The Profession of Lawyer", prepared by the joint EU/CoE project "Eastern Partnership – Enhancing judicial reform in the Eastern Partnership countries. The focus of the activities will be on:

- increasing compliance of national legislation and regulations concerning the mandate and functioning of the GBA with European standards and CoE recommendations;
- strengthening management capacity of the GBA;
- increasing compliance of the Code of Professional Ethics for Lawyers practicing in Georgia in line with European standards and best practices;
- development of a modern curricula and methods (including Online Teaching Platform) for continuous training of lawyers;
- modernising the entrance examination for lawyers.

The HSoJ requires further support from CoE to improve judicial training with a view to better meeting the needs of current and future judges and other court staff in the process of initial and in-service training. The main focus should be on Quality Training Delivery as reflected in the HSoJ Strategic and Action Plan for 2014 – 2018:

- the revision of the theoretical part of the training curriculum;
- the establishment of the comprehensive training needs' assessment system;
- the introduction of a trainers' evaluation system and the implementation of pre- and post-training evaluation methods;
- the implementation of modern adult training methodologies;
- enhancing internship management and mentoring methodologies;
- new training curricula on personal data protection and effective communication.

3. Penitentiary system and police reform

BACKGROUND

The EU/CoE jointly implement activities aimed at improving human rights and healthcare in prisons and other closed institutions. Since 2013, the Action Plan has aimed to strengthen human rights and to improve healthcare for persons deprived of their liberty. In 2013 – 2014, the Plan assisted the national authorities with the improvement of medical and mental health services in prisons, with the protection of the rights of persons with mental disorders, as well as with the reinforcement of the oversight mechanism for the prevention of and combat against ill-treatment of detained persons by law enforcement officers. The assistance included: strategic, legal and policy advice; expert consultations; and training for various staff categories. A punitive criminal justice system, drug legislation and legal practice have resulted in a dramatic increase in the number of people entering the prison system. Such policies led to a significant increase in the prison population, a general deterioration of detention conditions, including lack of access to appropriate medical and mental healthcare. With 219 inmates per 100 000 inhabitants, Georgia was well above the European average of 149.9 (source: Space I 2012). In order to reduce prison population in Georgia, thousands of probationers benefited from the January 2012 amnesty, and some inmates turned into probationers. The drop in the total number of inmates created a unique opportunity to address systematic problems identified in ECtHR judgments and by the CPT recommendations in the areas of prison healthcare and provision of psychiatric care.

SECTOR IMPACT

Among the main achievements in this sector, the Action Plan assisted with the development of three important strategic documents, namely the new Prison Healthcare Development Strategy and Action Plan 2014 – 2017; the Strategy and Action Plan on Mental Health and the Strategy and Action Plan for the Fight against Ill-treatment and Impunity. The Plan also contributed to the development of the Human Rights Action Plan. In terms of policy development, the Plan assisted with the drafting of the Healthcare Service Standards for prisons which clearly define the services to which inmates should have access, such as primary healthcare, prison hospitals and civil hospital service levels. A basis for performance management has been established and a Suicide Prevention Programme in prisons has been launched. A legal framework regulating various aspects of imprisonment was improved through amendments to or development of by-laws on the management of prisoners' hunger strikes, the transfer of prisoners' medical files and the introduction of a psycho-social rehabilitation programme in prisons and half-way houses.

Efforts continued on strengthening the oversight of prisons and other places of detention and improving staff capacities to effectively prevent ill-treatment and fight against impunity. Expert assistance guided national authorities in their actions towards the establishment of an independent and effective mechanism for investigation of serious human rights violations, as well as in strengthening prison inspection and improving monitoring of closed establishments (including psychiatric facilities).

Wide-scale training and awareness-raising activities significantly contributed to increased professionalism among prison staff. In 2014, over 700 medical and non-medical prison staff, including senior managerial and front-line staff improved their skills in various aspects of health prevention and promotion. Over 60 representatives of authorities increased their knowledge and skills in the European human rights standards and mechanisms, as well as in the practice of ill-treatment investigations.

The capacities of the Penitentiary and Probation Training Centre (PPTC) have been reinforced to ensure future sustainability of results.

ACTIVITIES AND RESULTS

The Action Plan assisted with the development of several strategic and policy documents, such as: the new Prison Healthcare Development Strategy and Action Plan for 2014 – 2017, adopted by Ministerial Order in July 2014; the Strategy and Action Plan on Mental Health which was adopted by the Government in December 2014; and the collection and standardised description of medical services for prisoners regarding primary healthcare, prison hospitals and civil hospital service levels, the so-called Healthcare Service Standards.

A Suicide Prevention Programme in prisons was reviewed, pilot results assessed and a training programme on suicide prevention was developed for multidisciplinary teams. A group of 20 psychologists, psychiatrists, prison wardens and social workers was trained to become trainers and to cascade their knowledge to their peers.

Assistance for the review and development of several legislative instruments was provided: Amendments to the Code of Imprisonment (adopted in May 2014); related by-laws, including guidelines on the use of special means of restraint and amendments to the by-laws on prison security measures and transport of inmates were adopted by Ministerial Orders in September 2014. A by-law regulating the psycho-social rehabilitation programme, "Atlantis", for inmates with addiction problems in prisons and the half-way house was adopted by Ministerial Order in December 2014. After the review of legislation on the detention of persons with mental disability, recommendations were made on the development of draft amendments to the Law on Psychiatric Care, in addition to a study on forensic expertise on mental health issues for pre-trial detainees being conducted, both of which facilitated further debates on necessary improvements in legislation and practice.

