

Partnership for Good Governance

პარტნიორობა კარგი მმართველობისთვის

ევროკავშირი
საქართველოსთვის
The European Union for Georgia



COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

ევროპის საბჭო

Results of projects in Georgia under the European Union/Council of Europe Partnership for Good Governance¹

What is the Partnership for Good Governance?

In April 2014, the European Union and the Council of Europe agreed to implement targeted cooperation activities with EU's Eastern Partnership countries to bring them closer to European standards in the fields of human rights, democracy and the rule of law. The projects under the Partnership for Good Governance, are funded primarily by the EU, and co-funded and implemented by the Council of Europe.

In addition to 14 regional projects, there were **eight country-specific projects implemented in Georgia**, with a total budget of **3.9 million euros**.

Strengthening the application of the European Convention of Human Rights in Georgia

The project is running from 1 July 2015 until 31 December 2018.

- ▶ At legislative and regulatory level, the project contributed to make legislative adjustments to the jury trial legislation including provisions on the selection of juries and the media coverage of jury trials. An internal regulatory framework of the Prosecutor General's Office was improved in line with European standards. After Council of Europe opinions, five internal guidelines were amended and became internal policy documents for prosecutors.
- ▶ A large-scale human rights training programme was implemented and resulted in around 2,500 trained legal professionals out of the total national figure 5,300. More than 130 judges, including all Supreme Court judges, were trained on most recent landmark case-law of the European Court of Human Rights (ECtHR), main principles of the execution of judgments of the ECtHR and reopening

¹ Previously known as the Council of Europe/European Union Programmatic Cooperation Framework for Armenia, Azerbaijan, Georgia, Republic of Moldova, Ukraine and Belarus

of the cases following ECtHR judgments. Quantitative and qualitative data collected from several independent sources demonstrate a change in the professional approach in the areas covered by the training topics.

- ▶ The project contributed to reinforcing the capacities of the High School of Justice, the Prosecutor Office and the Bar Association by delivering initial and continuous training programmes to the judiciary, prosecutors and lawyers. Five new curricula, tailored to legal professionals' needs, were developed and integrated into the annual training programmes of the three institutions. A pool of about 60 local trainers qualified to provide trainings on a variety of human rights aspects (e.g. handling hate crime cases, fighting discrimination and ensuring a fair trial) was established and is now operational. 95% judges responsible for reopening proceedings became familiar with the procedure of 're-opening of cases' following a judgment of the ECtHR.
- ▶ To increase the capacities of lower courts to draw up decisions coherent with the European Court's case-law, the project assisted the Georgian Supreme Court in developing the new Georgian interface of the European Court of Human Rights Database (HUDOC). The HUDOC database/resource/ was fed with judgments and summaries translated into Georgian thus providing avenues for unified courts' practices and better reasoned decisions.
- ▶ The methodology and tools developed under the Council of Europe's Programme for Human Rights Education for Legal Professionals (HELP) were translated into Georgian and adapted to national legal order. The project provided a basis for the creation of the Georgian interface.
- ▶ A Strategy and an action plan for the Analytical Department of the Supreme Court have been developed and a total of 56 staff members of analytical units were trained in legal research. Internal guidelines of the Supreme Court on disclosing court judgments without violating the right to privacy were developed and are in use.
- ▶ As a result of CoE Parliamentary Assembly's activities, the Georgian Parliament's role in supervising the execution of ECtHR judgments has been strengthened by the adoption of a new parliamentary mechanism. Following enactment of relevant provisions of law, the project contributed to increasing awareness of members of parliament on effective oversight mechanisms on execution of ECtHR judgments by the government.

[A background information sheet on this project is available on the website](#)

Supporting the Georgian Bar Association

The project ran from February 2015 until July 2016.

The project contributed to improving the quality of the profession of lawyers by strengthening the institutional functioning of the Georgian Bar Association (GBA).

