EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (CPT)

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Response

of the Georgian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Georgia

from 18 to 29 November 2024 and from 21 to 22 January 2025

The Government of Georgia has requested the publication of this response. The CPT's report on the 2024 and 2025 visits to Georgia is set out in document CPT/Inf (2026) 06.

Strasbourg, 18 February 2026

Content

11 January, 2026

I. INTRODUCTION

A delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment *(CPT)*, composed of **Mrs. Therese Rytter,** 2nd Vice-President of CPT (Head of delegation), **Mr. Hans Wolff,** the 1st Vice-President of CPT, **Mrs. Lise-Lotte Carlsson**, CPT member, **Mr. Nikola Kovačević**, CPT member, **Mr. Alexander Minchev**, CPT member, **Mr. Ceyhun Qaracayev**, CPT member, **Mr. Răzvan-Horaţiu Radu,** CPT member, **Mr. Boris Wodz**, Head of Division (CPT Secretariat), **Mr. Elvin Aliyev,** CPT Secretariat, **Mrs. Aikaterini Lazana**, CPT Secretariat, and **Mrs. Jutta Heilmann** (Consultant for Psychiatry, Medical Psychotherapy and General Medicine) visited Georgia in the period of 18-29 November, 2024 and 21-22 January, 2025.

During the periodic visit, the delegation visited penitentiary establishments (PE), temporary detention isolators (TDI) and psychiatric establishments.

CPT submitted its preliminary observations to Georgia on 23 of December, 2024 and requested urgent response on a topic of meaningful human contact during a day for the inmates accommodated in PE N1 (and, as applicable, in Pes N2 and N8) within 3 months. The request was duly satisfied by the letter of the Georgian authorities of 22 March, 2025. The information shared with the CPT was incorporated to the final report of the Committee (CPT report), which was submitted to Georgian authorities on 11 of July, 2025. The Government of Georgia is now invited to submit the response and implementation progress of recommendations within 6 months. The respective Governmental institutions remain committed to keep updated CPT regarding the implementing measures.

The present document is the official response of the Government of Georgia to CPT, which provides the detailed and updated information regarding the topics mentioned in the report. The document encompasses information provided by the Ministry of Justice of Georgia (MoJ) and its subordinate state institution – Special Penitentiary Service (SPS), the Ministry of Internal Affairs of Georgia (MIA), the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia (MoLHSA) and General Prosecutor's Office of Georgia.

The Government of Georgia welcomes the Committee's acknowledgement of positive developments within the areas covered by its mandate and is pleased that the progress achieved has been reflected in the report, specifically:

- The quality of cooperation with the delegation members was positively assessed;
- The practice of publishing reports officially was positively evaluated;
- The delegation heard no allegations of physical ill-treatment of inmates by staff;
- The relaxed atmosphere and good staff-prisoner relations was positively assessed;
- Cases of inter-prisoner violence were very rare in closed type institutions;
- The delegation positively assessed the medical rooms and their equipment in the prisons;
- CPT positively assessed the continuing efforts to improve material conditions of detention in police establishments and prisons;
- CPT delegation observed that the period spent in custody (TDIs) was generally well documented and a centralised computer database enabled easy access to custody records of all TDIs in Georgia.

The Government of Georgia reaffirms its firm commitment to strengthening efforts aimed at ensuring a safe, secure, and dignified environment across the country, including within institutions falling under the CPT's primary focus. In pursuing this objective, the Georgian authorities stand fully prepared to consider the Committee's recommendations and to integrate the relevant best international practices, thereby reinforcing effective implementation of a human-rights-based approach within the respective systems.

II. POLICE ESTABLISHMENTS

1. Preliminary Observations

Paragraph 13: The legal framework governing police custody of persons detained pursuant to the Code of Criminal Procedure (CCP) has remained largely unchanged since the CPT's 2018 periodic visit. Such persons may be held in the custody of the police for a maximum of 72 hours; in practice, detentions (which take place in temporary detention isolators, TDIs), tend to be shorter.

Paragraph 14: [..] at the time of the 2024 periodic visit the provisions applicable were the same as in 2018, namely the police could hold such persons on their own authority for up to 72 hours, any longer detention requiring a court decision imposing administrative arrest for the maximum of 15 days. However, shortly after the visit (in February 2025) the Code of Administrative Offences was amended and the maximum duration of administrative arrest extended to 60 days. […] The Committee calls upon the Georgian authorities to reconsider their approach to administrative detention in the light of the above remarks.

Comment of the MIA: According to the amendment to the Administrative Offences Code of Georgia dated April 29, 2021, the norms regulating the duration of administrative detention were revised. Pursuant to these amendments, a detained person must be presented to a court not later than 24 hours after arrest. To collect evidence, this period may be extended for an additional 24 hours, one time only, supported by a written justification. If the person is not presented to a court within the established time limit, he/she must be immediately released. Prior to being presented to the court, the detainee may be placed in a temporary detention isolator. At the same time, Article 244.1 of the Code of Administrative Offences of Georgia defines the basis for administrative detention, in particular:

"Where expressly provided for by the legislative acts of Georgia and where other sanctions have been exhausted, to prevent administrative offence a person may be placed under administrative arrest, be subjected to personal inspection, inspection of personal belongings and seizure of belongings and documents to identify a person, to prepare an administrative offence report, if its preparation is necessary but impossible at the scene, for the timely and due consideration of the administrative offence case and for the enforcement of a ruling on an administrative offence case, also, for ensuring timely presentation of the offender to court and for prevention of delays in the case, avoidance of participation in administrative proceedings, and prevention of repeated commission of administrative offences."

Accordingly, a law enforcement agency may detain a specific person only if the aforementioned grounds exist.

Furthermore, the term of administrative imprisonment provided for under Georgian legislation is proportionate and serves a legitimate public objective.

Pursuant to the amendments made to the Administrative Offences Code of Georgia on February 6, 2025, the term of administrative detention, as an exceptional measure applied for an administrative offence, was increased to a maximum of 60 days (Article 32 of the Code). Administrative detention is imposed on a person by a court. Furthermore, administrative detention may not be imposed on pregnant women, women who have children less than twelve years of age, persons who have not attained 18 years of age, or persons with severe or significant disabilities.

Thus, the legislative provision is fully aligned with the requirements of General Comment No. 35 of the Human Rights Council, according to which administrative detention should be employed only in exceptional cases. Moreover, the law explicitly establishes restrictions prohibiting the application of administrative detention to specific categories of persons.

Herewith, it must be emphasized that internationally recognized guarantees regarding the grounds for administrative detention, as well as standards for the treatment of detainees, are fully protected under Georgian legislation. The Administrative Offences Code of Georgia establishes an explicit requirement concerning the existence of basis for detention, which is explained to the individual upon detention. Detention is always a measure of last resort and its duration is determined based on necessity, consequently, the detention measure must fully satisfy the proportionality test, which is also reinforced by Georgian legislation.

Current public safety challenges require an adequate response from the State. To address these challenges, the sanction established for a relevant act must primarily serve a deterrent function, particularly with regard to the obstruction of the normal functioning of persons responsible for ensuring public safety. The stable and proper functioning of the State and society depends significantly on the effective execution of decisions made by law enforcement representatives. Non-compliance may hinder or disrupt the normal functioning of societal life. In practice, the effective enforcement of a norm is often conditioned by the existence of adequate liability measures. In this regard, the Administrative Offences Code provides for violations that, by their nature, do not constitute minor offences and therefore require stricter approach. In this context, reference should be made to the judgment of the European Court of Human Rights (ECtHR) of September 1, 2022 in the case of *Makarashvili and Others v. Georgia*, which addresses several important issues, including the nature of misconduct committed during an assembly. According to the Court, the forms of protest chosen by the demonstrators - blocking entrances to the Parliament building, sitting in the middle of the road leading to Parliament and obstructing police during the clearing of the carriageway - unequivocally constitute a breach of public order that exceeds the scope of minor disturbance, regardless of intent or purpose. The ECtHR indicated that the State enjoys a wide margin of appreciation in suppressing such acts, notably, the State has the authority to impose penalties of a criminal nature. Accordingly, the Administrative Offences Code should provide for penalties of sufficient severity regarding disobedience to a police officer, petty hooliganism, or the intentional violation of rules of assembly and demonstration directed toward the intentional obstruction of the normal functioning of enterprises, institutions, or state bodies.

Regarding the tightening of penalties, it is significant that the legislative amendment increased administrative imprisonment up to 60 days. Sanctions were also proportionately tightened for petty hooliganism, disobedience to a police officer and violation of the rules of assembly and demonstration. According to the case law of the ECtHR, the existence of administrative imprisonment does not violate rights provided for by the Convention for the Protection of Human Rights and Fundamental Freedoms, provided that the legal status and procedural guarantees of the detained person are protected. The legislative framework was refined through these amendments, enabling authorized bodies to respond effectively to offences under the Administrative Offences Code of Georgia. In addition to the foregoing, individual procedural rules related to administrative offences were regulated with greater clarity.

It is noteworthy that, according to the case law of the ECtHR, the existence of administrative imprisonment does not violate rights provided for by the Convention for the Protection of Human Rights and Fundamental Freedoms, provided that the legal status and procedural guarantees of the detained person are protected.

To protect the rights of a person detained under administrative procedure, the Administrative Offences Code of Georgia provides procedural guarantees for the detainee (Art. 245). Moreover, the rules for administrative offence proceedings are clearly regulated by the Administrative Offences Code of Georgia, including a clear definition of the principles of equality of parties and adversarial proceedings, as well as the administrative body's burden of proof in administrative proceedings.

Specifically, for the purpose of a comprehensive examination of the circumstances of an administrative offence case, a party has the right to file a motion and to obtain, request through the court, submit and examine all relevant evidence. Furthermore, the court may, on its own initiative, decide to request the submission of additional information or evidence (Article 233^1). The burden of proving the offence lies within the administrative body conducting the administrative offence proceedings (Art. 236.3).

Regarding the assessment and sufficiency of evidence, the aforementioned Code establishes that no evidence has predetermined force. The body (official) adjudicating the case assesses evidence based on their inner conviction, which is founded upon a comprehensive, full and objective examination of all circumstances of the case in their entirety. The principle of the presumption of innocence is also enshrined in the Code (Art. 237).

It should also be taken into account that an order issued in an administrative offence case must satisfy the criteria of legality, substantiation and fairness (Art. 266).

Furthermore, a person detained under administrative procedure has the right to claim compensation for damages caused by illegal detention. Under Article 1005.3. of the Civil Code of Georgia, damages are subject to compensation regardless of the fault of the inflictor of the damage, for the claim to be satisfied, it is sufficient to establish the existence of damage, the illegality of the act and rehabilitating circumstances for the person. On May 27, 2021, the Supreme Court adopted a precedent-setting decision (Nბს-222(კ-კს-20)), establishing that administrative detention is subject to compensation for moral damage if, following the consideration of the case, an acquittal is rendered in respect of the person. According to the practice of the Supreme Court of Georgia, the adoption of a resolution on the termination of administrative offence proceedings against a person is unconditionally considered a rehabilitating circumstance for the compensation of damages under Article 1005 of the Civil Code, as

such an act confirms that the acquitted person did not commit the offence, which warrants their reinstatement in rights - their rehabilitation.

2. Ill-Treatment

Paragraph 15: […] However, the delegation did receive a few allegations of physical ill-treatment (mostly in the form of punches, slaps and kicks) upon apprehension, during transfer in a police vehicle and, in one case, in the course of questioning. Further, a few detained persons alleged having been verbally abused and/or threatened by the police. It is noteworthy though that no such allegations were received in respect of police staff performing custodial tasks in TDIs. In the light of the aforementioned remarks, the Committee recommends that it be recalled to all police officers that any form of ill-treatment of persons in their custody, be it physical or verbal, is illegal, unacceptable and will result in disciplinary and criminal prosecution.

Paragraph 17: […] the CPT's delegation was inundated with allegations of ill-treatment when it interviewed numerous persons detained in connection with the demonstrations in Tbilisi on 29 November 2024. The persons concerned, who were interviewed separately and thus unable to coordinate their statements, referred to what appeared to represent a clear pattern of police behaviour during the demonstrations: masked and hooded officers (presumably at least some whom belonged to the Special Tasks Department) wearing no form of identification (some of them in clothes bearing the word "Police", others without any such markings) had reportedly carried out arrests in groups of several (up to 10 or more) officers, punching and kicking detained persons indiscriminately all over the body (including over the face and head), swearing at them and threatening them (including with rape), whilst the persons reportedly did not resist and were fully under control (sometimes lying on the ground). The beatings were reportedly carried out repeatedly, by several officers at a time (sometimes taking turns), including whilst the detained persons had been handcuffed behind their back. In almost all of the cases, the ill-treatment was said to have stopped once the hooded and masked police officers handed detained persons over to patrol (or criminal) police officers who were not masked.

Paragraph 18: The CPT also reiterates its long-standing recommendation that steps be taken by the Georgian authorities to ensure that, when apprehending persons, the police only use force that is absolutely necessary and proportionate; there can never be any justification for any form of violence (including punching, kicking, threatening and verbally abusing) in respect of persons who are already in police custody and who have been brought under the control of police officers. Further, the Committee recommends that the highest priority be attached to the provision of appropriate training to police officers (especially those employed at the Special Tasks Department) in crowd control techniques, including in the safe use of water cannons and tear gas. The Public Defender has repeatedly publicly condemned the mass recourse to ill-treatment by the police in the context of dispersal of the demonstrations, also as regards the excessive and unprofessional use of water cannons and tear gas. He has called upon the SIS to carry out effective investigations into all of the allegations received. The Committee cannot but join these calls.

Paragraph 28: […] Despite an impressive amount of work done (as presented to the delegation on 22 January 2025), not a single police officer had been charged in connection with any form of misconduct (including excessive use of force/physical ill-treatment) at the time of the drafting of this report. […] The Committee recommends that steps be taken accordingly by the Georgian authorities […] Further,

the CPT requests the Georgian authorities to keep it fully informed of the progress of the above-mentioned investigations.

Comment of the MIA: Georgian legislation, like the legislation of leading European states, protects only the right to peaceful and lawful assembly, and not violence. A legally protected assembly must be peaceful, which means that it must not be held in a violent context. In addition, the assembly must also meet the criterion of legality, which means that it must not restrict the rights of others and the participants of the assembly must not carry out actions prohibited by Georgian legislation.

Protests have been actively taking place since November 28, 2024. As the participants of the demonstration themselves state, they have been in protest mode for a year. The fact that for a year any person can gather in front of the main legislative body of the state and express their protest on any issue clearly indicates that the right to peaceful assembly is fully protected in Georgia. When gathering and expressing protest in a peaceful format, the participants of the demonstration have the full opportunity to exercise their right to peaceful assembly.

As the ECtHR noted in the case of *Kudrevičius and Others v. Lithuania*, the right to peaceful assembly does not apply to demonstrations whose organizers and participants: a) have a violent motive; b) incite violence; or c) reject the foundations of a democratic society. (§92) Within the framework of the protests taking place in Georgia over the past year, all three criteria set by the ECtHR for qualifying protest as violent have, unfortunately, been met.

The protests that have been ongoing since November 28, 2024, have been violent from the very beginning. A joint investigation by the Prosecutor's Office of Georgia, the State Security Service, and the Ministry of Internal Affairs has initiated criminal prosecution of 7 individuals for crimes against the state, including calls for violent change of the constitutional order of Georgia and the overthrow of the state government. The investigation confirms that in October 2024, after the defeat of the opposition parties in the parliamentary elections, under the pretext of alleged election fraud, the aforementioned individuals began to actively take action on the streets to radicalize the process, publicly calling for revolution, the overthrow of the government, the collapse of the government, picketing state buildings, and physical confrontations with law enforcement officers. In addition to the above, in order to overthrow the legitimate government, mobilize the mass of aggressive citizens, gather and engage in violent actions, they called on their supporters to engage in illegal and violent actions, that struggle and aggressive resistance were necessary. In their statements, they also called on their supporters to occupy government buildings and "topple the regime."