An overall assessment of four psychiatric institutions was conducted in 2013. The conclusions, together with recommendations, were included in reports and presented to the wider public. The assessment was used as a baseline for the development of the mental healthcare action plan.

The state's Strategy and Action Plan for the Fight against Ill-treatment and Impunity 2011 – 2013 was assessed, and the results and recommendations, as well as proposal for the strategy and action plan for 2014 – 2015, were presented to the MoJ and other stakeholders in 2014.

The Project facilitated consultations and continued raising awareness on independent mechanisms for investigating serious human rights violations committed by law enforcement officers.

The professional competence of relevant staff in the main beneficiary institutions was improved through various types of training activities, *inter alia*:

- The first ever long-term (6-months) basic training programme for prison regime staff was developed and launched in August 2014 for a group of 25 new recruits to equip them with the core competence necessary to perform in a high-level professional capacity in prison environments.

- 700 prison staff, covering 25% of medical staff (incl. chief prison doctors), all governors, deputy governors and social workers of the prison service, as well as 10% of prison wardens and security staff and all half-way house staff and 230 temporary detention isolator (TDI) staff improved their knowledge and skills on health promotion and prevention activities in prisons and detention places through cascade training run by trained local trainers.
- 40 Public Defender's Office (PDO) staff and experts of the National Prevention Mechanism (NPM) improved their report-writing skills and monitoring techniques of psychiatric institutions.
- 75 prison nurses successfully completed an advanced training course on professional nursing and 25 doctors graduated from a professional development course refreshing and upgrading their knowledge in several areas of family medicine and improving their work with patients.
- All prison governors and senior managers of the penitentiary administration, 50 prison medical staff, including chief doctors and nurses, and 20 directors and deputy directors of psychiatric institutions attended human rights training and more specific training on CPT Standards, ECtHR case law and the Istanbul Protocol. 15 prison and police trainers are ready to cascade their knowledge as human rights trainers.
- 25 senior managers of the MoC, Department of Penitentiary (DoP) and prison governors enhanced their knowledge and skills on management of prisons. In addition, internal co-ordination and communication among managers of the prison system has been improved.
- 30 prosecutors and investigators from different investigative bodies of Georgia learnt about best practices and techniques of prompt, impartial and effective investigation in alleged human rights violations. They, together with the CoE experts and peers from different countries, also analysed the current situation in the country in respect of investigations of ill-treatment cases.

Steps were made towards the improvement of prison inspections. Training and other capacity-development needs of the General Inspection and the Monitoring Unit of MoC were assessed and WSs were organised for 25 participants offering the opportunity for peer exchange and technical advice on best practices.

The Committee of Ministers closed its supervision of cases concerning the failure to provide timely and adequate care for those with mental health problems (*Jashi v. Georgia*) and tuberculosis and/or Hepatitis C in prison (*Ghavidze v. Georgia group of cases*).³

Publications:

- A manual on "Prison Healthcare and Medical Ethics" in Georgian;
- CPT Standards and Reports on the visits to Georgia in Georgian;
- Compilation of International Standards regulating the work of the prison regime staff;
- Two educational videos on healthcare for prisoners and prevention of torture and ill-treatment in prisons for regime staff.

Four information video clips on prevention of transmissible diseases (Tuberculosis, AIDS, Hepatitis C and Flu) were filmed. The clips are the first initiative of this kind in the penitentiary system. They provide important and useful information for the prisoners upon their admission to prison on the prevention of transmissible diseases and help the comprehension by explaining and demonstrating the message in a clear and simple way in six languages, all with sign language interpretation.

³ The final resolutions of the Committee of Ministers adopted in September and November 2014 respectively.

PROGRAMMING OUTLOOK

A series of training courses for medical and non-medical staff on suicide prevention and on administering medical files will continue in 2015. The focus will be on the development of job-descriptions for prison medical staff, standard tools for conducting monitoring in prison healthcare field, identification of the needs of rehabilitation programmes for inmates with a special focus on those with disabilities and dangerous prisoners, and strengthening co-operation with civil society on rehabilitation programmes for inmates. Besides that, activities will support the protection of the rights of those with mental disorders and address the low level of awareness of human rights among the staff of psychiatric institutions through extensive training.

Co-operation with the PDO and NPM staff will continue, in particular in the area of monitoring psychiatric institutions, where a monitoring guide is to be developed. Development of independent investigative mechanisms and additional training for trainers on CPT standards will be among other priorities for 2015. The second long-term training will be launched in March 2015 for 25 newly recruited prison officers.

New actions will be launched in 2016 to promote a rehabilitative approach in penitentiary reforms. They will aim to support a higher number of offenders in their reintegration into society. Alternatives to imprisonment to deal with overcrowding and drug use in prisons will be developed with authorities, the public sector and civil society.

Assistance will be provided to the Ministry of Internal Affairs to draft a strategy and a relevant action plan on community policing and on crime prevention. Capacity-building of the relevant units within Ministry will be provided on issues such as protection of minorities' rights, effective investigation of hate crime and protection of children rights.

