

# Council of Europe Action Plan for Georgia 2024-2027

COUNCIL OF EUROPE



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# **Council of Europe**

## **Action Plan for Georgia 2024-2027**

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## EXECUTIVE SUMMARY

The Council of Europe Action Plan for Georgia 2024-2027 is a strategic programming instrument that aims to bring Georgia's legislation, institutions and practice further into line with European standards in the areas of human rights, the rule of law and democracy. The Action Plan is intended to support the country's efforts to honour its obligations as a Council of Europe member State and will be implemented as part of the Reykjavík principles for democracy whereby member States recommitted to "work together to protect and promote the three fundamental, interdependent and inalienable principles of democracy, rule of law and human rights, as enshrined in the Statute of the Council of Europe and in the Convention for the Protection of Human Rights and Fundamental Freedoms".<sup>1</sup>

The Action Plan priorities take into account decisions, resolutions, recommendations, findings, conclusions of reports and opinions, notably of: of the Committee of Ministers of the Council of Europe (CM), the Parliamentary Assembly of the Council of Europe (PACE), the Congress of Local and Regional Authorities of the Council of Europe (the Congress), the Commissioner for Human Rights of the Council of Europe (the Commissioner), the European Commission for Democracy through Law (the Venice Commission) as well as the judgments of the European Court of Human Rights (the European Court) regarding Georgia. They also reflect the recommendations set out in the European Commission's opinion on Georgia's application for European Union (EU) membership as well as Georgia's national reform agenda.

Under this Action Plan, the Council of Europe and the Georgian authorities have agreed to carry forward jointly, through co-operation programmes, reforms aiming to enhance the implementation of the European Convention on Human Rights (the Convention) and the European Court case-law at national level, align national legislation and practice of anti-discrimination with European standards, promote gender equality, enhance the independence and accountability of the judicial system, improve the electoral legislation and practice, further reform the penitentiary, probation and crime prevention systems, advance the compliance of national practices with European standards in the field of media and internet, improve the quality of local democracy, enhance the protection of economic and social rights, further develop youth policies, facilitate transition of young legal professions to work, facilitate civil society participation in decision making at all levels.

The Action Plan also builds on the outcomes of the previous Action Plan which resulted, notably in: enhanced capacities of prosecutors, judges and lawyers to apply the provisions of the European Convention on Human Rights, increased knowledge and expertise of the relevant Georgian institutions to deal with cases of violence against women and domestic violence, effective promotion and protection of equality and non-discrimination in Georgia by relevant stakeholders, improved national reporting capacities under the European Social Charter, enhanced institutional capacities in the area of judicial performance, enhanced recourse to, and better quality of free legal aid services, enhanced compliance with European standards by law enforcement officers, enhanced quality of health care services in penitentiary institutions, increased awareness about European standards in the field of media among the main stakeholders, enhanced capacities of the relevant institutions to manage cases related to corruption, money laundering and terrorism financing, up to date cybercrime strategies, enhanced capacities among stakeholders about countering hate speech, incitement of hatred and disinformation in the context of elections, strengthened capacities and expertise in civil participation methodologies among public officials and civil society organisations and a reinforced ownership of key human rights concepts among local authorities and their national association, enhanced support among the main stakeholders about improving democratic school governance.

The Action Plan aims to support Georgia in its efforts to implement the [United Nations Sustainable Development Goals](#) (SDGs) of the [UN 2030 Agenda for Sustainable Development](#), notably goals 3, 4, 5, 8, 10, 11 and 16.

The overall budget of this Action Plan is estimated at 19.92 million. While funding in the amount of €3.31 million has been secured, additional funding is essential to fully implement the priority actions identified for 2024-2027.

The Council of Europe and Georgia will continue co-operation to improve existing legislative frameworks, to ensure their effective implementation and to enhance the capacities of national institutions in bringing the country's legislation and practice closer to European standards in order to promote human rights, strengthen the rule of law and ensure democratic principles of governance.

1. The Reykjavík principles are part of the ["Reykjavík Declaration – United around our values"](#), adopted by the member States at the 4th Summit of Heads of State and Government of the Council of Europe that took place in Reykjavík on 16-17 May 2023.

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## LIST OF ABBREVIATIONS

Action Plan	Council of Europe Action Plan for Georgia 2024-2027
AI	Artificial Intelligence
AML/CFT	Anti-money laundering/Counteracting financing of terrorism
CBM	Confidence building measures
CDC	Competences for Democratic Culture
CEC	Central Election Commission
CEPEJ	European Commission for the Efficiency of Justice
ECSR	European Committee of Social Rights
CM	Committee of Ministers of the Council of Europe
the Commissioner	the Commissioner for Human Rights of the Council of Europe
Congress	Council of Europe Congress of Local and Regional Authorities
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
DPC	Directorate of Programme Co-ordination
CSOs	Civil society organisations
the Convention	European Convention on Human Rights
the European Court	European Court of Human Rights
EDC/HRE	Education for Democratic Citizenship and Human Rights Education
the Charter	European Social Charter
EU	European Union
FCNM	Framework Convention for the Protection of National Minorities
GR-DEM	Rapporteur Group on Democracy - Council of Europe
GRECO	Group of States Against Corruption
GRETA	Council of Europe's Group of Experts on Action against Trafficking in Human Beings
GREVIO	Council of Europe's Group of Experts on Action against Violence against Women and Domestic Violence
HELP	Council of Europe European Programme for Human Rights Education for Legal Professionals
Istanbul Convention	Council of Europe Convention on preventing and combating violence against women and domestic violence
Lanzarote Convention	Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse
LGBTI	Lesbian, Gay, Bisexual, Transgender and Intersex persons
MONEYVAL	Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism
NGO	Non-governmental organisation
OB	Ordinary Budget
OSCE	Organisation for Security and Co-operation in Europe
Oviedo Convention	Convention on Human Rights and Biomedicine
PACE	Parliamentary Assembly of the Council of Europe
PMM	Council of Europe Project Management Methodology
Pompidou Group	Council of Europe International Co-operation Group on Drugs and Addictions
SDGs	United Nations Sustainable Development Goals
SIS	Special Investigation Service
UN	United Nations
UNDP	United Nations Development Programme
VC	Voluntary contribution
Venice Commission	European Commission for Democracy through Law

## PART I - INTRODUCTION

### 1.1 GENERAL OVERVIEW

#### 1.1.1 GEORGIA AND THE COUNCIL OF EUROPE

Georgia became the 41<sup>st</sup> member State of the Council of Europe on 27 April 1999. Accordingly, it has entered into, and has agreed to honour, a number of specific commitments which are listed in Parliamentary Assembly (PACE) [Opinion 209\(1999\)](#).

Georgia accepted the obligations incumbent on all member States under Article 3 of the Statute<sup>2</sup>: compliance with the principles of pluralist democracy and the rule of law as well as respect for human rights and fundamental freedoms of all persons placed under its jurisdiction.

To date the country has signed and ratified 89<sup>3</sup> treaties and protocols of the Council of Europe and is subject to a number of Council of Europe mechanisms, including those of the European Court of Human Rights (the European Court), the Committee of Ministers of the Council of Europe (CM), the Parliamentary Assembly (PACE), the Congress of Local and Regional Authorities (the Congress), the Commissioner for Human Rights of the Council of Europe (the Commissioner), the European Commission for Democracy through Law (Venice Commission), the European Commission against Racism and Intolerance (ECRI), the European Committee for the Prevention of Torture (CPT), the Group of States Against Corruption (GRECO), the Committee of Experts on the Evaluation of Anti-Money Laundering Measures (MONEYVAL), the European Committee of Social Rights (ECSR), the Framework Convention for the Protection of National Minorities (FCNM), the Council of Europe's Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), the Committee of the Parties to the Convention on the Protection of children against sexual exploitation and sexual abuse (Lanzarote Committee) and the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA).

Georgia has also benefited from co-operation programmes of the Council of Europe since 2006. The Action Plans set forth to support democratic reforms in Georgia for the period of 2013-2015, 2016-2019, 2020-2023 have ever since provided a more strategic framework for co-operation with the Council of Europe.

Georgia has been a member of the Council of Europe Development Bank (CEB) since 2007. The CEB Has played an active role in Georgia, particularly through the funding of projects aiming to facilitate access to credit for micro, small and medium-sized enterprises, with a view to supporting the creation and preservation of viable jobs.<sup>4</sup>

Georgia has become a member of the Council of Europe International Co-operation Group on Drugs and Addictions (Pompidou Group) on 1 May 2020.<sup>5</sup>

#### 1.1.2 ADDED VALUE OF THE TECHNICAL ASSISTANCE PROGRAMMES OF THE COUNCIL OF EUROPE

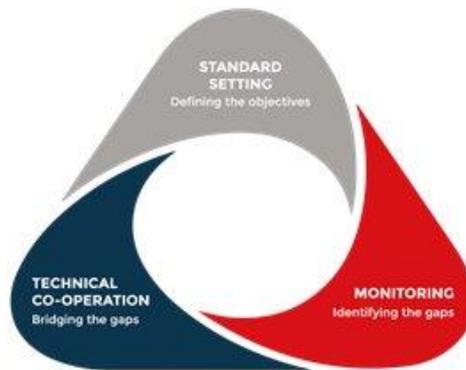
Council of Europe technical assistance programmes form an integral part of the unique strategic triangle of standard-setting, monitoring and co-operation: the development of legally binding standards is linked to their monitoring by independent mechanisms and supplemented by technical co-operation to facilitate their implementation. The Organisation's actions are developed and implemented in areas where the Council of Europe has strong expertise and added value.

2. Council of Europe constitutional document, <https://rm.coe.int/1680935bd0>

3. Council of Europe Treaty Office, [Treaty list for Georgia: signatures with ratification](#) and [Treaty list for Georgia: signatures without ratification](#).

4. For more information about the Council of Europe Development Bank, please visit: [www.coebank.org](http://www.coebank.org)

5. <https://www.coe.int/en/web/pompidou/-/georgia-becomes-the-41th-member-state-of-the-pompidou-group>



**Figure 1: Council of Europe strategic triangle**

This Action Plan builds, to a large extent, on the most recent decisions, resolutions, recommendations, findings, conclusions of reports and opinions of the Council of Europe's monitoring and expert advisory bodies in respect of the country, as well as the judgments of the European Court of Human Rights (the European Court) regarding Georgia. It also takes into account the challenges identified in the Secretary General's annual reports on the State of Democracy, Human Rights and the Rule of Law in Europe and the European Commission's opinion on Georgia's application for EU membership whereby it was recommended that Georgia be granted EU candidate status, once it has addressed key reform priorities,<sup>6</sup> most of which fall into the area of competence of the Council of Europe. In addition, this Action Plan is developed on the basis of the results of the previous Action Plan with the Council of Europe and reflects the priorities of the country's reforms.

In developing the present Action Plan and in designing the technical co-operation support given to reforms, the gaps identified by the Council of Europe institutions, monitoring mechanisms and expert advisory bodies have been taken into account, with the relevant source documents being included in Appendix IV.

Relevant Council of Europe conventions and other instruments of the Organisation have also been used as reference material for co-operation actions included in this Action Plan.

### 1.1.3 MAIN RESULTS OF THE PREVIOUS ACTION PLAN(S)

The present Action Plan takes into account the outcomes of the [Council of Europe Action Plan for Georgia 2020-2023](#) such as:

#### Human rights:

- The enhanced capacities of Georgian prosecutors, judges and lawyers to apply the standards of the European Convention on Human Rights (the Convention) and case-law of the European Court related to the application of pre-trial measures, fight against ill-treatment, and international co-operation in criminal matters;
- The enhanced institutional capacities of national training institutions targeting future legal professionals in the field of human rights;
- A legal framework providing for a better prevention of violence against women and domestic violence, and enhanced protection of and support for victims of violence and simplification of the access to support services;
- The enhanced capacities of judges, prosecutors, investigators, law-enforcement professionals, social workers, trainers to deal with cases of violence against women and domestic violence, with a specific focus on issues related to sexual violence and the alignment of the rules for determining and issuing compensation to victims of violence and/or domestic violence with the provisions of the Istanbul Convention;
- The efforts to improve the quality of investigation and prosecution of hate-motivated crimes and a smoother and more effective data-collection process for hate-motivated crimes;

6. [https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_22\\_3800](https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_3800)

- A more active and effective role by government stakeholders, civil society organisations, local community activists, social workers, Resource Officers<sup>7</sup> and Equality Ambassadors<sup>8</sup> in favour of equality and diversity in their respective functions.

#### Rule of law:

- A new Strategy of the Prosecutor's Office of Georgia for 2022-2027 further strengthening the institutional independence of the Prosecutor's Office and setting up dedicated procedures for enhancing prosecutorial self-governance;
- Enhanced institutional independence of the Independent Inspector Office, and of its staff's capacities in the field of judicial performance evaluation and disciplinary liability of judges;
- Improved management and operational capacities of the Legal Aid Services' (LAS) and the increased number of citizens benefiting from LAS;
- The enhanced knowledge and skills among decision makers at the Ministry of Internal Affairs, managers and high-ranking police officers and investigators about policing peaceful demonstrations, communicating with the media and preventing ill-treatment in general;
- The improved knowledge and skills among medical and non-medical staff of temporary detention isolators about working with the most vulnerable groups, such as juvenile offenders and victims, survivors of sexual violence, detainees with drug-related and/or health problems;
- The improved skills of the managerial, operational and medical staff of the penal and probation system to prevent suicide, manage acute mental health crises and conduct first aid in cases of suicide attempts or self-harm;
- The improved legal framework in the field of audiovisual media services in line with the Council of Europe and European Union standards;
- The increased knowledge among stakeholders, including civil society organisations (CSOs) and critical media outlets, about European standards in the field of audiovisual media services in view of their involvement in legislative processes;
- A better co-ordination and commitment among civil society organisations in addressing strategic lawsuits against public participation (SLAPPs) cases through liaison with international partners and the planning of joint action;
- The enhanced capacities of the Service for Accounting, Reporting and Auditing Supervision (SARAS) and the National Bank of Georgia in their role of supervising institutions, supporting the supervised entities to effectively perform their anti-money laundering and countering of terrorism financing duties;
- The increased capacities of the judiciary, prosecutorial, investigation and financial intelligence authorities in the areas of investigation, prosecution and adjudication of cases related to corruption, money laundering and financing of terrorism through activities jointly organised with beneficiary institutions;
- The increased public sector awareness about corruption, its negative effects on society and alternative methods to manage corruption risks at the policy-making and operational level;
- The improved understanding of the challenges associated with the functioning of the national asset declaration system for public officials.

#### Democracy:

- The more proactive responses to instances of disinformation provided by the Central Election Commission's Information Protection Centre;
- The enhanced knowledge and expertise in civil participation methodologies among local experts, public officials, civil society organisations and individual citizens and changes introduced in the regulatory frameworks of selected municipalities to enhance their civil participation mechanisms;

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7. Resource Officers belong to the Office of Resource Officers of Educational Institutions of the Ministry of Education and Science. These are usually pedagogists, teacher-mentors and other pedagogical professionals who serve as teacher trainers and advisors in schools.

8. Equality Ambassadors are active young people selected within the framework of the Council of Europe project "Promotion of effective mechanisms for the protection of equality and non-discrimination in Georgia" to contribute to various awareness-raising activities in the field of human rights, tolerance, diversity and equality.

- A reinforced National Association of Local Authorities of Georgia, as a fully-fledged intermediary to promote the needs and identify the challenges existing at local level before the central government with a view to securing efficient and effective localisation of human rights principles and increased engagement of citizens and civil society organisations (CSOs) in decision-making processes.

#### 1.1.4 CONSULTATION PROCESS

This Action Plan has been prepared following consultations with the authorities of Georgia. Relevant national strategic documents identifying priorities and/or main lines of action have also been consulted to ensure the Council of Europe support matches the country's needs and priorities and is coherent with other national initiatives. Any reference, in the current Action Plan, to national legislation, strategies, policies, action plans or any other national document does not represent an endorsement of such documents by the Council of Europe.

Consultations with international partners including the European Union, through co-ordination and project steering committees, have also taken place in the preparation of this document.

The Committee of Ministers (CM), through its Group of Rapporteurs on Democracy (GR-DEM), considered the Council of Europe

Action Plan for Georgia 2020-2023 Progress Review Report (covering January 2020 – March 2022) at its meeting on 13 June 2022, welcomed the progress made in implementing the Action Plan and encouraged the achievement of all the objectives set therein.

An external evaluation of the Action Plan 2020-2023 was finalised in June 2023. The evaluation report concluded that all the interventions implemented within the Action Plan 2020-2023 were highly relevant to the Georgian context, including to applicable international standards, national policies, and identified reform needs. Effectiveness has benefitted from the experience of previous Action Plans and a high degree of staff commitment, expertise, and experience.

On 14 March 2023, representatives of the Council of Europe Secretariat and the Georgian authorities held a Steering Committee meeting in Tbilisi in order to assess the implementation of the Action Plan 2020-2023 and start identifying priorities for the next Action Plan. On 24 March 2023, thematic consultations on the priorities of the possible concrete areas of co-operation took place at technical level, with representatives of national authorities, civil society organisations, and Council of Europe secretariat.

#### 1.2 ACTION PLAN GOALS

The present Action Plan is a strategic programming instrument for the period 2024-2027. Its goal is to further support reforms in Georgia which will be bringing Georgia's legislation, institutions and practice further into line with European standards in the areas of human rights, the rule of law and democracy and therefore to support the country's efforts to honour its obligations as a Council of Europe member State. It also contributes to its European perspective.

The Action Plan areas of co-operation are the following:

- The Council of Europe will continue to support the authorities of Georgia in progressing with (and completing where possible) the reforms undertaken in strategic areas, notably:
  - Implementation of the European Convention on Human Rights (the Convention) at national level;
  - Freedom of Expression and Information, Media and Data Protection;
  - Gender Equality, Combating Violence against Women and Domestic Violence;
  - Children's Rights;
  - Anti-discrimination and minorities;
  - Social rights;
  - Independence and Efficiency of Justice;
  - Fight against corruption;
  - Fight against money laundering and terrorism financing;
  - Fight against cybercrime;

- Penitentiary, probation, crime prevention and police reforms;
  - Participatory democracy at local level;
  - Elections;
  - Education for democracy.
- The Council of Europe and the authorities of Georgia jointly identified new areas of co-operation on the basis of the more recent work carried out by Council of Europe institutions, monitoring mechanisms and expert advisory bodies, notably:
- Protection of the environment through a human rights perspective.
  - Business and human rights;
  - Human rights in the field of biomedicine;
  - Drugs use and addiction;
  - Parliamentary co-operation;
  - Youth for democracy.

Work undertaken in these areas will be based on the Council of Europe's conventions and/or recommendations by the relevant advisory and monitoring bodies. The Action Plan will provide expert and technical assistance in the practical implementation of the Council of Europe's standards in priority areas and in enhancing the capacity of relevant institutions to function effectively. This will also include measures for enhancing co-ordinated actions between stakeholders, which are a prerequisite for addressing complex governance challenges and for fostering dialogue with civil society.

The Council of Europe applies a human rights approach at all levels and stages of its activities. This approach incorporates human rights norms and processes into project management. At the same time, the human rights approach attempts to avoid any unintentional human rights harm, imbalance or negative impact in its work. This approach is a cross-cutting priority for the Action Plan. As part of the human rights approach, promoting gender equality and therefore gender mainstreaming remains a key component of the present Action Plan. Gender mainstreaming will help to address more effectively the needs of individuals living in Georgia without discrimination and to enhance the quality and effectiveness of the implementation of the Action Plan.

In meeting its objectives, this Action Plan will also support Georgia in its efforts to implement the [United Nations 2030 Agenda for Sustainable Development](#).

## **PART II - PROPOSED ACTIONS FOR 2024 TO 2027**

### **2.1 HUMAN RIGHTS**

Georgia has ratified the main international human rights instruments, including the European Convention on Human Rights, the UN Convention on the Rights of the Child and its Optional Protocols, the Convention on the Elimination of all Forms of Violence against Women, the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention), the Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse, (the Lanzarote Convention) and the Convention on Human Rights and Biomedicine (the Oviedo Convention).

The legal and institutional framework regulating fundamental rights is considered to be largely in place, and laws to follow European and international standards although efforts are nevertheless needed in a number of areas. The Public Defender's Office functions well and is well respected and its institutional independence needs to be ensured. Overall, the capacities of the institutions in charge of the protection and enforcement of human rights, including the judiciary and police, need to be further improved. The Special Investigation Service (SIS), mandated to investigate on violations of human rights, and the Personal Data Protection Service have been recently created (March 2022), replacing the State Inspector Service, and needs to be equipped with resources commensurate to its mandate.<sup>9</sup>

9. Source: European Commission Opinion on Georgia's application for membership of the European Union ([https://neighbourhood-enlargement.ec.europa.eu/opinion-georgias-application-membership-european-union\\_en](https://neighbourhood-enlargement.ec.europa.eu/opinion-georgias-application-membership-european-union_en)).

The judgments of the European Court of Human Rights pending before the Committee of Ministers under enhanced supervision procedure concern several areas, including:<sup>10</sup>

- Lack of effective investigations into allegations of violations of the right to life and ill-treatment, mostly by state agents;
- Unlawful detention and use of restrictions on rights for illegitimate purposes;
- Absence of State protection against attacks on the members of a religious community and ineffective investigations into these facts;
- Lack of adequate protection against homophobic bias-motivated attacks and ineffective investigations into these facts as well as failure to ensure the exercise of the freedom of assembly by LGBTI activists;
- Failure to take preventive action to protect victims from domestic violence and to investigate the law-enforcement authorities' inaction in respect of their complaints;
- Failure to provide adequate procedures for legal gender recognition.

Other issues flagged as part of the human rights-related priorities set by the European Commission for Georgia to obtain the European Union candidate status include the need to guarantee a free, professional, pluralistic and independent media environment, to consolidate the efforts to enhance gender equality and fight violence against women and to strengthen the protection of human rights of vulnerable groups.

In March 2023, the Georgian parliament adopted the National Strategy for the Protection of Human Rights in Georgia for 2022-2030. This is the second human rights strategy for Georgia and is aimed both at improving the legislation regulating human rights, at creating suitable conditions for its implementation and at implementing it.

The Council of Europe will continue to support Georgia in strengthening its national capacities to undertake and implement reforms in the areas of human rights including: ensuring a better implementation of the European Convention on Human Rights (the Convention) at national level, protecting the environment through a human rights perspective, business and human rights, human rights in the field of biomedicine, supporting freedom of expression and freedom of the media, gender equality, combating violence against women and domestic violence, children's rights, anti-discrimination and minorities and ensuring social rights.