According to paragraph 19 of the United Nations (UN) Committee on Civil and Political Rights' General Comment No. 37, "the conduct of particular participants in an assembly may be considered violent if the authorities can provide credible evidence that, before or during the event, these participants incite others to violence and that such actions are likely to lead to violence; that the participants have violent intentions and are planning to act on them; or that violence on their part is imminent." An identical view is expressed in paragraph 29 (f) of the Rabat Plan of Action adopted by the UN Human Rights Council. Identical reasoning has also been developed in a number of decisions adopted by the ECtHR, including in the cases of *Primov v. Russia* (§155), and *Bodson and Others v. Belgium* (§91). The restrictive nature of the right to assemble has also been highlighted in the case law of the EU judiciary, including the judgment of 12 June 2003 in *Schmidberger v. Austria* (Case C-112/00, §§79, 80), as well

as in the cases *Commission v. Germany* (Judgement of 1992, Case C-62/90, §23) and *P X v. Commission* (Judgement of 1994, Case C-404/92, §18).

As soon as a sufficient number of people gathered for a demonstration, violent processes began, which escalated into attacks on the Parliament building and violence against the police. For clarity, MIA recalls the group damage to the Parliament gates by the participants of the demonstration, the purpose of which was to break into the legislative body. The burning legislative body was broadcast live on television. As a result of the attacks on the Parliament building, 48 working rooms were damaged in the Parliament, almost all the windows of the lower floors of the building, various types of office equipment, the wooden door of the parliament was burned, the building's outdoor lighting was completely out of order, etc. Each of the above-mentioned actions is confirmed by relevant evidence, video and photo footage. These violent actions are very far from peaceful expression of protest and cannot in any way be considered within the framework of freedom of expression or assembly by any international standard.

The participants of the demonstration used items prohibited by law during peaceful gatherings. The legislation of each country, including the legislation of Georgia, defines in detail what types of items participants of gatherings and demonstrations may not have. The fact that the goal of some of the people attending the demonstration was to carry out violent actions from the very beginning is confirmed by the fact that upon arriving at the gathering they had illegal items with them, such as so-called Molotov cocktails, pyrotechnics, iron and wooden batons, brass knuckles, so-called truncheons, stones, iron structures, etc. There were several cases of deliberate and organized confrontations with the police force, with the throwing of so-called “Molotov cocktails”, easily flammable and incendiary substances, at law enforcement officers.

As a result of investigative actions conducted by the law enforcement agencies of Georgia, various illegal items intended for the participants of the demonstration, which were actively used to attack police officers, were seized from the offices of the organizers of the demonstrations. This fact once again confirms that the violent protest was carried out according to a premeditated and developed plan. The actions of the perpetrators were coordinated with the politicians. At the same time, the violent groups acted in concert and systematically maintained communication with each other through the so-called by means of “walkie-talkies (handleld transceivers)”, which, along with other items, were seized as a result of searches conducted in the offices of opposition political parties, including the offices of the “United National Movement”, “Droa” and “Girchi-More Freedom”.

In addition, the collection and delivery of financial and material resources to violent groups was being coordinated, in which, along with politicians, non-governmental organizations and so-called “funds”, which in turn received funding from international donors, were created specifically for this purpose were actively involved.

As a result of violent actions conducted by the protesters, 171 officers of the MIA were injured, which, despite the dissemination of information by the MIA, remained beyond the attention of civil society, the media, and human rights organizations. During the protests, as a result of attacks by violent groups, almost all injured police officers required emergency medical assistance, and a large part of them even required surgical intervention. Of these, one police officer lost his sight, one police officer lost his

hearing, and one police officer lost his reproductive ability. Most of the police officers have various types of burns, fractures, and injuries to the head and face.

In parallel with the violent actions, which took place on Rustaveli Avenue and its adjacent territory, a number of criminal acts were recorded. As a result of the violence of the protesters, infrastructure and property owned by both the state and private individuals were damaged. For example: There were numerous incidents of attacks and insults against citizens by violent groups. Protesters deliberately destroyed both private and state-owned video surveillance cameras located on Rustaveli Avenue in order to further hinder the police from conducting a quick and effective investigation of the crime. This caused damage to both private individuals and the state. A person was arrested who, together with his companions, damaged 7 video surveillance cameras registered with the Public Security Management Center 112 on Rustaveli Avenue during the protest. A robbery attack was carried out on the Swarovski store on Rustaveli Avenue, from which expensive items were stolen by a masked person dressed in black and armed with a knife. About 60 incidents of theft were recorded. The protesters artificially set fire to a building on Rustaveli Avenue, destroyed the infrastructure of cafes and bars, vandalized the windows of shops on Rustaveli Avenue, and ransacked and robbed shops. The damage caused to private individuals and the state through criminal means exceeds hundreds of thousands of GEL.

During the protests, it was clearly visible that when the protest was held within the framework of a peaceful assembly established by law and no violent facts were recorded, accordingly, the police did not have to use force provided for by law, no perpetrators were detained, and the participants of the gathering had the opportunity to express their protest within the framework of the law. After the protest began, police forces were deployed in the area adjacent to Chitadze street and the rear entrance of the Parliament, so that the participants of the manifestation had the opportunity to freely express their protest on Rustaveli Avenue in a peaceful environment. Nevertheless, some of the protesters moved to the rear entrance of the Parliament and attacked and threw stones, glass bottles, pyrotechnics, explosives, various metal objects, eggs, paint at the police officers present there, inflicting physical and verbal abuse, and initiating vandalism and property damage.

Before using special means, the Ministry of Internal Affairs repeatedly warned the protest participants in advance, both through official statements and on the spot, using special sound equipment, to stop the violence, but to no avail - through live broadcasts on various television channels, it was clearly visible that despite the aforementioned warnings, the protest participants continued their illegal actions.

The destructive actions of the protest participants posed a threat to the health and lives of both the protest participants and the MIA employees. Each time, the MIA only began to use special means provided for by law to suppress the violence after multiple warnings. In addition, special means were used by the police only in case of necessity, in compliance with the principle of proportionality, only with the intensity that ensured the achievement of the lawful goal. The goal of this was to stop the violence, not to disperse the protest.

According to paragraph 85 of the UN Committee on Civil and Political Rights' General Comment No. 37, "dispersion may be used if the assembly as such is no longer peaceful, or if there is clear evidence

of an imminent threat of serious violence that cannot reasonably be deterred by more proportionate measures, such as targeted arrests."

During the ongoing protests in Georgia, each time, the police, in accordance with the law, cleared the streets surrounding the Parliament building from violent groups. After the territory surrounding the Parliament of Georgia was cleared of violent groups, police units deployed in the territory surrounding the Parliament of Georgia, near the Tbilisi Marriott Hotel. Members of the violent group continued to engage in aggressive and violent actions against the police in front of the Tbilisi Marriott Hotel, which was manifested in the throwing of various objects and pyrotechnics. In addition, violent groups artificially lined Rustaveli Avenue with chairs, garbage cans, so-called "scooters", inventory owned by cafes and bars located in the surrounding area, and then set fire to the aforementioned. All of the above is confirmed by relevant evidence, photos, and video footage.

The police acted within the framework of the Constitution of Georgia, the Law on Police, and the Instructions on Conduct of Employees of the Ministry of Internal Affairs of Georgia during rallies and demonstrations approved by order of the Minister of Internal Affairs, which are in full compliance with the OSCE/ODIHR Guidelines. The actions of the police were in full compliance with the principles of legality and proportionality, and the measures taken by them were proportionate.

Persons placed in temporary detention isolators (TDIs)

In accordance with Georgian legislation, persons arrested and/or administratively detained for the purpose of executing a decision of an authorized body are placed in temporary detention isolators of the Temporary Detention Department of the Ministry of Internal Affairs. The rights of persons detained in temporary detention isolators of the Ministry of Internal Affairs are protected in accordance with international standards. The Ministry of Internal Affairs constantly strives to implement the recommendations of international organizations/monitoring institutions, such as the recommendations of the UN Subcommittee on Prevention of Torture and the Committee for the Prevention of Torture of the Council of Europe, as well as recommendations from the Public Defender of Georgia. It should be noted that in recent years, a number of significant reforms have been implemented, which were aimed precisely at implementing the above-mentioned recommendations. Medical care for detainees is provided in all temporary detention isolators in accordance with the "Instructions for Conducting Medical Examinations of Persons Placed/To be placed in Temporary Detention Isolators of the Temporary Detention Department of the Ministry of Internal Affairs of Georgia" approved by Order No. 1/81 of the Minister of Internal Affairs. This document is a guide for medical workers employed in detention isolators to ensure that they receive complete information from the detainee about their health status and existing complaints with maximum accuracy, document in detail any injuries on the body in accordance with the Istanbul Protocol, and identify possible acts of violence against the detainee. When examining detainees in the isolator, a special form is filled out for each person, which describes in detail the person's health condition, including minor scratches and scars, as well as possible signs of ill-treatment. According to the rules in force at the temporary detention isolator of MIA, if the doctor suspects that a detainee has been mistreated, the doctor personally reports the matter to the Prosecutor General's Office immediately. Sending a notification does not depend on the person reporting violence - it is sent even if the detainee does not report violence, although the doctor has reasonable suspicion. It is important to note that all temporary detention facilities are equipped with video surveillance cameras. The Monitoring Service conducts video surveillance of the activities of the

detainees from a specially designated central video surveillance control room. In case of detection of a fact of ill-treatment, the Monitoring Service is obliged to inform the relevant investigative agency about the matter. It is noteworthy that in 2022-2023, in order to protect the safety of persons in temporary detention isolators, all medical and investigative rooms in the facility were equipped with a video surveillance system. In addition, the number of people employed in monitoring services, who continuously, 24 hours a day, carry out monitoring activities, has increased. It is noteworthy that persons placed in temporary detention isolators have the opportunity to file a complaint regarding any issue, including illegal detention, as well as physical and verbal abuse by police officers.

Comment of the POG:

Summary of investigations

Investigative Unit of the Tbilisi Prosecutor's Office is currently investigating criminal cases of the alleged facts of exceeding official powers committed by employees of the Ministry of Internal Affairs of Georgia using violence against the participants of the protest and unlawful interference with journalists' professional activities occurred in 2024-2025. Following the legislative amendments, on July 1, 2025, criminal investigations were transferred from the Special Investigation Service to the Investigative Unit of the Prosecution Service and investigative and procedural actions have been actively carried out since, in particular:

- More than 914 witnesses have been interviewed, including potential victims of violence, employees of the Ministry of Internal Affairs and other persons relevant to the case;
- More than 358 persons were subjected to forensic medical examination at Levan Samkharauli National Forensics Bureau, number of examination reports are received and attached to the criminal case, other examinations are being carried out and are not completed yet;
- Clothes of more than 76 persons, who claimed that they wore those clothes during the violent acts and they (clothes) were damaged, were seized;
- Other items were seized for examination;
- Complex forensic trace and biological examination of seized clothes and other items have been ordered at Levan Samkharauli National Forensics Bureau, number of conclusions of the examinations have not yet been received.

Upon the ruling of the Court, relevant video recordings from surveillance cameras have been requested from public and private entities, moreover more than 2700 hours long video recordings relevant to the case have been obtained from media outlets, social networks, the internet and individual persons. Within the framework of the criminal cases, 162 persons have been granted victim status.

The Investigative Unit of the Tbilisi Prosecutor's Office is investigating allegations of threat of violence against women protesters as well. The Investigative Unit of the Tbilisi Prosecutor's Office and the Ministry of Internal Affairs of Georgia are investigating allegations of violence committed by individuals so called (groups of unidentified masked men) against the participants of the protests.

Freedom of expression

Effective prosecutorial oversight of crimes committed against journalists and human rights defenders is a priority for the Prosecutor's Office of Georgia. In 2025, upon the order of the General Prosecutor

of Georgia, the guideline "on effective procedural guidance in cases of unlawful interference with journalists' activities and violence against journalists" was approved. The guideline analyzes international standards, best practices, and case law for the protection of journalists, so that when investigating cases of unlawful interference with the professional activities of journalists and violent crimes against them, the prosecutor's procedural guidance is effective and compatible with international principles and standards in the field of human rights protection.

Furthermore, the Prosecutor's Office has developed guidelines on "Investigation and Prosecutorial Oversight of Criminal Cases Involving Human Rights Defenders," aimed at ensuring that the handling of such cases aligns with international declarations and universal standards relating to the protection of human rights defenders.

Since 1 July, 2025, the investigative mandate from the Special Investigation Service (SIS) has transferred to the Prosecutor's Office of Georgia on the cases concerning unlawful interference with the professional activities of journalists. The Investigative Units of the Prosecutor's Office respond promptly to any incident of interference with journalistic work and initiate investigations without delay. Notably, investigations may be launched on the basis of information disseminated in the media or on social networks.

Between 2022 and 2025 (10 months), criminal proceedings were initiated against 29 individuals under Article 154 of the Criminal Code for unlawful interference with journalists' professional activities, with 101 journalists/operators and 1 television company recognized as victims. With regard to other crimes committed against journalists, proceedings were initiated against 12 individuals, with 107 journalists/operators, 5 television companies, and 1 radio broadcaster recognized as victims.

From 2022 to 2025 (10 months), criminal proceedings were initiated against 30 individuals for crimes committed against human rights defenders, with 52 human rights defenders and two nongovernmental organizations recognized as victims.

Journalist victims during the protest rallies

In 2024-2025, 47 journalists/cameramen were recognized as victims for illegal interference in the professional activities of journalists that took place during the protest rallies. Criminal prosecution was initiated against 7 individuals under Article 154 of the Criminal Code of Georgia. 3 journalists were recognized as victims for other crimes committed during the protest rallies.

Paragraph 16: […] In their letter dated 22 March 2025, the Georgian authorities provided information on the various investigative actions taken pursuant to Mr Kh's complaint, including interviewing the complainant, the police officers in question and witnesses, ordering and performing a forensic medical examination of Mr Kh's body, […] The CPT thus reiterates its request to be informed of the outcome of the investigation referred to above.

Georgian authorities provide the requested information about the D.Kh. case as a separate document.

3. Safeguards Against Ill-Treatment

Paragraph 19: […] steps must be taken to ensure that all masked and/or hooded law enforcement officials deployed in the course of demonstrations bear visible identification (e.g. a warrant number) on the front side of their helmets or uniforms.

Comment of the MIA: The Georgian side shares the Committee's recommendation regarding the provision of visible identification to law enforcement officers; however, as the Committee is well aware, the provision of such visible identification to law enforcement officers creates a certain risk that their identities could become public.

For example, under the existing legislation, within the framework of criminal proceedings, case materials are disclosed to the other party. In such circumstances, the identity of a specific police officer may become known to that party, which in itself creates a risk of the officer's identity being made public.

Taking the above into consideration, the Georgian side, on the one hand, expresses its readiness to introduce visible identification to law enforcement officers; and on the other hand, working on establishing a legal mechanism that would prevent the identification of such officers, similar to the safeguards applied to individuals involved in operational-search activities or covert investigative measures, until their culpability is confirmed by a court.

Paragraph 20: […] However, many of the persons detained in connection with the demonstrations in Tbilisi, interviewed by the delegation on 29 November 2024 and on 22 January 2025, stated that they had not been enabled to inform a relative or another third person of their detention for several hours, that is until they had been brought to a TDI. The CPT recommends that efforts be made to ensure that notification of custody is never delayed, including when persons are detained in the context of demonstrations.

