

***ADVISORY COMMITTEE ON THE
FRAMEWORK CONVENTION FOR THE
PROTECTION OF NATIONAL MINORITIES***

COUNCIL OF EUROPE



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**Comments of the Government of Georgia on the Fourth Opinion of the Advisory
Committee on the implementation of the Framework Convention for the Protection of National
Minorities by Georgia
received on 24 June 2024**

Comments of the Government of Georgia

on the Fourth Opinion on Georgia of the Advisory Committee on the Framework Convention for the Protection of National Minorities, approved on 7 February 2024

SUMMARY, the second paragraph;

Article 8. Paras. 82, 90

Regarding the so-called issue of "restitution", mentioned in the report, the **State Agency for Religious Issues of Georgia** emphasizes that the cornerstone in discussing the issue of restitution of property confiscated by the Soviet totalitarian regime is that independent Georgia is not the legal successor of the Soviet regime. Accordingly, independent Georgia has no legal or moral obligation for restitution of property confiscated by the Soviet regime and compensation for the damages caused. In good faith and compliance with the principle of the rule of law, the State of Georgia returns those religious buildings that became state property after the restoration of independence to the respective religious associations.

SUMMARY, the second paragraph;

Article 4. Para. 46; Article 6. Paras. 65, 71

III. CONCLUSIONS, the third paragraph of the Recommendations for immediate action

In response to the last sentence of the second paragraph of the Summary: *"There also remains a tendency among the majority population and authorities to view certain religious communities and national minorities as a security concern";*

In response to the Para. 46: *"discourse about Kists is very often focused from the perspective of national security concerns";*

In response to the last sentence of the Para. 71: *"Active efforts by the authorities are still needed to combat prejudices against and stereotypes of minorities and persons belonging to them and perceptions of some minorities as a security threat";*

In response to the last sentence of the third paragraph of the Recommendations for immediate action of the CONCLUSIONS,

the **Office of the State Minister of Georgia for Reconciliation and Civic Equality (SMRCE)** notes that every sphere/process has a security dimension; security is a core value which serves as a prerequisite and guarantee of peaceful and democratic development of a society and a state.

The **SMRCE** underlines that the successful implementation of the civic equality and integration state policy clearly demonstrates that ethnic minority issues are considered through the perspectives of human rights, equality and antidiscrimination.

Georgia's unique experience in maintaining centuries-old tradition of cultural diversity, civic equality, and harmonious coexistence between ethno-cultural groups is further developed and strengthened through the civic equality and integration state policy which is based on democratic principles and values.

One of the key mechanisms of this policy is the State Strategy for Civic Equality and Integration for 2021-2030 and the respective Action Plans which aim to: - further strengthen democratic society based on equality; - create equal opportunities for all citizens regardless of their ethnicity, for full participation in all spheres of public life; and - further strengthen intercultural dialogue.

The priorities, goals and objectives identified within the Strategy are addressed simultaneously and in comprehensive way through the development of successfully established unique mechanisms and tools that imply improving access to quality education for ethnic minorities, including state language competence; increasing their participation in civic and political, social-economic, cultural processes; further promote cultural identity of ethnic minorities. The process of policy development is open, inclusive and participatory that ensures wide public support and successful implementation.

With regard to the following passage of the Para 65: *“Despite a general improvement of attitudes towards diversity in Georgian society, interlocutors of the Advisory Committee shared their perception that the discourse about religious minorities is increasingly securitised. This experience was also confirmed by many interlocutors working in the field of national minority rights. National minorities and persons belonging to them are often viewed as a security problem and as potentially disloyal to the state by the authorities and the population at large...”*, **it is noteworthy to refer** to the second part of the above-mentioned sentence, which states that *“although, according to the Advisory Committee’s many interlocutors, there is no foundation for such a security concern”*.

The **State Agency for Religious Issues of Georgia** underlines that the Opinion misrepresents the security considerations of the religious minorities, misinterpreting the draft strategy for the implementation of religious policy developed by the State Agency for Religious Issues, which was elaborated in early 2015 (shortly after the establishment of the Agency) and presented to wide public for consultations and feedback. The draft Strategy implied high guarantees for the protection of freedom of religion for the cross-border population, to prevent manipulation under the pretext of religion. It should be noted that during the period of publication of the draft strategy document, the Agency had not received any kind of negative feedback concerning the document from either religious or non-governmental organizations. The draft strategy has never been approved and did not reflect official approaches. Accordingly, the Agency considers making recommendations based on inaccurate interpretations of a nonexistent document irrelevant, especially since the religious policy of the State is aimed at non-discrimination in the field of religion and promotion of religious tolerance and inclusion, which is unequivocally confirmed by the measures implemented in practice.

SUMMARY, the third paragraph

In response to the first sentence of the third paragraph: *“Access to Georgian citizenship remains an issue for persons belonging to some national minorities, due in most cases to strict language requirements and other practical barriers”*, the **Ministry of Justice of Georgia** clarifies that the samples of tests for obtaining the citizenship of Georgia are published and available on the website of the Public Service Development Agency (PSDA). Accordingly, the applicant can prepare materials in advance - before the test.

Moreover, upon the amendments to the Organic Law on Georgian Citizenship, the interested individuals have the opportunity to take the exam before submitting an application. Before the amendments, exams took place only after submitting the application and if a person failed the test, he/she was not granted citizenship and could not reapply for a year. In contrast, now this process is more flexible for applicants, specifically, in case of an unsatisfactory result, the agency will not initiate the formal procedures and in case of failure in the exam, the person will have the right to retake the exam without restriction. Thus, PSDA will commence the examination of the application only after the exams are passed. Furthermore, when the exam is passed, results will be valid for 1 year. In case of a final negative decision on the application for obtaining Georgian citizenship, the period of possibility to apply again for the granting of citizenship is reduced from 1 year to 6 months.

SUMMARY, the second paragraph of the Recommendations for immediate action;

Article 4. Para. 48;

III. CONCLUSIONS, the second paragraph of the Recommendations for immediate action

The **Office of the State Minister of Georgia for Reconciliation and Civic Equality** underlines that the elimination of discrimination, protection of human rights, and ensuring equality are guaranteed by the Georgian legislation and the relevant mechanisms for its implementation which are developed in accordance with the high international principles, and standards and the best practices.

One of the key instruments of this policy is the *State Strategy for Civic Equality and Integration for 2021-2030* and the respective *Action Plans*. /Currently, the implementation of the Action Plan for 2023-2024 is in progress/.

To reach the strategic priorities in the process of efficient implementation of the civic equality and integration policy, the Government of Georgia has established specifically tailored and state-funded unique mechanisms, in particular:

- special programs for state language comprehensive learning;
- facilitated access to vocational and higher education;
- internship opportunities in the public sector;
- education in mother tongues;
- teaching the languages of the numerically smaller minority groups in schools in schools;
- access to information and media in native languages;
- launching large-scale information and awareness-raising campaigns in minority languages on state programs and services;
- supporting the culture of ethnic minorities.

The Policy elaboration and its implementation is led and coordinated by the Office of the State Minister in close cooperation with the relevant state agencies, an active engagement of civil society, experts and international partners. For the effective implementation of the Strategy, the Government Commission has been established to ensure the coordination among all relevant state agencies. The Commission meets regularly, as well as organizes working sessions, meetings, and consultations as required, and convenes

the meetings of the consultative thematic mechanisms within six dimensions */at least twice a year within each dimension/* with participation of the representatives of state agencies, NGOs, experts, academia, ethnic minority representatives and all interested actors. The major tool for the implementation of the Strategy is the Annual Action Plan, elaborated in close coordination with the line ministries and consultations with wide public.

Effective implementation of the Strategy and Action Plan is ensured through its monitoring and assessment process which implies the introduction of the impact and outcome indicators for each strategic goal and objective based on the verifiable sources. The monitoring process implies consideration of the information provided by the state agencies */every six month/*, as well as findings and subsequent recommendations prepared by the Council of Ethnic Minorities and other civil society actors which are carefully examined/analyzed and submitted to the relevant state institutions for responsive measures. Two interim assessments will be undertaken in 2024 and 2027, while the final assessment is planned in the end of its implementation period – in 2030; it aims to measure the achieved results, ensure accountability, and create a solid ground for the Strategy development for the following years.

SUMMARY, the fifth paragraph of the Recommendations for immediate action;

Article 15. Paras. 151, 152, 154

The **Office of the State Minister of Georgia for Reconciliation and Civic Equality** clarifies that the consultative thematic mechanism within the following six priority dimensions, namely: - state language and quality education; - supporting women and youth; - access to media and information; - social-economic; intercultural dialogue; - supporting numerically smaller ethnic minority groups has been successfully operating for many years in the frames of the State Strategy for Civic Equality and Integration. It ensures active engagement of non-governmental organizations with various perspectives and diverse ideas; experts, academia, international partners, ethnic minority representatives and all interested actors through exchange of information and views, discussions, consideration of suggestions/recommendations.

The Office of the State Minister develops close cooperation with the Council of Ethnic Minorities under the Public Defender's Office (a platform of over 50 non-governmental organizations, experts, ethnic minority representatives, academia) which implies a direct dialogue in various formats, including intensive consultations in the process of consideration of policy documents (action plans, annual reports), recommendations.

Close communication with the population and the target groups in the regions densely populated by ethnic minorities is ensured through meetings, discussions, seminars, training, information/awareness-raising campaigns, field trips.

Also, interaction with the civil society at regional and local levels is provided through the Public Advisory Councils established at the state representative's administrations in the regions densely populated by the ethnic minorities. The Councils serve as a communication/consultancy format which contributes to further improvement of engagement of ethnic minorities in the decision making processes. The Councils

are composed of the representatives of the local self-governments, ethnic minorities, local NGOs, community leaders, media, Public Defender's Office.

I. KEY FINDINGS, Monitoring process

Para. 7

The **Ministry of Internal Affairs of Georgia (MIA)** states that this sentence is indistinct and requires clarification. Should the MIA have the exact dates of concern and parameters, the relevant figures will be provided.