These actions will contribute to the implementation by Georgia of the United Nations Sustainable Development Goals (SDGs): 3 on good health and well-being (target d)<sup>11</sup>, 5 on gender equality (more specifically targets 1, 2, and c)<sup>12</sup>, 8 on inclusive and sustainable economic growth (target 3, 5 and 8)<sup>13</sup>, 10 on reduced inequalities (targets 2 and 3)<sup>14</sup> and 16 on peace, justice and strong institutions (target 1, 2, 3, 6, 7, a and b)<sup>15</sup>.

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10. Source: Georgia country factsheet of the Council of Europe Department for the Execution of Judgments of the European Court of Human Rights (<https://rm.coe.int/mi-georgia-eng/1680a23c8f>).

11. Goal 3: Ensure healthy lives and promote well-being for all at all ages. Goal 3, target 3.d: Strengthen the capacity of all countries, in particular developing countries, for early warning, risk reduction and management of national and global health risks.

12. Goal 5: Achieve gender equality and empower all women and girls. Goal 5, target 5.1: End all forms of discrimination against all women and girls everywhere; Goal 5, target 5.2: Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation. Goal 5, target c: Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.

13. Goal 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all. Goal 8, target 3: Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage the formalization and growth of micro-, small- and medium-sized enterprises, including through access to financial services. Goal 8, target 5: By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value. Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.

14. Goal 10: Reduce inequality within and among countries. Goal 10, target 2: By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status. Goal 10, target 3: Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.

15. Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels; Goal 16, target 1: Significantly reduce all forms of violence and related death rates everywhere; Goal 16, target 2: End abuse, exploitation, trafficking and all forms of violence against and torture of children; Goal 16, target 3: Promote the rule of law at the national and international levels and ensure equal access to justice for all; Goal 16, target 6: Develop effective, accountable and transparent institutions at all levels; Goal 16, target 7: Ensure responsive, inclusive, participatory and representative decision-making at all levels; Goal 16, target a: Strengthen relevant national institutions, including through international co-operation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime; Goal 17, target b: Promote and enforce non-discriminatory laws and policies for sustainable development.

Additionally, the actions occurring under this Action Plan are also linked to the following SDGs: 11 on sustainable cities and communities<sup>16</sup>, 13 on climate action (target 3)<sup>17</sup>, and 15 on life on land (particularly target 9)<sup>18</sup>.

### 2.1.1 EFFECTIVE IMPLEMENTATION OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS

The judgements of the European Court of Human Rights (the European Court) undergoing supervision by the Committee of Ministers of the Council of Europe (CM) point to significant problems that require sustained efforts. The cases under enhanced supervision relate to ill-treatment, hate crime, domestic violence, abusive restrictions of Convention rights and legal gender recognition:

- Ill-treatment - Lack of effective investigations into allegations of violations of the right to life and of ill-treatment, or excessive use of force by the police during arrest and/or custody;<sup>19</sup>
- Abusive restrictions of Convention rights - Continued pre-trial detention in the absence of sufficiently reasoned decisions, and abusive use of pre-trial detention as a pressure mean to get information on matters unrelated to the criminal case;<sup>20</sup>
- Hate crimes and discrimination on religious and LGBTI grounds - inhuman and degrading treatment by state officials and lack of adequate protection from such treatment inflicted by private individuals, as well as lack of effective investigations into these facts.<sup>21</sup>
- Domestic violence – Lack of adequate protection from domestic violence culminating in the victims' death; ineffective investigations into the law enforcement authorities' inaction.<sup>22</sup>
- Legal gender recognition – absence of quick, transparent and accessible procedures.<sup>23</sup>

Significant measures have been taken by the authorities to address these issues, in some cases with the Council of Europe's assistance. However, further support is needed to assist the authorities in implementing the reforms necessary to improve application of the Convention at national level.

#### ➤ **Enhancing the effectiveness of the European Convention on Human Rights at national level**

### **Implementation of the European Convention on Human Rights at national level**

Ensuring the effective implementation of the European Convention on Human Rights (the Convention) and European Court of Human Rights (the European Court) case-law at national level is a primary responsibility incumbent on all member States. This requires further improving access to and understanding of the leading Convention principles and standards by justice chain stakeholders, relevant state institutions, including the training institutions for legal professionals, and also civil society players, so as to be able to invoke, monitor and apply in practice the Convention and other human rights standards at national level.

Following the publication of the European Commission's report on Georgia's application for membership of the European Union, which called for the adoption of "legislation so that Georgian courts proactively take into account European Court of Human Rights judgments in their deliberations", the Council of Europe supported the authorities in amending eleven national legislative acts.

16. Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable.

17. Goal 13: Take urgent action to combat climate change and its impacts. Goal 13, target 13.2: Integrate climate change measures into national policies, strategies and planning.

18. Goal 15: Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss. Goal 15, target 9: By 2020, integrate ecosystem and biodiversity values into national and local planning, development processes, poverty reduction strategies and accounts.

19. Tsintsabadze group – Judgment final on 18/03/2011

20. Merabishvili case - Judgment final on 28/11/2017.

21. Identoba and Others group - Judgment final on 12/08/2015.

22. Tkhelidze group – Judgment final on 08/10/2021

23. A.D. and Others case - Judgment final on 01/03/2023.

These amendments were adopted and led to the introduction of European Court case law as a compulsory and integral part of judicial studies of national training institutions (High School of Justice, Georgian Bar Association and others). This included changes to the Criminal Procedure Code of Georgia to allow for the reopening of cases at domestic level on the grounds of European Court judgments/decisions.

The implementation of the Convention at national level is an important priority of the Action Plan and is, as such, mainstreamed throughout all its sections. Building on the constructive co-operation established with the national training institutions, the Analytical Department of the Supreme Court of Georgia, the Parliament's Human Rights and Civil Integration Committee, the Georgian prosecutors, judges and lawyers and other stakeholders, in the application of the Convention and the European Court's case law at domestic level, the Council of Europe will continue to strengthen their capacities through technical assistance support, workshops, seminars and training on leading case-law of the European Court, as well as relevant study visits, so that they can effectively play their role in the process of execution of the European Court judgments by Georgia and that the case-law of the European Court is applied in a more harmonised way at national level. The development of diagnostic tools, methodological manuals and guides will allow to identify issues and propose solutions to develop stakeholders' capacities. Support will also be provided for the digitalisation of justice and enforcement of judicial acts by the Compulsory Enforcement Service of the Ministry of Justice. Specific attention will be given to the correct identification of general and individual measures deriving from judgments of the European Court. The role of the Parliament in the execution of judgments of the European Court and in general, in the implementation of European standards at national level, shall be enhanced through interaction and reporting, as well as improvement of capacity of the members and staff of the Parliament. The capacities of the Special Investigation Service (SIS) will be further strengthened to exercise its newly vested functions in an effective manner and ensure protection of human rights in Georgia, while carrying out criminal investigations following the judgments/decisions of the European Court will also be developed.

Following the entry into force of Protocol no. 15 to the Convention and the addition of a reference to the principle of subsidiarity to the Preamble of the Convention, the Council of Europe implements co-operation initiatives offering a wide variety of support including training, methodological and expert advice and the introduction of digital instruments into judicial processes, in order to allow for a stronger implementation of this principle at national level. The Court's Knowledge Sharing platform (ECHR-KS) was opened to the public on 18 October 2022 with a view to share Convention case-law knowledge, complementing the existing information tools such as HUDOC. The platform presents the latest analysis of case-law developments in a thematic and contextualised manner through particular Convention articles and transversal themes, thereby contributing to develop the national judiciaries' capacities to better understand and apply Convention standards in day-to-day practice. The platform will allow for having access to well-structured and up-to-date knowledge related to the Convention, in several languages in order to harmonise national-level application of the Convention, increase the number of Convention-related cases being resolved at national level and result in more efficient use of judicial time. Under the Action Plan, the Council of Europe will extend the scope of these activities to include Georgia; it will adapt the Knowledge Sharing Platform of the Court to the Georgian context and work with the authorities to develop Basic Rights Application and Navigation Tools (BRANT) to promote the use of the Knowledge Sharing Platform and other Convention tools among the judiciary, advise on existing processes to better identify, recognise and address Convention-related issues, improve the existing or create new instruments for linking and associating national systems with the emerging case law of the Convention and the Knowledge Sharing platform.

In this context, the *Human Rights Education for Legal Professionals (HELP)* will continue to play a significant role in supporting Georgia's capacity to implement the Convention and other Council of Europe standards as well as the recommendations of Council of Europe entities and monitoring mechanisms, in partnership with local institutions and relying on the expertise developed in different sectors of the Organisation. The relevant topical HELP online courses will be transversally integrated in capacity building actions under topic as well as under the other sections below.

## Protecting the environment through a human rights perspective

Environmental degradation strongly affects the quality of human life and negatively interferes with the enjoyment of fundamental rights. The Council of Europe has developed several conventions<sup>24</sup> recognising the right to a healthy environment and, although it is not explicitly enshrined in the European Convention of Human Rights and the European Social Charter, the caselaw of the European Court of Human Rights (the European Court) and the conclusions of the Committee of the European Social Charter affirm the undeniable inter-connection between the environment and human rights. The European Court has delivered “nearly 300 cases concerning various forms of environmental risk and harm” caused, among others, by industrial noise, air pollution, pollution of soils, groundwater and surface waters, emissions from waste disposal sites, dust pollution, oil pollution in coastal areas, deforestation, urban development, biodiversity conservation, natural disasters and hunting as well as passive smoking. In November 2022, the Committee of Ministers of the Council of Europe (CM) adopted the Terms of Reference for a new Committee of Experts on the Protection of the Environment through Criminal Law (PC-ENV). The PC-ENV has been set up and entrusted, under the authority of the CM and the European Committee on Crime Problems (CDPC), to elaborate a new Convention on the Protection of the Environment through Criminal Law. The PC-ENV held its first meeting in April 2023. The new Council of Europe Convention will lay down a general basis of pan-European environmental criminal law, providing a common global framework in line with the transnational nature of the environmental challenge that needs to be met.

In December 2020, The *Joint Declaration on human rights and the environment by the outgoing (Georgia) and incoming (Greece and Germany) Presidencies of the Committee of Ministers* acknowledged “the growing threats to the climate and the environment and the urgent need to act in an ambitious and concerted manner at the global level to better ensure their sustainability and protection”. The *Final Declaration by the Georgian Presidency of the Committee of Ministers* of the High-Level Conference on Environmental Protection and Human Rights underlined, *inter alia*, that “the Council of Europe has a key role to play in mainstreaming the environmental dimension into human rights and pursue a rights-based approach to environmental protection.”<sup>25</sup> It also noted that the Council of Europe “could devise targeted co-operation programmes to support a rights-based approach in the definition and implementation of [environmental] sustainability policies” and “should set an example by revising its own working methods so as to measure and minimise the negative environmental impact of its activities”.<sup>26</sup>

In her latest *report* on Georgia published in July 2022, the Commissioner for Human Rights emphasised the close link between the environment and human rights. While commending the active role played by the Georgian civil society, as well as by the Public Defender in this field, she referred to important impediments such as the length of judicial proceedings which prevents decisions being delivered within time-frames which are necessary to prevent and/or mitigate ongoing environmental damage, as well as the tendency to favour private business interests, and the lack of available resources to solicit quality impact assessment studies. The Commissioner invited the Georgian authorities to guarantee meaningful and transparent public participation in the design, implementation and monitoring of environmental policies at the national, regional and local levels. She reaffirmed the crucial importance of ensuring public awareness on environmental matters and of educating people from an early age about the need to preserve the environment. She encouraged the Georgian authorities to further develop and implement a comprehensive set of measures to promote public knowledge, education and awareness on issues related to environmental protection and human rights, including targeted training for specific professional groups such as judges.

The Appendix V to the *Reykjavík declaration*<sup>27</sup> - The Council of Europe and the environment – underlines the “urgency of taking co-ordinated action to protect the environment by countering the triple planetary crisis of pollution, climate change, and loss of biodiversity” and affirms “that human rights and the environment are intertwined and that a clean, healthy and sustainable environment is integral to the full enjoyment of human rights by present and futures generations”.

24. *Inter alia*, the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention), the Landscape Convention, the Convention on Civil Liability for Damage Resulting from Activities Dangerous to the Environment (Lugano Convention) and the Convention on the Protection of the Environment through Criminal Law. The Committee of Ministers of the Council of Europe also set up the European and Mediterranean Major Hazards Agreement to which Georgia is a member.

25. *Final Declaration by the Georgian Presidency of the Committee of Ministers*, Environmental Protection and Human Rights, High-Level Conference organised under the aegis of the Georgian Presidency of the Committee of Ministers, 27 February 2020.

26. *Ibid.*

27. 4th Summit of Heads of State and Government of the Council of Europe – Reykjavík (16-17 May 2023).

The National Strategy for the Protection of Human Rights in Georgia for 2022-2030 recalls that although the Constitution of Georgia states that everyone has the right to live in an environment that is safe for health and to enjoy the natural environment and public space, environmental protection remains a challenge in practice. The includes among its objectives, inter alia, to:

- harmonise the legislation of Georgia with the legislation of the European Union and ensure its implementation, including the introduction of international environmental norms and standards;
- ensure access to justice in the environmental field in accordance with international legal standards;
- raise public awareness on environmental issues.

The Council of Europe will support the authorities in strengthening environmental protection at the domestic level by raising awareness among legal professionals on the relationship between the protection of human rights and environment under the Convention and equipping them with skills on how to litigate environmental cases applying its standards. In addition, the support will focus on raising awareness and increasing knowledge among the general public on the importance of addressing emerging human rights challenges caused by environmental deterioration and the necessity of its active involvement.

### **Business and human rights**

Building on the 2011 UN Guiding Principles on Business and Human Rights, the Committee of Ministers of the Council of Europe adopted the *Recommendation CM/Rec(2016)3 on human rights and business*, providing specific guidance to assist member States in preventing and remedying human rights violations by business enterprises and insisting on measures to induce business to respect human rights. The Recommendation elaborates on access to judicial remedy, drawing on Council of Europe expertise and legal standards in the field (civil and criminal liability, reduction of judicial barriers, legal aid, collective claims). It puts special emphasis on the additional protection needs of workers, children, indigenous people and human rights defenders.

The National Strategy for the Protection of Human Rights in Georgia for 2022-2030 recognises the State's obligation to ensure the protection of human rights by third parties, including business enterprises. The strategy aims to take appropriate steps to deal with the existing challenges such as:

- the establishment of international framework standards for business and human rights, including through harmonisation of legislation;
- the establishment of the practice of application of "business and human rights" framework standards in the process of dispute resolution by alternative dispute resolution mechanisms (mediation, arbitration).

The Council of Europe stands ready to support Georgia authorities in developing and adopting legislative and policy frameworks aiming at preventing human rights abuse by business enterprises and at providing for appropriate access to remedy when abuses occur.

### ➤ **Human Rights in the field of Biomedicine and Health**

Council of Europe work in this area is guided by the Convention on Human Rights and Biomedicine (Oviedo Convention), which is the only international legally binding instrument on the protection of human rights in the biomedical field and was ratified by Georgia in November 2000. It draws on the principles established by the European Convention on Human Rights in the field of biology and medicine and aims at protecting the dignity and identity of all human beings and at guaranteeing respect for their integrity and other rights and fundamental freedoms with regard to the application of biology and medicine by setting out fundamental principles applicable to daily medical practice as well as biomedical research, genetics and transplantation of organ and tissues.

The Public Defender's report 2021 highlights a number of issues related to:

- managing the complaints related to the activities of medical staff and information shared with patients about their rights;
- the rights of patients in managing the health care response during pandemics;

- the restrictions of the rights of patients in psychiatric and penitentiary establishments and the lack of clarity on the grounds for such restrictions at both legislative and practical levels and appeal procedures for each right.<sup>28</sup>

The Public Defender's report states that "it is imperative that the Agency for the Regulation of Medical and Pharmaceutical Activities develop uniform legal regulations for the enforcement of patients' rights in practice, as well as uniform standards for communication with applicants".

The Council of Europe stands ready to support the Georgian authorities in addressing human rights issues in health care towards a more patient centered healthcare system through:

- Supporting the national authorities in the efforts to bring legal norms and practices in the field of healthcare and biomedical research closer to the European human rights and ethical standards,.
- Further strengthening skills and capacities of healthcare and legal professionals to apply human rights and ethical standards in their daily practice for the best interest of the patients, with a specific attention on those who are particularly vulnerable.
- Supporting the national authorities in the implementation of the new Strategy for the well-being and mental health in Georgia from a human right perspective.
- Promoting a patient-centred approach in the provision of health care services.

### ➤ **Freedom of Expression and Information, Media and Data Protection**

As acknowledged by the Parliamentary Assembly of the Council of Europe (PACE) report on *The honouring of obligations and commitments by Georgia* published in April 2022, Georgia has continued to make progress with regard to the freedom of the media since the last monitoring report.<sup>29</sup> At the same time, the Monitoring Committee assessed the media environment in Georgia as highly politicised, both reflecting and contributing to the polarised political climate in the country. A key issue for the Georgian media has been the issue of hate speech and content self-regulation for which, taking into account the high sensitivity of the issue, the Monitoring Committee strongly encouraged the authorities to seek Council of Europe expertise when drafting any legislation regarding media content regulation.<sup>30</sup>

On 3 November 2022, the Council of Europe was asked by the Parliament of Georgia, to provide an independent expert opinion of the draft amendments to the Law of Georgia on Broadcasting, concerning its consistency with the provisions of the Audiovisual Media Services Directive and European standards. The *opinion* includes more than 60 detailed recommendations addressing, inter alia, the independence, powers, accountability and transparency of the National Regulatory Body (Communication Commission), issues related to media ownership as well as the system of accountability and sanctions.

In her report on the State of democracy, human rights and rule of law 2023, the Secretary General recalled that legal guarantees create the regulatory framework for the exercise of the right to freedom of expression and that States are under a duty to create an enabling environment for the exercise of this right, which implies the introduction of legislative frameworks to safeguard freedom of expression, including the right of access to information.

The European Commission in its opinion on Georgia's application for European Union membership recommended to the European Parliament, the European Council and the Council of the European Union that Georgia be granted candidate status once it will have undertaken, inter alia, "stronger efforts to guarantee a free, professional, pluralistic and independent media environment, notably by ensuring that criminal procedures brought against media owners fulfil the highest legal standards, and by launching impartial, effective and timely investigations in cases of threats against the safety of journalists and other media professionals".

28. The physician has the right to restrict the patient from using the telephone, the right to leave the hospital for a short period of time, the right to receive letters, parcels and visitors, the right to own a personal item, the right to receive audio-visual information, as well as the right to information and medical documentation about one's health condition.

29. *Resolution 2015 (2014)* and Doc. 13588 "The functioning of democratic institutions in Georgia".

30. Source: *PACE report 15497 on the honouring of obligations and commitments by Georgia*, paragraph 158

The National Strategy for the Protection of Human Rights in Georgia for 2022-2030, in its section dedicated to freedom of speech, media and expression, reaffirms that Georgia is obliged to protect the freedom of speech, media and expression, as established by the Constitution of Georgia and international human rights standards, and to ensure the protection of media representatives. It includes among its objectives to:

- ensure access to public information in accordance with international/European standards and best practices and further development of legislation by strengthening the standard of openness;
- further support the media freedom and pluralism and improvement of the mechanism of timely and effective response to illegal interference in the professional activities of journalists.

Under the Action Plan, the Council of Europe will provide support to the Georgian authorities and stakeholders in:

- developing legislative amendments related to the issue of safety of journalists;
- developing guidelines and instructions for law enforcement agencies concerning the criminal cases involving journalists;
- enhancing capacities of the law enforcement agencies as well as other relevant stakeholders to address the issue of safety of journalists;
- enhancing the capacities of the Special Investigation Service to investigate cases of obstruction of journalists' professional activities;
- enhancing inter-agency co-operation and co-ordination among law enforcement agencies and other stakeholders, including, the Public Defender's Office (PDO), civil society and media on cases involving journalists;
- ensuring collection, publication and analysis of all-encompassing statistical data on cases involving journalists;
- facilitating ratification and implementation of the Council of Europe Convention on Access to Official Documents (Tromsø Convention);
- tackling the issue of strategic lawsuits against public participation (SLAPPs);
- enhancing the capacities of the staff of the media regulatory authority to implement the new Law on Broadcasting, developing bylaws, guidelines and instructions for its implementation and ensuring effective oversight and monitoring of its implementation by the Parliament as well as other relevant stakeholders;
- ensuring co-ordination and co-operation between the Parliament and other stakeholders in the field of media and freedom of expression;
- Enhancing the capacities of the Public Defender's Office to address the challenges in the field of freedom of expression and media;
- reforming the Charter of Journalistic Ethics (CJE) to respond to unethical coverage effectively;
- enhancing capacities of journalists and media organisations in the field of ethical coverage and safety of journalists' standards;
- enhancing capacities of the Personal Data Protection Service as well as public and private sector to implement the relevant legislation in line with European standards;
- raising awareness in the field of personal data protection and improving co-ordination and co-operation among the relevant stakeholders.

## Expected outcomes

### *Enhancing the effectiveness of the Convention at national level*

- Enhanced capacities of the national stakeholders (Ministry of Justice, Government Agent's Office, Special Investigation Service, and courts) to play a more effective role towards the full execution of judgments of the European Court of Human rights (the European Court);
- Enhanced structural relevance and co-ordination capacities of the institutions designated to deal with the execution of judgments of the European Court;
- Increased effectiveness of the execution of the European Court judgments at the national level.
- Enhanced capacities of the Parliament of Georgia to carry out its oversight functions over the execution of judgments of the European Court and to harmonise national legislation with European standards;
- Enhanced capacities of Georgian legal professionals to apply effectively and coherently the European human rights standards and case-law of the European Court;
- Enlarged geographic scope of the Knowledge Sharing Platform of the Court (ECHR-KS) to include Georgia and platform adapted to the Georgian and Basic Rights Application and Navigation Tools (BRANT);
- Enhanced dialogue between superior courts of Georgia and other member States on best practices in the application of the Convention.
- Georgian legislation incorporates environmental protection, in line with European standards and provides effective legal remedy;
- Enhanced awareness on the relation between the protection of environment and human rights among legal professionals and general public;
- Government agencies, companies, industry associations, civil society organisations co-operate on issues related to the environment and protection of human rights;
- International framework standards for business and human rights, in place including through harmonisation of legislation.