Paragraph 21: […] The Committee reiterates its recommendation that steps be taken to ensure that the right to have access to a lawyer (including *ex officio* lawyer) is fully effective for all detained persons, as from the very outset of deprivation of liberty (that is, from the moment the person is physically obliged to remain with the police). […] Further, the current rules should be amended so as to ensure that whenever persons arriving at TDIs have been given no prior opportunity to have an *ex officio* lawyer appointed and to contact a lawyer, this is immediately arranged by the receiving TDI officer […] Hardly any of the detained persons confirmed having had their lawyer present during the initial interview in a police station. Furthermore, in a few cases criminal police inspectors had reportedly attempted to discourage detained persons from requesting to have a lawyer present during questioning, arguing that appointing a lawyer at this early stage of the procedure and having them present at the initial questioning would only complicate and delay the investigation

Comment of the MIA: A person's right to a lawyer is explained in the document on the rights and obligations of detained persons, which is handed to each detainee immediately upon placement in a temporary detention isolator and is also explained to them verbally.

It is also noteworthy, that according to Article 245.1. of the Administrative Offences code of Georgia, in the event of an administrative detention, the detaining officer shall inform the detainee upon placing him/her under detention, in a form that he/she understands:

a) of the administrative offence committed by him/her and the basis of the detention;

b) of his/her right to a defense counsel;

c) of his/her right, if desired, to request that the fact of his/her detention and his/her location be made known to a relative named by him/her, also to the administration at his/her place of work or study.

In accordance to the paragraph 2 of the same article, if a minor is placed under administrative detention, his/her parent or any other legal representative shall be informed at the earliest convenience. To this end, is should be highlighted, that upon each and every administrative detention, protocol of detention is filled out, which is signed by both - officer fillig out the protocol and detainee. Mentioned protocol of detention also states that, upon administrative detention, the detainee was informed of his/her rights in accordance with the paragraph 1 of the article 245 of the administrative offences code of Georgia.

Access to a defense counsel is fully ensured for detainees at any time of the day or night, in accordance with Order No. 423 of the Minister of Internal Affairs. According to the mentioned document, the right of a person placed in custody to a defense counsel includes the right to contact a defense counsel and the right to be visited by a defense counsel. Contact with a defense counsel is ensured within a reasonable time following placement in the isolator. If the identity and contact details of the detainee's defense counsel are known, the isolator staff contacts them personally, if the identity of the defense counsel is unknown to the isolator, the isolator notifies the arresting body of the detainee's desire to contact a defense counsel.

For example, there has been case, when specific individual while detained in Temporary Detention Isolator for 12 days, had met with 8 defense counsels, within their 43 visits, lasted in total 28 hours and 42 minutes.

Paragraph 22: Another issue of concern was the observed practice of the police questioning a person officially as a "witness" (thus with weaker procedural safeguards) whilst it was clear to the police that the person in question was at least very likely to become the accused in the same case. The CPT recommends that measures be taken to ensure that such practices cease.

Comment of the MIA: According to Article 37.2. of the Criminal Procedure Code of Georgia: "An investigator shall be obliged to conduct an investigation thoroughly, fully and impartially".

Based on Article 113.1. of the same Code: „Any person who may have information that is important to the case may be voluntarily interviewed by the parties. An interviewee may not be forced to provide evidence or disclose information".

Accordingly, an investigator is obliged to investigate a criminal case thoroughly, fully and impartially and in this process, they have the right to interview any person who may possess information important to the case. However, it must be emphasized that the interview is voluntary and the person may refuse to participate in said investigative action. In such a case, based on Article 114.2. of the Criminal Procedure Code of Georgia, a person may be examined as a witness before a magistrate judge if there is

a fact and/or information that would satisfy an objective person that the person in question may hold information necessary for ascertaining the circumstances of the criminal case.

At the same time, under Article 49.1.d of the Criminal Procedure Code of Georgia, "A person has the right to avoid giving a testimony that discloses the commission of a crime by himself/herself or by his/her close relative".

Taking all of the above into account, Georgian legislation does not separately single out a person who "with a high probability may turn out to be an accused." For a person to be accused, evidence meeting the "probable cause" standard must exist, to obtain such evidence, the investigator may interview/examine any person who may possess information important to the case.

In the event that a person is detained, based on Article 174.1. of the Criminal Procedure Code of Georgia, if there are grounds for arrest, the arresting officer shall be obliged to clearly notify the arrested person of those grounds, explain which crime he/she is suspected of committing, and inform him/her that he/she may use the services of a defence lawyer, remain silent and refrain from answering questions, not to incriminate himself/herself, and that everything he/she says can be used against him/her in court. A statement made by the arrested person before being informed of his/her rights as provided for by this paragraph shall be considered as inadmissible evidence.

Paragraph 23: As regards access to a doctor, *de facto* it did not exist in the very early stages of police custody while persons were held for initial questioning at police stations. […] CPT invites the Georgian authorities to step up efforts to implement their plans to employ doctors and nurses in all TDIs. The Committee also recommends that more efforts be made to ensure the confidential character of medical examinations performed in TDIs; […]

Comment of the MIA:

Medical staff and infrastructure

Equipping temporary detention isolators with full-fledged medical services is one of the main strategic priorities for the Ministry. In recent years, significant progress has been achieved in this direction - the majority of isolators across the country already have modernly equipped medical stations and are staffed with qualified personnel. This process is characterized by positive dynamics and is evidenced by the growing statistics of medical centers opened over the years.

The Ministry is actively continuing to work to ensure that all temporary detention isolators are staffed with on-site medical personnel in the near future.

Confidentiality of medical examination

Confidentiality of medical examination in TDIs is ensured by a strictly defined protocol. The procedure is performed in a separate, specially equipped medical room, where other persons are not allowed to be present.

An exception may be made only in one, strictly regulated case - if a medical worker (local doctor or member of the emergency team) personally requests the presence of an employee of the isolator to ensure their own safety or that of the patient. At such times, it is important to note that:

- The presence of the isolator staff is carried out at the doctor's initiative; and
- The role of the attendant is limited to visual surveillance from a distance. He is prohibited from interfering in the medical process or listening to the conversation between the doctor and the patient, thus ensuring maximum confidentiality of the conversation."

Paragraph 24: [...] At the TDIs, written information was provided systematically in a range of languages, and the delegation was able to witness that detained persons were allowed to keep the information sheets with them in their cells. […] The Committee recommends that the Georgian authorities make further efforts to improve the oral information on rights upon apprehension. […] the CPT would like to be informed whether taking away detained persons' eyeglasses is a routine measure or whether it is based on an individual risk assessment.

Comment of the MIA: According to Georgian law, the protection of the fundamental rights of each person from the moment of arrest is the highest priority. For this purpose, a well-functioning and multi-level system is in place, which ensures that the detainee is fully informed in a language he or she understands.

Upon arrest, each person shall be informed in a form that he/she understands:

- Basis of the arrest;
- Right to remain silent;
- Right to a defence counsel;
- Right to refuse to respond to questions;
- Right against self-incrimination.

Upon admission to the isolator, the process of informing the detainee continues in order to ensure that his rights and safety are fully protected. In particular, each detainee will be given an information brochure outlining their rights and obligations. To ensure full accessibility of information, the brochure has been translated into eight languages (Russian, English, Azerbaijani, Armenian, French, German, Arabic and Turkish). The detainee is given sufficient time to familiarize himself with the document, which he confirms by signing. The isolator staff will additionally verbally explain to each detainee the basic rules and conditions of their stay in the facility.

The process of informing detainees about their rights is systematically controlled by the Monitoring and Central Management Division of the Temporary Detention Department, which ensures strict adherence to procedures.

In the isolators, special attention is paid to the individual needs of detainees while adhering to security standards. For example, based on a doctor's recommendation, a detainee has the right to have and use plastic-framed eyeglasses in his cell. If a detainee requires metal-framed glasses upon the recommendation of a doctor, due to security measures, he/she will be placed separately from other detainees for the purpose of protecting his/her personal safety and health.

Currently, all detention isolators keep a document outlining the rights and obligations of detainees, which has been translated into several languages (Russian, English, Azerbaijani, Armenian, French, German, Arabic, and Turkish). The aforementioned brochure is given to each detainee upon entry and they are provided with time to familiarize themselves with the document, which the detainee confirms with their signature. It is worth noting that the issue of informing detainees of their rights and

obligations is systematically controlled by employees of the Monitoring and Central Management Division of the Temporary Detention Department during monitoring carried out in isolators.

Paragraph 27: […] Committee recommends that the Georgian authorities improve the training of police officers in interviewing criminal suspects. […] The CPT would also like to be provided with details of the present Police Academy curriculum concerning police interviews of victims, witnesses and suspects.

Comment of the MIA: From September 2023, in the system of the Ministry, the procedure for organizing courses to improve the qualifications of investigators was approved, according to which, on the basis of the Academy, the promotion of the qualifications of investigators within the system of the Ministry is underway.

Within the scope of basic training special professional educational program for police officers of the LEPL – Academy of the MIA, training in investigative techniques is ongoing.

During the reporting period, thousands (over 6,000) of employees of the Ministry of Internal Affairs of Georgia in various positions were retrained by the Academy of the Ministry of Internal Affairs, on priority topics such as: Methodics of investigating crime, carrying a victim-oriented and context-based investigation, peculiarities of conducting certain investigative and procedural actions, trafficking, psychological aspects of relationships with children in conflict with the law, as well as witnesses and victims of crimes, crimes committed with discrimination-based intolerance motive, the necessity and importance of protective mechanisms to be used by police officers in the event of violence, restraining and protection orders, gender-based sexual violence crimes in accordance with the Istanbul Convention and other European standards, and more.

To this end, it is also noteworthy that The Ministry of Internal Affairs of Georgia has developed a package of legislative amendments, according to which the MIA Academy will be granted the right to implement a bachelor's program in public security and policing, along with professional educational programs. Amendments to the Law of Georgia "On Higher Education" and other related legislative acts have already been submitted to the Parliament for consideration.

A three-year bachelor's program of the Police Academy will be created for the first time and its constituent parts will be physical, tactical and firearms training, special subjects for studying public security and policing. As a result of the implementation of the program, the police system will have highly qualified, well-trained investigators, patrol inspectors, law enforcement officers, detectives, border guards, border guards and forensic experts with a bachelor's degree.

A person who meets the requirements established by the legislation of Georgia for employment in the police, passes the examination and/or successfully passes the Unified National Exams will be admitted to the Bachelor's Program in Public Security and Policing. The state will provide funding for the student's studies in accordance with the procedure established by the Minister of Internal Affairs of Georgia.

Within the period of study, students will be provided with the necessary equipment and educational materials, food and appropriate uniforms; In addition, students of the Academy will have the opportunity to use dormitories and social and legal guarantees provided for police officers during their studies.

After successful completion of the program, the Ministry of Internal Affairs will ensure the employment of graduates within the Ministry's system, in accordance with the procedure established by Georgian legislation.

Paragraph 29: […] The CPT wishes to recall that the setting up of an independent mechanism to investigate allegations of ill-treatment by law enforcement officials has been a long-standing recommendation by the Committee and other international actors (including the EU), […] The Committee wishes to receive from the Georgian authorities a clarification of the rationale behind the abolishing of the SIS, […]

GoG Comment: In response to CPT request to receive more detailed information about the rationale behind the abolishing of the Special Investigation Service (SIS), Georgian authorities clarify that following the amendments to the Organic Law of Georgia on "the Prosecutor's Office", the competence to investigate criminal offences formerly within the remit of the SIS has been transferred to the General Prosecutor's Office (POG), an independent constitutional body whose status, institutional autonomy, and guarantees of independence are enshrined in the Constitution. The reform aimed to clarify the institutional arrangements of the investigative system and resolve the ambiguity surrounding the legal status of the SIS, whose position was not defined at constitutional level. Under the principles of constitutional law, the basic model of State governance is determined by the Constitution, and the status and core powers of independent State bodies are to be anchored in that instrument. The Constitution of Georgia allocates certain essential powers, including to conduct of criminal investigations, to the highest State authorities and reserves the exercise of those powers to central authorities. In this context, the POG, as a constitutional body, exercises investigative competence on the basis of constitutional and legislative guarantees of independence.

In a State governed by the rule of law, the duty to ensure effective investigations and to prevent ill-treatment constitutes a positive obligation. The allocation of the relevant investigative powers to a constitutionally enshrined independent body is intended to provide a clear and stable legal basis for the conduct of investigations, together with the institutional guarantees required for independence, impartiality, and effectiveness.

As a result of these amendments, criminal cases that had previously fallen under the investigative jurisdiction of the SIS pursuant to the Law of Georgia on "the Special Investigation Service" were, as of 1 July 2025, transferred to the investigative competence of the POG.

Paragraph 30: […] the delegation was informed that any disciplinary proceedings against police officers (in the context of suspected misconduct vis-à-vis detained persons), carried out by the Ministry's General Inspection (an internal inspection body), would be automatically suspended whenever a criminal investigation was initiated concerning the officer in question; [....] In the light of the above remarks, the Committee recommends that the Georgian authorities amend the relevant legal provisions governing disciplinary liability and suspension from duty of police officers during the criminal investigation in the context of their possible involvement in ill-treatment of detained persons.

Comment of the MIA: According to Article 40.1. of the Law of Georgia "On the Police": „A police officer, who is accused of committing a crime, may be temporarily suspended from office by order of

the Minister, based on a substantiated written request of the investigative body, a relevant conclusion of the General Inspection (Department) of the Ministry, or a request of the Head of a respective unit until a final decision is made".

At the same time, the first paragraph of the Article 33 of Order №995 of the Minister of Internal Affairs of Georgia dated December 31, 2013 provides the same regulation as the above-mentioned norm of the Law of Georgia "On the Police," on the basis of which: "Based on a substantiated written request of the investigative body, the relevant conclusion of the General Inspection (Department) of the Ministry, or the request of the head of the relevant unit, a person may be temporarily removed from office, by order of the Minister or a person authorized to appoint, due to being accused of committing a crime pending a final decision. The aforementioned order is issued if there is no court decision dismissing an employee of the Ministry from the position".

Paragraph 31: […] However, it is regrettable that – despite the Committee's long-standing recommendation – only persons under administrative arrest had access to outdoor exercise and a shower. The Committee reiterates its recommendation that anyone obliged to stay at a TDI for longer than 24 hours be allowed to use the exercise yard and take a shower. […] It is also to be noted that cells at Rustavi TDI and TDI No. 3 in Tbilisi were not equipped with a call system. The CPT recommends that efforts be made to address these shortcomings.

Comment of the MIA:

Rights of detained persons (taking a shower)

It should be emphasized that the information mentioned in the report, according to which only administrative detainees are able to take a shower, does not correspond to the truth. Based on the amendments made in 2016 to the internal regulations of isolators, all categories of detainees, including those detained under criminal law, have the right to take a shower. Every detainee is informed regarding this right immediately after entering the isolator.

The aforementioned issue is regulated by Order №423 of the Minister of Internal Affairs of Georgia dated August 2, 2016, "On Approval of the Standard Provisions and Internal Regulations of the Temporary Detention Isolators of the Ministry of Internal Affairs of Georgia," according to which "a person to whom a court has imposed an administrative penalty of administrative detention for a period of more than one day or night must be provided with the opportunity to take a shower twice a week. In case of necessity, other detainees may also exercise the right to take a shower upon the decision of the head of the isolator and with the approval of the arresting authority."

Infrastructural conditions (natural light and sanitary facilities)

Every cell of TDIs has a window, which ensures the entry of natural light into the cells.

Sanitary facilities in all newly built and rehabilitated isolators meet modern standards. In isolators located in historic or old buildings, due to infrastructural limitations, complete renovation is often impossible. However, within the scope of its capabilities, the Ministry is carrying out relevant renovation projects step by step.

Activities for persons detained under administrative law

In response to the previous report of the Committee, the Ministry has already taken concrete steps to organize free time for administrative detainees. All TDIs are equipped with board games (dominoes, chess) and multilingual literature.