- ▶ In order to improve the regulatory and legislative framework, amendments to the Law on the Lawyers' Profession were reviewed.
- ▶ The reviewed Code of Ethics was adopted strengthening ethical standards and regulating disciplinary procedures. The Ethics Commission is now able to work in a more transparent way thanks to the new Code of Ethics. Their skills in adopting reasoned decisions in disciplinary procedures have improved; 63% lawyers in Georgia perceived disciplinary procedures fairer and more effective (survey conducted among lawyers in 2016).
- ▶ A new communication strategy was developed and approved, providing a road map for improved communication.

- ▶ Georgia's Bar Association introduced a new training cycle management together with training curricula. An initial training programme for the candidate lawyers was implemented through a pilot programme. The PGG developed new courses on juvenile justice together with a trainers' toolkit and trained a pool of ten specialised local trainers to transmit their knowledge to their peers. The pre-and-post training evaluation cycle was introduced leading to better quality of trainings. . The electronic examination software was introduced that enables conducting the Bar entrance exam electronically together with the automatic assessment of the results.
- ▶ The local trainers have already trained 621 attorneys whose skills in defending juveniles have improved. The trainings on ethical standards were also updated accompanied by selected landmark decisions of the Ethics Commission. A survey shows that around 70% of lawyers considered the training offered by the Training Centre useful, corresponding to their needs.
- ▶ The Bar Association reinforced their partnership with Bar Associations in the region creating a more sustainable platform to share best practice and challenges.

[A background information sheet on this project is available on the website](#)

Promoting freedom, professionalism and pluralism of the media

The project ran from January 2015 until December 2017.

- ▶ Provided legal expertise on the draft amendments to the law on broadcasting in order to align its provisions with European standards;
- ▶ Trained the top management and editorial staff of the Georgian Public Service Broadcaster and Adjara Public Service Broadcaster during the pre-election campaign .A series of training were also organised for the members of the Georgian National Communication Commission on European standards concerning the regulations of "TV products having a detrimental effect on children" and of "TV-like services". As a result, these bodies are now better informed about CoE and ECHR standards while dealing with the complaints concerning the election coverage, placement of advertising, organising the debate, etc. and how to regulate programmes for children.
- ▶ Trained more than 40 journalists and students on best international standards and practices of avoiding cultural and gender stereotypes in media reporting.
- ▶ Prepared a study to ensure that persons with visual and hearing disabilities have access to audiovisual media services.

[A background information sheet on this project is available on the website](#)

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

The project ran from January 2015 until December 2017.

- ▶ Established the Internet Governance National Forum as an effective platform where beneficiaries discuss the developments and challenges facing internet governance policies and reviewed the national legislation;

- ▶ Prepared the draft Code of Conduct for internet service providers creating a basis for ethical behaviour based on existing international standards;
- ▶ Supported the organisation of the third Annual Internet Governance Forum 2017;
- ▶ Supported Georgia's bid to host the annual meeting of EuroDIG (2018) in Georgia;
- ▶ Supported the First General Meeting of the representatives of the Association of the Small and Medium Internet Service Providers;
- ▶ Increased public awareness about standards and practices for protection of online rights.

[A background information sheet on this project is available on the website](#)

Human rights and healthcare in prisons and other closed institutions in Georgia II

The project ran from March 2016 until December 2017.

The project supported Georgia in improving health care in prisons in order to enhance legislative, regulatory and policy frameworks, increase the capacities of prison staff and improve conditions to provide adequate health care to prisoners. The PGG developed following tools:

- ▶ A mental health care screening tool and protocols were put in place providing better quality in prisoner admission procedures. The new tools followed the CPT standards which stipulated that all prisoners should be seen without delay by a member of the establishment's health care service when entering prisons. The tools, which will help to handle prisoners with psychiatric disorders, are ready to be piloted in Gldani Prison 8 in Tbilisi before they are extended to all prisons.
- ▶ The protection of detainees against ill-treatment in temporary detention isolators was enhanced. A new template for documenting injuries of inmates was drawn up and adopted by the Ministry of Interior. All doctors from the temporary detention isolators are now able to use the new template in practice in conformity with the Istanbul Protocol's requirements.
- ▶ Policy documents – a health care quality control strategy and an action plan for 2016 – 2019 – were developed to guide the authorities in strengthening the quality of health care services. The Ministry of Corrections launched the action plan implementation with a vaccination programme being currently implemented in prisons.
- ▶ Capacity development for prison staff is essential to ensure quality health care. Around 840 staff in Georgia, including from psychiatric institutions, increased their competencies in a variety of areas with an already visible effect on health care services. Particular attention was paid to the strengthened treatment of mentally-ill inmates. Training programmes were developed and trained instructors are able to transmit the acquired knowledge to their colleagues.
- ▶ To introduce modern methods of prison management based on ethical standards, the codes of ethics for prison staff were reviewed in line with the Council of Europe Recommendation CM/Rec(2012)5 on the European Code of Ethics for prison staff. The codes provide for ethical principles to prevent ill-treatment.
- ▶ The joint efforts of the Ministry of Health and Ministry of Corrections in Georgia resulted in a variety of instruments developed to identify suicide risks and prevent suicides in prisons. These are, for example, a suicide risk assessment, debriefing protocols and suicide prevention programmes. The instruments were put into practice to support the positive trend already evidenced in the country.

[A background information sheet on this project is available on the website](#)

Electoral assistance to the election stakeholders in Georgia

The project ran from January 2015 to December 2017.

- ▶ Following the recommendations provided by the Venice Commission and OSCE/ODIHR, amendments to the Electoral Code were adopted and addressed the shortcomings as regards the number of voters, representing an important step forward for holding elections respecting the principle of equal suffrage.
- ▶ In the wake of Georgia's 2016 Parliamentary elections, 90 judges and members of the Central Election Commission received training on election dispute resolution and the European Court's case-law. The findings of international observers on the conduct of 2016 parliamentary elections confirmed that decisions of Georgian courts in relation to electoral disputes were generally well-grounded and motivated.
- ▶ Long-term legal assistance with drafting normative electoral instructions for local election commissions was provided to the Central Election Commission. International observers underlined that the CEC enjoyed a high level of confidence amongst electoral stakeholders during the 2016 Parliamentary elections.

[A background information sheet on this project is available on the website](#)

Combating money-laundering and terrorism financing in Georgia

The project ran from January 2015 until December 2018.

- ▶ Provided legal opinion on Draft Law 'Facilitating the prevention of money laundering and terrorist financing' to ensure compliance with relevant international and European anti-money laundering/countering financing of terrorism (AML/CFT) standards;
- ▶ Provided recommendations and overall guidance on AML/CFT regulatory framework for non-profit organisations, dealers of precious metals and stones, cash couriers, and leasing and gambling sectors;
- ▶ Improved understanding of monitoring, supervisory and regulatory entities on AML/CFT compliance and transparency of beneficial ownership by building capacities and providing topical guidelines and training modules;
- ▶ Reinforced capacities for effective prosecution and investigation of money laundering and terrorist financing cases, seizure of proceeds of crime, cash smuggling and corporate economic crimes;
- ▶ On-going support to development of National Anti-Money Laundering/Countering Financing of Terrorism (AML/CFT) Risk Assessment of Georgia.

[A background information sheet on this project is available on the website](#)

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

The project ran from 9 March 2015 until 31 February 2017.

- ▶ Supported the preparation for signing and ratifying the European Charter for Regional or Minority Languages (ECRML); facilitating its subsequent implementation, the project contributed to implementing concrete ECRML provisions as following:
- ▶ Contributed to raising awareness of minority rights by producing bilingual information material and holding information meetings throughout Georgia for all linguistic groups and their NGOs;
- ▶ Helped to combat stereotypes and promote positive images of national minorities, by producing awareness raising material which was widely distributed to public institutions, decision-makers as well as all secondary schools;
- ▶ Implemented a series of promotional activities to encourage parents to enroll their children in schools teaching minority languages;
- ▶ Produced 52 kindergarten textbooks in 13 minority languages to improve the quality of education in minority language in schools;
- ▶ Translated the most important national laws and particularly those pertaining to national minorities into minority languages to facilitating the use of minority languages before courts.

[A background information sheet on this project is available on the website](#)

For more information <http://partnership-governance-eu.coe.int>

Contact: [Nichola Howson](#), Communication Officer, +33 3 88 41 22 39

September 2018