**Main national partners:** Ministry of Justice, Ministry of Environmental Protection and Agriculture, National Courts, Special Investigative Service, Government Agent office, High Council of Justice, Parliament, Georgian Bar Association, High School of Justice of Georgia, National Training Institutions, Members of the judiciary (judges, lawyers, legal aid staff); Public Defender's Office, General Prosecutor's office, civil society organisations (CSOs).

### *Human Rights in the field of Biomedicine and Health*

- Improved alignment of the Georgian legal framework and related practices with the principles enshrined in the Convention on Human Rights and Biomedicine (Oviedo Convention);
- Enhanced knowledge and capacities of authorities to enforce/facilitate protection of human rights in the field of biomedicine and health care;
- Enhanced public awareness about the challenges related to human rights applied to the biomedical field;
- Enhanced application of a patients' centered approach in the field of mental health care by medical professionals.

**Main national partners:** Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, Public Defender's Office.

### *Freedom of Expression and Information, Media and Data Protection*

- Increased alignment of the key legal and policy instruments in the field of safety of journalists, media regulation and access to information with the standards of the Council of Europe and best European practice in the field;
- Enhanced Knowledge and capacity of the regulatory authority (Communications Commission) to implement the Law on Broadcasting in co-operation with key stakeholders and in line with European standards;
- Enhanced monitoring and oversight over implementation of Broadcasting Law by the regulatory authority and other relevant stakeholders;
- Improved data collection on cases involving journalists;

- Enhanced capacities, knowledge and tools of Law Enforcement Agencies (LEA) to efficiently investigate crimes involving journalists;
- Enhanced co-operation and co-ordination among law enforcement agencies, and civil society on criminal proceedings involving journalists;
- Enhanced capacity of stakeholders to address SLAPPs issue in the country;
- Enhanced capacity of the Charter of Journalistic Ethics to advocate ethical coverage by media organisations and individual journalists;
- Improved knowledge of journalists about safety standards and ethical coverage;
- Enhanced knowledge and capacities of key stakeholders, including Personal Data Protection Service to implement respective legislation.

**Main national partners:** Public Defender's Office, Charter of Journalistic Ethics, Communications Commission, Parliament; Ministry of Interior, Special Investigation Service, Ministry of Justice, Prosecutor's Office, Public broadcaster, Charter of Journalistic Ethics, Personal Data Protection Service, Journalists and media organisations, civil society organisations (CSOs).

### 2.1.2 PROMOTING HUMAN RIGHTS AND DIGNITY

Equality and human dignity are integral parts of human rights and fundamental elements of democracy. However, women still face violence and discrimination in pervasive and persistent ways and the economic, social and health crises continue to put pressure on the social services and child protection systems, negatively affecting the effective protection of the rights of the child. The digital environment creates further challenges and risk of violence against women and children.

The Council of Europe Secretary General's annual report 2022 – *Moving Forward 2022* – states that “strong emphasis should be put on combating all forms of violence against women and domestic violence, in particular through the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention)” and that “additional focus should be devoted to the enhanced fight against the sexual exploitation of children, in particular through the implementation of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention).

#### ➤ **Gender Equality, Combating Violence against Women and Domestic Violence**

Georgia ratified the Convention against violence against women and domestic violence (Istanbul Convention) on 19 May 2017. In its *baseline evaluation report* published in November 2022, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) welcomed the many steps taken by the Georgian authorities to align laws, policies and institutional frameworks with the standards of the Istanbul Convention. It highlighted a number of positive legal and policy measures such as the adoption of the National Action Plan on Combating Violence against Women and Domestic Violence and Protection of Victims 2018-2020, and the significant changes made to legislation in 2019 in terms of prohibiting sexual harassment, as well as raising awareness of the different forms of violence against women, as very important steps in implementing Georgia's obligations under the Istanbul Convention. It is to be noted that the Law on Domestic Violence has been amended to address all forms of violence and most of the conducts requiring criminalisation under the Istanbul Convention have been turned into a criminal offence. The offence of domestic violence as well as new crimes such as forced marriage, female genital mutilation, stalking and forced sterilisation have been introduced into the Criminal Code. Significant changes were made to legislation in 2019 in terms of prohibiting sexual harassment. At the same time the GREVIO report notes that despite these efforts, the definition of rape and the other offences of sexual violence in the Georgian Criminal Code still need to be amended to be in line with the standards of the Istanbul Convention.<sup>31</sup>

31. A joint Council of Europe and UN Women working group was set up in November 2022 to support the legislative reform of the Criminal Code of Georgia by basing the definition of rape and other sexual violence crimes on the lack of consent as prescribed in the Istanbul Convention.

GREVIO also urged the authorities to improve the access to support services and protection mechanisms to women exposed to the risk of intersectional discrimination, such as those from national and/or ethnic minorities, living in rural areas, women with disabilities and refugees, lesbian, bisexual or transgender women and older women. Since the publication of the GREVIO report, the Council of Europe has provided expertise to the authorities to discuss a consent-based definition of rape. A working group has been set up to provide expertise and allow for multi-agency discussions on this topic. Extensive work has been carried out on building specialised prosecutors' and other professionals' capacities to deal with cases of sexual violence, resulting in a 68% increase in prosecution of sexual violence cases. However, victims still do not have access to rape crisis and/or sexual violence referral centres which are adequately distributed throughout Georgia, nor are there treatment programmes for sex offenders.

*The Council of Europe Gender Equality Strategy 2018-2023* specifically focuses on preventing and combating violence against women and domestic violence, ensuring equal access of women to justice and achieving balanced participation of women and men in political and public decision-making.

Consolidating the efforts to enhance gender equality and fight violence against women is one of the pre-conditions before Georgia is given European Union (EU) candidate status.

The National Strategy for the Protection of Human Rights in Georgia for 2022-2030<sup>32</sup> commits the national authorities to further align the national frameworks and practices to the Istanbul Convention and to enhance gender equality. The section on gender equality, women's rights and the fight against domestic violence of the strategy includes "strengthening of response to incidents of violence against women and domestic violence, protection of victims and preventive mechanisms" and "effective response to crimes committed on the grounds of gender discrimination and continuous monitoring of the investigation process; strengthening of victim protection and rehabilitation mechanisms and access to shelter" among its objectives. In November 2022, the Georgian government approved two new action plans covering the period 2022-2024 providing for measures against femicide and domestic violence and ensuring women's engagement in public life.

Under the Action Plan, the Council of Europe will provide support to the national stakeholders in tackling the issues identified in the latest GREVIO report as requiring urgent actions, in the four areas of the Istanbul Convention: prevention, protection, prosecution and co-ordinated policies.

The Council of Europe will take an evidence-based approach to:

- support changes in legal, policy and institutional frameworks;
- further develop the capacities of the relevant Georgian professionals such as investigators, prosecutors, free legal aid staff, case managers, police officers, victim protection specialists, staff of referral centres and shelters, future legal professionals (law students), training units of the Ministry of Internal Affairs and representatives of CSOs;
- raise awareness on gender equality and the prevention of violence against women in the education system and among the general public.

Specific attention will be provided to working with women and girls from national and/or ethnic minorities, LGBTI women and women with disabilities, gender equality in artificial intelligence (AI) and new technologies. A focus will be placed on the digital dimension of violence against women, in line with *GREVIO General Recommendation No. 1 on the digital dimension of violence against women*. Country specific activities will be complemented by regional activities on women's access to justice, allowing for peer-to-peer exchanges among stakeholders within the region and building on good practices.

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32. The National Strategy for the Protection of Human Rights in Georgia for 2022-2030 was approved by the Georgian parliament on 23 March 2023.

## ➤ Children's Rights

Over the past few years, Georgia has brought considerable changes to its child protection system. In 2015, a new Juvenile Justice Code was adopted and entered into force, establishing a child-friendly approach and requiring all professionals to deal with children's cases with special care and act in the best interests of the child. The Code on the Rights of the Child was adopted in 2019 and came into effect on 1 September 2020. The Code is aimed at guiding all state agencies, local government bodies, other administrative bodies and the Common Courts as well as public and private organisations in their work with and for children and provides legal guarantees that make it easier for children to independently exercise and protect their rights through child-friendly justice institutions and other mechanisms. It is centred on the children's best interests and focuses on realising all their rights and freedoms. This Code granted legal grounds, safeguards, and guarantees for all public and private entities taking decisions related to the rights of the child, having also introduced oversight by judges, as neutral and qualified agents, over cases where children are separated from their families. In March 2022, a Psycho-Social Service Centre for juvenile victims of Violence was established in Tbilisi, and another one will be launched in Kutaisi. They aim to provide child victims with short and long-term psychosocial rehabilitation and prevent secondary victimization.

Protecting children from violence, promoting positive parenting practices in the digital environment, improving the referral mechanism and providing greater support towards awareness raising on child sexual exploitation and abuse (CSEA) are among the priorities of the Georgia-EU Association Agreement Action Plan for 2021-2027.<sup>33</sup> More specifically, the Association Agreement Action Plan puts an emphasis on the effective implementation of the Georgian Child Rights Code and appropriate measures to protect children against all forms of violence, including child, early and forced marriage. Furthermore, the need for capacity building activities with respect to social workers and other professionals dealing with children is acknowledged.

The National Strategy for the Protection of Human Rights in Georgia for 2022-2030, recalling the adoption of the Code of the Rights of the Child, states the need to ensure that it is implemented in practice and includes among its objectives the improvement of tailored justice, crime prevention and resocialization/rehabilitation mechanisms for children, in accordance with international standards.

Prevention of violence against children, timely and child-friendly response, effective co-ordination among agencies and timely referral procedures are mentioned as remaining challenges identified by the latest report of the Public Defender.

In its latest implementation report (March 2022), the Lanzarote Committee recommended that Georgia ensures that adequate training on issues related to aspects of child exploitation, sexual abuse and information and communications technology (ICT) facilitated sexual offense against children is provided to law enforcement agents likely to come into contact with such cases. Moreover, an emphasis was put on the need to provide information to children,<sup>34</sup> and to ensure the adequate knowledge of professionals who are in contact with children<sup>35</sup> (i.e. in the education, health and social protection, sectors and in areas relating to sport, culture and leisure activities), about child sexual exploitation and sexual abuse of children, including when facilitated by ICTs.

In support of Georgia's reform agenda on the rights of the child, the Council of Europe will:

- further support legal and policy reform in line with the provisions of the Lanzarote Convention and Council of Europe standards;
- strengthen the capacities of police investigators, prosecutors, psychologists, social workers and other professionals that come into contact with children on the protection of children from violence, sexual abuse and exploitation, including online;
- reinforce the awareness of children, parents, teachers and other adults working with and for children on violence against children and on what child sexual exploitation and abuse, including online, is, how to identify it, how to report it and how to seek help.

33. Recommendation No 1/2022 of the EU-Georgia Association Council of 16 August 2022 on the EU-Georgia Association Agenda 2021-2027: [EUR-Lex - 22022D1422 - EN - EUR-Lex \(europa.eu\)](#)

34. Recommendation X-1

35. Recommendation IX-6.

### Expected outcomes

#### *Gender equality, combating violence against women and domestic violence*

- Improved legal and policy framework, in line with GREVIO findings and the provisions of the Istanbul Convention;
- Enhanced capacities of relevant national bodies/agencies and stakeholders to apply Council of Europe standards on gender equality and protection from violence against women;
- Enhanced capacities of legal professionals to apply gender equality standards;
- Improved access to justice for women, especially women victims of violence, in line with the provisions of the Istanbul Convention.

**Main national partners:** Parliament, Ministry of Justice, Training Center of Justice, High School of Justice, Ministry of interior, Prosecutor's Office, Bar association, Courts, Law faculties, civil society organisations (CSOs).

#### *Children's rights*

- Enhanced children protection from violence, sexual exploitation and abuse, including in the digital environment, in line with the Lanzarote Convention and recommendations of the Lanzarote Committee;
- Improved alignment of Georgian legal and policy framework to Council of Europe standards related to the protection of children from violence, sexual exploitation and abuse;
- Enhanced capacities of key stakeholders (in particular, social workers, psychologists, judges, prosecutors, investigators and law enforcement officers) to prevent and respond to violence against children, child sexual exploitation and abuse, including online;
- Increased awareness of the prevention of and response to violence against children, child sexual exploitation and abuse, comprising online, among children and professionals.

**Main national partners:** Ministry of Justice, High School of Justice of Georgia, Ministry of Internal Affairs, Public Defender's Office, Ministry of Education, Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, Georgian Bar Association, Parliament, National training institutions for legal professionals, Prosecutor's Office, civil society organisations (CSOs).

### 2.1.3 ANTI-DISCRIMINATION, DIVERSITY AND INCLUSION

Discrimination is an increasingly frequent human rights violation threatening the enjoyment of rights for all. Xenophobic rhetoric and hate speech targeting minorities are becoming commonplace in political life and social media. Building more inclusive societies free from discrimination and hate is a prerequisite for safeguarding and realising genuine democracy. Common policy responses, based on the Council of Europe's values are needed to prevent and offset the deeper divides, mistrust and rejection of diversity that are undermining human rights and democratic security of European societies. Ensuring equality before the law, equal opportunities and their closely related prohibition of discrimination are essential tasks of the State which is called for active legal and organisational measures to create equal opportunities in society for persons belonging to the most vulnerable groups.

#### ➤ **Anti-discrimination and minorities**

The *latest report on Georgia*<sup>36</sup> of the European Commission against Racism and Intolerance (ECRI) while acknowledging the progress made since the adoption of ECRI's fifth cycle report,<sup>37</sup> in December 2015, identifies some "issues [that] give rise to concern", which include the harsh criticisms addressed by some

36. ECRI report on Georgia – sixth monitoring cycle, adopted on 28 March 2023, published on 22 June 2023.

37. The progress includes, *inter alia*, the legal provisions prescribing that the budget of the PDO cannot be lower than in previous years, and the capacity-building activities on dealing with hate crime incidents and cases for law enforcement officials, prosecutors and judges.

politicians to certain activities of the Public Defender's Office (PDO) , aiming at undermining its credibility, independence and reputation; the shortage of qualified teachers in human rights education, often resulting in school administrations not being able to give the necessary attention to the topic, the growing level of hate speech, including online, and hate crime against Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) persons and the lack of an effective monitoring system for racist and anti-LGBTI hate speech and of a specialised unit within the police dedicated to dealing with racist and LGBTI-phobic hate crime incidents.

The Commissioner for Human Rights of the Council of Europe welcomed in the [report](#) following her visit to Georgia in February 2022 the measures taken by the authorities to bring the anti-discrimination legal framework in line with the relevant international standards and the efforts made to strengthen the capacity of the competent law enforcement authorities to combat impunity for hate crimes committed on the grounds of sexual orientation and gender identity, and religion. She noted however that discrimination on the grounds of sexual orientation and gender identity remains one of the most persistent forms of discrimination and that LGBTI people remain affected by instances of hate crimes and pervasive discrimination. The Commissioner therefore called on the competent authorities to step up efforts to combat impunity for human rights violations against LGBTI people, to raise awareness among the general public and to carry out training activities for targeted professional groups on the anti-discrimination legal framework, as well as on the importance of their role in promoting equality, dignity, and non-discrimination.

The Commissioner also recommended that the authorities should ensure effective investigation, prosecution, and proportionate and dissuasive sanctioning for hate crimes committed on the grounds of religion. She stressed that the competent authorities at the national and local levels should establish and pursue an open dialogue with all religious communities.

The Committee of Ministers of the Council of Europe within the framework of the supervision of execution of the Judgements of the European Court of Human Rights group of cases "Identoba and others v. Georgia", called upon the authorities to reinforce their efforts to enable the LGBTI community to fully enjoy their right to peaceful assemblies. It also underlined continued challenges in ensuring effective investigations of hate crimes committed on the grounds of sexual orientation, gender identity and religion, along with an increase in the scale of violence and called upon the authorities to improve effectiveness of investigations and sanctioning.<sup>38</sup>

In January 2022 the Parliamentary Assembly adopted the [Resolution 2418 \(2022\)](#) "Alleged violations of the rights of LGBTI people in the Southern Caucasus". The conclusions on Georgia highlight that the rights of LGBTI persons and their visibility had become a prominent and divisive issue in the Georgian political debate and stressed the need for Georgia to count on the support of the international community and organisations such as the Council of Europe.

In its opinion on Georgia's application for membership of the European Union, the European Commission included the strengthening of the protection of human rights of vulnerable groups, including by bringing perpetrators and instigators of violence to justice more effectively, among the preconditions for Georgia to be granted candidate status.

The issues of equality of rights and prohibition of discrimination are consistently addressed by the Public Defender of Georgia. In 2014, the Public Defender's Office was mandated to act as the monitoring body for the implementation of the Law on the Elimination of All Forms of Discrimination; and in 2019 its mandate was further expanded to empower the Public Defender to apply to a court, as an interested person requesting an administrative measure and, in specific cases, to initiate legal proceedings before the court. In his latest report published in 2022, the Public Defender assessed the situation as "still critical in terms of protection of equality".

While not making explicit reference to LGBTI people, the National Strategy for the Protection of Human Rights in Georgia for 2022-2030 reaffirms that the right to equality is a recognised norm of human rights. It acknowledges that despite the adoption of the law on elimination of all forms of discrimination there are still challenges in practice and aims at ensuring equality at all levels of the public and private sectors, eliminating conditions conducive to inequality and combating intolerance, hate crimes and other offences. Its objectives in this area include:

- continuous improvement of equality and anti-discrimination legislation and its effective enforcement;
- consideration of the needs of ethnic minorities and persons with disabilities in the process of planning and delivery of state services in order to ensure the right to equality;

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38. Committee of Ministers decision CM/Del/Dec(2022)1451/H46-13 - *Identoba and Others v. Georgia* - 8 December 2022

- ensuring the realisation of the right to equality for minority groups, including ethnic and religious minorities and the realisation of the right to equality for persons with disabilities;
- improving victim-oriented response to crimes committed on grounds of discrimination/intolerance, including taking into account the interests of persons with disabilities;
- promoting the establishment of the right to equality and the values of tolerance;
- promoting the participation of minorities in social, economic, cultural and political life.

The Council of Europe will provide support on:

- Effective investigation and prosecution of discrimination and hate crimes, especially those targeting ethnic and religious minorities and LGBTI persons,
- Awareness raising and education against discrimination, notably by identifying and addressing prejudices against minorities and vulnerable groups,
- Support to the Public Defender Office to maintain and improve its role in promoting equality and countering hate speech and hate crimes, including their engagement with businesses, ethnic, religious and other minority communities.

### Expected outcomes

#### *Anti-discrimination and minorities*

- Enhanced capacities of the justice system and law enforcement bodies in investigating and prosecuting hate crimes, including those targeting minorities and Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) people;
- Enhanced capacities among school resource officers and civil society organisations to effectively use education and awareness raising tools to combat discrimination;
- Enhanced capacities and efforts of private sector companies to address discrimination, based on relevant Council of Europe standards;
- Enhanced co-operation and co-ordination among Georgian State and non-State institutions on addressing hate speech.

**Main national partners:** Ministry of Internal Affairs, Ministry of Education and Science, Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, Office of the State Minister of Georgia for Reconciliation and Civil Equality, Prosecutor's Office, Public Defender's Office, Special Investigation Service, Ministry of Justice, Parliament, Local Authorities, civil society organisations (CSOs).

#### 2.1.4 ENSURING SOCIAL RIGHTS

The protection of social rights and social progress are one of the Council of Europe's aims and primary tools to ensure social justice and consolidate inclusive societies. The delivery of social rights is not only an international human rights obligation but also a condition for social and economic sustainability, contributing to good governance and enhancing respect for social and democratic sustainability. Together with the European Convention on Human Rights (the Convention), the European Social Charter (the Charter) embodies the best of the European democratic and social model. It sets out a number of fundamental rights required to ensure human dignity: the right to education, to health care, to housing, to fair remuneration, social security and social assistance.

Georgia ratified the Revised European Social Charter in 2005, accepting 63 of the Revised Charter's 98 paragraphs. Georgia has not yet ratified the Additional Protocol providing for a system of Collective Complaints. The conclusions of non-conformity adopted by the European Committee of Social Rights (ECSR) in its conclusions 2019, 2020, 2021, 2022<sup>39</sup> identify a number of needs in terms of social rights

39. The ECSR conclusions 2022 on labour rights refer to 11 conclusions of non-conformity related to Articles 2 (the right to just conditions of work), 4 (the right to a fair remuneration), 6 (the right to bargain collectively), 26 (the right to dignity at work) and 29 (the right to information and consultation in collective redundancy procedures). The ECSR conclusions 2021 on health, social security and social protection refer to 4 conclusions of non-conformity related to Articles 11 (the right to protection of health) and 12 (the right to social security). The ECSR conclusions 2020 on employment, training and equal opportunities refer to 6 conclusions of non-conformity related to Articles 1 (the right to work), 10 (the right to vocational training), 15 (the right of persons with disabilities to independence, social integration and participation in the life of the community) and 20 (the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex). The ECSR conclusions 2019 on children, families and migrants refer to 19 conclusions of non-conformity related to Articles 7 (the right of children and young persons to protection), 8 (the right of employed women to protection of maternity), 17 (the right of mothers and children to social and economic protection), 19 (the

improvement from a social human rights law perspective and call for an acceleration of the reform of the Georgian legislation and practice in the related fields as well as a more consistent engagement by Georgia with the European Social Charter and its mechanisms. Moreover, the ECSR has found on several occasions that the annual reports on the implementation of the European Social Charter submitted by Georgia failed to provide the required information. Therefore, while some areas may be in conformity with the European Social Charter, the reports do not provide sufficient information for the Committee to draw positive conclusions and do not include information that may be necessary to issue recommendations.

The Commissioner, in the [report following her visit to Georgia in February 2022](#), welcomed the comprehensive labour reform which was carried out in the country and recommended that the authorities close the remaining gaps in the legislation concerning minimum wage, parental leave and overtime work. She also recommended that the Georgian authorities ensure the effective implementation of the labour legislation and called for an increase of the human and budgetary resources of the Labour Inspectorate and for continuous training of the labour inspectors on the relevant labour rights standards, including safety and anti-discrimination standards.