4. Media freedom, freedom of expression and association

BACKGROUND

In the aftermath of the 2012 parliamentary elections the influence over the media in Georgia is significantly weaker and at present, political activists do not have controlling ownership of media groups. It is also noteworthy that there have been no publicised cases of interferences in journalists' work. As regards the legislative framework, improved significantly in 2013, including making "must-carry" stipulations and instituting additional financial responsibilities to make the financing of media groups more transparent. Changes to the rules on composition of the Georgian Public Broadcaster's (GPB) board of trustees is regarded as another key positive development.

Among the core challenges facing the media in Georgia remain the financial stability of institutions (particularly that of the regional media, which largely continue to depend on grants), conspicuous dearth of investigative and analytical journalism, as well as combating libel and hate speech.

Georgia is scheduled to switch to digital broadcasting starting from June 2015. As part of this process, the licensing regime for TV broadcasters will be done away with after the switchover. As a result, content producers will be able to start broadcasting after going through a simplified authorisation process, and will then need to pay a multiplex operator to be included as free TV or in a pay-TV package.

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 view of new technology. The Law caused controversy in the country, especially among civil society, since it introduced arbitrary procedures in the classification of information available to public.

A number of non-governmental organisations expressed dissatisfaction with the fact that law enforcement agencies still have access to recorded files obtained from illegal surveillance, as well as other means of communication among citizens. In March 2014, they launched a campaign, “This Affects You – They Are Still Listening”, calling on the Government to consider legislative amendments, in order to ensure protection of privacy. In August 2014, the Parliament passed legislative amendments in this regard, but one of the most important clauses limiting direct access of public agencies to surveillance data has been removed under conditions to be regulated by November 2014. A new Public Defender of Consumers’ Rights has been set up, after ten years of vacancy.

Despite this progress, there is still a need to raise awareness and knowledge of CoE standards about internet and human rights and the related case law of the European Court of Human Rights.

SECTOR IMPACT

Georgia has ratified the 2001 Additional Protocol to Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data in January 2014.

ACTIVITIES AND RESULTS

Throughout 2014, the Council of Europe co-operated with the Personal Data Protection Inspector of Georgia to raise awareness among stakeholders about the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, practice regarding its implementation and implications for Georgian society.

In 2014, the Council of Europe was requested by the chair of the Georgian Parliament to provide assistance with the implementation of an effective legal mechanism enabling law enforcement/security agencies to access information held by electronic communications companies, by ensuring proper balance between the right to privacy and national security needs. The Council of Europe was also requested to provide assistance on the issue of an external oversight mechanism during this process. As a first step, an experts’ report was produced on the access to personal data by law enforcement and by national security agencies, as well as on the establishment of an effective oversight mechanism. Secondly, an experts’ meeting was organised in Tbilisi on 24 – 25 September to assist the inter-agency working group in its task to come up with a solution addressing the issues mentioned above.

PROGRAMMING OUTLOOK

In 2011 – 2012, Georgia actively participated in the activities of the EU/CoE joint regional programme which addressed media self-regulation. Building on the success of that programme, the new actions will be launched in 2015 focusing on raising awareness on the rights and professional ethics of journalists, improving the quality of journalism education and training, improving the visibility of minority groups in the media and increasing promotional activities that address hate speech and intolerance. The CoE will also promote the independence of the broadcasting regulatory body and the public service broadcasters in view of the transition to digital broadcasting in Georgia in 2015.

Additionally, Georgia will benefit from increased awareness and knowledge on CoE standards about internet and human rights and the related case law of the European Court of Human Rights. This programme will also advise Georgian authorities on implementation of internet governance principles in national internet policies. Another priority would be to facilitate a multi-stakeholder dialogue for policy-shaping regarding the internet in Georgia.

The CoE will continue co-operation with the Georgian authorities (notably Personal Data Protection Inspector and National Communication Commission) in the field of data protection, specifically focusing on improvement of the legal framework, such as: the provision of support for drafting amendments to the recently approved Law on Surveillance; training of staff in the Personal Data Protection Inspector's office; developing guidelines and recommendations to reinforce the effective implementation of data protection legislation and safeguards in the law enforcement sector. Capacity-building of legal professionals (judges, prosecutors, lawyers) working in the area of data protection legislation and practices concerning the latter's implementation is another possible area for co-operation between the CoE and Georgia.

5. Free and fair elections

BACKGROUND

According to PACE and OSCE / ODIHR reports, the 1 October 2012 parliamentary elections in Georgia marked an important step in consolidating the conduct of democratic elections in line with commitments to the OSCE and Council of Europe. The OSCE / ODIHR Election Observation Mission Final Report notes that the elections were competitive, with active citizen participation throughout the campaign, including in peaceful mass rallies. It also highlights the increased professionalism of the Central Election Commission (hereinafter CEC) in managing the preparations for the elections. However, there are issues which require attention of the authorities:

- Women's participation in politics in Georgia is one of the lowest of all Council of Europe member States;⁴
- The system of complaints and appeals deliberation in Georgia is complex and often prone to different interpretations;
- The misuse of administrative resources has been identified by numerous organisations, both international and domestic, as one of the main problematic areas in past electoral cycles in Georgia;
- Often civil society organisations' election monitoring reports are the only source of unbiased information on electoral developments in their countries.