It is worth noting that in the TDI №2 in Tbilisi, in addition to the aforementioned activities, administrative detainees are offered access to television and outdoor workout facilities.

Thus, conditions in temporary detention isolators fully correspond to international standards. In addition, the Ministry of Internal Affairs expresses its readiness to continue working further to improve conditions.

III. PENITENTIARY ESTABLISHMENTS

1. Prison Population

Paragraph 32: […] At the time of the visit, Prison No. 8 had the official capacity of 2.325 and was accommodating 2.418 including juveniles 1.274 adult male remand prisoners, 21 male and 35 male adult prisoners sentenced to life imprisonment. Prison No. 15 had the official capacity of 1.388 and was accommodating 1.576 male adult sentenced prisoners (including six lifers). As for Prison No. 2, it had the capacity of 1.068 and was accommodating 981 including 364 juveniles adult male remand prisoners, four male lifers and 15 male (six of them sentenced). […]

Comment of the MOJ/SPS: Overall capacity of Georgian penal system is 12 332. As of December 31, 2025, the prison population is around 11 153, out of which more than two thousand are remands (more precisely, 8 702 inmates, including 2 451remands, are placed in PEs).

The most effective mechanisms to ensure prison management and reduce the number of inmates are parole, pardon and amnesty. For instance, during the period of 2024 – 2025, approximately 2321convicts were released.

The management of SPS has reinforced the parole mechanism and the Local Councils of Parole became more active. According to the regulation, the assessment of convicts for the release on parole is carried out according to the assessment criteria established by paragraph 13 of Order No. 320 of the Minister of Justice *"On approving the rules of assessment and decision-making regarding the release on parole by the Local Councils of the Special Penitentiary Service - a state sub-agency within the system of the Ministry of Justice of Georgia"*, in particular:

a. **The character of the crime** – when assessing this criterion, attention should be paid to the gravity of the crime, under the circumstances it has been committed, and whether it was during the period of conditional sentence.

b. **The behavior of the convicted person during his/her service of sentence** – when assessing this criterion, attention should be paid to the number and types of disciplinary, administrative and incentive measures applied to the convicts, as well as the action which prompted such decisions; At the same time, it should be taken into account whether the convict has adhered to the regulations and the daily schedule of the penitentiary institution, to the duties set out in Georgian legislation and the legal regime of the institution;

c. **The fact of committing a crime by him/her in the past, his/her criminal record** – when assessing this criterion, attention should be paid to the fact, the number of times and the gravity of a crime committed by the convict in the past; In addition, the number of times the person has been convicted before and the type and gravity of those crimes;

d. **Family circumstances** – when assessing this criterion, attention should be paid to the attitude of the convict towards the members of his/her family, whether he/she has children who are minors, a family member that is disabled, as well as the financial situation of close relatives, etc.;

e. **Personality of the convicted person** – when assessing this criterion, attention should be paid to the attitude of the convict towards the crime committed, towards the workers at the facility and other inmates, as well as the information regarding the participation in social activities during the sentence, his/her requirement of special supervision by the administration of the facility and other significant matters that allow for the assessment of the person.

In addition, based on the abovementioned criteria established by paragraph 13 of *Order No. 320 of the Minister of Justice,* the personality of the convict refers to: (1) attitude toward the committed crime, the personnel of the institution, and fellow inmates; (2) information about participation in social activities during the period of serving the sentence; (3) whether they require special supervision from the institution's management; (4) other relevant factors that allow for a comprehensive assessment of their personality. Among these significant factors, the convict's future plans are also considered as one of the priority matters.

Statistics (2023-2025):

	2023 - 2025
Number of inmates were released on parole	971
Number of inmates were assigned to community service	148
Number of inmates were sentenced to house arrest	473

Paragraph 33: […] CPT calls upon the Georgian authorities to step up their efforts to ensure that all prisons operate within their official capacities (to be calculated on the basis of the norm of 4 m² of living space per prisoner in multi-occupancy cells). Further, efforts to manage the prison population should be increased, taking due account of the relevant Recommendations of the Committee of Ministers of the Council of Europe, […]

The Committee would also like to receive more detailed information on the above-mentioned legislative amendments concerning drug offences and their estimated impact on the prison population.

Comment of the MOJ/SPS: Under Article 110.2. of the new Penitentiary Code of Georgia, living space standard per person in medical and prison facilities is defined to be at least 4 square meters. This standard has already been implemented in all prison facility and is duly applied in the newly built penitentiary institution and those under-constructions.

Comment of the MIA: As for the CPT request to receive more detailed information on the legislative amendments concerning drug offences, Ministry of Internal Affairs informs that, on 16 April 2025, the

Parliament of Georgia adopted the Law of Georgia "On Amendments to the Criminal Code of Georgia", as well as the amendments to certain legislative acts resulting therefrom.

On the basis of the amendments, within the chapter of the Criminal Code of Georgia establishing liability for drug-related crimes, the relevant articles were grouped according to the types of acts. In particular, liability is defined separately for the illegal acquisition and/or possession of a narcotic drug, its analogue, a precursor or a new psychoactive substance, as well as of a psychotropic substance, its analogue or a potent substance, and for the illegal manufacture, production, transportation or shipment thereof.

At the same time, the term "sale" provided for by the Criminal Code of Georgia was divided into two components, on the basis of which liability was established, in the form of independent articles, for the transfer of a psychotropic substance, its analogue or a potent substance, cannabis plants or marijuana, another narcotic drug, its analogue, a precursor or a new psychoactive substance, without receiving material benefit (gratuitous transfer), and for illegal sale (transfer for receiving material benefit, which provides for more severe punishments).

As a result, for the illegal sale of a narcotic drug, its analogue, a precursor or a new psychoactive substance (the crime provided for in Article 260³.4. of the Criminal Code of Georgia), the type and extent of punishment were determined as imprisonment for a term of 12 to 20 years or life imprisonment, instead of the wording in force prior to the amendment, which determined, for the above-mentioned act, imprisonment for a term of 10 to 15 years as the type and extent of punishment.

It is noteworthy that, pursuant to Article 53.1. of the Criminal Code of Georgia, the court shall impose a fair sentence on a convicted person within the limits established by the relevant article of the Special Part of the Criminal Code and in accordance with the provisions of the General Part of the same Code. A more severe type of punishment may be imposed only where a less severe type of punishment cannot ensure the fulfillment of the purpose of punishment. Pursuant to part 3 of the same article, when imposing a sentence, the court shall take into account mitigating and aggravating circumstances of criminal liability, in particular: the motive and purpose of the crime; the degree of unlawfulness manifested in the act; the nature and extent of the breach of obligations; the manner and method of commission of the act; the unlawful result; the offender's prior life, personal and economic conditions; the conduct after the commission of the act; and, in particular, the offender's aspiration to compensate for the damage and to reconcile with the victim.

Accordingly, the above-mentioned legislative package newly regulated the legislative framework in force for combating drug-related crime, as a result of which the extent of punishment prescribed for a number of crimes (including the illegal sale of a narcotic drug, its analogue, a precursor or a new psychoactive substance) was increased. At the same time, the principles that a judge is obliged to take into account when imposing a sentence on an individual remain unchanged.

As long as the new regulation is enacted since April 2025, it's a bit earlier to conclude any impact on the prison population, especially the convicts, since the pre-trial detention period is 9 months, the estimated impact could be observed at the later stage.

Paragraph 34: The CPT calls upon the Georgian authorities to take decisive steps towards reaching their own declared goal […] of closing the three "zonas" and replacing them with smaller prisons, each of

them with a layout (smaller modular units) permitting better assessment, allocation and regime diversification, with more organised and individualised activities (with an increased focus on rehabilitation and resocialisation) and with more staff of appropriate categories. The Committee requests to be provided, in the response to this report, with a detailed update on the steps already taken, those being taken and those still envisaged (with precise deadlines). The CPT would also like to be informed of budget allocations made to secure the implementation of the aforementioned Action Plan.

Comment of the MOJ/SPS: The MoJ and the Penitentiary Service are continuously working on infrastructure renovation, with the goal of eventually closing down outdated semi-open prison facilities and replacing them with new, smaller penitentiary institutions. For example, the new small type penitentiary institution has been completed and put into operation in the Laituri settlement, with the maximum capacity of 700 inmates in November 2023. Moreover, the construction and equipment of the family-type establishment in Rustavi has been completed, that will accommodate up to 150 inmates and balance the ratio of prison population between penitentiary establishments. The new prison facility is established near the PE N16 and is scheduled to open in 2026.

Furthermore, it should be mentioned that existence of open and semi-open facilities in the penal system represent a kind of incentive measure for inmates, as they are granted the rights to family visits, telephone conversations and dates more times during a month and prepare for an early release based on the committed crime.

As for the budget of Special Penitentiary Service, the overall state funding is 323 500 000 GEL, out of which 8 mln GEL is devoted to the construction of new prison and 10 mln GEL is dedicated to the rehabilitation and resocialization acitivies for inmates.

Paragraph 35: […] the Committee recommends that it be recalled to all prison staff that they should always address prisoners in a respectful and polite manner.

Comment of the MOJ/SPS: Georgian authorities welcome the acknowledgement and positive assessment of CPT regarding the absence of ill-treatment cases in prison system, relaxed atmosphere and good staff-prisoner relations. This approach and healthy communication between staff and inmates is already the tradition in Georgian penal system.

Based on the assessment of different international human rights bodies, since 2012, the Georgian penitentiary system has improved significantly, successfully addressed the systemic shortcomings previously (before 2012) identified by various human rights instruments, including the European Court of Human Rights (ECtHR) and most importantly, torture and ill-treatment in penal system is no longer an issue.

This is proved and mile-stoned in various international human rights reports delivered by United Nations (UN) Special Rapporteur on Torture and Ill-treatment (2015), CPT (2019-2024) and UN Sub-Committee on Prevention of Torture (SPT). SPT is one of the recent and good examples, because the delegation has visited the vast majority of prisons, including all semi-open prison facilities. These international reports unequivocally state that, through the inspection periods in prisons, no single detainee, including those staying the civil-sector clinic, raised allegations of ill-treatment by staff (security/medical). Furthermore, the fact that not a single petition/application from the Georgian

prisons was communicated to Georgia by ECtHR or UN committees on torture/ill-treatment during the last decade is yet another confirmation of the success of Georgian reforms.

SPS pays particular attention to the behavior of prison staff and their communication with prisoner. Therefore, new Penitentiary Code mislestones the major principles, rights and obligations for prison staff. In particular, Article 21 of the Code, which defines the rights and obligations of employees, Conditions of Service, Guarantees of Legal, Social and Safety Protection of Employees, the violation of which results in the disciplinary sanctions for the personnel. Having said that, CPT recommendation is well acknowledged and already applied in practice on a daily basis by prison staff, which is also closely monitored by the revelant department within the system.

Article 20 of the Penitentiary Code establishes both disciplinary misconduct and the types of disciplinary punishment. In the event of a disciplinary misconduct committed by an employee, the Monitoring Department of the Special Penitentiary Service conducts an internal inspection. By taking into account the relevant results, the employee is subject to an appropriate disciplinary punishment for the committed disciplinary misconduct, which may be:

a) a rebuke;
b) a warning;
c) a reprimand;
d) the deprivation of a badge;
e) the demotion of a special state rank by one level;
f) withholding of official salary for no more than 10 working days;
g) withholding 10% to 50% of official salary for one to six months;
h) a demotion;
i) Dismissal/discharge from Service.

Statistics of disciplinary punishment:

Year	Remark	Warning	Reprimand	Dismissed from Service
2024	32	2	12	17
2025	45	7	13	9

Paragraph 36: […] As for Prison No. 15, by contrast, inter-prisoner violence was more common, which was hardly surprising given the open cell regime and the very low staff presence, with approximately only 40 custodial staff expected to control almost 1.600 inmates circulating freely across the extensive territory of the prison […]

Paragraph 37: […] the CPT calls upon the Georgian authorities to step up their efforts to prevent and combat inter-prisoner violence and intimidation, in all prisons but especially in the semi-open prisons ("zonas") including Prison No. 15. This should include ongoing monitoring of prisoner behaviour (including the identification of likely perpetrators and victims), proper recording and reporting of confirmed and suspected cases of inter-prisoner intimidation/violence, and thorough investigation of all incidents. […]

Comment of the MOJ/SPS:

General Comment

Georgian authorities welcome the positive assessment of CPT regarding the rare cases of inter-prisoner violence in closed type prison institutions.

When it comes to the part of CPT Report, where the report talks about the so called informal prison hierarchy, Georgian authorithies believe that this assessment is outdated, the indicators recalled by the report refers to 2021, which is not the case anymore. In particular, the report refers to the symbols (eight-pointed stars) located in some PEs and considers that this is the "clear indication" of informal hierarchy. It is notable, that the facts and indicators mentioned in the report are outdated as they represent details that were actual 5 years ago and do not correspond to reality at the moment. Accordingly, the so-called symbols are duly removed in various penitentiary establishments during infrastructure renovations.

Furthermore, the fact that some prisoners are willing to be transferred in single-occupancy cells or the statements of few foreigner inmates could not be considered as relevant indicators. Therefore, Georgian authoriries believe that the assessmet about the "informal prison hyerarchy" is based on perceptions and misinterpretation of the factual cicrumstances *(including the quoting of management "There is no prison in the world where such hierarchy does not exist." And interpreting the sentence like the management "explicitely" acknowledged the existence of so called informal hierarchy in penal system)*, which are in some cases outdated.

Staff in PE N15

As of December 23, 2025, 148 employees are working in prison, including 115 employees of the Legal Regime and Security Department, not 40 as it is indicated in the Report. Therefore, Georgian authorities kindly ask the Committee to amend the data accordingly.

Measures against Inter-Prisoner Violence

In order to ensure the safety and security of the inmates and other persons in the penitentiary establishment, in accordance with Article 52. 4 of the Penitentiary Code, the Director General of the Special Penitentiary Service decides on the transfer of the inmate to another penitentiary institution.

The security measures provided in Article 62 of the Penitentiary Code are aiming to: (1) prevent the remand/convicted person from harming himself/herself, others, and property; (2) prevent crimes and other violations in the penitentiary establishment; (3) prevent the remand/convicted person from disobeying the lawful request of an employee; (4) repel an attack; (5) prevent group disobedience and/or mass disorder. By a reasoned decision of an authorized person, the security measures shall be applied to the remand/convicted person, by:

a. Use of special means;
b. Separation from other remand/convicted individuals;
c. Temporary transfer to another penitentiary establishment;
d. Placement in solitary cell for no more than 24 hours;
e. Arrangement of a temporary or additional checkpoint;
f. Transfer to a de-escalation room.

The effect of a security measure shall be ceased immediately upon the elimination of the threat it was applied to counter.

In 2023-2025 under Article 52.4.c. a total of 587 convicts have been transferred from a semi-open institution to a closed institution for the security reasons.

In the event of a reasonable suspicion, in order to ensure the safety of the remand/convict or other persons and in other legitimate interests (to prevent the remand/convict from committing suicide, self-harm, violence against him/her or other persons, damage to property, other crimes and violations of the law), in accordance with Article 58 of the Penitentiary Code, upon the decision of the director of the penitentiary institution, surveillance and control shall be carried out by visual and/or electronic means.

Furthermore, in order to prevent inter-prisoner violence in penitentiary establishments, the assessment and periodic reassessment of the risk for convicts is also carried out, in accordance with the rule "On the types of risk of a convicted person, risk assessment criteria, the rules for risk assessment and reassessment, the rules and conditions for transferring a convicted person to the same or another type of prison facilities, as well as the rule for determining the activities and powers of the risk assessment team for convicted persons" established by the Order No. 395 of the Minister of Justice of Georgia of May 8, 2019. Article 4 of the same Order sets out the criteria for determining the type of risk posed by inmate, upon which relevant decisions are made.