Para. 8

Regarding the following passage about: *"increasing control measures, such as covert operations, by the National Security Service towards their activities"*, the **State Security Service of Georgia (SSSG)** emphasizes that it strictly observes and acts in line with the principles of rule of law, political neutrality, proportionality, protection of human rights and freedoms while performing its activities. The activities of the Service are subject to strong democratic control not only from the Government and the Parliament, but also from Judiciary and other institutions. A number of accountability mechanisms envisaged by the relevant law and the Regulations of the Parliament apply to the Service, which are properly implemented in practice, namely:

- The Head of Service is obliged to submit annual report to the Parliament, which is followed by the hearings (*both open and closed*) at respective Committees and Plenary. The Parliament either agrees with the report or provides necessary recommendations. The Parliament can also file a motion of no-confidence against the Head of the Service;
- Upon request, the Head of the Service can be summoned to the plenary, committee or the Trust Group of the Parliament. Besides, the Service shall respond to questions and/or information requests by individual MPs, Committee and Trust Group members as well and be subject of oversight visits;
- The Parliamentary Trust Group (staffed with the members of the majority and opposition) is determined as the parliamentary oversight mechanism having access to classified information of the SSSG. The Trust Group also conducts oversight over the financial (including classified) activities of the SSSG;
- Other institutions exercising oversight within their competences are the Public Defender (Ombudsperson) and Personal Data Protection Service, both with access to classified information.
- Personal Data Protection Service of Georgia (PDPS) is authorized to conduct real time control over the implementation of the covert investigative activities prescribed by the CPCG. For the proper and effective implementation of the control functions, the PDPS is entitled to use specially developed electronic control tools and perform regular and irregular inspections. By using electronic control tools, PDPS can:
 - Collect in real time the information about every action and receive appropriate electronic copy of the legal document authorizing the action;

- Suspend the covert investigative activity at any stage if there is no appropriate legal basis or there are other special circumstances envisaged by the legislation.
 - Along with the Parliament, the financial activities of the Service are also subject to the oversight by the State Audit Service;
 - Investigative actions and criminal investigations carried out by the Service are subject to prosecutorial oversight and judicial control.
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- In the years of 2020-2023, 22 visits from the SSSG were paid to the Parliament of Georgia, among them 15 visits – within the frames of the Trust Group and 7 visits – within the frames of Committee hearings.
 - In the years of 2020-2022, 3 visits were paid by the members of the Trust Group and Defence and Security Committee to the SSSG, among them 2 visits – to the SSSG LEPL Operative-Technical Agency of Georgia and 1 visit to – SSSG LEPL Training Center.
 - In the years of 2020-2022, SSSG responded to 117 inquiries from MPs, among them 46 inquiries were submitted within the frames of the Trust Group.
 - In the years of 2020-2022, SSSG received 77 pieces of correspondence from the Public Defender’s Office and all of them were duly responded.

The Service attaches great importance to providing the public with proper, correct and trustful information. In this regard, SSSG ensures regular proactive dissemination of public information on its activities on the webpage and through social networks. The SSSG maintains close cooperation with mass media and civil society organizations. Furthermore, the Public Information Release Unit is functioning under the SSSG, which upon requests of citizens and CSOs, ensures access to the public information based on the requirements of legislation. Every year in December, the SSSG submits its annual reports on release of public information to the President and the Prime-Minister.

Para. 13

III. CONCLUSIONS, the first paragraph of the Recommendations for immediate action

The **National Statistics Office of Georgia** notes that the preliminary version of the Census Questionnaire has been prepared and disseminated to the line agencies for consideration.

Para. 14

The **Ministry of Internal Affairs of Georgia** clarifies that the Ministry of Internal Affairs of Georgia is actively working in the direction of specialization of investigators on crimes committed on a discriminatory basis. For this purpose, a special activity is also prescribed under the 2024-2026 Action Plan under the National Strategy for the Protection of Human Rights of the Government of Georgia.

The Human Rights Protection and Investigation Quality Monitoring Department, established within the Ministry of Internal Affairs of Georgia in 2018, ensures a timely investigation and response to crimes such as domestic violence, violence against women, and crimes committed with the motive of intolerance on the grounds of discrimination, trafficking, and crimes committed by/against minors.

Since its establishment, the formation of the Department and/or its endeavors have received positive evaluations in significant reports and resolutions from international partners and organizations. Despite progress, international organizations assessing the Ministry of Internal Affairs of Georgia continue to underscore challenges in combating domestic and gender-based violence, as well as crimes committed with the motive of intolerance on the grounds of discrimination. As a result, the Internal Audit Department is conducting a functional analysis of the Department's activities to efficiently allocate existing resources. Simultaneously, this approach aims to empower the Department to effectively address recommendations of international organizations.

Apart from the above-mentioned, it is notable that the percentage share of crimes committed with the motive of intolerance on the grounds of discrimination is relatively low in comparison to the overall crime rate in the country. Specifically, on March 1, 2023, the National Statistics Office of Georgia, in line with a memorandum signed between the Ministry of Internal Affairs, the General Prosecutor's Office, the Supreme Court, and the National Statistics Office on September 23, 2020, released a comprehensive report on the statistics of crimes committed with the motive of intolerance on the grounds of discrimination. This report encompasses the period from January 1 to December 31, 2022. During this period, the Human Rights Protection and Investigation Quality Monitoring Department of the Ministry of Internal Affairs monitored 1,802 criminal cases, where the possible motive of a committed crime was intolerance on the grounds of discrimination. The aforementioned number constituted 3.3% of the total crimes in the country throughout the year.

Para. 15;

Article 10. Paras. 107, 108, 109, 110

The **State Language Department of Georgia** notes that according to the Constitution of Georgia, the official language of Georgia shall be Georgian, and, in the Autonomous Republic of Abkhazia, also Abkhazian. The language policy of Georgia aims at: - protection of constitutional status of the state language, which serves as an important instrument for effective participation of ethnic minorities in various spheres of social life, as well as - further protection and promotion of minority languages.

The goal of the State Language Strategy which is elaborated based on the Law of Georgia on State Language is to protect linguistic diversity in Georgia. The State Language Strategy does not limit the use of minority languages only in the municipalities densely populated by the representatives of ethnic minorities. Along with research and teaching of minority languages, the State Language Department monitors the scope and extent of the use of these languages throughout Georgia and presents the results of observations in the frames of its annual reports.

The **Office of the State Minister of Georgia for Reconciliation and Civic Equality** underlines that the “Law of Georgia on the State Language” defines the rule for using minority languages along with the Georgian language in areas densely populated by ethnic minorities.

- a. Chapter II, Article 9 Para. 3 of the Law states that “the State shall provide communication of persons belonging to national minorities, with public authorities and local self-government bodies in the language of that national minority with the help of an interpreter, in the municipalities of compact settlement of national minorities”.

- b. Chapter III, Article 11, Para. 4 states that “in the municipalities where representatives of national minorities are compactly settled, public authorities and local self-government bodies are entitled to establish procedures that are different from procedures provided for by the General Administrative Code of Georgia, in accordance with which, if necessary, translation of applications and complaints submitted to the local self- government bodies by persons belonging to the national minorities in the language of the respective minority language, and translation of the responses. Hereby, only originals of appropriate texts shall be valid”.
- c. Chapter III, Article 12 Para. 2 states that “in a municipality where representatives of national minorities are compactly settled, local self-government bodies, if necessary, shall provide translation of normative acts adopted by them in the language of respective national minorities. Hereby, only originals of appropriate texts shall be valid”.

In Samtskhe-Javakheti and Kvemo Kartli regions of Georgia, ethnic Armenians, and ethnic Azerbaijanis have the right to use their native languages orally and in writing.

Article 3. Paras. 19, 22

The **Ministry of Justice of Georgia** kindly clarifies that like in many European countries, Georgia introduces formal linguistic requirements for obtaining Georgian citizenship. It constitutes an international practice the primary purpose of which is a better integration of an applicant into the majority language-speaking society. The applicant has to understand what being a citizen means, exhibit a minimum knowledge of the country, and show a certain level of proficiency in the Georgian language.

In accordance with the Georgian legislation, the rules for obtaining Georgian citizenship apply to interested persons in a non-discriminatory manner and is equal for everyone, regardless of nationality. Georgian language competence is one of the main conditions for obtaining citizenship that is established by the law. The Commission on Citizenship, which is formed by the representatives of different bodies, ensures examination of the level of competence and ascertaining the presence of the conditions for granting citizenship of Georgia regardless of the origin of the applicant.

Notably, the LEPL Public Service Development Agency (PSDA) provides the applicants with the test samples (published on the webpage: https://sda.gov.ge/?page_id=7434&lang=en), therefore, the candidates are aware of test questions. Also, the test providers keep the applicants informed about the procedures of the test administration.

The Georgian language courses are periodically offered by the LEPL Training Center of Justice of the Ministry of Justice of Georgia free of charge to the people residing in different regions of Georgia inhabited by ethnic minorities; it helps the applicant to fulfill basic language requirements set for the test.

In addition to traditional in-class language courses, Training Center of Justice has recently developed a free online course for learning the Georgian language. This course is accessible to everyone and is available in English, Ukrainian, Armenian, and Azerbaijani translations. The aim of this initiative is to ensure more stable and enduring results, addressing the limitations encountered with short-term in- person classes. The course was launched in April 2024, accompanied by targeted promotional activities to increase awareness and interest among potential learners.

LELP Zurab Zhvania School of Public Administration delivers the state-funded Georgian language learning programs and courses across Georgia through its 12 education centers in the regions, as well as mobile groups deployed on the ground at the places of residence, including the most remote villages in the regions densely populated by ethnic minorities, and in hybrid/distance format.

Another incentive will be a shorter waiting time for reapplication in case of a negative decision on granting Georgian citizenship. As a result of the amendments to the Organic Law on Georgian Citizenship are into force, (that have been already approved by the Georgian Parliament after the third hearing) the period of possibility to apply again for granting citizenship is reduced from 1 year to 6 months.

The above-mentioned legislative change, existing simplified procedures and incentives, will encourage an applicant to attend Georgian language courses and pass the Georgian language test.

Article 3. Paras. 20-21

The **Ministry of Justice of Georgia** notes that according to the legislation, granting Georgian citizenship under Regular Procedure requires 10 years of consecutive and lawful residing in the territory of Georgia before submitting an application. Upon the amendments made to the Law on Georgian Citizenship in case of stateless persons above-mentioned 10-year restriction is halved to 5 years.

As already mentioned above (to Para 19), the samples of the tests for obtaining the citizenship of Georgia are published and available on the website of the Public Service Development Agency. According to the law, a person who has severe physical, mental, intellectual, and/or sensory impairment that makes it impossible to check whether he/she meets the requirements of the mentioned subsections will be exempted from the knowledge level test.

Article 3. Para. 28

The **National Statistics Office of Georgia** clarifies that the questions related to ethnicity, religion, and language are compulsory, but there is a possibility to choose the "Refuse to answer" option in the questions related to religion and ethnicity.

Article 4. Paras. 30, 38

The **Ministry of Internal Affairs of Georgia** notes that the employees of the Ministry of Internal Affairs are actively involved in a number of awareness-raising campaigns organized by the Council of Europe, including social campaigns such as: "I Choose Equality", "Equality Week", "Equality Ambassadors" and others.

In 2022, within the framework of the "Equality Week" campaign, representatives of the Human Rights Protection and Investigation Quality Monitoring Department of the Ministry of Internal Affairs and local police units held informative meetings with the beneficiaries of the Center of Juveniles of the National Probation Agency, representatives of the local self-governments and medical field, social workers and the population, as well as teachers and students of up to 10 schools in Tbilisi and the municipalities of Kaspi, Dusheti, Tsalka, Mtskheta and Gori. Nearly 420 people attended the meetings.

Furthermore, the 2024-2026 Action Plan under the National Strategy for the Protection of Human Rights of the Government of Georgia stipulates the holding of meetings with civil society, including

representatives of ethnic minorities, to provide information regarding discrimination and hate crimes. The Action Plan prescribes training of employees of the Ministry of Internal Affairs on the methods of conducting effective investigations on crimes committed on the grounds of national or ethnic intolerance.

Article 4. Para. 37

The **Parliament of Georgia** clarifies that to provide greater clarity, the recommendations issued by the Public Defender of Georgia (PDO) are divided into two groups. The first group of recommendations is issued in parliamentary or special reports within the general competence of the PDO, while the second group contains recommendations issued by the PDO, as a special monitoring body, when he/she examines acts of discrimination based on applications or complaints, as well as on his/her initiative and submits recommendations to relevant institutions or persons to restore the rights of victims of discrimination. The Parliament of Georgia has a special monitoring competence only regarding the recommendations of the parliamentary report.