In order to address those issues in 2014, the Action Plan focused on: increasing women's participation in politics; capacity-development of District Election Commissions and administrative judges; prevention of misuse of administrative resources; facilitation of dialogue between major electoral stakeholders; as well as capacity-development of domestic election observation organisations.

SECTOR IMPACT

The new Election Code was generally considered conducive for democratic elections, noting that some previous recommendations, by the OSCE/ODIHR and the Venice Commission including permitting independent candidates, were implemented.

15 of 35 women who completed the training programme of the CoE were elected. Stakeholders in Georgia are well aware of CoE sanctions in this area and it has been praised as one of the most successful recent cases of increasing women's participation in politics in Georgia.

The representatives of the district election commissions and administrative judges incorporate international best practices of election disputes resolutions into their work. Introduction of the training module on election dispute resolution in the regular curriculum of training for election commission and administrative judges contribute to the sustainability of the CoE intervention.

⁴ While women in Georgia comprise 59% of the electorate, only 11% of elected politicians are female candidates. In the 2010 municipal elections, of 1 695 Sakrebulo's seats, only 169 were won by female politicians. Of the 14 mayoral candidates in the first round elections in Tbilisi on 15 June 2014, only two were women. For the remaining eleven self-governing cities, eight out of 73 mayoral candidates (11%) were women.

The CEC started to introduce changes to its internal and external communication policy as a result of recommendations provided by international experts.

The outcome of the conferences on lessons learned from the 2013 Presidential Elections and the 2014 Local Elections laid the foundation for the discussion of electoral reform.

ACTIVITIES AND RESULTS

Georgia took part in the study of the current situation of women's representation in public and political life in five countries of the Eastern Partnership. The reports in all participating states have revealed a series of barriers for women seeking elected office.

35 female candidates were trained on effective campaign tools, political participation, gender issues, human rights and anti-discrimination standards. A documentary tracing their campaign was made, entitled "Women Candidates and Elected Officials in Georgia – 2014 Local Elections". A group of locally elected women officials visited Strasbourg, where a public screening of the documentary and a meeting with representatives of various CoE bodies were organised. Upon their return to Georgia, the elected women officials held meetings with members of local self-government bodies, non-governmental organisations and residents of communities to share with them their experience. They have been interviewed by local TV and print media.

Two handbooks for women candidates were published: "Agitation and campaigning in the pre-electoral period using social media tools in particular" and "Best practices in Western countries in ensuring women's political participation".

80 representatives of the district election commissions and administrative judges were trained on international best practices of election disputes resolutions. The training participants became aware how they can integrate international best practices into their work. The training module on election dispute resolution was developed prior to the Local Elections and received high marks from the training participants. The developed training module can be used for organising similar training in the future. The representatives of the legal department and members of CEC received regular oral and written expertise about international electoral dispute resolution mechanisms and best practices.

The recommendations on improving the internal and external communication of CEC were developed and presented to the CEC. The expert based his recommendations on a comprehensive analysis of CEC's existing communication strategy and communication tools and developed hands-on recommendations with a number of specific suggestions. The CEC already started changing their communication mechanisms to reflect the expert's recommendations and asked the CoE to deploy the expert again to assist with developing the new methods/approaches.

The CoE developed the toolkit, "Preventing Abuse of Administrative Resources: An International Perspective." It will be disseminated within the Ministry of Justice and the State Audit Office during their work on achieving priority number nine of the Anti-Corruption Strategy of Georgia (Prevention of Political Corruption).

The participants of two post-election conferences in Tbilisi on lessons learned and steps ahead of the 2013 presidential and 2014 local elections outlined the major challenges expected during the Elections and discussed the areas of intervention from the donor organisations. The participants in 2014 Local Elections: Lessons Learned and Steps Ahead adopted the conclusions which were disseminated. The participants called on the use of the post-election period as an opportunity to conduct the necessary legislative reforms and emphasised the critical importance of immediate commencement of a new round of electoral reform discussions. The NGOs presented specific legislative approaches aimed at improving the electoral process.

PROGRAMMING OUTLOOK

The analysis of the programme implementation shows the potential for further work in the areas of increasing women's participation in politics (the approach of training local women politicians proved to be especially successful in terms of achieved results); capacity-development of domestic election observation organisations; capacity-development of the Central Election Commission (CEC asked CoE to provide additional assistance in improving their communication strategy and tools).

In 2013, GRECO adopted its Third Round Compliance Report on Georgia which examined inter alia the transparency of the financing of political parties and election campaigns. Although the adoption of the new Electoral Code and the amendments to the Law on Political Unions of Citizens were qualified as a welcome development, GRECO concluded that the revision of both laws was not consistent throughout and did not attain the goal of establishing a uniform and unambiguous legal framework. Moreover, proper implementation of the legislation is needed in order to ensure its conformity to international standards, specifically in such areas as prevention and reaction to the misuse of administrative resources and official positions in elections, as well as establishing concrete, effective, proportionate and dissuasive sanctions for violations of party and election campaign financing. The Central Electoral Commission remains interested in further co-operation with the Council of Europe in this field, in particular through the provision of long-term expertise.