It should also be noted that, multidisciplinary teams involved in the risk assessment issues are actively being retrained under the training on "case management and multidisciplinary work", which also includes the topic of risk and needs assessment. Since 2022, 104 employees were trained specifically on the abovementioned issues, while 682 employees of the SPS have been trained on the risk and needs assessment under Universal Training carried out in the SPS.

In 2024-2025, 78 employees of the SPS were retrained on the matters related to the case management and multidisciplinary work.

In 2024-2025, the General Inspection of the Ministry of Justice (Penitentiary Direction) launched 1339 investigations on alleged inter-prisoner violence:

- under Article 126 of the Criminal Code (beating or other violence) - 1322 criminal cases;
- under Article 120 of the Criminal Code (intentional minor damage to health) - 16 criminal cases;
- under Article 117 of the Criminal Code (intentional serious damage to health) - 1 criminal case.

2. Material Conditions

Paragraph 39: […] The remaining prisons visited (that is, Prison No. 8 in Gldani, Prison No. 15 in Ksani and Prison No. 2 in Kutaisi) were at least locally overcrowded and, despite some ongoing refurbishment, parts of prisoner accommodation suffered from visible wear-and-tear. Further, there

were problems with cleanliness and vermin infestation, especially at Prisons Nos. 2 and 8. The CPT recommends that steps be taken to address the aforementioned deficiencies in Prisons Nos. 2, 8 and 15.

Comment of the MOJ/SPS: Supervision of the compliance with sanitary and hygienic norms in penitentiary institutions is provided by non-staff employees - a disinfectant employed in the SPS, who, in accordance with applicable norms, carry out disinfection, disinsection, and deratization of the living spaces of the remands/convicts and other premises in penitentiary institutions, on a monthly basis and additionally, if requested by the institution. Furthermore, an agreement has been signed between the SPS and the relevant service company, under which disinfection for infectious viruses is done in all of the penitentiary institutions twice a year.

During 2025, SPS has advanced prison infrastructure:

- A new, modern kitchen was built and started operating in PE N8;
- relevant repair works were carried out to modernize the heating systems in PEs N2, N6, N15 and N16;
- In all residential units of PE N8, rehabilitation of ventilation system shafts and capital works on arrangement of ventilation systems were carried out;
- PEs N15, N17, N6 were modernized and renovated to modern standards;
- A water-cooled ventilation system was installed in PEs N2 and N8;
- The construction of a sports area (training and combined sports field) for juvenile remands/convicts has been completed on the territory of Gldani PE N8;
- In Ksani PE N15, the work is underway to arrange an indoor sports field and a training area;
- Spaces for resocialization and rehabilitation programs were organized in PE N8 (library, digital university, group meeting space, clay therapy, etc.);
- In Ksani PE N15, the administrative building was completely renovated, where the additional spaces for Public Service Hall, short-term meetings, and a parcel reception were organized. Moreover, the infrastructure of the staff's working rooms was completely refurbished;
- Construction of the laundry area is underway on the territory of PE N8 in Gldani.

3. Regime and Out-Of-Cell Activities

Paragraph 41: The absence of any real progress in respect of the development of prison regimes in Georgia, despite the Committee's long-standing recommendations, represents the issue of the CPT's greatest concern. In all of the prisons visited in the course of the 2024 periodic visit, the overwhelming majority of inmates (including the life-sentenced prisoners) had no organised out-of-cell activities. Worse still, apart from Prison No. 15 (with its open-door regime during the day), the bulk of the prisoner population continued to be locked inside their cells for up to 23 hours per day. […]

Paragraph 42: In this context, the delegation was particularly concerned by its findings from Prison No. 1, which was supposed to be a "new model prison", with an extensive offer of organised activities; instead, it was actually the establishment with the highest number of prisoners in solitary confinement and with close to no organised activities at all. […] The Committee calls upon the Georgian authorities to reconstruct and reorganize Prison No. 1 in accordance with the aforementioned remarks.

Paragraph 43: […] The CPT once again calls upon the Georgian authorities to take decisive steps to develop the programmes of purposeful activities for both sentenced and remand prisoners, taking into account the aforementioned precepts. […]

Paragraph 44: […] In their letter of 22 March 2025, the Georgian authorities stated that steps had been taken to provide meaningful human contact to all prisoners concerned; however, no details are given as to how exactly this has been achieved. The Committee requests the Georgian authorities to communicate such details in their response to this report.

Comment of the MOJ/SPS: Promotion of out-of-cell activities and organized rehabilitation and resocialization programs for inmates remains the key priority for Georgian Penal System. For that reason, two structural units were installed (Rehabilitation and Resocialization Department of SPS and Vocational Education and Training Center for Convicts (VETCI) under MoJ) as the institutional guarantees for the application of this goal and provision of meaningful human contact to all inmates (both remands and convicts).

Various behavior correction, capacity-building, psycho-social and vocational education programs have been implemented in the penitentiary system. The system constantly updates programs and creates new programs based on the identified needs of convicts. Each program is implemented by social workers and psychologists of the Resocialization and Rehabilitation Department in both individual and group formats. It is important to mention, that in 2024, four new rehabilitation programs have been developed in addition to the existing 21 activities.

MoJ and SPS continue to promote vocational education and employment opportunities within penitentiary system. SPS, in collaboration with the *VETCI,* runs employment and education programs tailored to the interests and needs of the prisoners. In close cooperation with the Ministry of Education and its affiliated colleges, the VETCI and the SPS offer convicts a variety of training courses, such as culinary arts, agriculture, IT courses, graphic design courses, driving license courses, foreign language studies and etc. Employment opportunities are provided in areas such as agriculture, beauty salon, bakeries, sewing enterprises, canteens, individual activities (making handicrafts), recreation, sanitation, vegetable growing, greenhouses, digitalization and etc. Within the penitentiary system, convicts acquire new professions and undergo retraining in various fields, which helps them reintegrate into society and secure financial independence after leaving the institution. Moreover, VETCI operate a store „RE-MARKET" that sells products produced by the convicts.

It is notable, that the number of social workers has increased in PE N8 (6 social workers are currently employed) and a wood carving and ceramics workshop has been opened. The new rehabilitation space and the increased number of specialists will give the systeme opportunity to include more convicts in psycho-social programs. As for the PE N5, five group rehabilitation programs were launched in September 2025 and implementation of other group activities is in the pipeline. In terms of PE N18, case management program has been implemented, occupational therapy is planned to be piloted and application of various therapies are underway.

MOJ and SPS pay particular emphasis on the ability of involving to resocialization programs for the life sentenced prisoners. In that regard:

- ✓ A 2-year release preparation program for life-sentenced prisoners has been launched since 2021;
- ✓ 46 prisoners have completed the program, out of which 2 were released after the completion of the program, and 5 during the program;
- ✓ 13 convicts refused to participate in the program;
- ✓ The remaining 39 life-sentenced individuals do not meet the criteria for enrolling the program, as they have not served 12 years in prison yet.

All prisoners are informed about their rights, including the procedure for writing a complaint, in several ways:

1. Upon the placement in the prison facility;
2. During the specially modeled training about rights;
3. Brochures about prisoners' rights.

It is noteworthy, that target groups in the case management programs have increased and have gone beyond the boundaries previously set for such groups: youth, women, persons at risk of suicide or addictive behavior and those who have committed violent crimes.

In 2024, a total of 1005 adult convicts were involved in case management, including 309 convicts in PEs N1, N2, N8 and N15.

All rehabilitation activities implemented in the Georgian penitentiary system are implemented in practice according to the relevant standards, strategies or manuals, which are developed based on the evidence:

- Education programs – based on the standard established by the state;
- Rehabilitation programs - based on international best practices and evidence;
- Sports events – based on the sports management strategy, etc.

In 2024, convicts were involved in various rehabilitation activities in penitentiary institutions a total of 9532 times, including adults 7094 times and juveniles – 2438 times.

Involvement of adult convicts in rehabilitation activities during 2024		
Institution Types	**Number of convicts**	**Total**
Special risk institutions	61	126
Closed type institutions	345	2090
Semi-open type institutions	473	3477
Low-risk institution	216	1401

Involvement of adult convicts in rehabilitation activities during 2025 (as of 31 Decmber, 2025)		
Institution Types	**Number of convicts**	**Total**
Special risk institutions	116	49
Closed type institutions	1880	678
Semi-open type institutions	3741	1012

Low-risk institution	1427	453

Statistics of participation in out of cell activities of 2024

Out of cell activity	N1 PE	N2 PE	N8 PE	N15 PE	Total
General education	0	0	1	0	**1**
Higher education	3	8	22	4	**37**
Vocational education	0	21	1	0	**22**
Psycho-social rehabilitation programs	22	141	169	55	**387**
Psycho-social trainings	32	23	279	16	**350**
Cultural events	0	0	59	0	**59**
Sports events	0	0	15	63	**78**
Other events	17	0	0	8	**25**
Work/recreation	5	11	13	13	**42**
Employment	54	176	321	126	**677**
Total	**133**	**380**	**880**	**285**	**1678**

Statistics of participation in out of cell activities as of December 31, 2025

Out of cell activity	N1 PE	N2 PE	N8 PE	N15 PE	Total
General education	0	1	1	1	3
Higher education	11	8	42	3	64
Vocational education	3	9	24	33	69
Psycho-social rehabilitation programs	29	301	103	54	487
Psycho-social trainings	41	51	14	50	156
Cultural events	99	78	18	0	195
Sports events	40	4	0	57	101
Other events	24	0	0	0	24
Work/recreation	9	7	24	6	46
Employment	39	99	191	101	430
Total	295	558	417	305	1575

With regard to the PE N1 in the Laituri settlement, it is important to underline that Laituri Prison was conceived and constructed as a new-generation correctional facility grounded in a multidimensional design idea. The prison is organised into clearly differentiated spaces and levels, reflecting various security regimes, including low, medium and high-risk categories of convicted persons. This multidiversity-oriented concept was a guiding principle behind the prison's construction and aims to support individual risk profiles and needs of inmates. As a result, rehabilitation programmes and activities are implemented in a targeted and personalised manner, rather than through a standardised approach. Additionally, it is important to note that PE N1 has single occupancy cells.These cells are designed to accommodate only one convict, they are not solitary confinement cells, used as a special measure. An individually designated accommodation cell is intended for a single convict in cases where the inmate personally wishes to be housed alone in a cell within the facility. This approach is likewise based on taking into account the inmate's own request and their individual needs.

Paragraph 45: […] particular attention should be paid to the procedural safeguards mentioned above and, in the case of individual sentence plans, to involving prisoners in the drafting and reviewing the plans, so as to secure their commitment to the implementation of the plans and to their social reintegration.

Comment of the MOJ/SPS: In accordance with the Order N395 of the Minister of Justice of Georgia "On the types of risk of a convicted person, risk assessment criteria, the rules for risk assessment and reassessment, the rules and conditions for transferring a convicted person to the same or another type of prison facilities, as well as the rule for determining the activities and powers of the risk assessment team for convicted persons", the risk assessment team determines the high risk of danger for those convicts who have any connection with other criminals. Based on these risks, they are placed in a special risk prison, where the convict is placed in a cell, and visual and/or electronic surveillance and control are carried out. In a special-risk prisons, a convict is usually placed in a single or double-occupancy cell.

Furthermore, the risks posed by the convict to the safety of others, society, the state, and/or law enforcement agencies are determined by factors such as their personal qualities, motive for committing the crime, the resulting illegal consequences, behavior demonstrated within the institution, attitude towards institutional staff and other inmates, compliance with the institution's regulations and daily schedule, addiction to alcohol, narcotics, and psychotropic substances, prior criminal history, category of the committed crime, remaining duration of the sentence, instances of escape or attempted escape, previous time served in the institution, age, affiliation with terrorism, participation in rehabilitation or resocialization programs, and assessment of self-harm or attempts that may threaten the normal functioning of the institution. This evaluation also considers the use of incentives, disciplinary punishment, or administrative detention.

In addition, some novelties/amendements are introduced in the abovementioned Order of the Minister: the convict confirms the individual plan for serving the sentence by signing it and, if desired, can request both the plan and the monitoring report. Since monitoring has recorded that in some cases convicts do not remember information about the activities specified in the plan, it is possible to routinely provide all convicts with a photocopy of the individual plan after signing it, which will allow them to constantly have information about the activities planned for them.

Moreover, the involvement of the convicts in rehabilitation services and activities within a penitentiary institution is carried out using two main approaches:

- **Demand and need-oriented model:** Convicts are informed about the planned activities. This information is provided in segments, taking into account the institution's regime, infrastructure, and human resources. Upon request, convicts are involved in various rehabilitation programs and activities;
- **Incident management, risk, need, and response-oriented model:** A multidisciplinary approach is used in the case management process to assess the convict, determine the level of recidivism risk, and evaluate potential harm. Based on this assessment, an individual plan for serving a sentence is created, considering the convict's identified needs, and the convict is involved in targeted rehabilitation activities. Participation in case management is voluntary.

Currently, case management has been implemented in all penitentiary institutions, regulated by Order No. 502 of the Minister of Justice of Georgia "On the Approval of the Procedure for the Assessment of Risks and Needs, as well as the Preparation, Implementation, and Monitoring of Individual Plans for the Resocialization and Rehabilitation of Adult Convicts and Former Prisoners (Case Management Procedure)".

Paragraph 58: The Committee is also concerned by the fact that, as a rule, short-term visits still took place in small booths with a plexi-glass or glass partition, preventing any possibility for prisoners to have physical contact with their relatives, including young children. The CPT reiterates its recommendation that short-term visiting facilities be modified in all prisons so as to enable prisoners to receive visits, as a rule, under open conditions.

Paragraph 59: As for access to a telephone, it varied between unlimited at Prison No. 15 to three times per month at Prison No. 8. At Prisons Nos. 1 and 2 there were no restrictions as to the number and frequency of calls but instead a limit on the total duration per month (60 to 90 minutes, according to the risk category). In this respect, the Committee reiterates its recommendation that the Georgian authorities take steps to improve access to a telephone for all categories of prisoners.

Paragraph 60: The delegation was pleased to note that the possibility of video calls (every 10 days), introduced as a temporary measure to compensate for the absence of long-term visits during the Covid-19 pandemic, had been rendered permanent. That said, due to the persistent requirement for inmates' relatives to use computers located in regional Probation Service offices, access to video calls was still de facto impossible for foreign prisoners and Georgian prisoners whose relatives lived abroad. The CPT recommends that the Georgian authorities seek ways to cease this discriminatory practice.

Comment of the MOJ/SPS: According to the new Penitentiary Code, there are several types of penitentiary institutions, namely:

- Semi-open type prisons;
- Low-risk and release preparation prisons;
- Closed-type prisons;
- Special-risk prisons;

Based on the abovementioned types of prison and the risk-assessment procedure, the rights of convicts vary depending on the type of institution, including the limits and number of telephone calls, in particular:

- A convict placed in a semi-open type (medium risk) prison has the right to have an unlimited number of telephone calls at his own expense during a month - no less than 30 minutes per day, and as an incentive, at his own expense - unlimited telephone calls, each - no less than 15 minutes;
- A convict placed in a closed type (increased risk) prison has the right to have at least 3 telephone calls at his own expense during a month, each - no less than 15 minutes, and as an incentive, at his own expense - unlimited telephone calls, each - no less than 15 minutes;
- A convict placed in a special risk prison (high risk) has the right to have at least 2 telephone conversations at his own expense during a month, each lasting at least 15 minutes, and as an incentive, at his own expense – 1 telephone conversation of at least 15 minutes;
- In a low-risk prison or a prison preparing for release, he has the right to have an unlimited number of telephone conversations at his own expense during a month, each lasting at least 15 minutes, and as an incentive, at his own expense – unlimited telephone conversations.