The National Strategy for the Protection of Human Rights in Georgia for 2022-2030, among other social rights, sets the following specific objectives in the area of labour rights:

- developing and strengthening existing supervisory mechanisms of labour legislation in accordance with international standards;
- strengthening labour safety mechanisms at workplaces;
- strengthening the labour mediation system;
- developing and enhancing the effectiveness of social dialogue at the central and local level;
- creating suitable conditions for effective implementation of labour legislation and strengthening the labour inspection service.

The Council of Europe will therefore assist the national authorities in aligning the national legislative and regulatory frameworks and practice with European standards in the field of social rights with a particular focus on labour rights (particular attention will be dedicated to child labour and employment of persons with disabilities), whose protection and promotion have been underscored as a priority for action by the government. Acceptance of additional provisions of the Charter, including the collective complaints mechanism will be further promoted. Support will also be provided with a view to strengthen the institution of the labour inspection office to consolidate the knowledge and capacities of the National Institute of Human Rights and CSOs on protection and promotion of social rights and the Charter and to raise the citizens' awareness about the importance of social rights.

### **Expected outcomes**

#### *Ensuring social rights*

- Enhanced knowledge about and understanding of the European Social Charter system among policy makers, social workers, labour inspectors, Public Defender's Office staff and NGO representatives;
- Improved alignment of the national social and economic rights legal and policy framework with European standards;
- Enhanced quality of the national reports on the implementation of the European Social Charter;
- Enhanced capacities of the Labour Inspection Office staff to ensure the application of the labour legislation.

**Main national partners:** Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, Labour Inspection Office, Public Defender's Office, Ministry of Economy and Sustainable Development of Georgia, Ministry of Justice, Parliament and civil society organisations (CSOs).

## 2.2 RULE OF LAW

The progress achieved by Georgian authorities' implementation of reforms comprised in the Rule of Law sector since the previous Action Plan<sup>40</sup> was welcomed by the Parliamentary Assembly of the Council of Europe (PACE) in its *Resolution 2438 (2022)*<sup>41</sup> and *PACE's Monitoring Committee information note*<sup>42</sup> product of a fact-finding visit to Tbilisi in March 2023. Nevertheless, it also identified several concerns and issues to be addressed, in relation to which the Council of Europe will continue to support Georgia, taking into account the recommendations of the Council of Europe institutions, monitoring mechanisms and advisory bodies.<sup>43</sup>

Under the current Action Plan, the Council of Europe will seek to actively work with Georgian authorities to reform the High Council of Justice with a view to ensure proper accountability and the transparency of its decision-making processes as well as engage with the national authorities to improve the efficiency of the Georgian judicial system, including the development of well-functioning and trusted alternative means to traditional justice, and the development of the capacities of the Special Investigation Service to work on misconduct/ill-treatment. It will also support the enhancement of the capacity of the Georgian law enforcement agencies, and the judiciary to effectively investigate, prosecute and adjudicate corruption, money laundering and financing of terrorism cases. The capacities of dedicated structures in the field of asset recovery will be enhanced for effective tracing, recovery and disposal of criminal assets. Through this Action Plan, the Council of Europe will also advance effective measures for prevention of corruption in Georgia. The fight against cybercrime being currently identified as one of the priorities in Georgia's National Strategy for Combatting Organized Crime 2021-2024, the Council of Europe's support will aim at enhancing the capacities of the Georgian authorities to provide for a more effective criminal justice response to cybercrime and electronic evidence and increase cyber-resilience. The Council of Europe will continue its assistance to national authorities in further improving conditions and treatment of prisoners and training the penitentiary and probation services' staff for an enhanced application of policies and practices compliant with human rights principles. Following Georgia's accession to the Pompidou Group in May 2020, the fight against drugs and addictions is also part of this Action Plan. The Council of Europe will assist in implementing and upscaling preventive interventions, raising awareness amongst target groups and building capacity among relevant professions regarding the drug use and addiction issue.

The actions under this area of work will contribute to the implementation by Georgia of the following United Nations Sustainable Development Goals (SDGs): 3 on Good-health and well-being (targets 4 and 5)<sup>44</sup>, 10 on reduced inequalities (targets 2 and 3)<sup>45</sup> and, 16 on peace, justice and strong institutions (targets 1, 3, 4, 5, 6, 10, a and b)<sup>46</sup>.

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40. Council of Europe Action Plan for Georgia (2020-2023).

41. The honouring of obligations and commitments by Georgia, Resolution 2438 (2022), Assembly debate on 28 April 2022 (16th sitting) (see Doc. 15497, report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), co-rapporteurs: Mr Titus Corlăţean and Mr Claude Kern). Text adopted by the Assembly on 28 April 2022 (16th sitting).

42. Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee): Honouring of obligations and commitments by Georgia, Revised information note by the co-rapporteurs (Mr Claude KERN, France, Alliance of Liberals and Democrats for Europe and Ms Edite ESTRELA, Portugal, Socialists, Democrats and Greens Group) on their fact-finding visit to Tbilisi (27 to 29 March 2023).

43. In particular, the Council of Europe Commissioner for Human Rights (The Commissioner), the European Convention for Democracy through Law (Venice Commission), the European Commission for the Efficiency of Justice (CEPEJ), the Group of States against Corruption (GRECO), the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), and the Council of Europe International Co-operation Group on Drugs and Addictions (Pompidou Group).

44. Goal 3: Ensure healthy lives and promote well-being for all at all ages. Goal 3, target 3.4: By 2030, reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being. Goal 3, target 3.5: Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol.

45. Goal 10: Reduce inequality within and among countries. Goal 10, target 2: By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status. Goal 10, target 3: Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.

46. Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. Goal 16, target 1: Significantly reduce all forms of violence and related death rates everywhere. Goal 16, target 3: Promote the rule of law at the national and international levels and ensure equal access to justice for all. Goal 16, target 4: By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime. Goal 16, target 5: Substantially reduce corruption and bribery in all their forms. Goal 16, target 6: Develop effective, accountable and transparent institutions at all levels. Goal 16, target 10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements. Goal 16, target a: Strengthen relevant national institutions, including through international co-operation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime. Goal 16, target b: Promote and enforce non-discriminatory laws and policies for sustainable development.

### 2.2.1 RULE OF LAW-BASED INSTITUTIONS

Rule of law-based institutions are essential for the integrity and proper functioning of public institutions, for ensuring the effective enjoyment of human rights within a society and for the safety and protection of citizens in everyday life. Independent, impartial and efficient judiciaries are key to inspiring public trust and securing human rights. They guarantee that all individuals are treated equally before the law and rights and freedoms are enjoyed in practice. Moreover, an independent and trustworthy judiciary has a positive impact on the economic growth of a country.

The Parliamentary Assembly report on “The honouring of obligations and commitments by Georgia” published in April 2022 states that although Georgia has continued to make considerable progress with regard to the respect for the rule of law and independence of the judiciary, further and continuous efforts are necessary to ensure a genuinely independent and impartial judiciary.

#### ➤ Independence and Efficiency of Justice

The European Commission’s opinion on the European Union membership application by Georgia concludes that, regarding the judiciary, “Georgia had undertaken important judicial reforms, but later changes have stalled this positive trend” and that “the independence of the judiciary needs to be consolidated and accountability and impartiality of the entire judicial institutional chain ensured”. The European Commission recommended that Georgia is given candidate status only after it, *inter alia*, adopts and implements a transparent and effective judicial reform strategy and action plan post-2021 based on a broad, inclusive and cross-party consultation process, ensures a judiciary that is fully and truly independent, accountable, and impartial along the entire judicial institutional chain, also to safeguard the separation of powers, ensures the proper functioning and integrity of all judicial and prosecutorial institutions, in particular the Supreme Court and addresses any shortcomings identified including the nomination of judges at all levels and of the Prosecutor General, undertakes a thorough reform of the High Council of Justice and appoint the High Council’s remaining members”. The European Commission pointed out in its opinion that the measures have to be “fully in line with European standards and the recommendations of the European Commission for Democracy through Law (Venice Commission)”.

Ensuring equal access to equitable, fair, effective, impartial, and transparent justice is one of the goals of the National Strategy for the Protection of Human Rights in Georgia for 2022-2030. Specific objectives include:

- ensuring the independence, transparency, accountability of the judicial system and impartiality of judges;
- ensuring the right to a fair trial and procedural rights, including the equality of the parties to a high degree, by increasing the accessibility of the court, continuation of the reform, strengthening the institutional justice system and the individual independence of judges;
- ensuring compliance of criminal legislation with international and European standards of human rights, including through diversification of punishments;
- continuous development of alternative means of dispute resolution;
- institutional strengthening of the legal aid system.

The Parliamentary Assembly of the Council of Europe (PACE) report on the honouring of obligations and commitments by Georgia, published in April 2022, states that much progress has been made in the four waves of judicial reforms, since May 2013, nevertheless, “a number of sometimes key recommendations of the Venice Commission were not implemented, and in other cases, the reforms did not give the desired results”, which “affects the independence of the judiciary and public trust in this important institution”. The Assembly also called upon the Georgian authorities “to implement a comprehensive and independent evaluation of the first four waves of judicial reform with a view to identifying areas of success, as well as remaining deficiencies, and to commit to addressing the findings and recommendations resulting from this evaluation”. The Resolution pointed to further actions to be taken concerning, *inter alia*:

- the Law on Administrative Offenses which allows for overbroad application of administrative detention, as well as excessively high fines, and is vulnerable to abuse;’

- shortcomings in the functioning of the High Council of Justice.

Following their visit to Georgia from 27 to 29 March 2023, the co-rapporteurs of the PACE for the monitoring of Georgia reiterated the need for continuing reform of the judiciary.

The Venice Commission, in responding to the request of the Parliament of Georgia, has published on 14 March 2023 a follow-up opinion to four opinions concerning the organic law on common courts. The Commission noted, in particular, the need to conduct a comprehensive reform of the High Council of Justice.

Under the Action Plan, the Council of Europe will support the Georgian authorities' efforts to reform the High Council of Justice with a view to enhance its transparency and accountability as well as to develop the capacities of the High School of Justice to provide high quality legal education, including by using online platforms. Support to the implementation of the criminal justice legal framework reform will be provided with a specific focus on the provisions of the Criminal and Criminal Procedure Codes with a discriminatory impact on women. Assistance will be provided to follow-up on the opinions of the Venice Commission related to independence of the prosecution system. The Special Investigation Service capacities will be developed as well.

The Council of Europe will engage in improving the efficiency of the Georgian judicial system, the modernisation of justice administration, including through supporting the implementation of new cyber-justice tools, and the quality of judicial services through the application and further dissemination of European Commission for the Efficiency of Justice (CEPEJ) standards, guidelines and tools. Support will be provided to the justice sector stakeholders (High Council of Justice, courts, court managers and court staff, judges' association, Office of Independent Inspector, High School of Justice, Mediators' Association) to improve the performance of courts, in particular by optimising the workload of the judges and reintroducing the evaluation of their performance through objective efficiency and quality indicators, and by improving the case management system as well as further digitalisation and alignment with CEPEJ tools. Assistance will be provided to the Georgian Bar Association in developing its strategy and respective action plan and in further strengthening its institutional capabilities. The standards of entry into profession will be further improved and the system of continuing legal education for lawyers will be reformed. In addition, support will continue to be provided with a view to achieve effective, systematic and data-based monitoring and evaluation on the quality, efficiency, independence and accountability of the Georgian justice system, in accordance with the CEPEJ standards and tools. This will allow Georgia to assess the impact of its judicial reform efforts and to steer the reform process.

The Council of Europe will support the national authorities in order to develop well-functioning and trusted alternative means to traditional justice and an effective free legal aid system in order to enhance the efficiency of justice and ensuring access to justice for all. Support will be provided to improve the regulatory framework of restorative justice in Georgia on the basis of a common understanding of the meaning and purpose of restorative justice among judicial authorities, criminal justice and restorative justice agencies, legal professionals, offenders and groups acting on behalf of victims and communities as well as the capacities of the relevant stakeholders involved in the restorative justice. Assistance will be provided to develop the institutional capacities of the Legal Aid Service and enhance the capacities of lawyers, as well as of the staff in charge of monitoring the quality of the services delivered.

## Expected outcomes

### ➤ *Independence and Efficiency of Justice*

- Revised working procedures of the High Council of Justice are in place ensuring enhanced independence of the judiciary;
- Revised Code of Administrative Offenses is in place, providing for an adequate level of administrative penalties and related procedures, in line with international standards;
- Enhanced capacities of the General Prosecutor's Office and Special Investigation Service to fulfil their respective responsibilities in criminal justice proceedings;
- Increased national implementation of the European Convention on Human Rights (the Convention) by judges and prosecutors through the whole process of criminal justice;
- Enhanced courts management through employing modern court management and CEPEJ tools (pilot courts)
- Enhanced recourse to mediation;
- Improved institutional framework, structure and operations of the Georgian Bar Association and reinforced commitment by the Georgian Bar Association and lawyers to protect professional ethics;
- Enhanced standards of entry into profession and continuing legal education introduced by the Georgian Bar Association;
- Enhanced effectiveness and improved alignment of the framework of restorative justice with international standards;
- Enhanced legislative and statutory framework of the Free Legal Aid, in line with Council of Europe standards;
- Enhanced institutional capacities of the Legal Aid Service and enhanced capacities of lawyers, and staff in charge of monitoring the quality of the services delivered;
- Enhanced collection, processing and analysis of judicial data in accordance with CEPEJ standards and tools.

**Main national partners:** Ministry of Justice, High Council of Justice, General Prosecutor's Office, Special Investigation Service, members of the judiciary (judges, lawyers, prosecutors), High School of Justice, National training institutions, Ministry of Internal Affairs, Parliament, Supreme Court, Constitutional Court, Common Courts, Georgian Bar association, Legal Aid Service, civil society organisations (CSOs).

## 2.2.2 ACTION AGAINST CRIME, SECURITY AND PROTECTION OF CITIZENS

In order to guarantee the effective enjoyment of human rights, preserve democratic stability and keep citizens safe and our values intact it is crucial to counter all the threats to the rule of law. These include organised crime, money laundering, terrorism financing, corruption and cybercrime. It is also important to have well run prisons and probation services, with staff sufficient in numbers and adequately trained, as an indispensable pre-requisite for the humane treatment and societal reintegration of offenders and for the efficient execution of penal sanctions and measures, as well as for protecting society and avoiding recidivism. Law enforcement must likewise integrate a human rights-based approach aimed at combating ill-treatment and avoiding impunity.

➤ **Fight against corruption, money laundering, terrorism financing and cybercrime**

**Fight against corruption, money laundering and terrorism financing**

Georgia is party to the key Council of Europe instruments in the anti-corruption<sup>47</sup> and anti-money laundering<sup>48</sup> area, and as such is subject to monitoring and evaluation by the Group of States against Corruption (GRECO) in the anti-corruption field and the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) and the Conference of parties to CETS 198 in the anti-money laundering (AML) and countering of financing of terrorism (CFT) area.

In its latest compliance report on Georgia<sup>49</sup> adopted in June 2022, GRECO acknowledged the satisfactory implementation of 8 out of its 16 recommendations and the partly implementation of six recommendations provided in the 4<sup>th</sup> evaluation round. It regretted, in particular, the lack of a clear regulatory framework for public consultations for draft legislations, as well as the lack of more comprehensive rules for the disclosure of conflicts of interests and called on the authorities to introduce legislative amendments so that all prosecutors are required to submit asset declarations. In 2023, Georgia will be subject to GRECO's 5<sup>th</sup> round evaluation which will focus on preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies.

The MONEYVAL fifth-round mutual evaluation report (MER) of Georgia was adopted in September 2020. It highlighted that Georgia had made significant improvements to its AML/CFT system, including developing the National Risk Assessment (NRA), addressing technical deficiencies in legislation and by-laws, taking steps to strengthen co-operation between law enforcement agencies (LEAs) and the Financial Monitoring Service (FMS). The first enhanced follow-up report was issued in November 2022 and analyses the progress of Georgia in addressing the technical compliance deficiencies identified in the MER. Overall, Georgia has achieved full compliance with six of the 40 Final Action Task Force (FATF) recommendations constituting the international AML/CFT standard and retains minor deficiencies in the implementation of 22 recommendations where it has been found "largely compliant". Eleven recommendations remain "partially compliant" and one of them has a "non-compliant" rating.<sup>50</sup>

The European Commission opinion on Georgia's application for membership of the European Union, whilst acknowledging that Georgia has introduced substantial legal reforms regarding anti-corruption, highlights that there are no specialised law enforcement, prosecution services or specialised courts dealing with the fight against high-level corruption and that more needs to be done to strengthen investigations in this area and to tackle high-level corruption and "in particular to address the role of large scale vested interests and their influence in both the economic and political sphere". It also acknowledged the significant efforts made to fight organised crime within the framework of its national strategy and corresponding action plans, and the enhanced co-operation with Europol and EU Member States and stressed that continued and sustained efforts are needed, to further strengthen the capacity of law enforcement services to effectively tackle organised crime.

Under this Action Plan, the Council of Europe will continue to strengthen the capacities of the Georgian authorities to fight corruption, money laundering and terrorist financing, by contributing to more effective and resilient legislative, institutional and operational frameworks. Support will be provided for the alignment of the Georgian legislative and institutional framework with the Council of Europe and international standards on the prevention and fight against corruption, money laundering, terrorism financing and the financing of proliferation of weapons of mass destruction. In co-operation with all the relevant institutional stakeholders such as the newly established Anti-Corruption Bureau, in charge of co-ordinating anti-corruption efforts in the country and the implementation of the relevant GRECO recommendations, the Financial Monitoring Service of Georgia, and supervisory authorities, the Council of Europe will contribute to the effective application of measures to mitigate current and emerging financial crime risks to which Georgia is exposed and strengthen collaboration with the private sector.

47. Council of Europe's Criminal Law Convention on Corruption ([ETS 173](#)) and the Civil Law Convention on Corruption (ETS 174).

48. Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198).

49. The [latest GRECO evaluation report](#) was adopted in December 2016 and relates to GRECO's fourth evaluation round on prevention of corruption in respect of members of parliament, judges and prosecutors. Two compliance reports have been adopted since then (March 2019, March 2021) as well as an addendum to the second compliance report (June 2022).

50. The recommendation requiring that countries review their laws and regulations to ensure that non-profit organisations cannot be abused for the financing of terrorism.

A specific focus will also be placed on enhancing the capacity of the Georgian law enforcement agencies and criminal justice institutions to effectively investigate, prosecute and adjudicate corruption, money laundering and financing of terrorism cases. The Council of Europe will support the development and implementation of policies to seize and recover illicit proceeds through consistent inter-agency and cross-border co-operation and enhance capacities to implement targeted financial sanctions.

### **Fight against cybercrime**

Georgia is a contracting party to the Council of Europe Budapest Convention<sup>51</sup> and combating cybercrime is one of the three main objectives of Georgia's National Strategy for Combatting Organized Crime 2021-2024 and its Action Plan 2021-2022, both documents contain separate sections dedicated to cybercrime. Cybercrime investigations are conducted by the Cybercrime Division, under the Central Criminal Police Department of the Ministry of Internal Affairs of Georgia and the State Security Service of Georgia, which mainly responds to cyber security incidents occurring in state agencies and Internet-Services as well as investigates cyber-enabled crimes committed against the State, such as cyber terrorism. A specialised unit at the Prosecutor General's Office was established in June 2022, which supports cybercrime investigations and prosecutions and deals with matters of electronic evidence in criminal cases.

The past Council of Europe support in the area of cyber-crime focused, within the framework of regional co-operation, on developing the capacities of the judiciary, prosecutors and investigators in the field of investigations, financial intelligence, digital forensics and co-operation practices. Special attention was also put on developing operating procedures for co-operation between the cybersecurity community and cybercrime professionals (in law enforcement) and co-operation among States and private providers on the effective use of tools and procedures within the framework of the current standards and the Budapest Convention. In addition, research has been conducted in the area of cybercrime reporting and online security to provide reliable and relevant data for shaping future policies, strategies and capacity-building response to cybercrime and electronic evidence in the short and mid-term.

Under the Action Plan, the Council of Europe will enhance the capacities of the Georgian authorities to provide for a more effective criminal justice response to cybercrime and electronic evidence and for increased cyber-resilience. Drawing on the results of past regional co-operation, the Council of Europe will continue assisting the Georgian national authorities in promoting further compliance with the Budapest Convention. Special emphasis will be placed on making specialised cybercrime units more operational in both domestic investigations and international co-operation, to co-operate more efficiently with national and multinational internet service providers, and to generally increase the capacity of criminal justice institutions to deal with cybercrime and electronic evidence. Given the recurring need for continuous training on cybercrime and electronic evidence due to rapidly changing realities, further training efforts will continue to target the law enforcement, prosecution, judiciary and other State and private actors in Georgia relevant to the fight against cybercrime.

The Second Additional Protocol to the Budapest Convention to strengthen co-operation in fighting cybercrime and in collecting electronic evidence in connection with criminal investigations or proceedings, opened for signature in May 2022. It will imply further legal and regulatory changes for laws of Georgia to improve international co-operation in criminal matters, should authorities choose to accede to the protocol. Further development of skills and knowledge of both mutual legal assistance authorities and specialised cybercrime units would be necessary to follow the new rules and procedures established by the Second Additional Protocol to the Budapest Convention.

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51. *CETS No. 185*.

## ➤ Prisons, probation and police

### Support to Penitentiary reforms

The Council of Europe has played an active role in the penitentiary reform in Georgia since 2013 and tangible progress has been achieved in improving the human rights of detainees, notably in improving health care in prisons, as was mentioned in the report of the latest periodic visit of European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published in May 2019.<sup>52</sup> In the report the CPT called upon the Georgian authorities “to develop and implement a comprehensive strategy for the provision of assistance to prisoners with drug-related problems (as part of a wider national drugs strategy) including harm reduction measures”.

In respect of preparing detainees for a responsible and crime-free life, CPT also recommended to “take decisive steps to develop the programme of activities for both sentenced and remand prisoners”.

The CPT report of the 2018 periodic visit as well as the 2021 ad hoc visit highlight the issue of shortage of staff, which “put at risk the security of both staff and prisoners”. The NPM report also highlights that penitentiary staff have long shifts and busy schedules, the latter especially in relation to medical personnel, and that this “creates a high risk of their professional burnout”, which in turn may result in a basic level of security and affect the quality of medical and other services for prisoners.