6. Good governance, anti-corruption and anti-money laundering measures

BACKGROUND

The regional EU/CoE Eastern Partnership programme has provided a framework to further enhance co-operation with Georgia and other countries that face similar challenges in complying with commitments originating from the membership in the Council of Europe.

Since their accession to the Council of Europe, five EaP countries have been monitored in their efforts to comply with the relevant European standards and have received extensive support to implement the recommendations resulting from the monitoring mechanisms. The CoE defined its activities for 2013 – 2015 in Georgia in light of the need to support the implementation of priorities listed under the National Anti-Corruption Strategy, namely:

- Modernisation of the public sector, with the focus on developing clear and precise public policy, introduction of competitive and merit-based recruitment;
- Improvement and establishment of “on-line” services provided by state agencies;
- Further improvements in the public procurement system, including implementation of e-procurement;
- Reforming the public financing system;
- Improvements in tax and customs regimes;
- Increasing competition in the private sector;
- Improving whistle-blower protection;
- Improving the political party finance system; and
- Other measures aimed at preventing corruption.

ACTIVITIES AND RESULTS

A number of activities have been undertaken in Georgia within the framework of the regional EU/CoE Eastern Partnership programme. A country assessment on corruption risks in the Prosecution Services was undertaken. Furthermore, the Project helped Georgian authorities prepare a draft Law on Whistleblowers in line with relevant international standards and best practices. After having been adopted, the Law was praised by the EU Monitoring Mission. Its passage also helped Georgia fulfil one of the requirements from the EU “Action Plan on Visa Liberalisation”. The Project also assisted with the development of the new Georgian Anti-Corruption Strategy, in particular the design of monitoring and evaluation indicators. Georgia actively participated in all regional activities carried out throughout the duration of the Project.

Activities specifically focused on anti-money laundering and terrorist financing mechanisms were not part of the Eastern Partnership Project efforts during 2013 – 2014 but will be addressed within the Programmatic Co-operation Framework (PCF) between the Council of Europe and the European Union.

PROGRAMMING OUTLOOK

Within the framework of the EU/CoE joint regional programmes, Georgia will benefit from actions focused on strengthening anti-corruption measures within public administration, assisting national anti-corruption policy and oversight bodies enhance their capacities, advancing independence and improving capacities of criminal justice institutions assigned to tackle corruption, and providing country-specific assistance pursuant to government priorities in the field.

Based on the latest Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) assessment report on Georgia, the EU's Progress Report on the implementation of the Visa Liberalisation Action Plan by Georgia and recent recommendations by GRECO the CoE will implement anti-money laundering actions in Georgia which will focus on:

- assistance to the Georgian authorities in implementation of the national anti-money laundering and terrorism-financing strategy and action plan;
- strengthening and further development of the national anti-money laundering system;
- enhancing capacities of AML/CFT authorities to undertake their functions and effectively co-operate domestically; and
- upgrading systems for sharing and tracking law enforcement and financial intelligence information at the national level.

7. Local democracy

BACKGROUND

Georgia is party to the European Charter of Local Self-Government (ECLSG). The large-scale reforms of the past decade undertaken by Georgian authorities and supported by the international community have resulted in considerable advancements in the structure and functioning of local and regional democracy and development in Georgia. Yet it is widely agreed that more could still be achieved and improved through further legislative and structural reforms, tailored capacity-building programmes in a number of areas, including:

- Further decentralisation of powers and resources, fiscal decentralisation;
- Improvement of public ethics at local level to prevent corruption and promote good governance;
- Development of institutional leadership at local level;
- Identification and dissemination of best practice, to enable municipalities to learn from each other.

Recent Georgian local election results indicate several short- and long-term changes in the Georgian political system and imply positive trends for Georgian democracy. Thus there is an opportunity to continue large-scale reforms in the area of public administration, local and regional democracy, in order to:

- Ensure a clear separation of competencies and resources between the state and local self-governments;
- Raise the degree of financial autonomy and increase the financial capacities of local self-government bodies;
- Extend the exclusive competences of local self-government bodies particularly in the area of provision of social services;
- Transfer some state property to local authorities;
- Strengthen institutional and legal mechanisms aimed at regional development;
- Strengthen institutional leadership at local level;
- Promote high ethical standards at local level;
- Identify, reward, and disseminate best practices among local authorities;
- Continue territorial optimisation reform.

The Council of Europe has reaffirmed its readiness to support the conception and implementation of envisaged large-scale reforms making full use of its role and experience gained in Georgia since the country's accession to the Council of Europe in 1999.

PROGRAMMING OUTLOOK

The CoE plans to focus its work in the field of local democracy in Georgia in the following areas: strengthening institutional and administrative capacities at local and central level; implementation of the modern capacity-building programmes in the areas of leadership, public ethics, and best practice (Leadership Academy, Public Ethics Benchmarking, and Best Practice Programme).

Georgia will also benefit from participation in the regional joint EU/CoE programme implemented by the Congress of Local and Regional Authorities of Europe and the CoE Centre of Expertise for Local Government Reform which aims: to increase the leadership capacities of local elected representatives; to strengthen the capacities of local authorities by promoting good governance, transparency, accountability, ethical behaviour and ways to prevent and combat corruption; and to foster citizens' participation as a means of reinforcing the accountability of local authorities.