More specifically, under the Rules of Procedure of Parliament, the Parliament of Georgia considers the annual parliamentary report submitted by the Public Defender of Georgia. Based on the consideration of this report, the Parliament adopts a resolution that includes its assessment, tasks of state agencies, including the Parliament, and the monitoring timeline. After the end of the reporting year, the Parliament monitors the fulfillment of the tasks issued by the mentioned resolution.

It should be noted that draft opinion generally describes the non-implementation of PDO's recommendations and this reference is not related to the recommendations exclusively on ethnic/national minorities. Generally, the parliamentary report contains only a certain part of recommendations addressed to ethnic/national minorities.

At the same time, when evaluating the implementation of PDO's recommendations, one issue should be considered in this process, namely, the rate of implementation reflects the situation in the previous year, but not the current situation. In some cases, the recommendation may not be fully enforced during the evaluation period, but the implementation process will continue in the following years. Accordingly, due to their scope and content, the execution of some recommendations is a continuous process and is not limited to a specific evaluation period.

To facilitate the implementation process, the Human Rights and Civil Integration Committee (the responsible Committee of the Parliament) conducted an official meeting with the representatives of the PDO. The interlocutors discussed the factors influencing the implementation process, among others, suitable formulation of recommendations, the need for strong cooperation between relevant actors, timely consideration of PDO's report and recommendations by the Parliament, and establishment of an accurate methodology for evaluating the enforcement of the recommendations. The working process is still pending.

Article 4. Para. 39

The **Office of the State Minister of Georgia for Reconciliation and Civic Equality** kindly clarifies that for smooth and efficient implementation of the civic equality and integration strategy, two-year Action Plans are designed under the leadership and coordination of the Office of the State Minister in close cooperation with the relevant sectoral agencies */within their competence/* and public consultations.

On July 13, 2021, the Strategy and the respective Action Plan for 2021-2022 was adopted by the Government of Georgia. On April 3, 2023, the Government of Georgia approved the Action Plan for 2023-2024.

Article 4. Paras. 40, 41, 42

The **Office of the State Minister of Georgia for Reconciliation and Civic Equality** clarifies that the process of development and implementation of the State Strategy for Civic Equality and Integration and the respective Action Plans is open and inclusive implying wide engagement of a large number of civil society organizations; also experts, the Council of Ethnic Minorities under the Public Defender's Office, representatives of ethnic minorities, international partners, actively participating in civic equality and integration processes.

In the process of elaboration of the Strategy for 2021-2030 and the Action Plan for 2021-2022, in total 18 consultative meetings were held in various formats with the participation of 216 persons (representatives of central and local government bodies, the Council of Ethnic Minorities, NGOs and international organizations, academic circles, local media, experts and other interested actors); the draft Strategy document was shared with the Council of Ethnic Minorities and published on the website of the State Minister's Office; 199 recommendations have been submitted, most of them were reflected in the final version of the document, while others were integrated into the complex activities or rejected due to their incompatibility with the Strategy goals.

The draft version of the Action Plan for 2023-2024 of the Strategy was available on the website of the Office of the State Minister (for over one month); the document was open for the comments and suggestions. During the elaboration process, 75 meetings/consultations were held, with the engagement of over 4000 actors. In total, up to 80 recommendations were submitted which were thoroughly considered and largely and adequately reflected in the final version of the document.

The respective documents are available on the website of the Office of the State Minister.

Article 4. Para. 44

The **Office of the State Minister of Georgia for Reconciliation and Civic Equality** clarifies that the relevant parts of the legislation are translated into the minority languages and placed in social media and on the websites of the various ministries. All the normative acts of Georgia are published on the website www.matsne.gov.ge operated by the LEPL "Legislative Herald of Georgia" under the Ministry of Justice. As of April 2024, up to 50 legal acts have been translated into the ethnic minority languages (46 in Azerbaijani and 49 in Armenian languages) and published on the above-mentioned website.

42 information materials (in the areas of healthcare, legal aid, education, agriculture, social services) have recently been translated into Armenian and Azerbaijani languages; they are available through the websites of the relevant state institutions.

Concerning the following passage: *"The issue with regard to access to rights, especially the right to receive information in minority languages, was even more problematic during the Covid-19 pandemic"*, the **Office**

of the State Minister of Georgia for Reconciliation and Civic Equality clarifies that since the early days of COVID-19 pandemic and emerging threats, the Government of Georgia has actively been taking concrete measures to prevent the spread of Coronavirus disease nation-wide.

The Government of Georgia has taken concrete measures to ensure the protection and support of ethnic minority representatives through:

- Access to information and awareness-raising:
 - ✓ Government information web portal www.StopCov.ge in seven languages;
 - ✓ Dissemination of printed, digital, and audio-visual materials on COVID-19 in minority languages;
 - ✓ Dissemination of information materials through online and social media outlets in minority languages;
 - ✓ TV broadcasting of video clips, briefings, and statements in minority languages;
 - ✓ Displaying posters and other visual materials in public spaces - streets, shops, pharmacies;
 - ✓ Delivery of SMS text messages on crucial issues in minority languages;
 - ✓ Online consultancy (Government hotline 144-1) in Armenian and Azerbaijani languages;
 - ✓ Online training sessions for ethnic minority youth on the COVID-19-related issues by bilingual volunteers. Bilingual young people who got special training on the above topic have already conducted online meetings.
 - ✓ Door-to-door information/awareness-raising meetings on COVID-19 vaccination in the villages of the municipalities densely populated by ethnic minorities with the engagement of renowned immunologists and allergists.

In 2020-2021 up to one million information printed materials were prepared in minority languages and distributed in the regions densely populated by ethnic minorities.

- Access to education was ensured through a rapid shift to remote/online learning format through the introduction of digital education platforms. Also, a television project “TV School” has been since under implementation; it implies broadcasting TV lessons in various subjects for schoolchildren and entrant students, including ethnic minority representatives.
- Access to basic subsistence support for vulnerable groups. To mitigate the negative social-economic impacts of COVID-19 on the ethnic minority population, under the initiative of the Office of the State Minister and with the support of UNICEF Georgia, 1334 food and hygienic parcels were delivered to the most socially vulnerable ethnic minority families, including Roma.

Article 4. Para. 46

Article 6. Para 66

The **Office of the State Minister of Georgia for Reconciliation and Civic Equality (SMRCE)** states that the first sentence of **the Para. 46** is irrelevant and does not correspond to reality.

The **SMRCE** clarifies that the civic equality and integration state policy envisages a unified approach to both larger and numerically smaller ethnic minority groups, to protect and support their cultural identity and enhance their participation in different spheres of a social life taken into consideration specific needs of each group.

The State Strategy for Civic Equality and Integration for 2021-2030 and the respective Action Plans entail the implementation of various tailored-to-the-needs projects, programs, and activities aimed at improving the social-economic, and educational opportunities as well as supporting the cultural identity of numerically smaller ethnic minority groups.

Ethnic Kists, who constitute 0.15% of the total population of Georgia, are extremely well integrated into the society. They fully and equally participate in civic, political, social-economic, and cultural processes. With an excellent command of the Georgian language, ethnic Kists have full information and access to all state programs and services that the citizens of Georgia may benefit.

A large number of diverse infrastructure rehabilitation and other wide-scope economic projects are implemented in the villages densely populated by ethnic Kists in the areas of energy infrastructure rehabilitation, rural gasification, and restoration/creation of irrigation and drinking water canals, rehabilitation of local roads, restoration of exterior lighting and the building of bridges. State programmes aimed at supporting local economic initiatives are operational.

Instruction of Chechen language in public schools */upon request/* has been introduced since 2016. A special attention is given to promoting the Vainakh culture through publications, various cultural and sports activities.

Under the initiative of the Office of the State Minister, door-to-door information/awareness-raising campaigns on state programs and services (in the areas of education, agriculture, economic opportunities, healthcare, legal aid, etc.) as well as acute topics, including human rights, civic engagement, Georgia's European and Euro-Atlantic integration processes, disinformation and propaganda, are regularly conducted for the Kist population. The SMRCE often visits the villages densely populated by ethnic Kists to identify the needs of local population, existing challenges and the ways of their solution; a close cooperation has been developing with the civil society actors, including Council of Elders through meetings, seminars, round-table discussions, study- visits, etc.

A consultative-thematic working group on "Supporting numerically smaller ethnic minority groups" created under the Government Commission on Civic Equality and Integration, ensures direct engagement of Kist community representatives in the working group activities.

Article 5. Para. 54

The **Office of the State Minister of Georgia for Reconciliation and Civic Equality** clarifies that one of the priority directions of the State Strategy for Civic Equality and Integration 2021-2030 implies further strengthening of cultural diversity and intercultural dialogue that involves the manifestation and popularization of ethnic minorities' cultural heritage, as well as developing communication among various ethnic cultures.

The Action Plans of the Strategy include special programs and projects aimed at raising awareness about cultures and traditions of various ethnic groups, protecting tangible and intangible cultural heritage of ethnic minorities, also promotion of joint cultural-educational, cognitive, and entertainment sports activities.

Article 5. Paras. 57, 60

The **Office of the State Minister of Georgia for Reconciliation and Civic Equality** clarifies that the state is actively engaged in the process of implementation of the standards defined by the European Charter for Regional or Minority Languages. The Government of Georgia stands committed to the standards covered by the ECRML. Throughout the years, Georgia has been fulfilling more than the required threshold (more than 35) of the Charter commitments. Georgia protects and preserves the languages of ethnic minorities in the frames of different mechanisms, including the State Strategy for Civic Equality and Integration and the respective Action Plans. At the current stage, the languages of ethnic minorities are well preserved and supported, including instruction of numerically smaller minority groups' languages (Ossetian, Chechen, Kurdish, Assyrian, Avar, Udi) introduced at public schools upon request.

The Office of the State Minister for Reconciliation and Civic Equality has prepared the matrix which reflects the implementation of the provisions defined by the Charter for each national minority language. The matrix is updated regularly; it assists the Georgian authorities to stand in line with the Charter standards.

Article 5. Paras. 58, 59

The **Ministry of Culture and Sport of Georgia (MOCS)** clarifies that as mentioned in the **Para. 49 of the Opinion**, the MOCS is financing number of cultural institutions in order to preserve and promote cultural heritage of ethnic minorities representatives and foster multicultural dialogue. The above-mentioned institutions are Legal Entities of Public Law (LEPLs), operating in the frames of the MOCS, which serve as a guarantee for stable and sustainable state support and funding. Allocation of funds is automatically guaranteed every year. Beyond these public institutions, the MOCS is financing other organizations based on open call procedures ensuring the transparency and efficiency of funding. These calls for project proposals organized every year are available to all organizations.

The monuments of cultural heritage of ethnic minorities are considered as a constituent part of the cultural heritage of Georgia, therefore all the monuments are being inventoried and rehabilitated based on their condition.