The Georgian authorities need further support to effectively address the above-mentioned challenges and to implement the Strategy for the Special Penitentiary Services (2023-2026) which is under preparation. It will mainly focus on the effective management of the penitentiary system, rehabilitation of prisoners, efficient provision of healthcare, improvement of working environment and conditions. The National Strategy for the Protection of Human Rights in Georgia for 2022-2030 stresses the State’s obligation to protect the right to life of persons deprived of their liberty by ensuring an appropriate legislative and administrative framework as well as practical measures are in place.

The Council of Europe will support the Georgian authorities to:

- enhance the penitentiary regulatory and institutional framework in line with the Council of Europe standards and best practices;
- build a sustainable system of continuous education of prison and probation staff, inter alia in co-operation with the Training Center of Justice;
- continue support to develop rehabilitation and resocialisation approaches in prison and probation in order to improve reintegration of offenders back into society;
- improve the knowledge and skills of the medical and non-medical staff of penitentiary and probation services in dealing with all persons deprived of liberty or probationers, with specific focus on vulnerable groups (juveniles, women, elderly, persons with disabilities, people using psychoactive substances and other categories);
- establish mechanisms/systems of protection and improvement of well-being of penitentiary and probation staff;
- improve knowledge and skills of the staff of the National Preventive Mechanism and civil society organisations (CSOs) to review and update their tools and methodology for the effective monitoring of the provision of treatments, healthcare and rehabilitation services in the penitentiary and probation system.

### Capacity building of police services

During its latest periodic visit (2018), the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) noted the positive developments as regards the continuing efforts to combat police ill-treatment and improve material conditions of detention in police establishments. The report of the latest periodic visit of the CPT qualifies the progress achieved as “most impressive”.<sup>53</sup> The Public Defender’s report On the Situation of Protection of Human Rights and Freedoms in Georgia 2021 nevertheless points to “incidents involving the use of excessive force and physical and psychological violence by law enforcement officers”.

52. The next periodic visit has been announced for 2024.

53. The next periodic visit has been announced for 2024.

A number of problematic issues have been reported upon by the Public Defender, including: ill-treatment during and after arrest of participants to rallies, informing arrested persons about their rights, ensuring timely access to a lawyer, informing the families and maintaining comprehensive records about arrested persons, lack of audio and video recordings.

In March 2022 the Special Investigation Service (SIS) replaced the State Inspector Service. Since its establishment, the legal framework regulating the activity of the SIS has been refined and the mandate of its investigative authority has been extended to include the re-investigation of cases involving violations of the European Convention of Human Rights.

The SIS needs further support to ensure timely and effective investigation of the alleged ill-treatment cases and misconduct of police officers. The Council of Europe support will moreover contribute to the establishment and implementation of the training system for law enforcement officers with a view to enhance their operational capacities to carry out effective investigation into allegations or other indications of ill-treatment, disproportionate use of force and other human rights violations, in line with Council of Europe best practices. Capacity building initiatives for police services, and national independent monitoring and investigation mechanisms will further focus on policing of democratic freedoms, gender sensitive approach to policing, police ethics, issues related to juveniles and other people in vulnerable positions.

### ➤ **Drugs and addictions (Pompidou Group)**

Georgia became a member of the Council of Europe International Co-operation Group on Drugs and Addictions (Pompidou Group) in May 2020. The Pompidou Group is the Council of Europe's drug policy co-operation platform; it seeks to balance the interests of the community at large with protection of the individual's fundamental rights in responding to drug use and illicit trafficking in drugs. Within the framework of co-operation projects, the Pompidou Group aims at empowering drug policy stakeholders by providing knowledge, training and capacity building based on the needs of member States.

To address the existing challenges and the harm caused by drug use and addiction in the country, the [National Strategy for the Prevention of Drug Abuse 2021-2026](#) has been elaborated. The main goal of the strategy is to reduce the prevalence of the non-medical use of legal and illegal psychoactive substances in Georgia. The strategy, whilst acknowledging that the harm caused by illicit drug circulation in the country affects individuals, families, society and State, affirms that the issue of drug use needs to be addressed by a multisectoral, balanced, pragmatic and consistent approach founded on human rights protection and scientific evidence. It retains "assisting harmonious development of a human being, safeguarding personal and public security, respect for human dignity and rights, and facilitating informing and educating the public" as its main principles.

The Council of Europe will support the Georgian authorities to implement the Action Plan for 2024-2026 of the National Strategy for the Prevention of Drug Abuse 2021-2026. Specific attention will be given to the mental health of children and adolescents and the risk that drug use and addiction may pose to their emotional, psychological and social well-being. Assistance will be provided in the implementation and upscaling of preventive interventions, awareness raising among relevant target groups (children, adolescents, parents) and capacity building among relevant professions (education, health, social care, law enforcement) to facilitate working with children, adolescents and parents. The interventions will specifically address the contextual risk factors that include socio-economic circumstances, mental health problems or contact with the criminal justice system and will rely on combining evidence-based information and educative interventions with treatment and harm reduction in a comprehensive drug prevention approach.

## Expected outcomes

- *Fight against corruption, money laundering, terrorism financing and cybercrime*
  - Effective and resilient legislative, institutional and operational frameworks in the field of Anti-Corruption, Anti Money Laundering and Combating the Financing of Terrorism (AML/CFT) are in place;
  - Enhanced capacities of the Georgian law enforcement agencies and the criminal justice institutions to effectively investigate, prosecute and adjudicate corruption, money laundering and financing of terrorism cases;
  - Enhanced capacities of the national supervisory authorities and reporting entities to mitigate national money laundering, terrorism financing and proliferation financing risks;
  - Improved local remedies and enhanced capacities to implement UN SC targeted financial sanctions;
  - Improved mechanisms of the national authorities to prevent corruption and ensure effective monitoring of asset declarations system and integrity incidents;
  - Enhanced regulatory framework and consistent application of seizure and confiscation of illicit proceeds;
  - Enhanced legislation and policy frameworks on cybercrime and electronic evidence and improved compliance with the Budapest Convention;
  - Enhanced capacities of judicial and law enforcement authorities and reinforced interagency co-operation on fight against cybercrime;
  - Enhanced international co-operation on fight against cybercrime.

**Main national partners:** Ministry of Finance, Ministry of Justice, Ministry of Internal Affairs, Central Bank, Prosecutor's Office, AML/CFT Standing Interagency Commission, Anti-Corruption Bureau, Criminal justice bodies, Financial Intelligence Units (FIU), State Security Service, High School of Justice, National Bank of Georgia, AML/CFT supervisory and reporting entities.

- *Prisons, probation and police*
  - Enhanced application of human rights compliant management policies and practices by managers, operational and medical staff in prisons and probation services;
  - Enhanced application of multidisciplinary rehabilitative approaches to the execution of sentences by prison and probation management and staff;
  - Improved access to and quality of healthcare services provision in prisons;
  - Increased sustainability of training provision systems for prison and probation staff development;
  - Enhanced professional supervision in prison and probation systems.
  - Enhanced capacity of the Public Defender's Office and civil society organisations (CSOs) to monitor the treatment, healthcare and rehabilitation services in penitentiary and probation system;
  - Improved performance of duties by police officers and investigators, in compliance with Council of Europe standards, based on the enhanced regulatory, institutional and training provision frameworks;
  - Improved practices of national independent monitoring and investigation bodies, as well as CSOs on ensuring police accountability for human rights violations and facilitating transparency of police actions;
  - Enhanced protection of the rights of the victims and the witnesses of the alleged crimes;
  - Enhanced awareness and participation of the CSOs in the police oversight and reforms pertinent to the institutional strengthening of the Special Investigation Service.

**Main national partners:** Ministry of Justice, Ministry of Internal Affairs, Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, Special Investigation Service, National Agency for Crime Prevention, Execution of Non-Custodial Sentences and Probation (National Probation Agency), Public Defender's Office, National Preventive Mechanism, Special Penitentiary Service (SPS), Ministry of Internal Affairs Academy, Vocational Education and Training Center for Inmates (VETCI), CSO, Training Center of Justice.

➤ *Drugs and addictions (Pompidou Group)*

- Enhanced implementation of evidence-informed preventive interventions targeting children, adolescents and their parents are implemented by professionals (healthcare, social workers, psychologists, community police officers, teachers, school administrators);
- Enhanced drug-related policy framework for the professionals working in drug prevention (healthcare, social workers, psychologists), in compliance with European standards;
- Enhanced capacity of professionals (healthcare, social workers, psychologists, community police officers, teachers, school administrators) to work with children, adolescents and parents in terms of drug prevention, in compliance with European standards.

**Main national partners:** Ministry of Internal Affairs, Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, Ministry of Justice, Ministry of Education and Science, National Drug Observatory, Interagency Coordinating Council for Combatting Drug Abuse, Office of the Resource Officers of Educational Institutions, Centre for Mental Health and Prevention of Addiction.

## 2.3 DEMOCRACY

Latest national and local elections have been recognised as competitive and conducted with overall respect of fundamental freedoms. Crucial challenges nevertheless remain in particular due to the polarised political environment<sup>54</sup> which influences the functioning of democratic institutions in the country and affects the pace of the different reform processes.<sup>55</sup>

The principle of local self-government is recognised both in the Constitution of Georgia and in ordinary legislation such as the Code of Local Self-Government. According to these provisions, the citizens of Georgia are granted the right to regulate and manage local affairs autonomously under the legislation of Georgia, and in line with the principle of subsidiarity. Furthermore, the State is required to ensure financial resources to local self-governing entities according to their powers determined by the organic law.

The National Strategy for the Protection of Human Rights in Georgia for 2022-2030 emphasises that it is impossible to effectively protect human rights if appropriate measures are not taken at both the central and local levels. The National Decentralisation Strategy 2020-2025 pursues three strategic goals: increase local self-governments' role in managing a substantial share of public affairs; ensure adequate materials and financial resources for local governments; develop reliable, accountable, transparent and results-oriented local self-government. The strategy identifies some factors hampering the full execution of powers by local self-governments, including: the absence of a long-term vision for the development of municipalities, a low level of involvement of the general public, including businesses, in the exercise of power at local level, resulting in a mismatch between decisions and local needs and interests, and underdeveloped co-operation between municipalities.

In its latest [monitoring report on Georgia](#) adopted in November 2018, the Congress highlighted the substantial progress achieved in the field of local democracy since the previous Congress monitoring and post-monitoring visits and welcomed measures such as the development of a comprehensive reform strategy for decentralisation and modernisation of local government, the introduction of direct election of mayors, the strengthening of the financial capacity of local self-government and the official recognition of the representative position of the National Association of Local Authorities of Georgia (NALAG).

The Council of Europe will continue to support Georgia in strengthening its national capacities to undertake and implement reforms in the areas of: strengthening participatory democracy at local level, localisation of human rights, including the right to healthy environment,<sup>56</sup> elections, education for democracy and youth for democracy.

54. [PACE Resolution 2438 - The honouring of obligations and commitments by Georgia - April 2022](#)

55. Source: European Commission Opinion on Georgia's application for membership of the European Union.

56. Congress report [CG\(2022\)43-15 – A fundamental right to the environment: a matter for local and regional authorities – towards a green reading of the European Charter of Local Self-Government](#)

Through action in these areas, the Council of Europe will contribute to the implementation of the SDGs: 4 on quality education (target 7)<sup>57</sup>, 5 on gender equality (target 5)<sup>58</sup>, 10 on reduced inequalities (targets 2, 3 and 4)<sup>59</sup>, 11 on sustainable cities and communities (target 3)<sup>60</sup> and, 16 on peace, justice and strong institutions (targets 6, 7, 10 and b)<sup>61</sup>. It will also contribute to the localisation of United Nations Sustainable Development Goals, of which 65 % cannot be reached without engaging local and regional authorities.<sup>62</sup>

### 2.3.1 DEMOCRATIC GOVERNANCE

The last decade has shown a worrying trend of decreasing trust in institutions and declining satisfaction with the state of democracy in many European countries. Major challenges such as globalisation, migratory movements, digitalisation, climate change, economic stagnation and growing inequality have all contributed to a general feeling of dissatisfaction with democracy and the decisions taken by the citizens' representatives. There are alarming signs that the gap between the citizen's expectations and the decisions taken on their behalf is growing. Trust in public authorities continues to be at a record low, while civic space has continued to shrink, prompting national, regional and local governments to open up new forms of participatory democracy. Restoring citizens' trust can be achieved by reinforcing democratic governance and localising human rights and Sustainable Development Goals, according to the standards and policies of the Council of Europe. The Council of Europe work in this area is guided by the principles of the [European Charter of Local Self-Government](#) as well as the [12 principles of good governance](#) which encapsulate fundamental values defining a common vision of European democratic governance.

#### ➤ Democratic Governance

##### **Strengthening participatory democracy at local level**

The ratification of the European Charter on Local Self-Government (ETS No. 122) in 2004 and its Additional Protocol to the on the right to participate in the affairs of a local authority (CETS No. 207), in 2019, provide an international legal guarantee of the right to participate in the affairs of a local authority.

Since the ratification of the European Charter on Local Self-Government in 2004, Georgia developed and implemented a number of reforms with the aim to strengthen local authorities and to enhance civic engagement in decision-making.

The large-scale decentralisation and regional development mechanisms include amendments to the Constitution of Georgia introducing constitutional guarantees for local self-government, the 2014 Self-Government Code, and the Decentralisation Strategy 2020-2025.

The Decentralisation Strategy acknowledges that not all actors are capable to execute the tasks and responsibilities prescribed to them by law. Establishing a fully functional system of local self-government is one of the key objectives of Georgia's governance system reform and the "introduction and implementation of good governance principles as part of the work carried out by local governments, ensuring wider public participation in the execution of local self-governance" is part of Georgia's strategic directions and vision for 2025 as per the Decentralisation Strategy 2020-2025. One of the main strategic priorities and objectives of the Decentralisation Strategy of Georgia is to "*Facilitate effective participation in decision making and implementation at a local level*".<sup>63</sup>

57. Goal 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all. Goal 4, target 7: By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.

58. Goal 5: Achieve gender equality and empower all women and girls. Goal 5, target 5: Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.

59. Goal 10: Reduce inequality within and among countries. Goal 10, target 2: By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status. Goal 10, target 3: Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard. Goal 10, target 4: Adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality.

60. Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable. Goal 11, target 3: By 2030, enhance inclusive and sustainable urbanization and capacity for participatory, integrated and sustainable human settlement planning and management in all countries.

61. Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. Goal 16, target 6: Develop effective, accountable and transparent institutions at all levels. Goal 16, target 7: Ensure responsive, inclusive, participatory and representative decision-making at all levels. Goal 16, target 10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements. Goal 16, target b: Promote and enforce non-discriminatory laws and policies for sustainable development.

62. Source: OECD [Achieving the SDGs in cities and regions - OECD](#)

63. Decentralisation strategy 2020-2025

The National Strategy for the Protection of Human Rights in Georgia for 2022-2030 promotes the right to participate in social and political life without any discrimination. Its goals include promoting full and equal participation of the population in social and political life and ensuring participation at the central and local levels in the decision-making process with specific objectives in this area being a) ensuring effective participation in self-governance for all and b) ensuring equal participation of vulnerable groups in election processes.

Since 2021, in response to an increasing interest and demand by civil servants, elected officials and municipal staff to experiment and pilot new forms of citizens engagement throughout Georgia, the Council of Europe provided support in the application of civil participation methodologies to empower stakeholders to initiate changes in their communities.

Under the Action Plan, the Council of Europe will continue to support target municipalities across the country to make the local decision-making mechanisms and processes more inclusive by supporting the enhancement of existing civil participation methods and by introducing innovative civil participation methodologies in order to better involve citizens and motivate them to participate. With this regard, complex measures of capacity development of local authorities, civil society, and citizens will be conducted along with awareness raising and information campaigns targeting local population, especially the youth. Specific attention will be dedicated to enhancing co-operation and dialogue between civil society organisations (CSOs) and local authorities and to engage young people in decision making. The capacities of local authorities, local thematic councils and the National Association of Local Authorities of Georgia (NALAG) to protect and embed human rights standards and practices in their policies and strategies will be further strengthened, in close co-operation with the Public Defender's Office. Advocacy and multilevel dialogue will be further supported to enhance the implementation of commitments under the National Strategy for the Protection of Human Rights in Georgia 2022-2030 and the recent laws on the rights of various vulnerable groups. A particular focus will be placed on a human rights-based approach to the environment and to youth engagement in local political life.

## **Elections**

Past election observation reports by the Parliamentary Assembly of the Council of Europe (PACE), Organisation for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) and ODIHR/Venice Commission Joint Opinions related to Georgian elections and election legislation have recommended to conduct a comprehensive, systemic review of the Georgian electoral law within an inclusive and participatory consultation process, to bring it further in line with European standards and good practices.

The European Commission, in its opinion on Georgia's application for membership of the European Union stated that the electoral framework was overall in line with relevant international standards. It nevertheless pointed out that more should "be done regarding the transparency of campaign and political party financing and countering the misuse of state resources, electoral dispute resolution, criteria for granting and conducting recounts, as well as balanced and impartial media coverage". It also stated that "the recommendations made by Council of Europe/Venice Commission and OSCE/ODIHR in 2020 and 2021 should be fully addressed".

In October 2022, the Parliament of Georgia requested an opinion by ODIHR and the European Commission for Democracy through Law (Venice Commission) on draft amendments to the Election Code of Georgia and the Law on Political Associations of Citizens. The opinion adopted by the Venice Commission in December 2022 pointed out that the amendments under consideration, were not based on a comprehensive review of the Election Code and only addressed a selection of issues. The opinion contained several specific recommendations for further improvement of the draft amendments to the Election Code. The main ones aimed at 1) further strengthening the recruitment and selection process for the formation of election commissions, 2) further reducing the residency requirement for mayoral and municipal council candidates, 3) establishing a regulatory framework for the use of new voting technologies, and 4) establishing clear and comprehensive criteria for the conduct of recounts. This notwithstanding, the opinion reiterated once again the need of conducting a comprehensive and systemic review of the electoral law.

The Council of Europe support in the field of elections will focus on further improving the electoral legal framework and practices, strengthening governmental institutions and increasing electoral culture among electoral stakeholders and general public, in particular in the context of 2024 national and 2025 local elections. More specifically, the Council of Europe Action will be aimed at:

- promoting dialogue platforms and providing electoral stakeholders with high-level policy advice to support further reform of electoral legal framework and practices;

- strengthening administrative, operational and management capacity of the Election Administration of Georgia, at all levels and the Political Finance Monitoring Department of the Anti-corruption Bureau of Georgia;
- mainstreaming gender equality and intersectional perspectives in electoral practices;
- encouraging citizen participation and engagement of youth in electoral processes;
- promoting digital solutions in electoral processes to ensure integrity and transparency.

### **Parliamentary Co-operation**

The Georgian parliament exercises democratic control and oversight over the executive branch and plays a crucial role in overseeing democratic processes and the implementation of Council of Europe standards, promoting accountability, facilitating public participation and representation, and upholding the rule of law.

The European Commission opinion on Georgia's application for membership of the European Union (EU) highlights that “not all parliamentary procedures function properly in the spirit of control and accountability, mostly due to strong tensions between two main political parties as political dialogue is polarised”. Tackling the issue of political polarisation and enhancing democratic oversight have been included by the European Commission among the 12 points to be addressed by the Georgian authorities before Georgia can be granted EU candidate status.

In its Resolution on The honouring of obligations and commitments by Georgia, adopted in April 2022, the PACE welcomed the consensual adoption of the new rules of procedure of the parliament and highlighted that “further efforts are needed to continue strengthening parliamentary oversight” and underscored that “a well-functioning system of parliamentary oversight depends on a strong parliament, which, in turn, needs strong and diverse political parties that are willing to dialogue and co-operate with each other within the democratic institutional framework”.

The Georgian authorities, in developing the National Strategy for the Protection of Human Rights for 2022-2030, pursued the purpose “to unite the society around the idea of the rule of law and the fundamental value of unwavering human rights protection”. The strategy, while stating that the government is responsible for its implementation, acknowledges the importance of the parliament’s role in overseeing and ensuring accountability with regards to the implementation of the strategy’s goals and objectives.

Under the Action Plan the Council of Europe will provide support to strengthen the functioning of the parliament and enhance the parliamentary functions regarding the implementation of the Council of Europe Standards and Conventions with a specific focus on:

- enhancing the implementation of the rules of procedure of the parliament through reinforced dialogue and consultation between the majority and the opposition and supporting the effective implementation of the rules and procedures on political party financing and the rules and legislation on conflict of interest;
- strengthening the capacity of the parliament to effectively implement and monitor its international obligations and facilitating the alignment of Georgian legislation with Council of Europe standards;
- promoting transparency, accountability, and public participation in the legislative process;
- enhancing co-operation and dialogue between the parliament of Georgia, the Parliamentary Assembly of the Council of Europe (PACE), other national parliaments, and Council of Europe bodies.

### **Confidence-building measures**

Work in this area will build on the results of the programmes carried out since 2010 to support dialogue between the divided communities and protect human rights in the conflict affected Georgian regions of Abkhazia and the Tskhinvali region/South Ossetia, fully in line with the Georgian authorities’ policy on the subject. Following the implementation of confidence-building measures (CBMs), people-to-people contacts between divided communities were maintained and co-operation between various professional groups (e.g. human rights defenders, archive specialists, cultural heritage specialists, medical personnel, academics) was enhanced. Action in this area will aim to maintain and increase the level of interaction between communities on both sides of the dividing lines.

CBMs will allow to tackle jointly practical issues of common concern in fields such as human rights, violence against women and children, architectural heritage, as well as to develop further youth interaction and co-operation of archive specialists.

CBMs will be identified jointly with relevant actors and will be closely co-ordinated with the Office of the Georgian State Minister for Reconciliation and Civic Equality, and the Liaison Mechanism operating under the United Nations Development Programme (UNDP). The Permanent Representation of Georgia to the Council of Europe is regularly kept informed of progress and new developments. CBMs are based on the Secretary General's annual reports on the State of democracy, human rights and the rule of law as well as the consolidated reports on the conflict in Georgia.

## **Expected outcomes**

### *Democratic governance*

- Enhanced awareness and knowledge of civil society organisations (CSOs) and citizens about mechanism and tools to participate in decision making processes;
- Regulatory frameworks developed in municipalities and at national level to enable an enhanced public influence on policy and decision making;
- Enhanced capacities of local authorities in municipalities to implement participatory methods, allowing citizens from all sectors of society to engage in decision-making;
- Young people and under-represented groups empowered to advocate for their rights, equality and non-discrimination at the local level;
- Enhanced engagement of young people in decision-making processes in local communities.
- Enhanced awareness and capacities of local authorities and their association to promote, respect, protect and fulfil human rights in dialogue with young people and underrepresented groups, including with a green perspective;
- Reinforced human rights governance through enhanced dialogue with local authorities and their national association, and institutionalised multilevel dialogue platforms;
- Established institutional and digital channels that amplify citizen participation, including in budget-related matters;
- Enhanced capacities of local authorities in participatory practices, including budgeting process.