The EU/CoE Joint Regional action on Community-led Urban Strategies in Historic Towns (COMUS) was launched in January 2015. The CoE will assist authorities in implementing national and local rehabilitation policies of historical heritage thus contributing to sustainable social and economically development.

8. Tolerance and anti-discrimination policies

BACKGROUND

Georgia is under a commitment to the Council of Europe to sign and ratify the European Charter for Regional or Minority Languages (ECRML). Since 2013, a high-level inter-ministerial commission on the ECRML has been in place and dialogue with the media and the public about this Convention has been initiated. A draft of a ratification instrument was prepared in June 2013, with the support of the Council of Europe. In his 2014 report on the application of the ECRML to the Parliamentary Assembly (Doc. 13436/3 March 2014), the Secretary General of the Council of Europe urged Georgia to make all necessary efforts so that the ratification process can be completed without further delay.

Georgia is under a commitment to the Council of Europe to sign and ratify the ECRML and the Action Plan envisages the involvement of civil society organisations (CSOs) of minority groups in this process as well as in the implementation of the ECRML.

Georgia has finalised the development of the Civic Equality Strategy and Action Plan, soon to be approved, replacing the expired National Concept on Tolerance and Civil Integration and Action Plan 2009 – 2014. The new strategy, based on the expert assessment of its predecessor and the concept of Civic Equality, includes comprehensive policies and activities for the promotion of integration and protection of national minorities, within the five major strategic goals: political participation and civic activism; provision of quality education in state and minority languages; equal social and economic opportunities; culture and preservation of identity; support for religious tolerance and pluralism.

While civil society and its interaction with government and parliament are relatively well developed in Tbilisi, the situation is different outside the capital and in particular CSOs of minorities have to enhance their capacities.

The Council of Europe's campaign to combat Hate Speech on line has been conducted over a period of two years. The campaign in Georgia launched on 23rd of March 2013 at the initiative of the non-governmental youth organisation, Georgian School Students' Unions' Alliance. As a result of the campaign in Georgia, a youth network of 40 young activists was organised. 20 regional one-day workshops for more than 630 participants were conducted in collaboration with the Ministry of Youth and Sport Affairs. Most of the seminar participants are now working on the online campaign and they are involved in different online tools.

PROGRAMMING OUTLOOK

In 2015, the CoE will aim to assist Georgian authorities in finalising the ECRML ratification, raising awareness and increasing capacity of the relevant national authorities and minority associations to deal with the ratification and subsequent implementation of the ECRML; to better inform the general public; to keep decision-makers and professionals accurately and objectively informed about the ECRML.

The CoE will provide technical support, policy-relevant evidence/expertise and capacity-building to the Ministry for Reconciliation and Civic Equality on the implementation of the Civic Equality Strategy and Action Plan to national, local authorities and the State Interagency Commission in order to help Georgia meet the prescribed strategic goals, intermediary goals, tasks and activities of the Strategy and Action Plan.

9. Confidence-building measures

BACKGROUND

Since the adoption of the Action Plan in October 2013, the Council of Europe continued to implement Confidence-Building Measures (CBM) in agreement with the Georgian authorities. As in previous years, the interaction between non-state actors, civil society and professionals was the focus of the CoE approach to CBM.

SECTOR IMPACT

The sustainability of CBM actions was improved due to an increased number of activities and their scope, specifically in such areas as protection of the architectural and cultural heritage and education.

ACTIVITIES AND RESULTS

A group of 19 civil society representatives from Tbilisi and Tskhinvali took part in a study visit to Bosnia and Herzegovina in December 2013 on the contribution civil society can bring to peace and dialogue process.

The activity on multicultural education for representatives of civil society, took place in Istanbul in December 2013 with participation of NGOs representatives NGOs from Tbilisi and Sokhumi. The activity was aimed at reviewing possible contributions civil society can make to support multicultural education and dialogue between different population groups in the region.

The seminar on architectural heritage management was organised in December 2013, in Venice (Italy) in co-operation with the Venice International University (VIU) and the Council of Europe Programmes Office in Venice. Fourteen architects, town planners, conservationists and art historians from Tbilisi and Sokhumi participated in the event. This combination of academic presentations illustrated by practical examples proved very successful and conducive to exchanges within the group.

Following the seminar on architectural heritage management, some participants discussed the possibility of updating and modernising the existing information on cultural heritage in Abkhazia region, information which has not been updated since the end of the USSR. The Secretariat is currently examining how this process could be implemented in a transparent, professional and scientific manner to support mutual trust among the experts involved. A second meeting on "Management of Architectural Heritage" took place in Istanbul in May 2014. As a concrete outcome of the meeting participants reached an agreement on the development of a form for architectural objects and sites in Abkhazia. In October, the third meeting on "Management of Architectural Heritage" was held in Skopje. The objective of the meeting was for the participants to finalise the form for the collection of data on architectural objects and sites and agree on the training modalities.

In June 2014, the Council of Europe organised for the first time training for English language teachers in Sokhumi. As a result, 20 teachers from Abkhazia region, including from Gali, took part in the exercise. Twelve participated in a follow-up advanced training seminar for language teachers in the European Centre for Modern Languages, Graz (Austria).