Article 6. Paras. 65, 66

The **State Security Service of Georgia** underlines that the state does not consider any representative of ethnic or religious minorities living in Georgia as a challenge or a threat in terms of national security and does protect their rights with the same standard as the case would be regarding any other citizen of Georgia. Within the scope of the authority granted by the law, it carries out its activities not in regard to the entire communities representing certain ethnic/national or religious minority, but specifically in relation to the individuals involved in illegal activities.

The **State Security Service of Georgia** notes that the U.S. State Department's annual country reports on terrorism, Georgia's efforts in terms of the fight against terrorism are positively assessed. Also, in relation to Georgia's application for EU membership, the European Commission concluded that Georgia has strong

counter-terrorism capabilities, including the state's comprehensive legal framework which is largely aligned with the EU acquis, relevant international law and UN Security Council Resolutions.

With regard to Temirlan Machalikashvili case, the **Ministry of Justice of Georgia** emphasizes that as determined by the European Court of Human Rights, the substantive aspect of Article 2 of the European Convention was not violated. According to the assessment of the European Court, there was no evidence that would give rise to an assumption that Machalikashvili died under the circumstances that would trigger the state's responsibility. As for the procedural issue, the Strasbourg court, while identifying certain deficiencies in the initial stages of the investigation, concluded that the version of events provided by the authorities, according to which Temirlan Machalikashvili was fatally injured during a special operation, when the officers of the Special Assignment Unit of the State Security Service of Georgia were trying to disarm him and obtain control over his person, was plausible. Notably, the Strasbourg Court did not reveal any discriminatory treatment towards Temirlan Machalikashvili or his family on the part of State authorities, either on account of the ethnicity or on any other basis.

Article 6. Para. 67

Article 8. Para. 83

The **Ministry of Defence of Georgia** clarifies that the Georgian legislation regulating performance of military/alternative non-military labour service is not discriminatory and does not contradict the rights of freedom of religion guaranteed by the Constitution of Georgia. There are no provisions in the recently adopted Defence Code and accompanying laws that would give preference to representatives of any religious confession.

It should be noted that clergy of the Orthodox Church have not been enjoying the right to exemption from the military duty that is provided in the Constitutional Agreement between the Georgian State and the Georgian Orthodox Church. Thus, according to the relevant provisions of the Georgian legislation regulating recruitment into the military service before the adoption of the Defence Code (the clergy of the Orthodox Church and of any other religious confession were entitled to deferment from the military service and no single fact of exemption of the clergy of the Orthodox Church from the military service has ever existed based on the Constitutional Agreement), as well as after the adoption of the Defence Code, the clergy of the Orthodox Church and of any other religious confession are subject to non-military alternative labour service instead of deferment. Georgian legislation is equally applicable to all religious groups. Therefore, any kind of discriminatory approach is excluded.

Therefore, the **Ministry of Defence of Georgia** kindly suggests to respectively modify the content of the above mentioned Paras.

Article 6. Para. 68

In response to the following passage: *"The Advisory Committee also learned of some antisemitic incidents during the reporting period"*, the **State Agency for Religious Issues of Georgia** states that there are no antisemitic sentiments in Georgia. Furthermore, a 26-century-long unique tradition of Georgian-Jewish relations was granted the status of an intangible cultural heritage by the Government of Georgia.

A special brotherhood between the Georgians and the Jewish people during the holocaust of the 20th century which implied protection of Jews abroad from the persecution, is internationally recognized. Such people are called "Georgian Schindlers". A few of them are: Mr. Sergi Metreveli, Mr. Grigol Peradze

(Orthodox clergyman and the Saint of the Georgian Orthodox Church), Mr. Mikheil Kedia and Mr. Saba Kldiashvili. It is noteworthy that a special photo booth has been dedicated to the "Georgian Schindlers" in the Davit Baazov Museum of History of the Jews of Georgia and Georgian-Jewish Relations" in Tbilisi.

After the restoration of independence, the Georgian state has been taking a special care of the Jewish community. All synagogues in Georgia confiscated during the Soviet period were returned to the Jewish community; the State ensures the maintenance of the synagogues and Jewish cemeteries; the 120th anniversary of the Oni Synagogue and the 275th anniversary of the Akhaltsikhe Synagogue were solemnly celebrated with the participation of high-ranking officials of the Government of Georgia and the State of Israel.

Despite the fact that the State of Georgia is not a legal successor of the Soviet regime, and therefore has no obligation to compensate for the damages caused during the Soviet totalitarian regime, within the framework of the Resolution N117 of the Government of Georgia of January 27, 2014, it symbolically and partially compensates the Jewish community for the damage caused during the Soviet totalitarian regime in the amount of 400,000 GEL annually; according to the established tradition, the Prime Minister of Georgia symbolically lights the first and the eighth candles at Hanukkah in the Great Synagogue of Tbilisi. The Jewish community is actively involved in the religious life of Georgia. "Jewish Union of Georgia" is one of the first and active members of the Interreligious Council under the Agency; the Jewish community participates in all projects organized by the Agency (annual conferences - "Interreligious Dialogue for Peace"; all three declarations; joint celebration of the Day for Tolerance; interreligious calendar; publication "Functioning Cult Buildings in Tbilisi as of 2020"; exhibition organized in the National Museum: "Religions in Georgia"; photo album - "Religions in Georgia," etc.).

Considering the above-mentioned, the **State Agency for Religious Issues of Georgia** underlines that it is completely inappropriate to make conclusions based on an inaccurate interpretation of a single case of Vitaly Safarov's murder which reportedly was committed on the grounds of antisemitism. Only a distant ancestor (maternal grandmother) of the deceased Vitaly Safarov was Jewish, however, according to the Jewish community leaders, he had not been a member of the Jewish community. Nevertheless, according to the Jewish community leaders, Vitaly Safarov's family was offered to bury the deceased in a Jewish cemetery, but the family rejected the offer and buried him in an Azerbaijani cemetery, which in turn demonstrates that the family has not identified itself as the Jewish one. Both court instances, the first instance and the appellate court as well, did not confirm either the religious or the ethnic grounds in the murder of Vitaly Safarov.

Notably, the Jewish community itself has never, at any level, voiced the existence of anti-semitism in the Georgian society.

Article 6. Paras. 69, 72

The **Office of the State Minister of Georgia for Reconciliation and Civic Equality** kindly clarifies that the Georgian state has fulfilled all the components of its commitment to the Council of Europe concerning the repatriation of Muslim Meskhetians through establishing the comprehensive legal framework, as well as

respective instruments and accordingly, ensuring relevant conditions and unhindered process for planned repatriation, specifically:

- The Law on “Repatriation of Persons involuntarily exiled by the Former USSR from the Soviet Socialist Republic of Georgia in the 40s of the 20th Century” was adopted and enforced on July 2007. The displaced people (and their descendants) could apply to the State and obtain repatriate status based on the documents submitted under the established rule.
- The adoption of the law was followed by an active information campaign in all the countries where the descendants of displaced persons reside, aimed at informing the target group about repatriation opportunities and legal procedures.
- It should also be underlined, that the deadline for applying had been prolonged twice until 1 January 2010, in order to ensure that all potential applicants were provided with a reasonable time and opportunity to apply for repatriate status. As a result, 5841 adults applied to the State for the repatriate status; 1998 applications met the requirements set by the law and were granted the repatriate status (the status was derivatively granted to the minors as well, included in the applications and/or the minors born in a family after granting the status – totally, about 2600 people with repatriate status).
- The persons with repatriate status were enabled for obtaining Georgian citizenship in a simplified manner, implying, contrary to the requirements for other foreigners, to grant Georgian (conditional) citizenship to a person with repatriate status on the basis of merely a birth certificate and repatriate status documents.
- The law and the respective by-law set a 2-year term after granting the repatriate status for persons to apply to a State for obtaining Georgian (conditional) citizenship under a simplified procedure. After granting Georgian (conditional) citizenship, a person has had to abandon the foreign citizenship within the initially set another 2 years-term, which has further prolonged to 5 years, providing for automatic enforcement of the Georgian citizenship.
- Only 494 persons with repatriate status applied (last in 2016) and all of them were granted conditional citizenship by the State. Though, none of the 494 persons with conditional citizenship renounced their citizenship of another country for Georgian citizenship to take effect. (It is noteworthy, that acquisition of Georgian citizenship and renunciation of the citizenship of another country is an individual decision of a person).

Article 6. Para. 69

In response to the following passage: *“In addition, the lack of Georgian citizenship also constitutes a major problem for persons belonging to the Meskhetian community who live in other states but have relatives in Georgia upon crossing the Georgian border. The Advisory Committee was informed that very often their entrance is refused by the border guards without any substantiated reasoning,”* the **Ministry of Internal Affairs of Georgia** clarifies that while crossing the state border of Georgia, persons are checked in compliance with the generally recognized norms and principles of international law.

The crossing of the state border of Georgia is carried out as a result of the fulfillment of a number of legislative requirements, based on the assessment of the combination of existing factor(s) and circumstances(s) in the case of each specific person crossing the state border of Georgia. This refers to the documentation submitted by the subject, which must be in accordance with the stated purpose of travel, as well as the interview conducted by the authorized employee of the Ministry and other activities. Accordingly, after positively fulfilling the rules established by the current legislation of Georgia, a person is given the opportunity to cross the state border of Georgia.

The decision to limit the crossing of the state border of Georgia towards a person is made by an authorized person as a result of thorough investigation and assessment of the circumstances defined by the law.

Article 6. Para. 74

With regard to the following passage: *"In September 2020, the "Memorandum of Understanding of Cooperation on Collection of Data on Crimes Committed on the Grounds of Intolerance with Discrimination Basis and Publishing a Joint Report" was signed by the Supreme Court of Georgia, the General Prosecutor's Office, the Ministry of Internal Affairs, and the National Statistics Office of Georgia. All the institutions should collect data on hate crimes in relation to their respective competencies",* the **Prosecution Service of Georgia** clarifies that on October 5, 2023 a new "Memorandum on Maintaining Statistics on Crimes Committed on Grounds of Intolerance with Discrimination Basis and Publishing a Joint Report" was signed by the Supreme Court of Georgia, the Prosecution Service of Georgia, the Ministry of Internal Affairs of Georgia, the Special Investigation Service and the National Statistics Office of Georgia. New memorandum reflects additional responsibilities of the parties to collect and publish even more detailed statistical data on hate crime; it also includes a new party of the memorandum - the Special Investigation Service (SIS), given that the investigative mandate of the SIS was recently extended to crimes committed with intolerance motive.

Article 6. Para. 75

Regarding the following passage: *"A lack of effective investigation of hate crimes as well as a failure to establish a hate motive in the crimes committed on the basis of religion were brought to the Advisory Committee's attention. In the case of Mikeladze and Others v. Georgia, the European Court of Human Rights found that there had been a discrimination on the ground of religious belief, as well as ineffective investigation of the complaint by applicants belonging to the Muslim minority about the excessive use of force and the use of discriminatory language by the police during their arrest and initial detention. The case is pending execution. In the relevant leading case on the same subject, the Committee of Ministers indicated that additional measures should be taken in order to develop a uniform judicial practice regarding hate crimes investigation, including sanctioning. The authorities informed the Advisory Committee that an investigation was launched at the domestic level and police officers were charged with exceeding official powers by using violence under Article 333 of the Georgian Criminal Code. The criminal case is pending investigation",* the **Prosecution Service of Georgia** clarifies that the investigation department of Samtskhe-Javakheti Regional Prosecutor's Office was conducting investigation into the criminal law case on the fact of exceeding official powers by the employees of Samtskhe-Javakheti Regional Main Division of the Ministry of Internal Affairs, under Article 333, paragraph 1 of the Criminal

Code of Georgia. On April 13, 2021 two police officers were charged with exceeding official powers by using violence, an offence under Article 333, paragraph 3, subparagraph (b) of the CCG. The motive of religious discrimination was included in the decree on indictment and Mr. Mikeladze was recognised as a victim. By the decree of the prosecutor the criminal case against police officers (defenders) was separated from the main case and transferred to the court. Hearing on the merits of the criminal case is ongoing in the court and final decision has not been made.