**Main national partners:** Ministry of Regional Development and Infrastructure, Administration of the Government of Georgia, Parliament of Georgia, National Association of Local Authorities in Georgia (NALAG), Ministry of Culture, Sport and Youth, LepI Youth Agency, local authorities, Public Defender's Office, advisory councils, youth organisations, civil society organisations (CSOs).

### *Elections*

- Improved alignment of the domestic electoral legal framework and practices with European standards.
- Enhanced capacities and transparency of the Election Administration of Georgia at all levels, including the Center for Electoral Systems Development, Reforms and Training, and common courts in dealing with electoral complaints.
- Enhanced monitoring of electoral campaign finances by the Political Finance Monitoring Department of the Anti-corruption Bureau of Georgia.
- Increased participation in electoral processes of women, young people and other vulnerable groups, including ethnic minorities.
- Enhanced capacities of domestic observers and media to provide professional, neutral, and balanced coverage of elections.
- Digital solutions introduced in electoral processes, in line with European standards and ensuring integrity and transparency of the electoral processes.

**Main national partners:** Election Administration of Georgia (Central Election Commission, district election commissions, Supreme Election Commission of the Autonomous Republic of Ajara, Center for Electoral Systems Development, Reforms and Training, Political Finance Monitoring Department of the Anti-corruption Bureau, common courts, representatives of political parties, Parliament, civil society organisations (CSOs) and media.

*Parliamentary co-operation*

- Enhanced promotion by the members of the parliament of democratic standards and good practices, as identified by the Parliamentary Assembly of the Council of Europe (PACE) and other Council of Europe bodies;
- Enhanced knowledge among members of parliament, parliament staff and other relevant stakeholders in implementing and monitoring international obligations;
- Improved dialogue and co-operation among the members of the parliament on legislative reforms;
- Enhanced public awareness about Council of Europe standards and public engagement in the legislative process;
- Improved alignment of Georgian legislation to Council of Europe standards;

**Main national partners:** Parliament of Georgia, Georgian delegation to the Parliamentary Assembly of the Council of Europe (PACE), Parliamentary Commissions, staff of the parliament.

*Confidence-building measures*

- Enhanced co-operation among representatives of the divided communities on the topics identified for common work;
- Increased interaction among the divided communities.

**Main national partners:** Ministry of Foreign Affairs, Office of the State Minister for Reconciliation and Civic Equality, PDO, other relevant Ministries, professional groups and civil society.

### 2.3.2 DEMOCRATIC PARTICIPATION

Democracy is not only a matter of laws and institutions; it also very much relies on people and culture. It is the citizens that make a democracy real through the principles they apply in their daily lives and their behaviours. Democratic institutions can only operate in a society in which citizens understand and support the values of democracy, human rights and the rule of law and are given the opportunities to acquire the necessary skills and competence to take an active part in the democratic life. Developing a culture of democracy in member States, particularly within the younger generations, is therefore an essential prerequisite of democratic security.

#### ➤ Education for democracy

A widespread culture of democracy is fundamental to make democracies and democratic institutions function in practice. Education can play an important role in shaping that culture, putting an emphasis on conflict resolution through dialogue, value diversity and practice multi-perspectivity.

The Recommendation on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education (EDC/HRE)<sup>64</sup> recalls the central role that education can play in furthering the mission of the Council of Europe. The EDC/HRE affirms that “member States should include education for democratic citizenship and human rights education in the curricula for formal education at pre-primary, primary and secondary school level as well as in general and vocational education and training” and should include those topics in the curricula of higher education institutions, in particular for future education professionals.

Georgia has carried out a series of education reforms that have strengthened the role of education in preparing responsible and active citizens. In the 2022-2030 Unified National Strategy of Education and Science of Georgia, the national authorities restate their commitment to align Georgia’s educational system to the principles of the EDC/HRE both “theoretically and practically” and guarantee the application of the principle of democratic education in any educational environment and the rights of each pupil and student “to be involved in the management of educational institutions and the decision-making related to the administration of the teaching-learning process in order to protect and fully exercise their rights and freedoms”.

64. Recommendation [CM/Rec\(2010\)7](#) of the Committee of Ministers on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education

Under the Action Plan 2024-2027, the Council of Europe will provide support to the Georgian national education authorities to mainstream a more participatory and transparent school governance model and a democratic school culture. Specific measures will be aimed at developing the capacities of education professionals, fostering a democratic culture among children, putting in place a democratic school governance and whole school approach to citizenship education.

### ➤ Youth for Democracy

The Council of Europe action in the youth sector is guided by the Council of Europe Youth Sector strategy 2030 which was adopted in January 2020 and launched within the framework of the Georgian Presidency of the Committee of Ministers of the Council of Europe (CM) (November 2019 – May 2020). The strategy aims at enabling young people to actively uphold, defend, promote and benefit from the core values of human rights, democracy and the rule of law. Strengthening young people's access to rights, deepening youth knowledge and broadening their meaningful participation in decision-making, are means to ensure that young people and youth civil society can rely on an enabling environment for the full exercise of all their human rights and freedoms, and to support young people's democratic engagement.

The Georgia-EU Association Agreement Action Plan for 2021-2027,<sup>65</sup> puts an emphasis on youth participation and leadership through empowerment and the development of the youth sector and evidence- and rights-based youth policies with the aim of creating a sustainable ecosystem for youth development, which enables the youth to fully realise their potential and get actively involved in all areas of public life; increases young people's understanding of democratic values and principles and supports them to claim their own rights; as well as to ensure full and equal economic empowerment, protection of health and well-being and equal access to information and resources for all young people in Georgia.

State Youth Policy Document of Georgia, adopted in April 2014, Georgian Youth Policy Concept for 2020-2030, adopted in July 2020 and State Youth Strategy 2023-2026, adopted in December 2022, set the overall youth policy framework in Georgia. These three documents identify the participation of young people in the country's social, economic, cultural and political life and democratic processes as one of Georgia's strategic directions.

Under the Action Plan 2024-2027, the Council of Europe will support the Georgian authorities to implement their youth policy framework, associating other youth policy and youth work stakeholders, with a specific focus on:

- fostering the ability of Georgian authorities and youth organisations to promote citizenship and human rights education, in support of the Charter on Education for Democratic Citizenship and Human Rights Education, and developing quality non-formal education activities for and with young people;
- supporting the development of participatory (local) youth policies through local councils or advisory bodies, based on the 50-50 model of training courses, implying participation of an equal number of representatives from public authorities and the non-governmental sector;
- extending the opportunities for dialogue and peace-building initiated through the Youth Peace Camp and the experience of local peace camps;
- supporting youth policy and youth work development in accordance with Council of Europe quality standards.

#### **Expected outcomes**

##### *Education for democracy*

- Policies supporting enhanced democratic citizenship education and human rights education, participatory school governance adopted by educational institutions;
- Enhanced capacities of education professionals to integrate human rights principles and a culture of democratic participation in their practice;
- Human rights principles and a culture of democratic participation integrated by educational professionals in their practice in schools and school communities;
- Enhanced competences of school children about democratic culture and increased participation in decision-making processes in their schools and communities.

65. Recommendation No 1/2022 of the EU-Georgia Association Council of 16 August 2022 on the EU-Georgia Association Agenda 2021-2027: EUR-Lex - 22022D1422 - EN - EUR-Lex (europa.eu)

**Main national partners:** Ministry of Education and Science, National Centre for Teachers Professional Development, Higher education institutions and agencies, Primary and secondary schools, local communities and civil society organisations (CSOs).

*Youth for democracy*

- Enhanced capacities of Georgian authorities and youth organisations to promote democratic citizenship, digital citizenship and human rights education and develop quality non-formal education activities for and with young people;
- Enhanced youth participatory policy framework for youth participation in social, economic, cultural and political life and democratic processes at local level developed with the participation of governmental and non-governmental representatives;
- Enhanced provision and quality of youth work and non-formal education activities by the relevant stakeholders;
- Improved peacebuilding initiatives with youth organisations in the conflict affected Georgian regions of Abkhazia and the Tskhinvali region/South Ossetia with the active participation of young people.

**Main national partners:** Ministry of Culture, Sport and Youth of Georgia, Lepl Youth Agency, Youth organisations, municipalities, local communities and CSOs, young people.

## PART III- IMPLEMENTATION

### 3.1 METHODOLOGY

The overall co-ordination of technical co-operation carried out by the Council of Europe falls within the remit of the Directorate of Programme Co-ordination (DPC) which steers programming of and fund-raising for co-operation actions while ensuring the proper functioning of Council of Europe Offices in the field.

Substantial responsibility for co-operation projects lies with the Council of Europe “major administrative entities” who have the relevant expertise. In accordance with the Organisation’s decentralised implementation of technical assistance and co-operation, the Council of Europe Office in Georgia<sup>66</sup> ensures project implementation in the field. As of June 2023, 50 staff members were working in the Office in Georgia.

The implementation of Action Plan projects can include, as necessary, needs assessments, legislative expertise, capacity building, awareness raising, peer-to-peer reviews and gender analyses. Implementation methodology, in line with the *Council of Europe Project Management Methodology* (PMM), is aimed at reinforcing ownership by national stakeholders and ensuring the sustainability of the outcomes. The PMM enhances the quality of project implementation in terms of planning and monitoring, cost efficiency and effectiveness. It also allows improved risk assessment, the incorporation of a human rights approach and greater attention paid to the gender dimension.

In addition, the co-operation designed by the Council of Europe follows a “multi-institutional approach”, which allows different Council of Europe institutions and bodies to target governmental stakeholders, parliaments, civil society, independent governance institutions, such as the Public Defender’s Office, and local and regional authorities. This creates unique leverage for comprehensive, inclusive, successful and sustainable reforms.

The Council of Europe applies a human rights approach at all levels and stages of its activities. Its *acquis*, including Council of Europe legal instruments and institutions, combined with the principles of participation and inclusion (including gender-balanced participation and engagement with civil society); equality and non-discrimination; accountability; and transparency and access to information, brings further added value to the Council of Europe activities. The *Council of Europe Human Rights Approach Practical Guide for Co-operation Projects* contributes to the improved application of a human rights approach in project management and co-operation activities.

As a component of this human rights approach, the Council of Europe emphasises gender mainstreaming throughout its project activities in line with its *Gender Equality Strategy 2018-2023*.<sup>67</sup> The *Council of Europe*

66. <https://www.coe.int/en/web/tbilisi>

67. The Council of Europe Gender Equality Commission instructed the Secretariat to prepare a draft Gender Equality Strategy 2024-2029 to be submitted to the CM for adoption before the end of 2023.

*Gender Mainstreaming Toolkit for Co-operation Projects* offers practical guidance on the implementation of a gender dimension in co-operation activities within the Organisation as well as by national partners and other stakeholders. The gender mainstreaming approach will be defined as the actions associated with the Action Plan are developed. It will be applied to actions regardless of the field of co-operation and Gender-balanced participation shall be ensured, subject to limitations in terms of sectorial knowledge and experience. For example, the standards for gender equality and women's rights will be taken into account when the various pieces of legislation and national frameworks are revised in the light of European standards. The issue of gender equality will also be incorporated into training activities and programmes. The impact of gender will be analysed when projects are designed, implemented, reported and evaluated. In addition to gender mainstreaming, specific actions will be considered to promote gender equality.

Prior to and during project implementation, project teams will rely on the expertise of the gender mainstreaming adviser<sup>68</sup> covering the Eastern Partnership region. The gender mainstreaming adviser will ensure that gender is mainstreamed in the projects by promoting usage of tools such as gender analysis and gender impact assessments, and subsequently advise on implementing relevant recommendations to further integrate the gender dimension. The adviser will contribute to developing tools and mechanisms aimed at this purpose and to building the capacities of Council of Europe project staff in the region to facilitate a gender-sensitive approach in projects.

The Gender Equality Focal Point Network launched in January 2021 also serves as a catalyst for gender equality in all Council of Europe offices in the field.

Similarly, the Council of Europe promotes the active participation of civil society in project activities in accordance with the *Guidelines on civil society organisations' participation in Council of Europe's co-operation activities*. In May 2022, the Council of Europe published an online *resource for civil society* that gives easy access to its *Civil Society Handbook*. This handbook, entitled "Working with the Council of Europe: a practical guide for civil society", provides in-depth information on the different forms of access, co-operation, input, participation, and/or partnership that are possible and relevant for non-governmental organisations (NGOs).

The Action Plan will continue to address the specific needs of women and children through the implementation of projects to strengthen their rights and improve their living conditions. Particular attention will be paid to ensuring the cross-cutting nature of the inclusion by providing for balanced gender participation.

In addition, the participation of civil society will be ensured by various means throughout the Action Plan, with the aim of strengthening its role in the country by promoting dialogue with the authorities and developing its capacities.

The Organisation is committed to protecting children from harm and ensuring that children's right to protection is fully secured in line with its *Strategy for the Rights of the Child 2022-2027*. The *Council of Europe Speak Up Policy* on reporting wrongdoing and protection from retaliation that entered into force on 1 June 2023 forms part of the Organisation's ethical framework.

The "*Reykjavík Declaration – United around our values*" adopted at the 4th Summit of Heads of State and Government of the Council of Europe (Reykjavík, 16-17 May 2023) is committed to strengthening the work on the human rights aspects of the environment and initiating the Reykjavík process of focusing and strengthening the work of the Council of Europe in this field, as laid out in its Appendix V "The Council of Europe and the environment". This Appendix underlines the "urgency of taking co-ordinated action to protect the environment by countering the triple planetary crisis of pollution, climate change, and loss of biodiversity" and affirms "that human rights and the environment are intertwined and that a clean, healthy and sustainable environment is integral to the full enjoyment of human rights by present and future generations". The Reykjavík process is expected to "focus and streamline the Organisation's activities, with a view to promoting co-operation among member States." It will also "identify the challenges raised by the triple planetary crisis of pollution, climate change and loss of biodiversity for human rights and contribute to the development of common responses thereto, while facilitating the participation of youth in these discussions.". This will be done "by enhancing and co-ordinating the existing Council of Europe activities related to the environment and the establishment of a new intergovernmental committee on environment and human rights ("Reykjavík Committee") will be encouraged.

In this context, the Council of Europe's co-operation sector has the potential to introduce a climate and environmental dimension into discussions in sectors and among stakeholders not traditionally used to considering these themes. In doing so it can rely on the Council of Europe's binding commitments and treaties directly or indirectly addressing environmental concerns, its well-established working methods that

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68. Seconded by Finland.

include intergovernmental dialogue and co-operation, and its extensive and diverse networks of expertise across Europe. Within this context, the Council of Europe's co-operation sector aims to make the fight against climate change and environmental degradation an integral and more explicit part of its action and is currently considering three main avenues: (1) mainstreaming environmental protection and climate change considerations in Council of Europe co-operation projects; (2) conceiving and designing co-operation projects with environment-specific objectives; and (3) improving the working methods and practices of the Council of Europe to ensure greater environmental sustainability of its co-operation activities.

The Partnership for Good Governance- Phase II and the Action Plan for Georgia 2020-2023 have been evaluated<sup>69</sup> by independent evaluators who found, inter alia, that:

- all Action Plan interventions are highly relevant to Georgia's needs and reform priorities in the various sectors;
- results contributed, or are likely to contribute, to reform in the targeted sector/issues, and to improving the situation of the people affected;
- effectiveness benefitted from, and was enhanced through, good co-operation with a range of bi-lateral donors, other inter-governmental organisations and specialised international non-governmental organisations (INGOs);
- the results-orientation of the monitoring arrangements should be enhanced;
- the visibility and quality of the application of the Human Rights Approach and integration of gender should be enhanced;
- the high-level endorsement of the Action Plan as a programming framework provides, in principle, the basis for the sustainability of project results;
- there is widespread recognition of the added value of the Council of Europe as a programme implementer.

The present Action Plan also takes into account the **lessons learned** during the implementation of the Action Plan for Georgia 2020-2023, including the need to:

- ensure close co-ordination with the partners at all levels and at all stages of programme development, and implementation to ensure the relevance of action and its effective implementation as well as strong ownership and engagement among the authorities;
- enhance and diversify partnerships with civil society organisations (CSOs) to enlarge perspectives and expertise during Action Plan/project planning and implementation, thereby further consolidating the Council of Europe added value;
- maintain open communication channels among the authorities and partners on issues that are intersectional and involve multiagency co-operation to allow for the creation of synergies;
- enhance measurement of impact, or progress towards impact, in order to ensure that activities and outputs are properly recognised by all partners as means to an end, and not ends in themselves;
- enhance mutual accountability, by including representatives of donors and partner institutions in evaluation Reference Groups, including their consultation in the drafting of evaluation terms of references, and inputting into consolidated Reference Group feedback on inception and draft reports;
- ensure more advance preparation by partner institutions and project teams for end-of-Action Plan evaluations, including enhanced ongoing project monitoring and a designated Office Monitoring and Evaluation lead;
- provide for some flexibility in the Action Plan implementation in order to adapt work plans and working methods to external shocks and ensure continued relevance;
- favour Action Plan level contributions (as opposed to contributions earmarked to specific projects) to optimise the use of resources.

Owing to the nature of its mandate, the Council of Europe operates in complex and unstable environments which expose it to risks. The risk analysis of the Action Plan and possible mitigation strategies are identified in Appendix II of the present Action Plan on the basis of the Council of Europe's [Risk Management Guidelines and Risk Management Policy](#), both approved in June 2016. All projects implemented within the Action Plan have their own risk assessment and mitigation strategies. The risks identified within the co-operation sector feed into the Organisational Risk Register, which is periodically brought to the attention of

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69. The evaluation report and the related management response are available on the Council of Europe Directorate of Internal Oversight's website.

the Secretary General and the Senior Management Group of the Council of Europe. Internal audit, external audit and the Oversight Advisory Committee will be analysing the results.

In the context of the Covid-19 pandemic, the Council of Europe ensured business continuity in the framework of the implementation of the previous Action Plan while respecting national public health measures. Mitigation measures were continuously adapted and implemented by the Council of Europe throughout its co-operation activities, in close co-ordination with the donors and the beneficiaries. The same approach will be applied to implementing this Action Plan if circumstances so require.

### 3.2 CONTRIBUTION TO THE UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

It should be noted that the Council of Europe has long been committed to promoting the domestic implementation of the *United Nations Sustainable Development Goals* (SDGs). In addition, the “*Reykjavík Declaration – United around our values*”, adopted at the 4th Summit of Heads of State and Government of the Council of Europe, calls for increased co-operation with the UN and further synergies, notably when it comes to the implementation of the SDGs. Against this background, the Action Plan implementation will sustain the efforts of the Georgian authorities in achieving the following SDGs, especially goals 3, 4, 5, 8, 10, 11 and 16.

- **Goal 3. Ensure healthy lives and promote well-being for all at all ages**

Actions aiming to enhance human rights and healthcare in the prison system and to protect human rights in the field of biomedicine will directly contribute to the achievement of this goal especially target 8.<sup>70</sup> Moreover, the new Action Plan will support actions to counter drug abuse, contributing towards the achievement of target 5.<sup>71</sup>

- **Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all**

Under the new Action Plan, actions pertaining to inclusive and equitable quality education will be carried out, contributing to the achievement of targets 1 and 2.<sup>72</sup> Moreover, the Action Plan will continue to contribute towards the achievement of target 7<sup>73</sup> through the Council of Europe Programme for Human Rights Education for Legal Professionals (HELP) online courses.

- **Goal 5. Achieve gender equality and empower all women and girls**

The Council of Europe actions will promote gender equality and combat violence against women thereby contributing to the achievement of targets 1 and 5 on ending all forms of discrimination against women and girls ensuring women’s full and effective participation, and equal opportunities for leadership at all levels of decision making, in political, economic and public life.

- **Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all**

Under the new Action Plan, the Council of Europe will continue assisting the national authorities in aligning the national legislative and regulatory frameworks and practice with European standards in the field of social rights with a particular focus on labour rights. This support will directly contribute towards the achievement of target 8.<sup>74</sup>

- **Goal 10. Reduce inequality within and among countries**

The Council of Europe will provide continued support towards effective investigation and prosecution of discrimination and hate crimes, awareness raising and education against discrimination. The Council of Europe will also contribute to promoting equality and countering hate speech and hate crimes, thereby

70. Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all.

71. Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol.

72. Target 1: By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes. Target 2: By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education

73. By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture’s contribution to sustainable development

74. Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.

working towards the achievement of target 2 on empowering and promoting the social, economic and political inclusion of all.

- **Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable**

Promoting good governance through local self-government and participatory democracy is one of the priorities of the Action Plan which contributes to achieving target 3.<sup>75</sup>

- **Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels**

Taking into account its mandate and the nature of its co-operation activities provided to partners countries, the Council of Europe will make a significant contribution to achieving SDG 16. Indeed, all actions undertaken with Georgia will cover a wide range of areas of support related to the achievement of this goal and many of its targets, including but not limited to the following:

- Activities on preventing both violence against women and domestic violence as well as prevention and protection of children from all forms of violence contributes to achievement of target 16.1.<sup>76</sup> Work to prevent ill-treatment of detained persons and to build the capacities of law enforcement agencies, police officers and healthcare services in safeguarding human rights should also contribute to achieving this target.
- Promoting the rule of law is one of the three main areas of intervention of the Council of Europe, and its actions therefore directly contribute to achieving target 16.3.<sup>77</sup> More specifically, activities in the field of judicial reform will enhance the independence and efficiency of justice and ensure equal access to justice for all citizens.
- Supporting Georgia in further complying with the Budapest Convention by developing the capacities of the judiciary, prosecutors and investigators in the field of investigations and financial intelligence in the area of cybercrime is in line with target 16.4.<sup>78</sup>
- Striving to further fight corruption through legal and policy advice and follow-up capacity-building activities, increasing the co-operation, co-ordination and alignment among the many different partners in the field, contributes to the achievement of target 16.5.<sup>79</sup>
- Enhancing the capacities of the staff of the institutions to implement the reforms through enhanced skills and ensuring appropriate co-ordination among relevant institutions will contribute to the achievement of target 6.<sup>80</sup>
- Increased citizen participation such as youth and civil society in local decision making is one of the areas of work of the Action Plan which directly contributes to achieving target 7.<sup>81</sup>
- The objectives set in the area of freedom of expression and information as well as media, such as enhancing the legislative framework in line with the principles of the European Convention on Human Rights (the Convention), decreasing information disorder and supporting Georgian media professionals contribute to target 10.<sup>82</sup>

### 3.3 CO-ORDINATION

Co-ordination to ensure efficient use of resources and the relevance of the Council of Europe's actions is performed at different levels and in different forums, including the Committee of Ministers of the Council of Europe (CM).