According to the national legislation, short-term visits in penitentiary institutions are generally conducted in special rooms, separated by a glass barrier. SPS plans to modify the existing infrastructure for short-term visits equipped with glass barriers so that, in all such institutions, both types of short-term visit spaces will be created—those with a glass barrier and those without one. Currently, short-term visits without a glass barrier are conducted in PE N5, PE N11 and PE N16.

With regard to closed-type facilities, taking into account their specific nature (they are closed-type institutions housing high-risk convicts), in order to ensure the safety of convicted persons and visitors attending short-term visits, as well as the normal functioning of the institution, it is considered appropriate to conduct short-term visits through a glass barrier.

As for the rights of foreign inmates on the contact with the outside world, the SPS implements various measures to improve the accessibility for the both, the Georgian citizens, as well as for the foreigners and stateless persons.

Georgian citizens and foreign convicts have the right to use video calls, however, video dates are not carried out via telephones. It should be underlined that foreign convict will enjoy the right to video calls within the territory of Georgia, but this right will not be guaranteed abroad. Having this in mind, it is not accurate to state in the report that video calls for foreign prisoners are limited due to the high demand for telephones. Therefore, Georgian authorities respectfully ask to accordingly amend this recommendation.

It is also worth mentioning that a number of measures have been implemented to facilitate contact with the outside world by foreigners and stateless persons, namely:

- From March 4, 2022 to April 18, 2024, a zero tariff was in effect for citizens of Ukraine for calls made to Ukraine, and from April 18, 2024, a 1-hour free limit has been set for calls to Ukraine each month;

- From November 10, 2023 to April 18, 2024, a zero tariff was in effect for citizens of Israel for calls made to Israel, and from April 18, 2024, a 1-hour free limit has been set for calls to Israel each month;
- Starting from April 1, 2024, all juvenile remands/convicts have a 1-hour free limit for both international and local calls every month;
- Starting from February 2025, international calls can be made in penitentiary institutions every day.

4. Penitentiary Healthcare

Paragraph 48: The CPT recommends, once again, that steps be taken to ensure that prisoners have confidential access to the health-care service in all the prisons in Georgia. [...] The Committee also calls upon the Georgian authorities to implement its long-standing recommendation that medical examinations/consultations be as a rule conducted out of the sight and hearing of non-medical staff, under conditions fully guaranteeing medical confidentiality.

Paragraph 49: […] The CPT reiterates its recommendation that the Georgian authorities continue their efforts to reinforce the provision of psychiatric and psychological care to prisoners (based on a professional initial and ongoing screening process, see also paragraph 47 above) and in particular improve access to psychiatrists in all prisons, offer therapies other than medication (e.g. individual and group psychotherapy, art and occupational therapy) and provide therapeutic activities, with the involvement of psychologists working in prisons. The Committee also reiterates its recommendation that the Georgian authorities reinforce the provision of psychological care in prisons and develop the training and the role of prison psychologists, especially as regards therapeutic clinical work with various categories of inmates. […]

Paragraph 50: […] The CPT recommends that further efforts be made to develop the response to the addiction problem in prisons, in the light of the above. Reference is also made to the Committee's remarks in paragraph 90 of the report on the 2018 periodic visit. In this context, the CPT has learned after the visit about the Georgian authorities' plans to introduce court ordered mandatory treatment as an additional measure for persons convicted of drug-related offences. The Committee would like to receive detailed information on these plans, including on the envisaged procedure for imposing such mandatory treatment and its planned contents.

Paragraph 51: The CPT therefore calls upon the Georgian authorities to develop a broader range of psycho-social therapeutic activities for patients accommodated on the psychiatric ward of the Prison Hospital, in particular for those who remain there for extended periods; occupational therapy should be an integral part of the rehabilitation programme. […]

Comment of the MOJ/SPS: A convicted person takes a medical examination upon admission to the institution, which also includes a mental health examination.

There is experience in working with the remand/convict with a multidisciplinary approach in the penitentiary system, and in each specific case, taking into account the need, it is possible to manage cases with the involvement of various specialists.

Persons with outpatient psychiatric needs are assisted by somatic profile doctors, nurses, psychologists and social workers, together with psychiatrists, depending on the individual needs of the patient. All involved specialists participate in the multidisciplinary care process, and the process is coordinated by primary health care doctors.

In case of need for inpatient psychiatric care, the special penitentiary service transfers the patient to a civil psychiatric institution or to PE N18, where a psychiatrist coordinates the multidisciplinary care process.

Also, in the penitentiary system, a psychologist is one of the most important members of the multidisciplinary team (social worker, regime, doctor) and performs several key functions, which combine aspects of mental health management in addition to the assessment and rehabilitation of the convict:

1. Assessment and screening:
   - Mental health assessment of newly admitted prisoners (including risks of suicide, self-harm, withdrawal syndromes);
   - Identification of mental disorders, traumatic experiences and behavioral problems.

2. Therapy and intervention:
   - Individual and group psychotherapy: for the treatment of depression, anxiety, stress management, aggression control and trauma-related issues;
   - Crisis intervention: providing emergency psychological assistance in the event of a suicide attempt or self-harm.

3. Rehabilitation and resocialization:
   - Involving prisoners in rehabilitation programs, which aim to improve their resocialization skills and help reduce the risk of future recidivism;
   - Work on cognitive and behavioral changes.

According to Paragraph 6 of Article 139 of the Penitentiary Code, in case of damage to the body of the remand/convict, while providing medical services in the penitentiary institution, the medical staff is obliged to report it immediately to the relevant investigative body.

If, while providing medical services to the remand/convict, the medical staff notices any physical injury and/or other circumstances that would cause an objective person to suspect possible torture and other cruel, inhuman, or degrading treatment of the patient, the medical examination of the remand/convict is carried out even without his/her consent.

According to Article 6 of the "Rules for Recording Injuries to Remand/convict as a Result of Possible Torture and Other Cruel, Inhuman or Degrading Treatment in Penitentiary Institutions" approved by Order No.663 of the Minister of Justice of Georgia on November 30, 2020, in case of detecting injuries to the patient's body or if, as a result of a medical examination, the doctor suspects improper treatment of the patient, he/she should immediately notify the State Inspection Service by telephone, and at the first opportunity – through electronic document circulation, and the patient should also be informed

about the procedure. In the case provided in this paragraph, the doctor should also immediately inform the General Inspection of the Ministry of Justice of Georgia by telephone.

Moreover, all institutions are provided with timely and quality psychiatric services. A commission was created and approved by the Order of the Minister to determine the need for outpatient psychiatric examination. In addition, there is a psychiatric department with 60 beds in PE N18.

The agreement signed with the Mental Health and Drug Abuse Prevention Center over the years has been supplemented by an agreement with the Mental Health Center LLC since December 2023. This has enabled all persons in need to receive quality, timely, and uninterrupted psychiatric services.

Penitentiary healthcare is a part of the Public Health system and the provision of medical services to the remands/convicts is carried out in full compliance with the health care legislation of the country. Infrastructure and material-technical equipment of the medical unit operating in each penitentiary institution, as well as the N18 prison hospital (has official permit from the Ministry of Healthcare) is functioning in accordance with the healthcare requirements. Medical care in PEs is conducted based on national recommendations (guidelines) and state standards (protocols) for clinical management by doctors holding state certificates for independent medical activity and certified nurses with proper medical education. All medical services are provided free of charge and if necessary, inmates are transferred to the relevant civil sector clinic. In addition, the SPS has signed agreements with more than 70 civil clinics and, if necessary, the beneficiaries are referred to a civil clinic for medical services.

Institutional mechanisms of the penitentiary healthcare system (department, doctors, PE N18, etc.) exist in order to provide medical services to the remands/convicted patients locally and in particular, instantly, in compliance with the standards, methodology and protocols used in the civil medical sector, that are in line with the instructions adopted by the Minister of Health. These instructions are binding and applicable to all doctors working with convicted patients as well as to non-convicted patients.

The inmates are provided with equivalent civilian medical services, which clearly confirms the close integration of the penitentiary health care with the national health care system.

Moreover, an "Occupational Therapy Guide" was developed for working with prisoners with challenging behaviour and mental health problems. The Guide was created to provide evidence-based recommendations and facilitate the implementation of occupational therapy (OT) activities in the penitentiary system of Georgia. The aim of introducing occupational therapy is to assist the patient in their recovery and prevent relapse episodes, which are common in patients with mental health problems. The Guidelines define practical and ethical obligations. Also, ceramic workshops were organised in three penitentiary establishments (N2, N8 and N16).

On 7-8 July 2025, 15 psychologists and social workers from the penitentiary system were trained by an international expert. Piloting occupational therapy in PEs N5, N6, N8 and N18 started from the fall of 2025. Regarding the shortage of psychiatrists in the Georgian penal system, it is evident that the low number of psychiatrists is a global challenge for all the states, meanwhile, SPS ensures that every institution is staffed with psychiatrist and based on the need, conducts several visits per month to the penitentiary establishments.

Currently, the work in PE N15 is underway to allocate the appropriate infrastructure and space to arrange additional medical space.

When it comes to the guaranteed level of confidentiality of the prisoners, if the issue concerns unlimited access to medical documentation from the escort team side, the number of such cases and incidents is extremely rare and not systematic.

In terms of providing appropriate training for the medical staff in PE N15, it should be mentioned that the medical personnel of all institutions (including PE N15) has been fully trained in assessing, describing and documenting injuries of inmates.

Comment of the MOLHSA: In the process of combating crime, the state attaches special importance to drug-related crime, and the effective response to each manifestation of this crime is a priority for the state. In July 2025, a new Chapter XV[1] was added to the Criminal Code of Georgia, entitled "Compulsory Treatment of a Person Suffering from Drug Addiction." Article 79[5] of the Code (Enforcement of Compulsory Treatment of a Person Suffering from Drug Addiction) states that compulsory medical treatment of a person suffering from drug addiction is carried out in accordance with the principles established by the Law of Georgia "On Narcotic Drugs, Psychotropic Substances, Precursors and Narcological Assistance."

In accordance with the Criminal Code of Georgia, compulsory treatment of a person suffering from drug addiction may be prescribed if one of the following grounds exists: a) a person suffering from drug addiction has committed a crime provided in Chapter XXXIII of the Criminal Code of Georgia (Chapter on Drug related Crimes); b) A person, after committing a crime provided in Chapter XXXIII of the Criminal Code of Georgia, was diagnosed with addiction to a substance subject to special control by a court, in accordance with the legislation of Georgia, before the court rendered a guilty verdict.

On July 2, 2025, Resolution No. 241 of the Government of Georgia was adopted, which determined the rules and procedural issues for the implementation of compulsory treatment. This includes the grounds for selecting specific measures for compulsory treatment of a person suffering from drug addiction, the prerequisites for a person suffering from drug addiction to periodically leave an institution providing compulsory treatment, the results of the consideration of early termination of compulsory treatment by the Narcologists' Commission, and the assessment of the degree of achievement of treatment goals, among other aspects.

The Commission of Narcologists, established at the Ministry of IDPs from the Occupied Territories, Labor, Health, and Social Protection of Georgia (Order of the Minister No. 21/n, dated July 8, 2025), shall consider the appropriateness of prescribing compulsory treatment for a person suffering from drug addiction and prepare a corresponding conclusion, as well as the appropriateness of terminating compulsory treatment. The Commission shall consist of at least three narcologists.

The implementation of compulsory treatment for a person suffering from drug addiction shall begin once a court verdict of conviction has entered into legal force.

The service is provided in accordance with the Resolution of the Government of Georgia "On Approval of the Procedure for the Implementation of Compulsory Treatment for a Person Suffering from Drug Addiction," within the framework of the State Program for the Treatment of Patients Suffering from Drug Addiction.

The selection of specific measures for compulsory treatment of a person suffering from drug addiction and the treatment methodology/tactics—taking into account the nature and severity of the disease, the

advantage of using the most optimal means to achieve the treatment goal, and other important circumstances—is provided by the institution implementing compulsory treatment, namely the Center for Drug Addiction Prevention and Mental Health.

Compulsory treatment of a person suffering from drug addiction is carried out in inpatient settings. For this purpose, a person suffering from drug addiction will be placed in an institution implementing compulsory treatment for a specified period of time based on the relevant measure. After a reasonable period of time has passed since the start of treatment, upon the institution's request and with the consent of the Commission, it is possible to establish the rules and conditions for the periodic departure of the person suffering from drug addiction from the institution, provided this does not impede the course of treatment. Furthermore, the person's behavior must provide a reasonable assumption that they will not use narcotic drugs/psychotropic substances outside the institution or commit any act containing signs of a drug-related crime. The individual must also comply with the rules and conditions for reporting to the institution. The periodic departure of a person suffering from drug addiction must not contradict the principles and procedures for the execution of the sentence imposed on them.

A person who has been prescribed compulsory treatment shall be examined by the Commission every three months from the start of treatment to determine whether there are grounds for terminating this measure. If the Commission deems there are grounds for terminating the compulsory treatment, it shall prepare a written conclusion on the appropriateness of terminating the treatment, which shall be sent to the administration of the institution implementing the treatment.

5. Prison Staff

Paragraph 52: […] In the light of the above, the CPT calls upon the Georgian authorities to step up their efforts to significantly increase prison staff complements at Prisons Nos. 1, 2, 8 psychologists and 15 which should concern custodial staff but also social workers, and other staff qualified to organise activities (teachers, work instructors, arts, crafts and sports instructors, etc.).

Paragraph 53: As during previous visits, the delegation observed that most of the custodial staff in the establishments visited worked on 24-hour shifts followed by three days off. The CPT can only reiterate its opinion that such a shift pattern has an inevitable negative effect on professional performance; no-one can perform in a satisfactory manner the difficult tasks expected of a prison officer for such a length of time. The Committee calls upon the Georgian authorities to discontinue this practice.

Comment of the MOJ/SPS: SPS is gradually improving the working environment for employees and the increased number of SPS staff demonstrates that the recruitement and retention of staff is ensured. To achieve this goal, the following steps have been taken:

- The new food provision program has been in effect since 2023. Special dining areas and kitchens have been established for employees in all penitentiary institutions. Employees working an 8-hour shifts are provided with one meal, while those on a 24-hour shift receive three meals;
- On January 1, 2024, a new Penitentiary Code came into force, which improved the working conditions of prison personnel and the legal status of persons in penitentiary establishments, namely:

- ✓ All units of the penitentiary service were given a special status, which equalized and improved the conditions of the staff;
- ✓ In addition to the official and rank salary, employees receive an allowance for years of service;
- ✓ The state provides health insurance for employees of the penitentiary system;
- ✓ The MoJ of Georgia initiated a rule on providing financial assistance to employees of the Ministry's system in case of a serious illness (up to 25,000 GEL in total during the year). It has been in effect since November 7, 2023. The rule applies if the treatment is not/partially financed by private/state insurance;
- ✓ Since May 9, 2024, additional social security guarantees for employees came into effect, including one-time financial assistance in the event of marriage, childbirth/adoption, or the death of a family member;
- ✓ The Penitentiary Service also provides transportation for all of the employees free of charge;
- ✓ New modern sports grounds (basketball, football) and a gym were built to allow employees to participate in various sports events;
- ✓ New training areas, as well as modern areas designed for recreation were organized for the employees;
- ✓ Employees working in various areas are provided with different, seasonal uniforms;
- ✓ Aimed at improving the capacity of the employees of the SPS, the new Saakadze Training Base was established in 2023. The Saakadze Training Base is equipped with all the necessary means for the universal and specific trainings of the SPS staff, including a shooting and driving range, auditoriums, sports fields, conference spaces, co-working rooms, a gym, running tracks, a simulation training center, a training courtroom, training prison cells, a medical station, hotel rooms, a canteen and other required spaces.
- ✓ The SPS actively implements continuous trainings and qualification improvement programs for the staff to ensure the provision of various services aimed at protecting human rights in the penitentiary system.