On May 4th, 2022 the main criminal case was transferred to the Investigation Unit of the Prosecutor General's Office of Georgia for the purpose of conducting a thorough, comprehensive and impartial investigation. Numerous investigative actions, including questioning of the witnesses, obtaining video materials, had been carried out. The investigation is currently ongoing.

Thus, the first criminal case is transferred to the court for hearing on the merits and the second one is pending investigation.

Article 6. Para 76

Regarding the following passage: *“Interlocutors of the Advisory Committee reported that the qualification of the crime as a murder committed on the grounds of ethnic intolerance and antisemitism remained a problem in the case of the killing of Vitaly Safarov in 2018.⁷¹ In its judgment of 2019, the Tbilisi City Court did not consider racial, religious, national or ethnic intolerance as possible motives for murder. The judgment was upheld by the Court of Appeal. The prosecutor lodged an appeal on points of law with the Supreme Court, which is pending examination”,* **the Supreme Court of Georgia** clarifies that it declared inadmissible the cassation appeal of the lawyers defending the interests of the convicts and upheld the Tbilisi Court of Appeal judgement. The Decision of the Supreme Court of Georgia was delivered on September 21, 2023, Case N23-25933.-23 (the digital version of the decision is available on the Supreme Court of Georgia webpage - <https://www.supremecourt.ge/ka/cases>)

In response to the following passage: *“...Another individual case pointed out to the Advisory Committee relates to the alleged hate crime (allegations of threats) committed against Samira Bayramova, an Azeri human rights activist, during the opening of the office of the Conservative Movement in Marneuli. Criminal proceedings were instituted on account of those events and Samira Bayramova was granted victim status. The investigation is pending before the relevant instances”,* the **Prosecution Service of Georgia** clarifies that in 2022, Samira Bairamova was granted victim status under Article 151 paragraph 1 (Threat) of Criminal Code of Georgia in aforementioned criminal case and motives of religious and ethnic intolerance were indicated in the decree of the prosecutor on recognising a person as a victim.

Article 6. Para. 77

The Prosecution Service of Georgia clarifies that:

Incident in the village of Buknari

In 2021, the Ministry of Internal Affairs of Georgia launched the investigation into violence among civilians in the village of Buknari. 3 persons were granted victim status for the crime committed towards them under Article 126 (Violence) of Criminal Code of Georgia; after consultation with victims and their full

consent, diversion was offered to 2 perpetrators. Investigation on the abovementioned case was terminated.

In 2021, the Ministry of Internal Affairs of Georgia launched another investigation into violence among civilians in the village of Buknari. 1 person was charged with intentional infliction of minor harm to health, committed against two or more persons and minor, Article 120 of Criminal Code of Georgia and 2 individuals were granted victim status. By the judgement of the court, the defendant was sentenced to 4 years of imprisonment.

Before taking the case to the court, another criminal case was separated from it, on the fact of possible violence against other persons in the village of Buknari. The investigation under Article 126 of the Criminal Code of Georgia is still pending. Thus, 2 persons were diverted, 1 person was prosecuted and only one criminal case is in active investigation.

Incident in Dmanisi

In 2021, the Ministry of Internal Affairs of Georgia launched the investigation into violence among civilians in town of Dmanisi. 7 individuals were charged with violence, the crime provided for by the Article 126 of the Criminal Code of Georgia and 5 persons were granted victim status.

Later, one defendant died while the case was pending in the court and the criminal prosecution was terminated. 6 defendants were found guilty by the court. Same year one journalist was granted victim status. Thus, 7 persons were prosecuted and later sentenced, only one criminal case is pending investigation.

Article 6. Para. 79

The **Communications Commission of Georgia** notes that in December 2022, as well as in October 2023, the Parliament of Georgia adopted the amendments to the Law of Georgia on Broadcasting aiming at approximation of Georgian legislation with the AVMS Directive, including the regulation of hate speech and incitement to hatred. Specifically, according to the amendments to the Law on Broadcasting, in addition to the self-regulation mechanisms in place, a person concerned is entitled to appeal the decisions taken within the self-regulation mechanism related to the violation of the provisions of Article 552 of the Law (this also includes hate speech) to the Communications Commission in compliance with the procedures determined by the legislation. Further, in case of breach of human rights by the violation of the Article 55 (2) the Communications Commission is entitled to directly respond to the violations in compliance with the procedures determined by the Law.

It should be underlined that the above-mentioned amendments have been elaborated in close consultation with the European Commission.

Further, following the amendments to the Law on Broadcasting, the Communications Commission of Georgia is currently actively working on the elaboration of relevant secondary normative acts as per the Law and introduction of the appropriate administrative practice.

Following secondary acts are planned to be adopted before 1st of July 2024:

- Codes of Conduct for On-demand Audio-visual Media Services and Video Sharing Platform Service Providers;

- Guidelines on the definition of a small audience and low-income audio-visual media service provider for the purposes of the exemption from the obligation to place European productions;
- Standards for continuous and progressive access to media services for persons with disabilities.

Further, an information portal accessible to persons with disabilities (also allowing to receive complaints) as well as the rules for the establishment and the operation of this portal will be developed. In the process of development of the above-mentioned standards and documents, special emphasize will be placed on the issue of the hate speech.

Article 6. Para. 81

The **Ministry of Internal Affairs of Georgia (MIA)** kindly notes that the fight against crimes committed on the discriminatory grounds and ensuring the victim-oriented investigation are one of the priorities of the Ministry of Internal Affairs. During 2022, the Ministry, along with the partner agencies and organizations, implemented several effective measures to fight against crimes committed with the motive of intolerance on the grounds of discrimination.

The Human Rights Protection and Investigation Quality Monitoring Department operates within the Ministry of Internal Affairs. The Department, along with other responsibilities assigned to its competence, ensures a prompt response to crimes committed with the motive of intolerance on the grounds of discrimination and the efficacy of ongoing investigations. For this purpose, the Department is engaged and monitors all criminal cases with a potential intolerance motive, based on the signs outlined in Article 53 of the Criminal Code of Georgia, from the moment it receives the crime notification.

The Department carries out monitoring duties through the electronic study of received reports and criminal cases. It has created a dedicated table to document and analyze the data related to crimes committed with the motive of intolerance on the grounds of discrimination.

When processing the statistics, the Ministry of Internal Affairs attaches considerable importance to the memorandum signed on September 23, 2020, between the Ministry of Internal Affairs, the Office of Prosecutor General, the Supreme Court, and the National Statistics Office. The objective of this Memorandum is to establish a unified methodology for collecting data on crimes committed with the motive of intolerance on the grounds of discrimination.

Effective collaboration with international and non-governmental organizations is particularly important for the Ministry of Internal Affairs. The Ministry also maintains close cooperation with the community organizations and their representatives. The Ministry and organizations consistently share the relevant information, undertaking various measures to combat the crimes rooted in discrimination.

In order to combat the crimes committed with the motive of intolerance on the grounds of discrimination, address existing challenges, share the best practices, and ensure effective response, the Human Rights Protection and Investigation Quality Monitoring Department actively provides training to the MIA personnel. These trainings are conducted with the support of administrative resources and the active involvement of Ministry's partner international and non-governmental organizations. From 2018 until the latest period of 2023, over 3500 employees of various ranks and managerial roles within the territorial and structural units of the Ministry of Internal Affairs received training on discriminatory crimes. Additionally, around 17000 employees underwent the comprehensive training courses covering hate

crimes, violence against women, domestic violence, crimes committed by and against minors. Notably, special focus is given to the training of first responders, including patrol inspectors and law enforcement officers.

One of the priorities of the Ministry is to support the victims of crimes committed on the grounds of discrimination. The Office of the Witness and Victim Coordinator in the Ministry of Internal Affairs was launched in 2019 in order to support citizens involved in legal proceedings, protect the rights of victims, and increase the quality of investigations. The coordinator is preferentially involved in the litigation process when a person is a minor, a disabled person, a witness or a victim of violence against women or domestic violence and trafficking. Also, the witness and victim coordinator preferentially communicates with the victims/witnesses of the crime committed with discriminatory motive, in order to provide them with psycho-emotional support during the legal proceedings, to prevent re-victimization and secondary victimization, to ensure awareness during the investigation, to familiarize them with the services available in the state and to promote effective cooperation with law enforcement structures.

Article 8. Para. 85

The **State Agency for Religious Issues of Georgia** clarifies that it is also an important cornerstone that none of the religious associations operating nowadays, except of the Georgian Orthodox Church, is the legal successor of the religious association operating in the Soviet period, and they do not have a legal or hereditary bond with them. All of them are newly registered, and due to the high standards of freedom of registration of religious associations in Georgia, almost all religious denominations have more than one registered religious association. Accordingly, the State returns its owned cult buildings to the respective religious associations with the right to lifetime use, which practically differs from the right to ownership only in the right to alienate these buildings. A large part of such religious buildings has already been returned to the respective religious associations. The issue is an ongoing process and is in progress.

The **State Agency for Religious Issues of Georgia** also notes that the legal regulation is incorrectly cited in the Opinion, as no norm forbids religious associations, regardless of their denomination, to purchase immovable and movable property. (For example: there are about 100 cult buildings of Jehovah's Witnesses across Georgia, in Tbilisi - Evangelical Faith Church, Baptist Church; in Rustavi – Catholic Church, Protestant Church, etc.).

Article 8. Para. 86

The **State Agency for Religious Issues of Georgia** notes that construction permits in Georgia are issued by the municipal bodies. Herewith, the regulations related to construction permits are common to all, and the legislation does not provide for different regulations for the construction of religious buildings. Furthermore, the term cult building does not exist in the legislation with respect to construction. The process of obtaining a construction permit is transparent, established by the law, predictable and non-discriminatory.

Article 8. Para. 87

Concerning the construction of a new mosque in Batumi, the **State Agency for Religious Issues of Georgia** clarifies that the fact given in the Opinion is not correct because in the area, where Batumi City Hall did not issue a construction permit in favor of the non-governmental organization, no church of any other denomination has been built.

Article 8. Para. 88

The **State Agency for Religious Issues** underlines that respectively, neither the obligation of "restitution" nor the development of the restitution policy in general rests with the State of Georgia. Therefore, it is pointless to count the damage caused by the Soviet totalitarian regime.