The Council of Europe's actions are determined and implemented so as to focus on areas where the Organisation has strong expertise and added value. Joint co-operation with the Georgian authorities is

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75. Enhance inclusive and sustainable urbanization and capacity for participatory, integrated and sustainable human settlement planning and management in all countries.

76. Goal 16, target 16.1: Significantly reduce all forms of violence and related death rates everywhere.

77. Goal 16, target 16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all.

78. Goal 16, target 16.4: By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime.

79. Goal 16, target 16.5: Substantially reduce corruption and bribery in all their forms.

80. Target 16.6: Develop effective, accountable and transparent institutions at all levels.

81. Target 16.7: Ensure responsive, inclusive, participatory and representative decision making at all levels.

82. Goal 16, target 16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.

developed on the basis of thorough analysis of the objectives followed by other international organisations and players in the field and their work, implemented and/or planned to achieve these objectives.

To ensure the relevance of its actions, the Council of Europe works in close co-ordination with relevant international partners, notably the European Union and in particular the European Union Delegation in Georgia.

Co-ordination is also ensured with other international partners, including United Nations (UN) agencies such as the United Nations Development Programme (UNDP) and UN Women. The present Action Plan will be also implemented in the context of the government programme geared towards the EU integration process.

Whenever appropriate, co-ordination platforms with other international organisations are set up and joint activities undertaken.

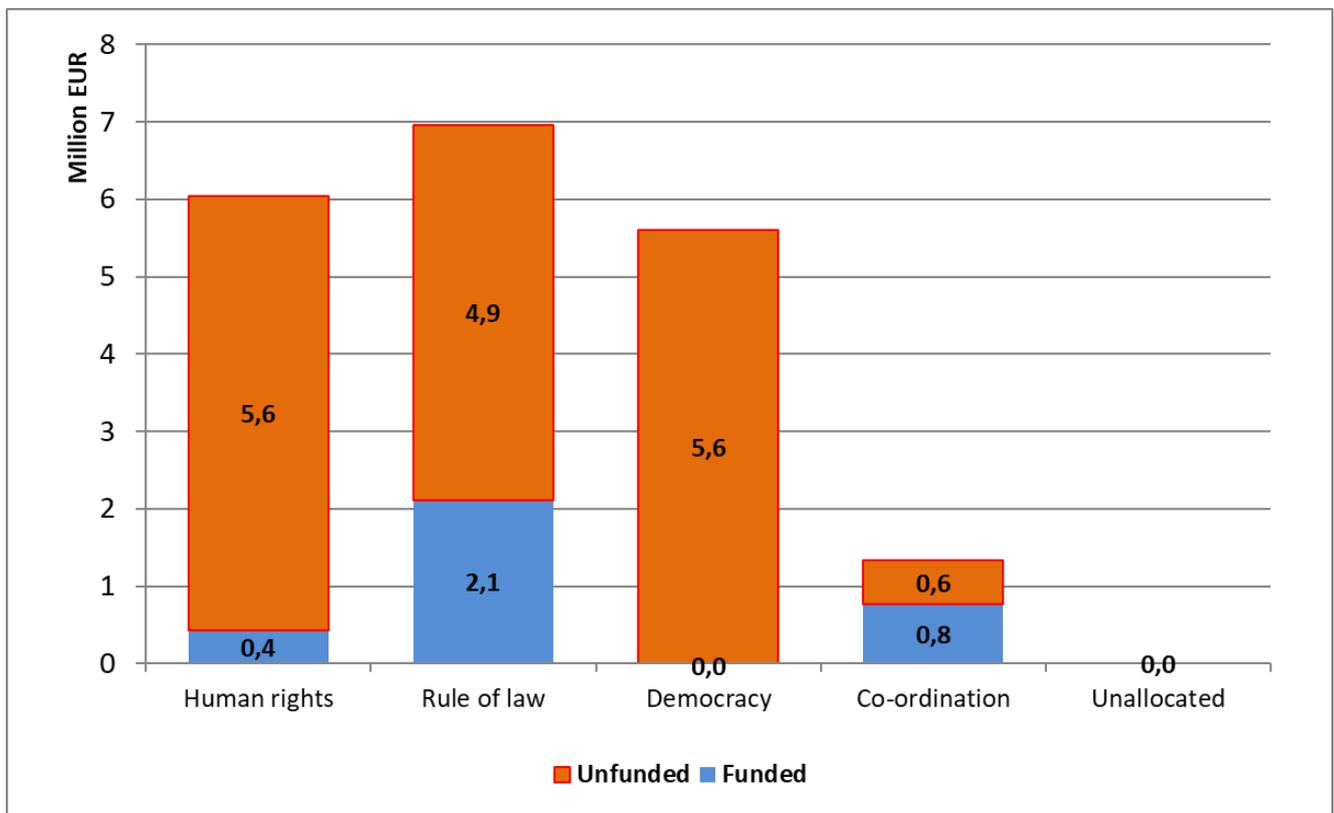
To ensure efficiency and avoid the overlapping of activities, the Council of Europe also co-ordinates its work with its member/observer States' development agencies and the embassies of Council of Europe member/observer States.

### 3.4 FUNDING

The overall budget of the Action Plan is estimated at €19.92 million. Funding amounting to €3.31 million (16.6% of the total budget) has been secured.

Projects within the Action Plan are to be funded from multiple sources. Funding is to be provided from the ordinary budget of the Council of Europe, voluntary contributions from donor countries and from the European Union/Council of Europe joint programmes such as the Partnership for Good Governance.<sup>83</sup>

In line with the Council of Europe resource mobilisation strategy, fundraising efforts under the co-ordination of the Directorate of Programme Co-ordination (DPC) are concentrated on the Action Plan as a whole. Action Plan-level funding, in particular, allows flexibility for allocating funds where they are most needed and where they are most likely to contribute to the sustainability of key policy and institutional reforms.



**Figure 2:** Estimated budget per theme of the Action Plan with Georgia 2024-2027 (in millions of euros)

83. Georgia now benefits from the third phase of European Union/Council of Europe Partnership for Good Governance for Eastern Partnership countries.

### 3.5 GOVERNANCE

The Committee of Ministers of the Council of Europe (CM) assesses the overall results of the Action Plan implementation through its Rapporteur Group on Democracy (GR-DEM).

The Council of Europe will provide regular updates on the progress and outcomes of the Action Plan. To this end, the Directorate of Programme Co-ordination (DPC) will submit interim and final reports to the CM as follows:

- an oral report 12 and 36 months after the implementation start date of the Action Plan to present the state of advancement after its official launching;
- a comprehensive mid-term Progress Review Report, 24 months after the implementation start date of the Action Plan;
- a final Progress Review Report after the end of the implementation of the Action Plan.

Progress made under the Action Plan will also be jointly assessed by the Council of Europe and the Georgian authorities. For this purpose, an Action Plan Steering Committee is established, composed of representatives of the Ministry of Foreign Affairs and other national stakeholders, including civil society, involved in the implementation of the Action Plan as well as of Council of Europe representatives.

This Steering Committee will assess the implementation of approved projects, discuss challenges and proposals for future co-operation, and recommend, if appropriate, measures to improve the effectiveness of the Action Plan. Meetings will take place 24 months after the implementation start date of the Action Plan, to assess the mid-term implementation, and before the end of the Action Plan, to assess the overall implementation.

In addition, DPC will address annual Action Plan Reports to those donors contributing to the funding at the level of the Action Plan, in line with reporting requirements.

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## APPENDIX I: LOGFRAME

Transversal dimensions such as **gender equality, gender mainstreaming** and **civil society's participation** are key components of the Council of Europe's **human rights approach**.

**Overall goal:** to ensure successful reforms in Georgia which will bring its legislation, institutions and practice further into line with European standards in the areas of human rights, the rule of law and democracy, and therefore support the country's efforts to honour its obligations as a Council of Europe member State.

<b>Human Rights</b>	
<b>Thematic outcome:</b> Human rights protection, equality and human dignity are enhanced through the well-structured and co-ordinated implementation of human rights standards, including those on gender equality, freedom of expression and freedom of the media and an improved effectiveness of the European Convention on Human Rights (the Convention) system.	
The actions in this area will contribute to the implementation of the following United Nations Sustainable Development Goals (SDGs): Goal 4 targets 1, 2, 7 and c; Goal 5 targets 1, 2, 5 and c; Goal 8 targets 1 and 2; Goal 10 targets 2, 3 and 4	
Outcomes	Indicators
1.1. Effective implementation of the European Convention on Human Rights	
<p><i>Enhancing the effectiveness of the European Convention on Human Rights at national level</i></p> <ul style="list-style-type: none"> <li>✓ Enhanced capacities of the national stakeholders (Ministry of Justice, Government Agent's Office Special Investigation Service, and courts) to play a more effective role towards the full execution of judgments of the European Court of Human Rights (the European Court);</li> <li>✓ Enhanced structural relevance and co-ordination capacities of the institutions designated to deal with the execution of judgments of the European Court;</li> <li>✓ Increased effectiveness of the execution of the European Court judgments at the national level.</li> <li>✓ Enhanced capacities of the Parliament of Georgia to carry out its oversight functions over the execution of judgments of the European Court and to harmonise national legislation with European standards;</li> <li>✓ Enhanced capacities of Georgian legal professionals to apply effectively and coherently the European human rights standards and case-law of the Court;</li> </ul>	<ul style="list-style-type: none"> <li>• Extent of national execution of the judgements of the European Court of Human Rights (the European Court) by the national stakeholders</li> <li>• Extent to which the deficiencies identified by the judgments of the Convention have been addressed</li> <li>• Level of co-ordination among relevant agencies for the execution of judgements of the European Court</li> <li>• Extent of meaningful application of the case law of the Convention by legal professionals</li> <li>• Extent of incorporation of environmental factors in Georgian legislation in line with European standards</li> <li>• Level of co-operation among the government and non-governmental agencies, on issues related to the environment and protection of human rights</li> <li>• Extent of compliance of legislation for business and human rights with international framework standards</li> </ul>

<ul style="list-style-type: none"> <li>✓ Enlarged geographic scope of the Knowledge Sharing Platform of the Court (ECHR-KS) to include Georgia and platform adapted to the Georgian and Basic Rights Application and Navigation Tools (BRANT);</li> <li>✓ Enhanced dialogue between superior courts of Georgia and other member States on best practices in the application of the European Convention on Human Rights (the Convention);</li> <li>✓ Georgian legislation incorporates environmental factors, in line with European standards and provides effective legal remedy;</li> <li>✓ Enhanced awareness on protection of environment and other human rights among legal professionals and general public;</li> <li>✓ Government agencies, companies, industry associations, civil society organisations co-operate on issues related to the environment and protection of human rights;</li> <li>✓ International framework standards for business and human rights, in place including through harmonisation of legislation.</li> </ul>	
<p><i>Human rights in the fields of Biomedicine</i></p> <ul style="list-style-type: none"> <li>✓ Improved alignment of the Georgian legal framework and related practices with the principles enshrined in the Convention on Human Rights and Biomedicine (the Oviedo Convention);</li> <li>✓ Enhanced knowledge and capacities of authorities to enforce/facilitate protection of human rights in the field of biomedicine;</li> <li>✓ Enhanced public awareness about the challenges related to human rights applied to the biomedical field;</li> <li>✓ Enhanced application of a patients' centered approach in the field of mental health care by medical professionals.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent of compliance of Georgian legal framework with the Convention on Human Rights and Biomedicine (Oviedo Convention)</li> <li>• Extent to which the relevant authorities enforce the protection of human rights in the field of biomedicine</li> <li>• Extent of application of a patient centred and gender-sensitive approach by the medical professionals in the field of mental care</li> </ul>
<p><i>Freedom of Expression and information, Media and Data Protection</i></p> <ul style="list-style-type: none"> <li>✓ Increased alignment of the key legal and policy instruments in the field of safety of journalists, media regulation and access to information with the standards of the Council of Europe and best European practice in the field;</li> <li>✓ Enhanced Knowledge and capacity of the regulatory authority (Communications Commission) to implement the Law on Broadcasting in co-operation with key stakeholders and in line with European standards;</li> </ul>	<ul style="list-style-type: none"> <li>• Extent of compliance of legal and policy instruments for ensuring the safety of journalists with the Council of Europe standards</li> <li>• Extent to which the investigation of crimes involving journalists by the law enforcement agencies is in line with Council of Europe standards</li> <li>• Extent of compliance of personal data protection legislation with Council of Europe standards</li> </ul>

<ul style="list-style-type: none"> <li>✓ Enhanced monitoring and oversight over implementation of Broadcasting Law by the regulatory authority and other relevant stakeholders;</li> <li>✓ Improved data collection on cases involving journalists;</li> <li>✓ Enhanced capacities, knowledge and tools of Law Enforcement Agencies (LEA) to efficiently investigate crimes involving journalists;</li> <li>✓ Enhanced co-operation and co-ordination among law enforcement agencies and civil society on criminal proceedings involving journalists;</li> <li>✓ Enhanced capacity of stakeholders to address SLAPPs issue in the country;</li> <li>✓ Enhanced capacity of the Charter of Journalistic Ethics to advocate ethical coverage by media organisations and individual journalists;</li> <li>✓ Improved knowledge of journalists about safety standards and ethical coverage;</li> <li>✓ Enhanced knowledge and capacities of key stakeholders, including Personal Data Protection Service to implement respective legislation.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which Charter of Journalistic Ethics promotes ethical coverage by media organisations and individual journalists</li> <li>• Level of knowledge among journalists on safety standards and ethical coverage</li> </ul>
<p><b>1.2. Promoting human rights and dignity</b></p>	
<p><i>Gender Equality, Combating Violence against Women and Domestic Violence</i></p> <ul style="list-style-type: none"> <li>✓ Improved legal and policy framework, in line with the Council of Europe’s Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) findings and the provisions of the Istanbul Convention;</li> <li>✓ Enhanced capacities of relevant national bodies/agencies and stakeholders to apply Council of Europe standards on gender equality and protection from violence against women;</li> <li>✓ Enhanced capacities of legal professionals to apply gender equality standards;</li> <li>✓ Improved access to justice for women, especially women victims of violence, in line with the provisions of the Istanbul Convention.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent of alignment of the Georgian legal and policy framework with the Council of Europe’s Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) recommendations and the provisions of the Istanbul Convention</li> <li>• Extent to which the legal professionals apply gender equality standards in their practice</li> <li>• Level of access to justice for women victims of violence, including ethnic minorities and vulnerable groups</li> </ul>

<p><i>Children's Rights</i></p> <ul style="list-style-type: none"> <li>✓ Enhanced children protection from violence, sexual exploitation and abuse, including in the digital environment, in line with the Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention) and recommendations of the Lanzarote Committee;</li> <li>✓ Improved alignment of Georgian legal and policy framework to Council of Europe standards related to the protection of children from violence, sexual exploitation and abuse;</li> <li>✓ Enhanced capacities of key stakeholders (in particular, social workers, psychologists, judges, prosecutors, investigators and law enforcement officers) to prevent and respond to violence against children, child sexual exploitation and abuse, including online;</li> <li>✓ Increased awareness of the prevention of and response to violence against children, child sexual exploitation and abuse, comprising online, among children and professionals.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent of compliance of the legal and policy framework for the prevention and protection of children against all forms of violence, including sexual exploitation and abuse</li> <li>• Number of cases of violence against children, sexual exploitation and abuse, including in the digital environment disaggregated by gender</li> <li>• Extent to which the national stakeholders' preventive measures and response to violence against children, child sexual exploitation, and abuse, including in digital environment is in line with European standards</li> </ul>
<p><b>1.3. Anti-discrimination, diversity and inclusion</b></p>	
<p><i>Anti-discrimination and minorities</i></p> <ul style="list-style-type: none"> <li>✓ Enhanced capacities of the justice system and law enforcement bodies in investigating and prosecuting hate crimes, including those targeting minorities and Lesbian, Gay, Bisexual, Transgender and Intersex persons (LBGT);</li> <li>✓ Enhanced capacities among school resource officers and civil society organisations to effectively use education and awareness raising tools to combat discrimination;</li> <li>✓ Enhanced capacities and efforts of private sector companies to address discrimination, based on relevant Council of Europe standards;</li> <li>✓ Enhanced co-operation and co-ordination among Georgian State and non-State institutions on addressing hate speech.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of prosecutions related to hate crimes, including those targeting minorities and Lesbian, Gay, Bisexual, Transgender and Intersex persons (LBGTI)</li> <li>• Extent to which investigation of hate crimes, including those targeting minorities and LBGTI people by law enforcement bodies is in line with Council of Europe standards</li> <li>• Level of use of education and awareness raising tools to combat discrimination by the school resource officers and the civil society organisations</li> <li>• Level of co-operation among the Georgian State and non-State institutions aimed at addressing the hate speech</li> </ul>
<p><b>1.4. Ensuring social rights</b></p> <ul style="list-style-type: none"> <li>✓ Enhanced knowledge about and understanding of the European Social Charter system among policy makers, social workers, labour inspectors, Public Defender's Office staff and non-governmental organisation (NGO) representatives;</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which the national social and economic rights legal and policy framework is aligned with European Standards</li> </ul>

<ul style="list-style-type: none"> <li>✓ Improved alignment of the national social and economic rights legal and policy framework with European standards;</li> <li>✓ Enhanced quality of the national reports on the implementation of the European Social Charter;</li> <li>✓ Enhanced capacities of the Labour Inspection Office staff to ensure the application of the labour legislation.</li> </ul>	<ul style="list-style-type: none"> <li>• Quality of the national reports on the implementation of the European Social Charter</li> <li>• Level of knowledge of the European Social Charter system among the State and non-State stakeholders</li> </ul>
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**Rule of Law**

**Thematic outcome:** Democratic security is strengthened by an enhanced implementation of the existing legislation and European standards, the development of an enabling legal and institutional framework for a democratic society and an improved quality of justice and efficiency in combating corruption, cybercrime and illicit trafficking.

The actions in this area will contribute to the implementation of the following United Nations Sustainable Development Goals (SDGs): Goal 3 targets 5 and 8; Goal 16 targets 1, 2, 3, 4, 5, 6 and 10

Outcomes	Indicators
<p><b>2.1. Rule of law-based institutions</b> <i>Independence and Efficiency of Justice</i></p> <ul style="list-style-type: none"> <li>✓ Revised working procedures of the High Council of Justice ensuring enhanced independence of the judiciary;</li> <li>✓ Revised Code of Administrative Offenses, providing for an adequate level of administrative penalties and related procedures, in line with international standards;</li> <li>✓ Enhanced capacities of the General Prosecutor’s Office and Special Investigation Service to fulfil their respective responsibilities in criminal justice proceedings;</li> <li>✓ Increased national implementation of the European Convention on Human Rights (the Convention) by judges and prosecutors through the whole process of criminal justice;</li> <li>✓ Enhanced courts management through employing modern court management and the European Commission for the Efficiency of Justice (CEPEJ) tools (pilot courts);</li> <li>✓ Enhanced recourse to mediation;</li> <li>✓ Improved institutional framework, structure and operations of the Georgian Bar Association and reinforced commitment by the Georgian Bar Association and lawyers to protect professional ethics;</li> <li>✓ Enhanced standards of entry into profession and continuing legal education introduced by the Georgian Bar Association;</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which the working procedures of the High Council of Justice ensure the independence of the judiciary</li> <li>• Extent to which legal and reporting framework, organisational structure, strategy and procedures reinforce the accountability of law enforcement officials;</li> <li>• Level of implementation of the Convention by judges and prosecutors through the whole process of criminal justice;</li> <li>• Extent to which the courts management and judicial data management are in line with European Commission for the Efficiency of Justice (CEPEJ) methodologies and tools</li> <li>• Extent to which the standards of the Georgian Bar Association for the access to the profession and continuing legal education are in line with European standards</li> <li>• Extent to which the institutional framework of the Georgian Bar Association reinforces protection of professional ethics</li> <li>• Extent of alignment of the legal and policy framework for restorative justice with Council of Europe standards</li> <li>• Extent of alignment of the Free Legal Aid legal framework with the Council of Europe standards</li> </ul>

<ul style="list-style-type: none"> <li>✓ Enhanced effectiveness and improved alignment of the framework of restorative justice with international standards;</li> <li>✓ Enhanced legislative and statutory framework of the Free Legal Aid, in line with Council of Europe standards;</li> <li>✓ Enhanced institutional capacities of the Free Legal Aid Service and enhanced capacities of lawyers, and staff in charge of monitoring the quality of the services delivered;</li> <li>✓ Enhanced collection, processing and analysis of judicial data in accordance with CEPEJ standards and tools.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which the lawyers of the Free Legal Aid Service deliver services in line with Council of Europe standards</li> </ul>
<b>2.2. Action against crime, security and protection of citizens</b>	
<i>Fight against corruption, money laundering, terrorism financing and cybercrime</i>	
<ul style="list-style-type: none"> <li>✓ Effective and resilient legislative, institutional and operational frameworks in the field of Anti-Corruption, Anti Money Laundering and Combating the Financing of Terrorism (AML/CFT) are in place;</li> <li>✓ Enhanced capacities of the Georgian law enforcement agencies and the criminal justice institutions to effectively investigate, prosecute and adjudicate corruption, money laundering and financing of terrorism cases;</li> <li>✓ Enhanced capacities of the national supervisory authorities and reporting entities to mitigate national money laundering, terrorism financing and proliferation financing risks.;</li> <li>✓ Improved local remedies and enhanced capacities to implement UN SC targeted financial sanctions;</li> <li>✓ Improved mechanisms of the national authorities to prevent corruption and ensure effective monitoring of asset declarations system and integrity incidents;</li> <li>✓ Enhanced regulatory framework and consistent application of seizure and confiscation of illicit proceeds;</li> <li>✓ Enhanced legislation and policy frameworks on cybercrime and electronic evidence and improved compliance with the Budapest Convention;</li> <li>✓ Enhanced capacities of judicial and law enforcement authorities and reinforced interagency co-operation on fight against cybercrime;</li> <li>✓ Enhanced international co-operation on fight against cybercrime.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent of alignment of the legislative and institutional frameworks and practices to fight corruption, money laundering and cybercrime with the European and international standards</li> <li>• Extent to which the judicial and law enforcement authorities effectively investigate, prosecute, and adjudicate corruption, money laundering, financial terrorism, and cybercrime cases</li> <li>• Level of inter-agency co-operation on corruption, money laundering, financial terrorism and cybercrime cases</li> </ul>