Concerning the Tskhinvali region, confidence-building measures continue to be more limited in nature due to limitation of access. An initial training seminar for language teachers is planned to take place in Graz. In parallel, the Secretariat is engaged in regular discussion with representatives of the civil society in the region to identify other types of activities. In particular, an initiative on European principles for cultural heritage management is being examined.

PROGRAMMING OUTLOOK

The CBM programmes will continue. The experience of the past 12 months indicates a need to make CBM-programmes more diverse, as regards participation (different groups of professionals) from both sides, substance and themes.

APPENDIX I SUMMARY TABLE –COMPLETED PROJECTS		
Project	Objective	Outcome
CHAPTER 1. PROTECTION AND PROMOTION OF HUMAN RIGHTS		
Project 1.4. Strengthening professional training on the European Convention on Human Rights – European Programme for Human Rights Education for Legal Professionals (the HELP Programme)	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.	The CoE has facilitated increased accessibility to the training materials for legal professionals on the ECHR application and case-law in Georgia.
CHAPTER 2. INDEPENDENCE AND EFFICIENCY OF THE JUDICIARY		
Project 2.1 Strengthening the Independence and Efficiency of Justice: developing the capacity of the High School of Justice	To strengthen the functioning of the HSoJ of Georgia in line with European standards.	Introduction of the new training curricula increased the proportion of training on practical skills provided to judges. This led to improvement in reasoning of judgments in criminal cases. Through a combination of train the trainers programme and study visits, the skills and knowledge of the HSoJ management and trainers has increased to address the needs of the future judiciary of Georgia. For the first time in Georgia, a training course for court managers was implemented.
Project 2.3. Enhancing judicial reform in the Eastern Partnership countries	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.	The “Law on Common Courts”, “Disciplinary responsibility and disciplinary proceedings of judges of Common Courts” and “Distribution of cases and vesting powers in other judges” were amended in Georgia following CoE recommendations which increased effectiveness and independence of the courts in Georgia.

CHAPTER 3. PENITENTIARY SYSTEM AND POLICE REFORM		
<p>Project 3.1.</p> <p>Reinforcing the fight against ill-treatment and impunity</p>	<p>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.</p>	<p>Georgia has benefited from participation in activities which increased knowledge of the judiciary and law enforcement in European practice of ill-treatment prevention and investigation.</p>
<p>Project 3.6.</p> <p>Co-operation against cybercrime in the Eastern Partnership countries</p>	<p>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.</p>	<p>Georgia's active participation in the activities of the EaP programme contributed to the formulation of strategic priorities regarding cybercrime in the country and in the region.</p>
CHAPTER 5. FREE AND FAIR ELECTIONS		
<p>Project 5.3.</p> <p>Support free and fair elections in the Eastern Partnership countries</p>	<p>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.</p>	<p>Georgia participated in the study of the current situation of women representation in public and political life in 5 countries of the Eastern Partnership. The reports in all participating states have revealed a series of barriers for women seeking elected office. The study helps to inform decisions on increasing women's participation in Georgia, but highlights obstacles such as societal hostility, lack of funds, lack of access to patronage networks and the perceived undemocratic character of the election system.</p>
CHAPTER 6. GOOD GOVERNANCE		
<p>Project 6.2.</p> <p>Good governance and the fight against corruption in the Eastern Partnership countries</p>	<p>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.</p>	<p>A number of activities have been undertaken with Georgia under the framework of the regional EU/CoE Eastern Partnership programme. A country assessment on corruption risks in the Prosecution Services was undertaken. Furthermore, The Project helped Georgian authorities prepare a draft Law on Whistleblowers in line with relevant international standards and best practices. After having been adopted, the Law was praised by the EU Monitoring Mission. Its passage also helped Georgia fulfil one of the requirements from the EU "Action Plan on Visa Liberalisation". The Project also assisted with the development of the new Georgian Anti-Corruption Strategy, in particular the design of monitoring and evaluation indicators. Georgia actively participated in all regional activities carried out throughout the duration of the Project.</p>