The **State Agency for Religious Issues of Georgia** clarifies that with respect to the disputed churches, when two or more religious denominations claim historical ownership of one religious building, the issues are considered individually. There is also the practice of resolving disputes through courts. Regarding the examples given in the Opinion, there is an inaccuracy in relation to the so-called issue of the Armenian Church "Tandoyants". There was a legal dispute between the Orthodox Church and the Georgian Diocese of the Armenian Apostolic Church around the mentioned religious building. On the basis of the scientific-archaeological conclusions conducted within the court, it was determined that the aforementioned cult building was originally Georgian. During the period of historical injustice, the Armenian Church was built on the ruins of the Georgian Church. Later, the Soviet regime opened a cinema in this building, which was also destroyed. The court, based on the scientific-archaeological findings, established that the historical owner of the ruins of the "Church of the Nativity of the Holy Mother of God" (the so-called Tandoyants Church) was the Georgian Orthodox Church.

The condition of the German Lutheran Church in the village of Asureti also needs to be clarified. In one of the three entrances of the Church, which is 1/10 of the total area of the Church, the service is held by the Georgian Orthodox Church. The main area of the building (9/10) is a state property and has the status of a cultural heritage monument. The Evangelical-Lutheran Church: a) has not yet made a request regarding the Church located in the village of Asureti; b) The Evangelical-Lutheran Church systematically uses the mentioned religious building and organizes various events there several times a year.

As for the six religious buildings requested by the Catholic Church, an application was submitted to the State Agency for Religious Issues in 2023. The issue is being studied and information is being sought.

Article 8. Para. 89

With regard to the issue of participation of the State Agency for Religious Issues in solving the financial and property issues of religious associations within the framework of the "Commission on Property and Financial Needs of Religious Associations", the **State Agency for Religious Issues of Georgia** clarifies that it reviews applications received from religious associations regarding various types of assistance which are provided through state funds. Respectively, the Agency, within the limits of its competence, determines the necessity and issues the recommendations for solving the financial and property issues of religious organizations from the state budget.

The State Agency for Religious Issues, on behalf of the Government of Georgia within the limits of the powers defined by its statute, performs the function of a mediator and participates in the resolution of issues that may arise between the religious associations operating in Georgia; it also prepares proposals and issues recommendations to the Government of Georgia and authorized bodies on problematic issues for religious associations, e.g.:

Religious neutrality in public service

Within the framework of the governmental action plan, the Agency studied the experience of international and foreign countries regarding the development and institutionalization of standards for the protection of religious neutrality in the public service, also regarding the forms of reflection in the corresponding documents of these standards. The Agency also actively works with the National Bureau of Public Service of Georgia. The Article 7 (religious neutrality) was added to the "General Rules of Ethics and Conduct in Public Institutions" approved by the Resolution N200 of the Government of Georgia on April 20, 2017, based on the Agency's recommendation.

Freedom of Religion during the Covid-19 Pandemic

From the very first days of the spread of Coronavirus (Covid-19), the LEPL State Agency for Religious Issues of Georgia actively communicated with central, local and regional agencies involved in the management of public health in crisis situations. According to the recommendation of the State Agency for Religious Issues "On the approval of the list of priority persons subject to compulsory testing for Coronavirus (SARS-CoV-2) infection (Covid-19) and the rules of conducting it", subparagraph "Q" was added to the Government decree - on free testing of clergy.

During the pandemic, the Government prevented any manifestation of discrimination, hatred and violence on religious grounds through dialogue, cooperation and active communication with the Interreligious Council. It should be noted, that on May 20, 2021, under the organization of the State Agency for Religious Issues, the representatives of the religious organizations and the staff of the Agency were vaccinated twice at the Central University Clinic named after Academician N. Kipshidze. The Agency ensured the organized involvement of the representatives of religious denominations in the process of vaccination against Covid-19, which was exemplary for the parish.

Freedom of belief in the Code on the Rights of the Child

Based on the knowledge and experience gained in the framework of active cooperation with the United Nations Children's Fund and in accordance with the recommendation of the State Agency for Religious Issues, the Code on the Rights of the Child of Georgia fully protects the child's right to freedom of belief, religion and conscience (Article 16).

Recommendations on Religious Issues in Defense and Penitentiary Services

Taking into account the needs raised in the framework of the Interreligious Council under the State Agency for Religious Issues, the Agency made a recommendation to the Ministry of Defence and the Special Penitentiary Service of Georgia on obtaining the right to enter the Ministry of Defence and Special Penitentiary Services for the representatives of religious organizations (clergy) upon request, also in case

of request, about the provision of special religious food (lenten; kosher; halal and others) and on the allocation of special prayer spaces.

Article 8. Paras. 89, 91

The **State Agency for Religious Issues of Georgia** clarifies that the mandate and activity of the Agency aim at strengthening the secular principles defined by the Constitution and protecting the freedom of religion and belief in the Georgian State. In this respect, the Agency has been fruitfully cooperating with both public agencies and religious organizations operating in Georgia for years that was manifested in numerous implemented joint projects.

The State closely cooperates with the religious associations operating in Georgia (the full range of religious denominations), which, implies a comprehensive dialogue with all religions, a clear example of which is the Interreligious Council under the Agency that is based on the principles of the round table. The Agency, as an intermediary link between the State and the religious associations, provides maximum support for the issues raised at the Council. Nowadays, there are 14 religious organizations in the Interreligious Council, among them, two religious organizations - "Salvation Army" in Georgia and the "Seventh-day Adventist Church" in Georgia joined the Interreligious Council in 2023.

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

Moreover, due to the high standards of freedom of registration of religious associations in Georgia, there are no such requirements for the registration of a religious association, which are observed in almost all European countries (e.g.: minimum number of followers, annual mandatory registration of parishes, etc.). Therefore, any person can register a religious organization of any denomination regardless of the religious affiliation.

In Georgia, there are 59 religious organizations registered as legal entities of public law, and the precise number of the religious associations registered as legal entities of private law, due to their large number, is unknown. Respectively, almost all religious denominations have more than one religious association registered, including many religious organizations of 2-3 people, or there are religious organizations that are only on the registration form. Considering all of the above, the Council of Religions operating under the auspices of the Public Defender's Tolerance Center cannot represent the full religious spectrum of Georgia, unlike the Interreligious Council at the State Agency for Religious Issues.

The Agency regularly conducts researches, draws the reports and conclusions of actors operating in the field of religion in Georgia and beyond. The Council of Religions, despite the Agency's repeated attempts,

has not shown the desire to communicate and cooperate with the Agency, since the Agency was established till present.

Article 8. Para. 90

In response to the statement in the Opinion regarding the privileged status of the Orthodox Church of Georgia, the **State Agency for Religious Issues** clarifies that Georgia is a secular State, where freedom of religion has been protected by the Constitution, international instruments and domestic legislation, including the Law of Georgia "On the Elimination of All Forms of Discrimination". Respectively, the entry in the Constitution of Georgia (Article 8) stipulates that "along with freedom of belief and religion, the State shall recognise the outstanding role of the Apostolic Autocephalous Orthodox Church of Georgia in the history of Georgia and its independence from the State" which is the historical reality of Georgia (Georgia has been a Christian State since the 4th century). The Constitutional Court of Georgia explains the above-mentioned Article of the Constitution: "recognition of the outstanding role of the Church is related to its historical contribution and does not serve to establish a privileged legal condition for the Orthodox Christian religion in the present. Historical contribution cannot be considered as a source of legitimacy of the privilege. Differentiation and creation of a legally superior situation for the church is not and cannot be the purpose of the Constitution". (Decision No. 1/2/671 of the Constitutional Court of Georgia of July 3, 2018)

Article 8. Para. 91

The **State Agency for Religious Issues of Georgia** clarifies that the religious organizations operating in Georgia, all denominations (99% of the religious composition of Georgia) cooperate very closely and actively with the State Agency for Religious Issues, which is an indicator of their high trust towards the Agency.

Another clear example of trust-based cooperation between the State and religious associations is the tradition established by the State Agency for Religious Issues on the occasion of the International Day for Tolerance that implies hosting the leaders and parishioners of religious organizations by one of the religious communities in Georgia.

- On November 16, 2016, religious communities were hosted by the Georgian Orthodox Church;
- On November 16, 2017, the host was the Georgian Jewish community - the reception took place at David Baazov Museum of History of the Jews of Georgia and Georgian-Jewish Relations;
- On November 16, 2018, religious organizations were hosted by the Apostolic Administration of the Caucasus;
- In 2019, the Administration of All Muslims of Georgia hosted representatives of religious organizations on the occasion of the International Day for Tolerance;
- In 2020, on the occasion of the International Day for Tolerance, the Union of Baptist Churches of Georgia held an event for the religious organizations of Georgia;
- In 2021, the Evangelical-Protestant Church hosted an event dedicated to the International Day for Tolerance;
- In 2022, the Evangelical Faith Church held an event dedicated to the International Day for Tolerance;

- On November 16, 2023, the joint celebration of the International Day for Tolerance was held at the Diocese of the Armenian Apostolic Church of Georgia.

Traditional meetings related to the International Day for Tolerance have become a manifestation of the Georgian culture of religious tolerance and will be continued in the coming years.

The international conferences that have become a tradition in Georgia, such as the 2-3 day international conferences organized by Jehovah's Witnesses and the representatives of the Evangelical Faith Church are worth mentioning, which are a manifestation of trust and cooperation towards the state. The latest international conference of the Evangelical Faith Church was held on 1-3 December, 2023 in Batumi.

Article 8. Para. 92

The **State Agency for Religious Issues of Georgia** underlines that a clear example of free access to religious buildings in Georgia is the abundance of religious buildings belonging to religious minorities throughout Georgia, taking into account the number of communities (according to 2014 General Population Census). (See Table below). In total, the specific share of the representatives of different religious communities in Georgia in relation to the existing cult buildings (as of 2014):

Orthodox Christians	3,097,573
Churches	2,001
Muslims	398,677
Mosques	297
Armenian Apostolic community	109,041
Churches	67
Catholics	19,195
Churches	33
Jehovah's Witnesses	12,395
Cult Buildings	90
Yazidis	8,591
Temple	1
Jews	1,417
Synagogues	21
Cult buildings of other small denominations	42

Article 9. Para 97

The Georgian Public Broadcaster (GPB) notes that the distribution of programs in conditions of easy access and quality assurance of reliable reception is one of the main tasks of the GPB. Notably, in the regions densely populated by ethnic minorities, there are frequent cases when television signal reception is carried out through individual satellite receivers and it depends only on the user which channels will be received on his/her devices. The low interest of the audience in the regions densely populated by ethnic minorities and being prone to receive information from the neighboring countries are mostly caused by integration issues.

Article 9. Para 101

III. CONCLUSIONS, the third paragraph of the Further recommendations

The **Georgian Public Broadcaster (GPB)** states that according to the data from the National Statistics Office of Georgia, over 90% of the rural population uses the internet every day or almost every day, particularly, the share of households provided with the internet in Kvemo Kartli region equals to 87.1% and in Samtskhe-Javakheti region – 91.8%. The **GPB** also notes that a “Memorandum of Understanding is a type of agreement between two or more parties which expresses a convergence of will between the parties, indicating an intended common line of action”. Therefore, the memorandum signed between the GPB and the regional channels broadcasting for ethnic minorities is a goodwill of GPB to share its resources and strengthen the interest of ethnic minorities in high media standard products. It is unclear and vague what is meant by „monitoring“, while the two parties have announced cooperation agreement and the cooperation has been active for many years based on the expression of goodwill of the parties. Therefore, the GPB asks for reviewing these records objectively based on the existing facts. Also, the **GPB** kindly clarifies that it aims to serve all audiences adequately, and while analyzing and assessing the issues in the areas densely populated by ethnic minorities, there is a need to consider the situation with all its complexities with a broader approach and through the collaboration of various institutions.