Years (2023-2025)	The total number of employees by the end of the year
2023	3756
2024	4058
2025 (as of December 31)	4120

Due to the increased demand, according to the amendments made to the Law on Social Work, the possibility of hiring an employee with the status of "Social Worker Seeker" has appeared. In addition, the social worker certification program has been renewed until 2030, which gives the employee with the status of a seeker the right to take a certification course and receive the opportunity to work as a social worker.

From January 1, 2024, taking into account the increased salary and social guarantees in the penitentiary system, 12 new social workers were appointed in 2024. In addition, within the framework of the memorandums signed with the academic sphere, social work students have the opportunity to undergo practice in penitentiary institutions, which arises their interest in that domain.

As for the CPT concerns about the working shifts of the custodial staff, pursuant to Article 22 of the Penitentiary Code, different working hours and/or different working conditions from those established by the Law of Georgia on Civil Service are applicable for the employees of certain units of the Service and/or for individual employees, namely:

a. Working week of no more than 48 hours and an irregular working day are established for employees;
b. Work on holidays and weekends is voluntary for employees (except for employees working in shifts). In this case, they are paid according to the procedure established by the legislation of Georgia;
c. The duration of the working hours of an employee working in shifts shall not exceed 24 hours, except for special cases determined by the director of the penitentiary institution. Shifts of equal duration are established for employees working in shifts;
d. Employees may be transferred to a special regime by order of the Minister.

6. Disciplinary and "De-Escalation" Cells

Paragraph 55: By contrast, the persistently frequent and sometimes extremely prolonged placements in "de-escalation cells" in most establishments visited (including the Prison Hospital but with the exception of Prison No. 15) are an issue of serious concern to the Committee. Although in principle such placements were for a maximum of 72 hours, in practice they could be imposed consecutively reaching, on some occasions, as many as 24 days without interruption. As had been the case during the 2018 periodic visit, the delegation could not escape the impression that placement in "de-escalation cells" was sometimes *de facto* a form of punishment (and indeed many prisoners perceived it as such). […] The Committee calls upon the Georgian authorities to amend the rules and change the practice with respect to the use of "de-escalation cells", in the light of the above remarks.

Comment of the MOJ/SPS: The placement in a de-escalation room is a type of security measure and is used in cases where the remand/convict poses a threat to his/her own life and/or health or that of others. The prisoner is placed in a de-escalation room until the threat that led to his/her placement in the de-escalation room is eliminated, but not more than 72 hours. It is not allowed to remove the remand/convict from the de-escalation room until the grounds for his/her placement in the de-escalation room are eliminated, except for cases of providing emergency medical services and meeting with a defence attorney/lawyer. It should be noted that, pursuant to the amendments introduced in 2023 to the Statues of the PEs, the total number of days a person may be placed in a de-escalation room must not exceed 30 days within a calendar year (The indicated number represents the cumulative total of days and does not constitute authorization for the continuous placement of a person. Furthermore, a single placement in a de-escalation room may not exceed 72 consecutive hours, meaning that after the expiration of the 72-hour period, the individual must be released from the de-escalation room. It is also important to emphasize that during the 72-hour period, a multidisciplinary team (consisting of doctor, psychologist, social worker, regime and a security officer. As well as, and, where necessary, a field specialist may be invited) reviews the circumstances of maintaining the person in the de-escalation room in every 24 hours.

According to the new Penitentiary Code of Georgia, the transfer of a remand/convict to a de-escalation room is considered as one of the security measures, the grounds and conditions of which are defined under the statutes of particular penitentiary establishment.

It is noteworthy, that the rules and conditions for placing an remand/convict in a de-escalation room are regulated by the regulations of each penitentiary institution, which were amended in April 2023 and as a result, in accordance with international standards, the regulations related to placing an remand/convict in a de-escalation room were clarified, which creates stronger guarantees for the protection of the rights of the remand/convict during the process of imprisonment and deprivation of liberty.

In particular, as a result of the amendments, it was clarified that the placement of a remand/convicted person in a de-escalation room, in all cases, must be carried out by order of the director of the institution, issued on the basis of the recommendation of medical personnel and a report from an authorized employee of the institution.

The maximum period of placement in a de-escalation room - 72 hours - was established as a result of a study of existing practice and this period represents the reasonable period of time within which it is possible to calm the remand/convict so that he does not pose a threat to his own or others' life and/or health. The implemented changes ensure the prevention of the remand/convict being placed in a de-escalation room for no purpose.

Furthermore, on December 27, 2024 the Constitutional Court of Georgia ruled that the placement of remand/convict in de-escalation room is the very last resort, limited in time and legitimately ensures the safety and security of that person and other remands/inmates. The Constitutional Court also highlighted that the decision of placing the remand/convict in de-escalation room is based on the comprehensive criteria, assessment of individual circumstances and written argumentation of the Director of PE, which also includes the recommendation of medical staff. Placement of remand/convict is permanently monitored by multidisciplinary team and he/she is having unlimited access to medical personnel.

The detailed information on the procedures and measures taken upon the admission of the inmate into the penitentiary institution, as well as rules and criteria for transferring inmates from one penitentiary establishment to another.

In accordance with Georgian legislation, upon admission to a penitentiary institution, the remand/convict, after passing the relevant procedures, taking into account his/her individual characteristics, is placed in an internal classification cell, where he/she is observed and studied for the purpose of allocation to the appropriate cell, as well as, from an epidemiological point of view – for the isolation of persons suspected of various communicable diseases (prior to diagnosis).

The decision on the allocation of the remand/convict to a special cell is made by the director of the institution, taking into account the personal qualities of the remand/convict, the facts of his/her past crimes, the nature of the crime charged/the nature of the crime committed, the motive, the purpose, the expected result, the risk of re-committing the crime and other circumstances that may influence the decision of the director of the institution.

Rules and criteria for transferring from prison to prison

The transfer of a convict from one penitentiary establishment to another is carried out in the cases provided in Article 52 of the Penitentiary Code, namely:

a) Considering the risk of danger of the convicted person (hereinafter referred to as risk) or in case of convicted person's preparation for the release;
b) When a convicted person systematically violates the regulations of the penitentiary institution;
c) To ensure the safety of the convicted person and other persons;
d) To ensure the security of the penitentiary institution;
e) During the illness of a convict;
f) During the reorganization of a penitentiary institution;
g) Upon liquidation of a penitentiary institution;
h) When a penitentiary institution is overcrowded;
i) In the presence of circumstances provided in Part 1 of Article 66 of this Code;
j) In the circumstances provided for in Article 191[1] of the Criminal Procedure Code of Georgia, if, by a judge's ruling, the Director General of the Service is ordered to take special measures necessary to ensure the safety of the relevant convicted person and the use of this measure is necessary for the safety of the convicted person;
k) With the consent of the convicted person;
l) In the presence of other important, justified circumstances.

The risk assessment and periodic reassessment of a convict is provided by the Risk Assessment Team. The types of risk of a convict, risk assessment criteria, the procedure for risk assessment and reassessment, the procedure for transferring a convict to another prison, as well as the authority and procedure for the team's activities are determined by the Order No. 395 of the Minister of Justice of Georgia of May 8, 2019.

According to the above-mentioned Order, the types of risk are: a) low; b) medium; c) increased; d) high.

The risk assessment of a convict and the determination of his/her risk type are carried out independently, based on a multidisciplinary approach, by the Convict Risk Assessment Team.

The risk assessment of a convicted person and the determination of his/her risk type are carried out independently, based on a multidisciplinary approach, by the Convict Risk Assessment Team:

a) Personal characteristics of the convicted person;
b) Category of the crime committed and motive for committing the crime;
c) The reached unlawful result;
d) Behavior exhibited in the institution;
e) An act committed by a convict that caused/will cause a confrontation with the mass of convicts and posed/will pose a threat to the life and/or health of the convict/other convicts or the normal functioning of the penitentiary system;
f) Relationship with institution representatives and other convicts and the possibility of exerting a negative influence on them;
g) Fulfillment of requirements stipulated by the institution's regulations and daily schedule;
h) Addiction to alcohol, gambling, narcotics, new psychoactive and psychotropic substances;

i) Facts of crimes committed by the convict in the past, including in the institution;
j) Remaining sentence;
k) Facts of escape or attempted escape from the institution;
l) Cases of serving a sentence in the institution in the past;
m) Age of the convict;
n) Attitude to the criminal world/terrorism;
o) Involvement in rehabilitation/resocialization programs in the institution;
p) Facts of self-harm/attempts that pose or may pose a threat to the normal functioning of the institution;
q) The fact of using incentives/disciplinary punishment/disciplinary imprisonment.

Based on the above-mentioned criteria, the risk assessment team makes a decision on determining the inmate's risk of danger. In each specific case, the team makes a decision based on an individual approach and needs assessment.

After determining the risk of danger, the convict is accommodated in a penitentiary establishment appropriate to the risk of danger, namely:

- A low-risk prisoner is placed in a low-risk prison;
- A medium-risk prisoner is placed in a semi-open prison;
- A high-risk prisoner is placed in a closed prison;
- A high-risk prisoner is placed in a special-risk prison.

After determining the risk of danger of the convicted person and determining the type of prison, the rights and conditions established for the corresponding type/risk prison apply to him/her.

Also, in order to determine any potential changes in the type of risk posed, the team ensures periodic reassessment of already assessed prisoners.

Additionally, one of the types of security measures is the separation of the remand/convict from other remands/convicts for a period of no more than 90 days. In the event of a threat from other remands/convicts or other persons, any remand/convict, for the purpose of protecting his/her personal safety, is entitled to apply to the institution administration to require separate placement. Or, if there are appropriate grounds, the institution shall ensure the separate placement of the remand/convict based on security purposes.

Regarding the solitary confinement, according to the Penitentiary Code, placing a remand/convict in a solitary confinement cell for no more than 24 hours is a security measure and aims to prevent the remand/convict from self-harming, harming of others, and property; Prevention of crime and other violations of the law in a penitentiary institution; prevention of disobedience by the remand/convict to the lawful request of a special penitentiary service employee, repelling an attack, group disobedience and/or mass disorder. In addition, placing the remand/convict in solitary confinement for no more than 14 days is a form of disciplinary punishment and is used only in exceptional cases. When we are talking of the solitary confinement, it should be defined, that whenever inmates are accommodated or transferred into a single occupancy cell on their own request, it does not automatically equal to a solitary confinement, which is a security measure.

In response to the recommendation on the placement of inmates in de-escalation cell for 24 days, it is noteworthy to mention that when the 72-hour period of placement in the de-escalation room expires, the remand/convicted person leaves the de-escalation room by decision of the director of the institution, although it may be necessary to place the same person in the de-escalation room again for another 72 hours in a very short period of time. However, it is worth noting that, except for high-risk detention facilities, the number of placements in the de-escalation room per year should not exceed 30 calendar days.

In the case of voluntary psychiatric (inpatient) treatment, the patient is transferred to a specialized clinic/department based on the recommendation of a psychiatrist of a specific institution (where the remand/convict is being held). If the involuntary psychiatric treatment is required, the need for an examination is considered by the Psychiatric Commission of the Medical Department of the Special Penitentiary Service based on the recommendation/referral of a psychiatrist of a specific institution (where the convicted person is being held). In case of a positive decision, the patient undergoes an outpatient psychiatric examination and, based on the aforementioned conclusion, is referred to the court, and by its decision, the convict is transferred to the National Center for Mental Health LLC for involuntary psychiatric treatment.

Paragraph 56: At Prisons Nos. 1 and 8, the delegation came across cases when prisoners had been placed handcuffed (for periods of one to three hours) whilst in a "de-escalation cell", reportedly with the aim of preventing self-injury. The CPT finds this unacceptable. The Committee recommends that steps be taken to modify the current practice accordingly.

Comment of the MOJ/SPS: As already mentioned, the new Penitentiary Code of Georgia ensures that the transfer of a remand/convict to a de-escalation is performed in case of a security measure, the grounds and conditions of which are defined under the statutes of particular penitentiary establishment. It is important to clarify that placing a person in a de-escalation room constitutes a special measure, and the transfer of the person to the de-escalation room is carried out by using handcuffs. As regards remaining in the cell while handcuffed, regulation does not prohibit using handcufss, taking into account the convicted person's safety and the risk of self-harm; however, it is applied only in very exceptional cases. It is also importand to note, that if the handcuffs are used while in the de-escalation room, individual is not restrained with handcuffs to a fixed surface.

The condition of the remand/convict transferred to the de-escalation room is assessed no later than 24 hours after transfer by a multidisciplinary team, which is combined of the medical personnel trained under a special program, as well as employees of the security and legal regime departments of the institution. Based on the recommendation of the medical personnel included in the multidisciplinary team, and by decision of the same team, no later than the next 24 hours, the remand/convict may, if necessary, be additionally assessed by a specialist in the relevant field. The director of the institution, based on the conclusion of the multidisciplinary group and the recommendation of a specialist in the relevant field (if any), decides on the issue of returning the remand/convict to the cell/internal classification cell no later than 24 hours after the submission of this documentation to him/her, and if

the conclusion/recommendation provides for the transfer of the remand/convict to a medical institution or a civil sector hospital, the relevant decision is made by the Director General of the Special Penitentiary Service within the same period, based on the application of the director of the institution.

Moreover, SPS arranges de-escalation rooms in accordance with the European and International practice, where the existing space provides the safest environment for convicts/remands. It is equipped with a ventilation and air exchange system (heating-cooling), which is operating properly in all penitentiary institutions, and in the event of damage to any inventory or system, the SPS immediately repairs the damaged inventory/system.

According to the current legislation, upon admission to a penitentiary institution, the remand/convict, after passing the relevant procedures, taking into account his/her individual characteristics, is placed in an internal classification cell, where he/she is observed and studied for the purpose of allocation to the appropriate cell, as well as, from an epidemiological point of view – for the isolation of persons suspected of various communicable diseases (prior to diagnosis);

The decision on the allocation of the remand/convict to a special cell is made by the director of the institution, taking into account the personal qualities of the remand/convict, the facts of his/her past crimes, the nature of the crime charged/the nature of the crime committed, the motive, the purpose, the expected result, the risk of re-committing the crime and other circumstances that may influence the decision of the director of the institution.

IV. PSYCHIATRIC ESTABLISHMENTS

1. Preliminary Observations

Paragraph 63: During the visit, representatives of the national health authorities informed the delegation about ongoing reforms in the field of mental health which focused on the de-institutionalisation of long-term patients and the promotion of community-based care. [...] The CPT would like to be updated on the progress made by the Georgian authorities in the implementation of their de-institutionalisation policy.

Comment of MoLHSA: The deinstitutionalization process is ongoing. In Senaki, 120 persons, who had previously been placed in long-term inpatient wards of psychiatric institutions, were transferred to alternative housing. They are now accommodated in family-type housing units designed for 6–12 beneficiaries.

Following the stabilization of their health conditions and with the aim of improving their living conditions, the beneficiaries were moved to alternative housing. This transition represents the first stage of the deinstitutionalization process, which will continue in the future.

Persons who have been placed in inpatient mental health facilities for more than six months are assessed and, where appropriate, integrated into alternative services.

2. Allegations Of Ill-Treatment

Paragraph 64: The delegation received no allegations of recent physical ill-treatment by staff in the establishments visited. On the contrary, patients generally spoke favourably of their relations with staff. […] The CPT recommends that the management of these two hospitals regularly instruct nursing assistants that patients must be treated with dignity and respect and that any form of ill-treatment of patients, including verbal abuse, is unacceptable and will be punished accordingly.

Paragraph 65: It is also essential that, given the challenging nature of their job, nursing assistants be carefully selected and given appropriate training before taking up their duties as well as ongoing training. […] The Committee recommends that the procedures for the selection, training and supervision of nursing assistants in psychiatric hospitals be developed in light of these remarks.