APPENDIX II SUMMARY TABLE – ONGOING PROJECTS		
Project	Objective	Outcome (to date)
CHAPTER 1. PROTECTION AND PROMOTION OF HUMAN RIGHTS		
Project 1.3 Support to the Office of the Public Defender to Enhance its Capacity to Address the Situation of Internally Displaced Persons (IDPs) and Other Conflict-Affected Individuals	To enable effective monitoring of the situation of IDPs and other conflict-affected individuals with a view to strengthen the protection of their human rights.	The project, “Support to the Office of the Public Defender to Enhance its Capacity to Address the Situation of Internally Displaced Persons (IDPs) and Other Conflict-Affected Individuals”, continued to monitor IDP settlements and to provide legal advice to IDPs. An essay competition for students on the topic of internal displacement in Georgia was launched in December 2014. In November 2014 a new component was launched covering the issues of refugees, asylum-seekers and humanitarian status-holders. A report on the human rights situation of these groups is being issued.
Project 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)	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).	The Action Plan has contributed to strengthening capacity of the national judicial and the law enforcement institutions to apply the ECHR effectively and develop practices in line with European human rights standards. It has increased awareness of the Georgian stakeholders about CoE human rights mechanisms, as well as the application of the Revised European Social Charter, specifically as far as mechanism of RESC monitoring and legal and political aspects of non-discrimination are concerned.
CHAPTER 2. INDEPENDENCE AND EFFICIENCY OF THE JUDICIARY		
Project 2.1. Strengthening Independence and Efficiency of Justice	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.	<p>The Guidebook on reasoning of judgments in criminal cases contributed to increasing skills of judges in writing the motivation of their decisions. The document was published with CoE’s support and widely disseminated among judges and other court staff. The protection of the rights of victims in criminal proceedings was strengthened as a result of assistance provided by the CoE to the work of the witness and victim co-ordinators in the Chief Prosecutor’s Office.</p> <p>The Action Plan contributed to development of the capacity of the High School of Justice (HSoJ). The Strategy and Action Plan for 2014 – 2018 was adopted in July 2014 following a comprehensive needs assessment of the School. The introduction of the new training curricula increased the proportion of training on practical skills provided to judges. Through a combination of train the trainers’ programmes and study visits, the skills and knowledge of the HSoJ management and trainers have improved to address the needs of the future judiciary of Georgia. For the first time in Georgia a training course for court managers was implemented. The HSoJ has a pool of 20 trainers available to further cascade trainings on issues of court organisation and management.</p>

CHAPTER 3. PENITENTIARY SYSTEM AND POLICE REFORM		
<p>Project 3.2. Human rights and healthcare in prisons and other closed institutions</p>	<p>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.</p>	<p>Important strategic documents were developed, the new Prison Healthcare Development Strategy and Action Plan 2014-2017; the Strategy and Action Plan on Mental Health and the Strategy and Action Plan for the Fight against Ill-treatment and Impunity. CoE also contributed to the development of the Human Rights Action Plan. In terms of policy development, Healthcare Service Standards for prisons and the Suicide Prevention Programme were developed. Legal framework was improved through the amendment of existing or development of new by-laws regulating on the management of prisoners' hunger strike, transfer of prisoners medical files or introduction of a psycho-social rehabilitation programme.</p> <p>Efforts continued on strengthening the oversight mechanism of prisons and other places of detention and improving staff capacities to effectively prevent ill-treatment and fight against impunity. Expert assistance guided national authorities in their actions towards the establishment of an independent and effective mechanism for investigation of serious human rights violations as well as in strengthening prison inspection and improving monitoring of closed establishments (including psychiatric facilities), psycho-social rehabilitation of inmates.</p>
CHAPTER 8. TOLERANCE AND ANTI-DISCRIMINATION POLICIES		
<p>The No Hate Speech Campaign</p>	<p>To provide a platform for education, awareness-raising and calling for action to break the silence about racism and all other forms of discrimination online</p>	<ul style="list-style-type: none"> • A national training course in human rights education was funded by the Council of Europe and one of the main components was countering hate speech. Some 20 participants from Georgia participated in 5 days training in September 2014. • Training for young activists engaged in political campaigns from the region Qvemo Qartli – training was funded by the Ministry of Youth and Sport Affairs of Georgia and gathered some 27 participants from one region of Georgia in October 2014 for 3 days. • Training for young people and an anti-graffiti project within the campaign framework – funded by the European Youth Foundation. The activity took place in November 2014 – an 8 day training course for local activists plus one day for no hate graffiti. • Participants of the 3 above-mentioned activities have formed a Youth Network of 40 young activists. • Twenty regional workshops were organised with the support of Ministry of Youth and Sport Affairs of Georgia. 20 regional one day workshops for more than 630 participants. Most of the seminar participants are now working on the online campaign and they are involved in different online tools.
CHAPTER 9. CONFIDENCE-BUILDING MEASURES		
<p>Project 9.1. People-to-people contacts for conflict-affected areas</p>	<p>To enhance the respect of human rights and European norms in conflict affected areas and support dialogue between the target groups across the Administrative Border Lines.</p>	<p>As in previous years, the interaction between non-state actors, civil society and professionals was in the focus of the CoE approach to CBM. The sustainability of CBM actions was improved due to increased number of activities and their scope, specifically in such areas as protection of the architectural and cultural heritage and education.</p>

APPENDIX III LIST OF DONORS

1. European Union
2. Armenia*
3. Denmark
4. Finland
5. Germany
6. Hungary*
7. Netherlands
8. Norway
9. Switzerland
10. United Kingdom

*Made a contribution to the multilateral project, "No Hate Speech Movement – Youth campaign for human rights online"

APPENDIX IV FINANCIAL INFORMATION

Total Action Plan revised budget: **€15.8 million**

Funding Secured: **€10 million**

Table 1: GENERAL BUDGET (in Euro)

Type of project	Funding secured			Total funding secured
	Ordinary Budget*	EU/CoE Joint Programmes	Voluntary Contributions	
TOTAL	1 216 446	6 946 415	1 882 196	10 045 055

Table 2: BUDGET BY PILLAR (in Euro)

Pillars	Total funding secured
1. Human rights	5 733 334
2. Rule of law	2 991 926
3. Democracy	1 319 795
TOTAL	10 045 055

*Including Council of Europe Ordinary Budget contribution of € 1 039 333 to the EU/CoE Joint Programmes.