Article 10. Para. 108

In response to the following passage: *“The Advisory Committee was informed of a number of problems as to the use of minority languages with the administrative authorities. During its meetings with persons belonging to Azeri and Armenian minorities in both Kvemo Kartli and Samtskhe-Javakheti, respectively, the Advisory Committee learned that the Public Service Hall does not handle information in a language individuals understand, which often leads to disagreements and misunderstandings between the residents and the staff of the Public Service Hall”*, the **Ministry of Justice of Georgia** clarifies that in accordance with the Article 14 of the General Administrative Code of Georgia, the language of administrative proceedings is Georgian, and also Abkhazian in Abkhazia, Georgia. The existing legislation in Georgia mandates that administrative proceedings within the Public Service Hall are conducted exclusively in the Georgian language.

At present, the Public Service Halls operate through 26 distinct branches situated within the regions of Samtskhe-Javakheti and Kvemo Kartli. In municipal units where ethnic minorities constitute a majority of the population, information and consultation with the residents are conducted in languages they can comprehend, encompassing Armenian and Azerbaijani. It is noteworthy that, in the vast majority of

branches within this geographical area, a minimum of one staff member from ethnic minority background is engaged, capable of fluently communicating in both the Georgian and Azerbaijani/Armenian languages.

Article 11. Paras. 114-117

The **Ministry of Justice of Georgia** notes that according to the Law "On Civil Acts", a citizen of Georgia and a stateless person with a status in Georgia, whose birth is registered in Georgia, have the right to change their name and surname. At the same time, the person can change and be called any name he wants, except for obscene/offensive words and punctuation marks.

As for changing the surname, grounds for getting surname are directly established by the law. One of the grounds is the restoration of the historical surname. For the restoration of historical surname, the combination of evidence that proves that interested persons' surname originated as a result of conversion of another surname or acceptance of another surname by a representative of interested persons' historical surname. The restoration of the historical surname, among other evidence, may also be based on a substantiated scientific assumption, which confirms the existence of the circumstances referred above.

The fact that the surname, which the interested person wants to receive, is his historical surname must be confirmed by relevant documents, the search for such evidences is not the obligation of the interested person only, and at the stage of examination of the application, the Public Service Development Agency (PSDA) investigates and examines all the possible evidence within the scope of its competence. As for the substantiated scientific assumption, information should be presented by the interested person or the statement should indicate the relevant historical sources that can be verified. The process of restoring the historical surname on the mentioned basis is the same for all interested persons, including ethnic minorities.

Article 11. Para. 118

The **State Language Department of Georgia** clarifies that the "Law of Georgia on State Language" does not restrict the use of minority languages, unless it contradicts with the provisions defined with respect to the signs in the "Law of Georgia on Advertising"¹ (Article 4 - General requirements for advertising).

Article 11. Para. 119

The **State Language Department of Georgia** notes that the "Law of Georgia on the State Language" defines the rule for using minority languages along with the State (Georgian) language in the areas densely populated by ethnic minorities. According to the Law, topographical signs are applied in the language of minorities.²

Based on the materials provided by the responsible authorities of the regions, and the facts revealed during special visits by employees of the State Language Department itself, the absolute majority of all types of topographical signs are both in the Georgian and minority languages. The reports by the

¹ Law of Georgia on Advertising, <https://matsne.gov.ge/ru/document/download/31840/22/en/pdf>

² Law of Georgia on Official Language, Chapter VII, Article 24, <https://matsne.gov.ge/en/document/view/2931198?publication=3>

representatives of the State Language Department prove that the population and relevant authorities of the regions densely populated by ethnic minorities are familiar with this regulation and there are no obstacles to the placement of topographical signs in the state language and minority languages.

Article 11. Para. 120

The **Office of the State Minister of Georgia for Reconciliation and Civic Equality** notes that the Georgian legislation defines naming of geographical objects,³ which is under the authority of the local self-government body - the elected representative body (Council “Sakrebulo”), taking into account that the villages shall be named in Georgian.⁴ In case of different opinions about the name change by various groups of the community, the Council considers the issue with an individual approach per specific situation. Afterwards, the respective Commission under the Ministry of Regional Development and Infrastructure discusses the issue; the final decision is made by the Government.

The issue of naming geographical objects is considered and resolved with the involvement of all the relevant stakeholders; consultations with different segments of the population is ensured.

Article 12. Para. 122

The **Ministry of Education, Science and Youth of Georgia** clarifies that teaching on diversity and society is laid down in the compulsory subjects starting from the grade 3 to the 12-th grade: "Me and Society" is taught in grades 3-4; "Our Georgia" - in grades 5-6; "Citizenship" is taught in grades 7-11 (and in 2024-2025 academic year it will be taught in the 12th grade as well), "History" – in grades 7-12, "Geography" – in grades 1-12, "Art" – in grades 7-9. Besides, at the upper-secondary stage, all students (individually or in group) should complete minimum one project per semester in civic education. **The Ministry** also notes that the issues of civic integration and cultural diversity nowadays are fully reflected in the national curriculum and in the textbooks of History, Civic Education and Geography.

Article 12. Para. 123

The **Ministry of Education, Science and Youth of Georgia** notes that the wording of the paragraph can be considered as subjective.

Based on the standards, the Ministry has finalized an approval process of the new textbooks for the grades 7-11 and 1-2 (in some subjects for grades 1-4). Textbooks are evaluated by the criteria, that contains special block - Compliance with legal and ethical norms:

Criteria 6.1. Protection of equality, prohibition of discrimination and discrediting elements:

1. The textbook is free from stereotyped, incorrect, discriminatory and/or discrediting elements based on language, nationality, religion, gender, social affiliation and other grounds;
2. Taking into account the specifics of the subject, the texts and illustrations preserve equality of nationality, religion, gender, social affiliation, etc. with a sign.

³ Local Self-Government Code, <https://matsne.gov.ge/en/document/download/2244429/15/en/pdf>

⁴The rule of naming the geographical objects located in the administrative boundaries of the municipality, Ordinance of the Government N239, 01/06/2015

According to these criteria, the textbooks are evaluated by a person specialized in the field of human rights assigned by the Ombudsman's Office.

For 2024-2025, it is planned to replace all old textbooks in the 12-th and 3-6 grades with the new ones. It should be mentioned that as soon as the textbook evaluation is completed, any physical or legal person can submit the comments on the textbook to the Ministry, which will be thoroughly considered and adequately reflected. For example, non-governmental organization "TDI" conducted a study of textbooks of Georgian language and literature, history, geography and civic education for VII grade in terms of protection of human rights and equality. The comments were discussed and reflected in the textbooks. Although the procedures to avoid cases of discrimination are in place, the issue will still be communicated to the Approval Commission.

Article 12. Para. 128

The **Ministry of Education, Science and Youth of Georgia** clarifies that in 2023, more than 23.6% of teachers working in non-Georgian language schools, where the main language of instruction is a minority language, had the status of a practicing teacher. 61% of teachers had the status of a senior teacher, 3.9% belonged to the category of a lead teacher and only 37 teachers held the status of a mentor, which constituted 0.5% of the total number of minority language school teachers.

In 2024, 18.4% of teachers working in non-Georgian language schools, where the main language of instruction is a minority language, has the status of a practicing teacher. 66.6% of teachers have the status of a senior teacher, 3.9% belongs to the category of a lead teacher and only 38 teachers hold the status of a mentor, which constitutes 0.5% of the total number of minority language school teachers.

Article 12. Para. 129, 130

The **Ministry of Education, Science and Youth of Georgia** notes that there is no lack of educational materials. All schools are provided with sufficient materials. Quality is exactly the same as in Georgian schools, because it is translated from the Georgian language. The Ministry also underlines that all books are provided by the Ministry of Education, Science and Youth of Georgia, which are exact translation of the books for Georgian language schools. Only exemption is made for Native language and Literature textbooks. Based on intergovernmental agreements these books are provided from Azerbaijan and Armenia. Additional reason for it is the absence of relevant professionals in Georgia. Therefore, the Ministry is engaged in the consultations with the colleagues from Armenia and Azerbaijan on joint work.

Article 12. Para. 131

The **Ministry of Education, Science and Youth of Georgia** clarifies that the amount of financing with the state grant for ethnic minorities, in particular, for the students enrolled on the basis of the results of the general skills test in Azerbaijani and Armenian languages, was 225,000.0 - 225,000.0 GEL in the annual volume of state grant.

In accordance with the Resolution N67 of the Government of Georgia of March 6, 2024 "On Determination of the Annual Volumes, Amounts and Volume of Programs Funding with the State Training Grant for the 2024-2025 Academic Year", the funding for students enrolled in the Georgian language training program

based on the results of the general skills tests in Azerbaijani and Armenian language has been doubled and for the 2024-2025 academic year it amounted to 450,000.0 - 450,000.0 GEL.

Article 12. Para. 135

The **Ministry of Education, Science and Youth of Georgia** clarifies that in 2022, a Roma girl successfully passed the national exams and became a student at a higher education institution. In 2023, a category - was added to the existing categories within the framework of the Social Program and since 2023, in order to promote higher education opportunities for Roma, the Ministry of Education, Science and Youth of Georgia is financing studies at the bachelor's level for Roma students (Decree of the Government of Georgia, #324, 18/08/2023).

Article 14. Para. 139

The **Ministry of Education, Science and Youth of Georgia** clarifies that there are no differences in the National Curriculum between minority and Georgian language schools. The National Curriculum as well as textbooks are revised and updated for all schools (public and private, Georgian language and non-Georgian language). A minor difference is in the implementation process. The non-Georgian schools start the implementation process one academic year later, because translation of the textbooks into minority languages requires at least 10-11 months.

With regard to the following passage: *“Interlocutors of the Advisory Committee also mentioned quality-related problems in the textbooks for minority schools and the fact that the history textbooks as well as textbooks in minority languages are provided by the neighboring states”*, the **Ministry of Education, Science and Youth of Georgia** urges to see the **Comment to Para. 129**.

Regarding the following passage: *“Persons belonging to national minorities are enrolled in vocational education institutions on the basis of Azerbaijani, Armenian and Russian language tests, after which they undergo and pass the Georgian language module and continue their education and training”*, the **Ministry of Education, Science and Youth of Georgia** clarifies that since 2016 the representatives of ethnic minorities have an opportunity to be enrolled on the basis of selection procedures (and not Azerbaijani, Armenian and Russian language test).

The **Ministry of Education, Science and Youth of Georgia** also notes that since 2018, more than 1000 individuals have been enrolled on vocational educational programs based on the selection procedure in Armenian, Russian or Azerbaijani languages, which represents 1.89% of the student population in these years (for comparison, only 88 non-Georgian speaking students were enrolled in 2016-2017). Most of those enrolled were citizens of Georgia, and 27 persons were citizens of foreign countries (Ukraine, Russia, etc.). The majority of non-Georgian speaking students are under 24 years old (70.3%) and women (67%), in this group there is a particularly low social security status (8 students).