Comment of MoLHSA: A meeting of the Ministry's representatives was held with the management of both medical institutions and the necessary measures were planned to implement the recommendations issued by the CPT. According to the reporting carried out at the end of the year, the staff of both institutions had been trained in patient rights. Strict monitoring is underway regarding the ill-treatment of patients.

Work is underway and will soon be completed on measures to introduce detailed instructions for staff in psychiatric institutions on how to interact with patients, which should include standards for protecting patient rights and providing quality psychiatric care. The existing regulations also reflect mechanisms for monitoring the implementation of the instructions.

As a result of amendments to the licensing conditions introduced in 2024, inpatient psychiatric facilities are required to ensure that all psychiatrists and nurses participate in continuing medical education on the management of psychiatric conditions, including de-escalation techniques, the management of mental disorders, and patient rights from September, 2026.

Since January 2025, with the financial support of the French Development Agency, retraining of staff of psychiatric service providers in mental health and patient rights issues has begun. Staff of the two hospitals in question were a priority group. More than 235 doctors, nurses and social workers have already been trained across the country. This process will be completed in September 2026.

The creation of a Continuing Professional Education (CPD) course has been completed and uploaded to the NCDC online training platform for doctors.

3. Living Conditions

Paragraph 69: […] In this regard, the delegation was informed by the hospital management that, with the planned commissioning in early 2025 of a new facility for social care residents with mental disorders, the hospital would gain some extra bed capacity, leading to reduced occupancy levels on its forensic wards. The CPT would like to receive confirmation that these plans have materialised.

Paragraph 73: The CPT recommends that steps be taken at Khelvachauri Psychiatric Hospital to keep patients' accommodation areas (including sanitary facilities) in an adequate state of repair and cleanliness, in light of the above remarks. The Committee also recommends that occupancy levels at Khelvachauri Psychiatric Hospital be reduced. [...]

Paragraph 76: [...] The Committee is aware that the construction of a new hospital in the Tbilisi area is planned. However, as acknowledged by the Georgian authorities themselves, the full realisation of this project will take some years. The CPT therefore recommends that the Georgian authorities take urgent steps to significantly improve patients' living conditions at Tbilisi Psychiatric Hospital, […] Further, the Committee would like to receive confirmation that all patients' rooms at Tbilisi Psychiatric Hospital are now equipped with new beds and bedding.

Paragraph 77: In the three hospitals visited, patients' rooms and communal areas were generally austere and impersonal and lacked any decoration. [...] The CPT recommends that steps be taken at Khelvachauri, Kutiri and Tbilisi Psychiatric Hospitals to ensure that patient accommodation areas have less austere and more therapeutic environment; patients themselves should be encouraged and supported to personalise and decorate their rooms and areas of common use.

Comment of MoLHSA: The updated permit conditions stipulate that psychiatric service provider institutions/units must be physically separated from other somatic departments. Patients must have access to open spaces, including a safe and protected yard equipped with facilities to protect against environmental conditions (such as sun and rain).

Each psychiatric unit must include the following facilities:

- patient wards;
- a procedure room;
- rooms for staff activities and storage (including medication storage room(s));
- a dining area;
- space for daily activities and recreation;
- a de-escalation room;
- sanitary facilities;
- a designated smoking area for patients;
- space for meetings with patients.

At least one single ward must be available to accommodate patients who need to remain under observation for a certain period before placement in the department.

The unit must consist of single-bed and/or double-bed wards. All wards must be equipped with an independent sanitary unit, including a toilet, washbasin, and shower. Ward doors must open toward the corridor, and the design of sanitary unit doors must prevent patients from blocking the space. Door locks must allow staff to open them in emergency situations.

A designated area must be arranged for daily activities, primary psychosocial rehabilitation, and recreation (e.g. television, board games, chess, checkers, dominoes, table tennis).

The de-escalation room must be equipped with a safe mattress and an open-type toilet fitted with anti-vandal fixtures. Video surveillance devices may be installed in accordance with the Law of Georgia on Personal Data Protection, ensuring respect for patient dignity and excluding areas intended for personal hygiene.

All windows in the institution/unit must be made of safety glass covered with shatterproof film, tempered glass, or equivalent technology that ensures safety in the event of breakage.

Patients must have access to communication facilities, including a telephone and/or computer with internet access.

Staffing requirements are as follows:

- at least one psychiatrist per 20 psychiatric beds;
- where one physician and two junior doctors are employed per 40 psychiatric beds, at least one psychiatrist may be provided;
- at least one psychiatrist must be present in the facility during night hours;
- at least one nurse and one nurse assistant per 20 psychiatric beds.

These requirements will be mandatory as of September 2026.

4. Staff and Treatment

Paragraph 81: [...] The CPT recommends that the Georgian authorities take steps to significantly increase the number of nursing and auxiliary staff at Khelvachauri, Kutiri and Tbilisi Psychiatric Hospitals. [...] Further, steps should be taken to fill the vacant psychiatrists' posts in these hospitals.

Comment of MoLHSA: By updated permit conditions, the staffing requirements are as follows:

- at least one psychiatrist per 20 psychiatric beds;
- where one physician and two junior doctors are employed per 40 psychiatric beds, at least one psychiatrist may be provided;
- at least one psychiatrist must be present in the facility during night hours;
- at least one nurse and one nurse assistant per 20 psychiatric beds.

These requirements wil be mandatory as of September 2026.

Paragraph 82: [...] The CPT recommends that a review be carried out of the practices of prescribing psychotropic medication in all psychiatric establishments in Georgia, with a view to gradually reducing the prescription of first-generation antipsychotic medication and replacing them, if necessary, by newer-generation antipsychotics. Steps should also be taken to ensure that all patients under prescribed treatment of mood stabilisers are subject to regular blood tests.

Comment of MoLHSA: In 2024-2025, with the support of the French Development Agency (AFD), new protocols for the management of psychiatric patients were developed. These standards introduce updated treatment approaches and medications. Training of healthcare staff is currently underway to support the implementation of these guidelines.

Paragraph 84: [...] The CPT recommends that steps be taken at Khelvachauri, Kutiri and Tbilisi Psychiatric Hospitals to further develop the provision of psychosocial rehabilitative activities, preparing patients for a more autonomous life or return to their families; [...] To this end, the staffing levels of psychologists, occupational therapists and other professionals qualified to provide therapeutic and rehabilitative activities should be increased accordingly.

Comment of MoLHSA: Within the framework of the State Mental Health Program, inpatient institutions are required to provide patients undergoing inpatient care with food, personal hygiene items, emergency surgical and therapeutic dental services, medical care, and monitoring of medication side effects.

During inpatient treatment, institutions must also ensure the provision of psychosocial rehabilitation interventions, including:

- group psychoeducation or group therapy;
- occupational therapy;
- cognitive rehabilitation;
- daytime and recreational activities, such as art therapy or ergotherapy;
- integrated psychological therapy;
- individual basic skills recovery;
- sports and recreational or holiday events.

Following discharge, patients must be referred to appropriate community-based services, including outpatient care, mobile teams, or other relevant services. The receiving service provider must be informed in advance of the patient's discharge.

Paragraph 85: [...] The Committee recommends that an individual treatment plan be drawn up for every patient shortly after admission (taking into account the special needs of acute, long-term and "forensic" patients including, with respect to the latter, the need to reduce any risk they may pose), comprising the goals of the treatment, the therapeutic means used and the staff members responsible. [...]

Comment of MoLHSA: In accordance with approved protocols and standards, mental health services require the development of an individualized treatment and rehabilitation plan for each patient, aimed at restoring or developing the basic skills necessary for independent living.

Paragraph 86: In the three hospitals visited, individual medical files were generally well-kept [...] However, the delegation noted that patients' screening and test results were often missing from their personal files. [...] The CPT recommends that steps be taken in the three hospitals visited to remedy this shortcoming.

Comment of MoLHSA: Taking into account the CPT's recommendations and the report of the Public Defender's Office, a strategic plan for the expansion of screening has been prepared. Mobile vehicles are in the procurement process to conduct screening at the sites. The priority contingent for screening will be persons in psychiatric inpatient and care institutions.

The Centers for Disease Control and Public Health will compare screening databases and databases of people in psychiatric hospitals every 6 months and submit the screening results to the Ministry.

Paragraph 87: The delegation noted that at Khelvachauri and Tbilisi Psychiatric Hospitals patients with intellectual disabilities were accommodated on the same wards with patients whose primary diagnosis was a mental illness. The CPT considers that these two categories of patient should be accommodated separately, to enable both categories to benefit from better targeted and specific treatment regimes.

Comment of MoLHSA: As mentioned above, this will become mandatory from September 2026.

Paragraph 88: […] The CPT must stress once again that the aforementioned regulations can have a negative impact not only on timely and proper assessment and treatment of somatic diseases, but also on the way accurate assessments of certain psychiatric disorders are carried out (e.g. organic psychiatric disorders). The fact that indigent psychiatric in-patients are expected to fund their own somatic healthcare is totally unacceptable. The CPT reiterates its recommendation that the Georgian authorities take urgent action to remedy this state of affairs.

Comment of MoLHSA: Within the inpatient services component of the State Mental Health Program, inpatient institutions are required to provide dental, somatic, and psychosocial services. Additional financial resources have been allocated to medical institutions for the provision of these services.

Since 2022, dental services under general anesthesia have been provided under the Universal Health Care Program for individuals with behavioral challenges and/or communication difficulties, as confirmed by medical documentation, regardless of disability status.

Work is currently underway to regulate the reimbursement of treatment costs for foreign citizens under the Universal Health Care Program, as well as to establish standards for the provision of dental services.

In parallel, a study is being conducted to assess the provision of necessary medical services to patients placed in psychiatric hospitals, and relevant guidelines and instructions will be developed based on the findings.

Paragraph 89: […] As regards Khelvachauri and Tbilisi Psychiatric Hospitals, the delegation noted that patients' rooms were generally not locked, and all patients were in principle free to move within their wards (including in the common area which was equipped with a television set and chairs/sofas) and associate with each other. [...] The CPT recommends that steps be taken at Khelvachauri and Tbilisi Psychiatric Hospitals to significantly improve patients' access to the open air, to be combined – weather permitting – with a range of organised activities. [...]

Comment of MoLHSA: Both hospitals have a courtyard where patients are allowed to walk. The internal regulations specify designated walking hours. Compliance with these requirements will be monitored by a supervision group established by the Ministry.

5. Means of Restraint

Paragraph 95: In light of the above, the CPT reiterates its recommendation that the Georgian authorities take the necessary steps – including by issuing instructions and providing training to relevant staff – to ensure that the CPT's standards on means of restraint in psychiatric establishments are effectively implemented at Khelvachauri, Kutiri and Tbilisi Psychiatric Hospitals as well as in all other psychiatric establishments in the country. […] The Committee also recommends that the use of chemical restraint in psychiatric establishments be regulated by law.

Paragraph 96: The CPT has noted that Section 16 of the LPA was amended in July 2020 and now requires that, when applying restraint to a voluntary patient, the patient's legal status be reviewed. However, the delegation noted that, as was the case in the past, formally voluntary patients accommodated in the hospitals visited were occasionally restrained against their will and no attempts

were made to have their status reviewed. The CPT reiterates its recommendation that, if the application of means of restraint to a voluntary patient is deemed necessary and the patient disagrees, the procedure for re-examination of their legal status be initiated immediately, as required by law.

Comment of MoLHSA: As noted above, starting from September 2026, it will be mandatory for all doctors and nurses working in psychiatric institutions/units to undergo training in the management of psychiatric conditions, emergency management, de-escalation techniques, and patient rights.

The Law on Mental Health regulates voluntary treatment, including the use of restraint mechanisms.

Monitoring of the legality and justification of the use of restraint methods will commence following the approval of internal inspection and monitoring mechanisms developed on the basis of the WHO QualityRights Toolkit. These mechanisms will serve as a tool for assessing the protection of the rights of patients receiving psychiatric care.

In June 2024, the Care Agency approved the *"Working Tools for Social Workers' Response to Violence against Persons with Disabilities"*, including case identification and assessment forms, which are currently used in practice for identifying and managing cases.

6. Legal Safeguards

Paragraph 99: The CPT calls upon the Georgian authorities to take urgent steps to ensure that the legal provisions of the LPA on "civil" involuntary hospitalisation are fully implemented in practice and that proper information and training is given to all structures and persons involved (in particular, psychiatrists, hospital management, and judges). [...] The Committee also recommends that the legal status of all formally "voluntary" patients currently accommodated at Khelvachauri, Kutiri and Tbilisi Psychiatric Hospitals (and, where appropriate, in other psychiatric establishments in Georgia) be reviewed, in light of the remarks made in paragraph 98. [...]

Paragraph 100: […] The CPT recommends that the Georgian authorities take steps at Khelvachauri and Kutiri Psychiatric Hospitals (and, as appropriate, in other psychiatric establishments) to ensure that patients subject to civil involuntary hospitalisation receive the necessary information and support for effectively introducing an appeal against the decision on involuntary placement, should they so wish. Steps should also be taken to ensure that the monthly reviews foreseen in Section 18 (10) of the LPA are carried out and the relevant documentation included in the patients' files.

Paragraph 101: […] The CPT reiterates its recommendation that the Georgian authorities take steps to ensure that, in the context of the review of the forensic psychiatric placement, a psychiatric expert opinion which is independent of the hospital in which the patient is held is always commissioned. [...]

Paragraph 104: The CPT wishes to stress that, as a general principle, all categories of patients with a psychiatric illness (be they voluntary or involuntary, subject to civil or forensic placement, with full or restricted legal capacity) should be placed in a position to give their free and informed consent to treatment, with appropriate assistance and help whenever needed. [...] Further, it is essential that all patients who have given their consent to treatment are continuously informed about their condition and the treatment […] The CPT calls upon the Georgian authorities to take the necessary steps to bring the relevant legislation and practice in line with the above-mentioned precepts.

Paragraph 105: [...] The CPT once again calls upon the Georgian authorities to ensure that an information brochure on patients' rights – including the right to lodge complaints on a confidential basis with clearly designated outside bodies as well as the modalities for doing so – is systematically issued to patients (and their families/guardians) upon admission to a psychiatric establishment. [...]

Comment of MoLHSA: Work is currently underway to develop instructions governing cases in which patients receiving voluntary psychiatric care are hospitalized against their will. Monitoring of these cases will be carried out by a designated monitoring group.

Monitoring of the legality and justification of the use of restraint methods will commence following the approval of internal inspection and monitoring mechanisms developed on the basis of the WHO QualityRights Toolkit. These mechanisms will serve as a tool for assessing the protection of the rights of patients receiving psychiatric care.

In the first quarter of 2026, the existing regulatory framework will be reviewed in cooperation with mental health experts and the Public Defender's Office. This review will address the obligation of psychiatric institutions, following consent for hospitalization, to provide patients with accurate and comprehensive information on the biopsychosocial components of psychiatric care and to obtain the patient's informed consent for each component. Where necessary, appropriate instructions will be developed.

Paragraph 106: In the three hospitals visited, the arrangements for patients' contact with the outside world did not seem to pose any particular problems in practice, especially as regards family visits. Relatives of patients were seen by the delegation visiting patients, bringing food and spending time with them. That said, patients' access to a telephone at Khelvachauri Psychiatric Hospital could be improved by allowing them to make phone calls every day (as opposed to two to three times per week).

Comment of MoLHSA: During the meeting with the management of all three hospitals, the need for strict monitoring of the protection of patient rights was highlighted. In particular, the need for strict monitoring of the treatment of patients, the use of telephones, the restriction of walks, and the so-called holidays. As noted above (para 64), Work is underway and will soon be completed on measures to introduce detailed instructions for staff in psychiatric institutions on how to interact with patients, which should include standards for protecting patient rights and providing quality psychiatric care.

The permit conditions stipulate that patients must have access to communication facilities within the facility, including a telephone and/or a computer with internet access. This is monitored by the Medical and Pharmaceutical Regulatory Agency.