Article 14. Para. 142

The **Ministry of Education, Science and Youth of Georgia** clarifies that for vocational education purposes, the Ministry has developed the new Program in State Language. After its implementation, the vocational

education system will ensure the introduction of new modules for learning the state language for non-Georgian language applicants, including representatives of ethnic minorities.

Article 14. Para. 144, 145

The **Ministry of Education, Science and Youth of Georgia** clarifies that the LEPL Samtskhe- Javakheti State University has prepared the "Educational Program for the Training of Armenian Language and Literature Teacher" for accreditation, which will be submitted to the LEPL National Center for Educational Quality Enhancement (NCEQE) for accreditation. The program takes into account the methodology of teacher training for both primary and secondary levels. In case of obtaining the accreditation as a result of meeting the standards required by the law, the admission of entrants to this program will be carried out by 2024. With this, the Ministry appealed to the relevant higher educational institutions with the recommendation to develop the "Educational Program for Teacher Training of Azerbaijani Language and Literature".

Article 14. Para. 149

The **Ministry of Education, Science and Youth of Georgia** underlines that the wording of this recommendation is irrelevant. The Ministry is implementing bilingual education program in minority kindergartens and schools in order to encourage integration, eliminate language barrier and provide equal opportunities for ethnic minorities at the subsequent levels of education.

Article 15. Para. 162

The **Parliament of Georgia** clarifies that the legislative privileges in favor of gender quotas, which was a temporary measure by its nature, exhausted its efficiency. Therefore, according to the recent legislative amendments, provisions and rules in favor of "gender quotas" were abolished. Instead, the accent was placed on the political responsibility of political parties, to encourage women's participation within their own system.

Article 15. Para. 165

With regard to the following passage: "Poor access to high speed internet continues to be a problem in most rural areas", the **Communications Commission of Georgia** notes that the Government of Georgia is implementing the Log-in Georgia Project (2021-2025) financed by the World Bank and the EIB to increase an access to affordable broadband internet and to promote its use by the individuals and enterprises, in up to 1000 targeted rural settlements. The Project includes measures undertaken in the selected rural settlements to facilitate the use of the Internet and digital services amongst groups such as women and women-headed households, ethnic minorities and socially vulnerable people, the elderly (over age 65), and persons with disabilities.

Article 15. Para. 166

The **Ministry of Education, Science and Youth of Georgia** clarifies that LEPL Zurab Zhvania School of Public Administration has been providing Georgian language courses for public servants and employees of budgetary organizations throughout Georgia. The School also serves various target groups including teachers and other administrative personnel of schools and preschool institutions, military recruits on the

military bases, clergymen, youth, and others offering up to 30 long and short-term state language courses within the “State Language Teaching and Integration Program”, that aim to ensure improvement of the state language competences as well as, through sectoral sub-programs, development of diverse vocational skills for better integration of the representatives of ethnic minorities. Annually, in total, up to 5200 citizens benefit from this program through 12 education centers in the regions of Georgia and 222 mobile groups.

Article 15. Para. 167

The **Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia** notes that every year, the representatives of ethnic minorities are provided with the information on social and health care programs. In 2023, 19 information meetings were held in the municipalities of Kakheti and Samtskhe-Javakheti regions. Up to 650 participants were informed about monetary social programs (state pension, state compensation, social package, subsistence allowance, etc.) and on social services (social rehabilitation and child care program) implemented by the Ministry. During the discussions, a specific emphasis was made on the efforts channeled in the direction of social assistance, as well as the changes/novelties achieved in the spheres of social rehabilitation and child care. Also, the Social Service Agency (SSA), which is a responsible body for state social payments, has translated information about social programs and state payments (such as targeted social assistance programs, state pensions, promotion programs for demographic situation improvement, household subsidies, maternity leave payments, etc.) into Azerbaijani and Armenian languages. The aforementioned information has been uploaded on the website of the Social Service Agency: www.ssa.moh.gov.ge.

Article 15. Para. 173

The **Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia** notes that in order to promote the employment of Georgian citizens, especially those considered 'hard to employ,' the LEPL State Employment Support Agency (SESA) was established and it has been operational since January 2020. SESA is responsible for implementing the Active Labour Market Policy through the state employment programs. The primary goal of these programs is to enhance the competitiveness of the job seekers by offering them short-term vocational training and retraining, internships, as well as core competency development, career guidance, and intermediary services. These services also include individual and group consultations, job fairs, and public works. All these services are equally accessible to everyone, regardless of gender, ethnicity, or other characteristics. Additionally, SESA offices operate in the regions densely populated by ethnic minorities, such as Samtskhe-Javakheti and Kvemo Kartli, where they provide all existing Active Labour Market Policy services to ethnic Armenian and Azerbaijani job seekers, including through mobile services.

The **Ministry of Education, Science and Youth of Georgia** notes that the best way to promote integration of ethnic minorities is to improve their level of the state language, which will have positive impact not only on their professional development, but key competencies as well. This approach will contribute to their civic integration.

Articles 17 and 18. Para. 176

The **Ministry of Foreign Affairs of Georgia** kindly notes that the quarantine measures introduced by the Republic of Azerbaijan since 2020 were further extended until July 1, 2024.

III. CONCLUSIONS, the first paragraph of the Recommendations for immediate action

See Comments to: Para. 13; III. CONCLUSIONS, the first paragraph of the Recommendations for immediate action (Page 6) and Article 3. Para 28 (Page 9)

III. CONCLUSIONS, the second paragraph of the Recommendations for immediate action

See Comments to: SUMMARY, the second paragraph of the Recommendations for immediate action; Article 4. Para. 48; III. CONCLUSIONS, the second paragraph of the Recommendations for immediate action (Pages 3-4)

III. CONCLUSIONS, the third paragraph of the Recommendations for immediate action

See Comments to: SUMMARY, the second paragraph; Article 4. Para. 46; Article 6. Paras. 65,71; III. CONCLUSIONS, the third paragraph of the Recommendations for immediate action (Pages 1-2)

III. CONCLUSIONS, the fourth paragraph of the Recommendations for immediate action

The **State Agency for Religious Issues of Georgia** clarifies that the Agency cannot share the recommendation regarding the future consideration of special funding for the maintenance and reconstruction of cultural heritage sites of religious minorities, because: a) a number of cult buildings of religious minorities (Armenian, Muslim, Catholic, Lutheran, Jewish) have the status of national monuments of cultural heritage and the State has already been taking care of and financing the restoration of cultural heritage monuments; b) Religious associations, regardless of their religious affiliation, are systematically financed several times a year from the local budgets of the state self-government through the "Recommendatory Commission on Property and Financial Needs of Religious Associations" under the Agency, according to their needs.

III. CONCLUSIONS, the fifth paragraph of the Recommendations for immediate action

In response to the recommendation: *“to ensure that the legislative framework contains effective mechanisms for persons belonging to national minorities, including women, to be adequately represented in elected and executive bodies at all levels so that they may participate fully in public affairs”,* the **Office of the State Minister of Georgia for Reconciliation and Civic Equality** clarifies that the Georgian legislation ensures an equal and full engagement in political processes, including passive and active participation in the elections, in accordance with a person’s legal status in Georgia. No barriers exist for women as well. Engagement in public service is regulated by the Law of Georgia on Public Service which introduces a merit-based selection/recruitment of a person in accordance with his/her skills, qualification and professional training.

Participation of ethnic minorities in all spheres of public life, including their representation in elected and executive bodies and engagement in public affairs, is provided through effective implementation of the

already established specifically tailored and state-funded unique mechanisms in the frames of the State Strategy for Civic Equality and Integration for 2021-2030 which are focused on further empowerment of ethnic minority representatives and creating equal opportunities for their personal and professional development.

III. CONCLUSIONS, the second paragraph of the Further recommendations

The **Ministry of Culture and Sport of Georgia (MOCS)** kindly suggests the **following formulation of the recommendation**: “The Advisory Committee calls on the authorities to further ensure the provision of the stable, sustainable long-term baseline funding necessary to preserve, develop and promote cultures and identities of persons belonging to national minorities, though, among others, the allocation of suitable premises and with a particular focus on supporting numerically smaller minorities”.

With respect to the recommendation: “*The allocation procedure should be transparent and efficient and the needs and interests of persons belonging to national minorities should be taken into account in all aspects of the procedure*”, the **MOCS** clarifies that transparency and inclusiveness of all aspects of allocation procedure is ensured and the specific needs of ethnic minority groups are taken into consideration.

III. CONCLUSIONS, the third paragraph of the Further recommendations

See Comment to: Article 9. Para 101 (Pages 28)

III. CONCLUSIONS, the fourth paragraph of the Further recommendations

See Comments to: Paras. 118, 119, 120 (Page 29-30)

III. CONCLUSIONS, the ninth paragraph of the Further recommendations

See Comments to: SUMMARY, the fifth paragraph of the Recommendations for immediate action; Article 15. Paras. 151, 152, 154 (Page 4)

The **Office of the State Minister of Georgia for Reconciliation and Civic Equality (SMRCE)** clarifies that defining the role and competences of the Council of Ethnic Minorities and the local consultative councils is beyond the mandate and functions of the SMRCE.

The **State Agency for Religious Issues of Georgia** states that it will not be possible to share the recommendation of the Advisory Committee of the Framework Convention for the Protection of National Minorities, which implies the obligation of consultations with the above-mentioned Council of Religions on the part of the Agency (generally the government), as the Council of Religions is a private entity and since the creation of the State Agency for Religious Issues, for 10 years it has not shown any desire to cooperate. In addition, as needed, the Agency is systematically exchanging information and cooperating with the entire religious spectrum of Georgia within the framework of the Interreligious Council.

III. CONCLUSIONS, the tenth paragraph of the Further recommendations

With regard to the recommendation *“to gather disaggregated data on the socio-economic situation of persons belonging to national minorities, especially in the fields of employment, healthcare and access to infrastructure”*, the **Office of the State Minister of Georgia for Reconciliation and Civic Equality** clarifies that processing of information about the ethnic origin of a person is not provided for by the legislation regulating civil status acts, registration at the address and issuance of identity documents. According to the Law of Georgia "On Personal Data Protection", data related to a person's ethnicity belongs to a special category⁵ and is subject to special protection. The Law prohibits its processing, however, allows it with the written consent of a person⁶. Meanwhile, the disaggregated data collection is possible for the statistical purposes through the national population census (under the “Law of Georgia on Official Statistics”) based on the right of voluntary self-identification of a person’s ethnic origin and his/her consent to make the information available for public that cannot ensure the data obtained is complete, accurate or reliable.

The **Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia** notes that disaggregated data collection with respect to ethnic belonging in the sphere of social protection is not practiced as the information about the ethnic affiliation of a person is not included in the civil status act record and identity documents. All social benefits are equally available to everyone regardless of race, gender, age, religion, ethnic or social affiliation in accordance with their legal status in Georgia.

⁵ The Law of Georgia “on Personal Data Protection”, Chapter I, Article 3, b)
<https://matsne.gov.ge/ka/document/view/5827307?publication=0>

⁶ The Law of Georgia “on Personal Data Protection”, Chapter II, Article 6, 1 a)
<https://matsne.gov.ge/ka/document/view/5827307?publication=0>