<p><i>Prisons, probation and police</i></p> <ul style="list-style-type: none"> <li>✓ Enhanced application of human rights compliant management policies and practices by managers, operational and medical staff in prisons and probation services;</li> <li>✓ Enhanced application of multidisciplinary rehabilitative approaches to the execution of sentences by prison and probation management and staff;</li> <li>✓ Improved access to and quality of healthcare services provision in prisons.</li> <li>✓ Increased sustainability of training provision systems for prison and probation staff development.</li> <li>✓ Enhanced professional supervision in prison and probation systems.</li> <li>✓ Enhanced capacity of the Public Defender's Office and civil society organisations (CSOs) to monitor the treatment, healthcare and rehabilitation services in penitentiary and probation system;</li> <li>✓ Improved performance of duties by police officers and investigators, in compliance with Council of Europe standards, based on the enhanced regulatory, institutional and training provision frameworks;</li> <li>✓ Improved practices of national independent monitoring and investigation bodies, as well as CSOs on ensuring police accountability for human rights violations and facilitating transparency of police actions.</li> <li>✓ Enhanced protection of the rights of the victims and the witnesses of the alleged crimes.</li> <li>✓ Enhanced awareness and participation of the CSOs in the police oversight and reforms pertinent to the institutional strengthening of the Special Investigation Service.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which the managers, operational and medical staff in prisons and probation systems apply human rights compliant management policies in practice in line with international standards</li> <li>• Extent to which the access and quality of healthcare services in prisons are in line with Council of Europe standards</li> <li>• Level of appliance of the multidisciplinary rehabilitation approaches by the management and staff in prisons and probation in line with international standards <ul style="list-style-type: none"> <li>• Specialists of probation system apply new assessment instruments and rehabilitation programmes on sexual violence and alcohol addiction;</li> <li>• Trainings and simulation trainings for existing and new rehabilitation programmes are provided for probation system.</li> <li>• Professional supervision in probation system is in line with international standards.</li> </ul> </li> <li>• Extent to which the Public Defender's Office and civil society organisations monitor the treatment, healthcare and rehabilitation services in penitentiary and probation system in line with international standards</li> <li>• Level of participation of the civil society organisations (CSOs) in the police oversight</li> </ul>
<p><i>Drugs and addictions (Pompidou Group)</i></p> <ul style="list-style-type: none"> <li>✓ Enhanced implementation of evidence-informed preventive interventions targeting children, adolescents and their parents are implemented by professionals (healthcare, social workers, psychologists, community police officers, teachers, school administrators);</li> <li>✓ Enhanced drug-related policy framework for the professionals working in drug prevention (healthcare, social workers, psychologists), in compliance with European standards;</li> </ul>	<ul style="list-style-type: none"> <li>• Extent of compliance of drug-related legal and policy framework with Council of Europe standards</li> <li>• Extent to which the relevant professionals (healthcare, social workers, psychologists, community police officers, teachers, school administrators) implement evidence-informed preventive interventions in compliance with Council of Europe standards</li> </ul>

<ul style="list-style-type: none"> <li>✓ Enhanced capacity of professionals (healthcare, social workers, psychologists, community police officers, teachers, school administrators) to work with children, adolescents and parents in terms of drug prevention, in compliance with European standards.</li> </ul>	
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**Democracy**  
**Thematic outcome:** The democratisation of society is fostered through electoral integrity, strengthened local democracy, civil participation in democratic decision making and education.

The actions in this area will contribute to the implementation of the following United Nations Sustainable Development Goals (SDGs): Goal 11 target 3

Outcomes	Indicators
<b>3.1. Democratic Governance</b>	
<p><i>Democratic governance</i></p> <ul style="list-style-type: none"> <li>✓ Enhanced awareness and knowledge of civil society organisations (CSOs) and citizens about mechanism and tools to participate in decision making processes;</li> <li>✓ Regulatory frameworks developed in municipalities and at national level to enable an enhanced public influence on policy and decision making;</li> <li>✓ Enhanced capacities of local authorities in municipalities to implement participatory methods, allowing citizens from all sectors of society to engage in decision-making;</li> <li>✓ Young people and under-represented groups empowered to advocate for their rights, equality and non-discrimination at the local level;</li> <li>✓ Enhanced engagement of young people in decision-making processes in local communities;</li> <li>✓ Enhanced awareness and capacities of local authorities and their association to promote, respect, protect and fulfil human rights in dialogue with young people and underrepresented groups, including with a green perspective;</li> <li>✓ Reinforced human rights governance through enhanced dialogue with local authorities and their national association, and institutionalised multilevel dialogue platforms;</li> <li>✓ Established institutional and digital channels that amplify citizen participation, including in budget-related matters;</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which the legal and policy framework allows for public’s engagement in and influence on the policy and decision-making process at the municipal level</li> <li>• Extent to which the local authorities in municipalities provide opportunities for civic participation in policy and decision-making processes (in a gender-sensitive manner)</li> <li>• Number of policymaking related initiatives of citizens, including young and under-represented groups at local level</li> <li>• Level of engagement of the citizens including young people and under-represented groups in the policy and decision-making process</li> <li>• Number of aligned local budget plans that reflect the actual needs and aspirations of citizens.</li> </ul>

<ul style="list-style-type: none"> <li>✓ Enhanced capacities of local authorities in participatory practices, including budgeting process.</li> </ul>	
<p><i>Elections</i></p> <ul style="list-style-type: none"> <li>✓ Improved alignment of the domestic electoral legal framework and practices with European standards;</li> <li>✓ Enhanced capacities and transparency of the Election Administration of Georgia at all levels, including the Center for Electoral Systems Development, Reforms and Training and common courts in dealing with electoral complaints;</li> <li>✓ Enhanced monitoring of electoral campaign finances by the Political Finance Monitoring Department of the Anti-corruption Bureau of Georgia;</li> <li>✓ Increased participation in electoral processes of women, young people and other vulnerable groups, including ethnic minorities;</li> <li>✓ Enhanced capacities of domestic observers and media to provide professional, neutral, and balanced coverage of elections;</li> <li>✓ Digital solutions introduced in electoral processes, in line with European standards and ensuring integrity and transparency of the electoral processes.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent of alignment of the electoral legal framework with European standards</li> <li>• Level of transparency of election processes and dealings with electoral complaints</li> <li>• Extent of incorporation of digital solutions in electoral processes in line with European standards</li> </ul>
<p><i>Parliamentary co-operation</i></p> <ul style="list-style-type: none"> <li>✓ Enhanced promotion by the members of the parliament of democratic standards and good practices, as identified by the Parliamentary Assembly of the Council of Europe (PACE) and other Council of Europe bodies.</li> <li>✓ Enhanced knowledge among members of the parliament, parliament staff and other relevant stakeholders in implementing and monitoring international obligations.</li> <li>✓ Improved dialogue and co-operation among the members of the parliament on legislative reforms.</li> <li>✓ Enhanced public awareness about Council of Europe standards and public engagement in the legislative process.</li> <li>✓ Improved alignment of Georgian legislation to Council of Europe standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Level of co-operation among the members of the parliament on the legislative reforms</li> <li>• Level of knowledge among the members of the parliament, parliament staff and relevant stakeholders on implementing and monitoring international obligations</li> <li>• Level of public engagement in the legislative process</li> </ul>
<p><i>Confidence-building measures</i></p> <ul style="list-style-type: none"> <li>✓ Enhanced co-operation among the representatives of the divided communities on the topics identified for common work.</li> </ul>	<ul style="list-style-type: none"> <li>• Level of co-operation on human rights related issues among the representatives of in the divided communities</li> </ul>

<ul style="list-style-type: none"> <li>✓ Increased interaction among the divided communities.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of to CBM initiatives (including gender perspective) - Existing one</li> <li>• Level of engagement of the community members, including civil society organisations (CSOs) from either side of the dividing line in the CBMs.</li> </ul>
<p><b>3.2. Democratic participation</b></p>	
<p><i>Education for democracy</i></p>	
<ul style="list-style-type: none"> <li>✓ Policies supporting enhanced democratic citizenship education and human rights education, participatory school governance adopted by educational institutions;</li> <li>✓ Enhanced capacities of education professionals to integrate human rights principles and a culture of democratic participation in their practice;</li> <li>✓ Human rights principles and a culture of democratic participation integrated by educational professionals in their practice in schools and school communities;</li> <li>✓ Enhanced competences of school children about democratic culture and increased participation in decision-making processes in their schools and communities.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which the educational institution policies incorporate democratic citizenship, human rights education, and participatory school governance</li> <li>• Extent to which the human rights principles and a culture of democratic participation is integrated in practice by the education professionals</li> </ul>
<p><i>Youth for democracy</i></p>	
<ul style="list-style-type: none"> <li>✓ Enhanced capacities of Georgian authorities and youth organisations to promote democratic citizenship, digital citizenship, and human rights education and develop quality non-formal education activities for and with young people;</li> <li>✓ Enhanced youth participatory policy framework for youth participation in social, economic, cultural and political life and democratic processes at local level developed with the participation of governmental and non-governmental representatives;</li> <li>✓ Enhanced provision and quality of youth work and non-formal education activities by the relevant stakeholders;</li> <li>✓ Improved peacebuilding initiatives with youth organisations in the conflict affected Georgian regions of Abkhazia and the Tskhinvali region/South Ossetia with the active participation of young people.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which the policies at national and local level encourage youth's participation in social, economic, cultural and political life and democratic processes at national and local level</li> <li>• Number of initiatives by youth organisations aimed at promotion of democratic citizenship, digital citizenship and human rights education and development of quality non-formal education activities for and with young people.</li> <li>• Level of participation of young people in the peacebuilding initiatives in the conflict affected Georgian regions of Abkhazia and the Tskhinvali region/South Ossetia</li> <li>• Extent to which initiatives by youth organisations promote youth's participation in social, economic, cultural and political life and democratic processes at local level</li> </ul>

APPENDIX II: RISK REGISTER

Risk description	Mitigation actions
<b>Risks related to the political environment</b>	
<ul style="list-style-type: none"> <li>• <b>Changing governmental priorities or lack of genuine political will for reforms</b>, leading to low political support to project implementation and reduced allocations in human and financial resources for reforms, or the window dressing with limited change on the part of some public actors.</li> </ul>	<p>Communicate at the highest political level about the obligations the State has entered into when joining the Council of Europe.</p> <p>Promote dialogue between authorities and civil society on the application of the standards.</p> <p>Discuss mitigation strategies with international partners (European Union in particular).</p>
<ul style="list-style-type: none"> <li>• <b>Increased polarisation of the society</b>, leading to unsupportive environment vis-à-vis reforms, and mixed perception among Georgian citizens and civil society organisations (CSOs) about Council of Europe's role and mandate.</li> </ul>	<p>Raise awareness among target groups to sensitise them as to the importance of applying the standards of the Organisation.</p> <p>Promote dialogue between authorities and civil society on application of the standards.</p> <p>Focus on protection of rights of the vulnerable groups.</p> <p>Discuss mitigation strategies with international partners (EU in particular).</p>
<ul style="list-style-type: none"> <li>• <b>Changing donor's priorities</b>, leading to reduced voluntary contributions in favour of Georgia.</li> </ul>	<p>Reinforce communications with donors at the highest political level.</p>
<ul style="list-style-type: none"> <li>• <b>Prolonged vacancies in key management posts in the Tbilisi office</b>, leading to reduced Council of Europe visibility in Georgia, low Action Plan funding and low political support to project implementation.</li> </ul>	<p>Start preparing the succession in advance to limit the duration of the vacancies as much as possible.</p> <p>Provide extra support from headquarters, as needed.</p>
<b>Risks related to project/programme delivery</b>	
<ul style="list-style-type: none"> <li>• <b>Insufficient funding for implementation of important areas of the Action Plan</b>, resulting in discontinuation of co-operation in a number of fields, losing momentum, affecting the pace of implementation and effectiveness of reforms in</li> </ul>	<p>Ensure effective resource mobilisation efforts in co-ordination with headquarters, the Council of Europe office in Tbilisi, the Ministry of Foreign affairs and the Georgian Permanent Representation to the Council of Europe.</p>

<p>Georgia and the perceived relevance of the Council of Europe.</p>	<p>Maintain open communication channels with traditional donors and explore new funding sources. Organise major donor events.</p> <p>Devise a resource allocation strategy taking into account potential for synergies and overall effectiveness.</p> <p>Continue to address feedback from partners and donors to improve project design, implementation, results-based monitoring, and reporting practices, so as to attract and retain donors.</p>
<ul style="list-style-type: none"> <li>• <b>Changing implementation partners' priorities</b>, leading to lack of support, delays in implementation and poor effectiveness</li> </ul>	<p>Hold regular project stakeholders' meetings to build ownership of the project results.</p> <p>Monitor closely partners' interest in the implementation of activities.</p> <p>Enhance partners' accountability vis-à-vis results to be achieved and involve partners in monitoring progress towards achieving results.</p>
<ul style="list-style-type: none"> <li>• <b>Ineffective co-ordination with national and international partners</b>, leading to overlaps, missed synergies, wasted resources and reputational issues.</li> </ul>	<p>Increase the co-ordination efforts at national level.</p> <p>Ensure appropriate communication among stakeholders on plans and co-ordinated implementation, whenever relevant.</p> <p>Increase the practice of joint/co-ordinated activities and communication.</p>
<ul style="list-style-type: none"> <li>• <b>High turnover of governmental and non-governmental staff and other key partners</b>, leading to loss of know-how and networking contacts and disruption in Action Plan implementation.</li> </ul>	<p>Close monitoring of staff changes and swift re-establishment of contacts.</p> <p>Support long-term institutional memory at partner institutions' level and contribute to sustainable knowledge management practices.</p> <p>Encourage a shared leadership approach on project implementation to enhance beneficiaries' ownership and commitment to results.</p>
<ul style="list-style-type: none"> <li>• <b>Ineffective co-operation with Georgian civil society organisations (CSOs)</b>, leading to low national ownership of projects implemented, low support from the Georgian population, low project effectiveness and reputational issues.</li> </ul>	<p>Adopt an inclusive approach towards civil society organisations (CSOs) at both Action Plan and project level both during planning and implementation phases.</p> <p>Actively look for new co-operation opportunities with CSOs, on the basis of Council of Europe processes and procedures.</p>

	Continue to enhance CSOs' professional capacities through specific capacity building activities and co-operation in project implementation.
<b>Risks related to communication</b>	
<ul style="list-style-type: none"> <li>• <b>Insufficient or ineffective communication</b>, leading to poor knowledge among main international and national partners, target groups and general population about the benefits of the reforms and the Council of Europe's contribution to the reforms in Georgia.</li> </ul>	<p>Ensure every project develops its communication strategy to inform stakeholders and foster interest in the activities of the Organisation in Georgia.</p> <p>Ensure a results-oriented communication reaching out different target groups with clear messages about the Council of Europe's contribution to reforms in Georgia and its impact on the daily lives of Georgian citizens.</p> <p>Increase the speed at which information is exchanged.</p> <p>Continue communicating in both English and Georgian to ensure the widest outreach possible.</p>
<ul style="list-style-type: none"> <li>• <b>Hybrid activities</b> against Georgia and its Euro-Atlantic aspirations.</li> </ul>	Coordinate communication with international organisations and other Council of Europe member States.

APPENDIX III: FINANCIAL TABLE  
(all amounts in euros)

	<b>Sectors</b>	<b>Total budget</b>
<b>1</b>	<b>Human rights</b>	<b>6 033 333</b>
	1. Effective implementation of the European Convention on Human Rights	2 400 000
	2. Equality and human dignity	1 733 333
	3. Anti-discrimination, diversity and inclusion	900 000
	4. Social rights	1 000 000
<b>2</b>	<b>Rule of Law</b>	<b>6 960 695</b>
	1. Rule of law based institutions	3 670 278
	2. Action against crime, security and protection of citizens	3 290 417
<b>3</b>	<b>Democracy</b>	<b>5 600 000</b>
	1. Congress of Local and Regional Authorities	1 750 000
	2. Democratic governance	2 850 000
	3. Democratic participation	1 000 000
	<b>Co-ordination, management and reserves</b>	<b>1 352 972</b>
	1. Co-ordination - Reserve	767 917
	2. General management costs	558 055
	<b>TOTAL</b>	<b>19 920 000</b>

## APPENDIX IV: SOURCES/RELEVANT DOCUMENTS

**Council of Europe documents**

1. Technical co-operation with Georgia
  - [Action Plan for Georgia 2020-2023](#)
  - [Progress report 2020-2023](#)
  - [Action Plan for Georgia 2016-2019](#)
  - [Final Report 2016-2019](#)
  - [Progress Report 2016-2019](#)
  - [Action Plan for Georgia 2013-2015](#)
  - [Final Report 2013-2015](#)
  - [Progress Report 2013-2015](#)
2. Secretary General of the Council of Europe
  - [Annual report 2023 - State of Democracy, Human Rights and the Rule of Law](#)
  - [Annual report 2022 - Moving Forward](#)
  - [Annual report 2021 - State of Democracy, Human Rights and the Rule of Law: A democratic renewal for Europe](#)
  - [Annual report 2020 - Multilateralism 2020](#)
3. European Court of Human Rights
  - [European Court of Human Rights case-law in relation to Georgia.](#)
  - [ECHR Facts and figures by State](#)
  - [Execution of judgments Georgia country factsheet](#)
4. Commissioner for Human Rights of the Council of Europe
  - [Letter on the draft law "On transparency of foreign influence"](#)
  - [Country report on Georgia - 2022](#)
  - [Statement on the independent functioning of the State Inspector's Service](#)
  - [Statement on the independent mandate of the Public Defender](#)
5. Committee of Ministers of the Council of Europe
  - Committee of Ministers Recommendations on:
    - [the impacts of digital technologies on freedom of expression](#)
    - [principles for media and communication governance,](#)
    - [media pluralism and transparency of media ownership,](#)
    - [the internet.](#)
    - [measures to combat discrimination on grounds of sexual orientation or gender identity](#)
    - [intercultural integration;](#)
    - [the Freedom of Exercise of the Profession of Lawyer.](#)
    - [participation of citizens in local public life;](#)
    - [human rights and business;](#)
    - [the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education;](#)
    - [protecting youth civil society and young people and supporting their participation in democratic processes.](#)
6. Congress of Local and Regional Authorities of the Council of Europe
  - [European Charter of Local Self-Government](#)
  - [Additional Protocol to the European Charter of Local Self-Government on the Right to Participate in the Affairs of a Local Authority.](#)
  - [Monitoring of the application of the European Charter of Local Self-Government in Georgia - 2018](#)
7. Parliamentary Assembly of the Council of Europe
  - [The honouring of obligations and commitments by Georgia - 2022](#)
  - [Information note by the co-rapporteurs on their fact-finding visit to Tbilisi - 2023](#)
8. Monitoring and expert advisory bodies
  - [European Commission for the Democracy through Law \(Venice Commission\)](#)

- *Final Opinion on the draft law on de-oligarchisation, adopted by the Venice Commission at its 135th Plenary Session (Venice, 9-10 June 2023)*
- *Follow-up Opinion to four previous opinions concerning the Organic Law on Common Courts, adopted by the Venice Commission at its 134th Plenary Session (Venice, 10-11 March 2023)*
- *Joint opinion of the Venice Commission and the OSCE/ODIHR on draft amendments to the Election Code and the Law on Political Associations of Citizens, approved by the Council for Democratic Elections at its 75th meeting (Venice, 15 December 2022) and adopted by the Venice Commission at its 133rd Plenary Session (Venice, 16-17 December 2022)*
- *Urgent opinion on the draft Law on the amendments to the criminal procedure Code, adopted by the Parliament of Georgia, on 7 June 2022, issued on 26 August 2022 pursuant to Article 14a of the Venice Commission's Rules of Procedure. Endorsed by the Venice Commission at its 132nd plenary session (Venice, 21-22 October 2022)*
- European Commission Against Racism and Intolerance (ECRI)
  - *ECRI report on Georgia (sixth monitoring cycle) - March 2023*
- European Committee of Social Rights (ECSR)
  - *Conclusions of the European Committee of Social Rights 2022 concerning Georgia (Thematic group Labour rights)*
  - *Conclusions of the European Committee of Social Rights 2021 concerning Georgia (Thematic group Health, social security and social protection)*
  - *Conclusions of the European Committee of Social Rights 2020 concerning Georgia (Thematic group Employment, training and equal opportunities)*
  - *Conclusions of the European Committee of Social Rights 2019 concerning Georgia (Thematic group Children, families and migrants)*
- European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)
  - *Ad hoc visit to Georgia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) – May 2021*
- Group of States against Corruption (GRECO)
  - *GRECO fourth evaluation round - 2016*
  - *GRECO fourth evaluation round first compliance report - 2019*
  - *GRECO fourth evaluation round second compliance report - 2022*

## 9. Guidelines

- *Council of Europe Gender Mainstreaming Toolkit for Co-operation Projects*
- *Gender Equality Strategy 2018-2023*
- *Strategy for the Rights of the Child 2016-2021*
- *Guidelines on civil society organisations participation in Council of Europe's co-operation activities*
- *Guidelines for civil participation in political decision-making*
- *Council of Europe Project Management Methodology*
- *Council of Europe Risk Management Policy*
- *Council of Europe Risk Management Guidelines*

## European Union documents

- *Opinion on Georgia's application for membership of the European Union*

## National policy documents of Georgia<sup>84</sup>

- National Strategy for the Protection of Human Rights 2022-2030
- National Strategy for Combatting Organized Crime 2021-2024
- Strategy for the well-being and mental health
- Code of the rights of the child
- National Strategy for the Prevention of Drug Abuse 2021-2026
- National Decentralisation Strategy 2020-2025
- Self-Government Code
- 2022-2030 Unified National Strategy of Education and Science of Georgia
- National Youth Policy Document (2014)
- National Youth Policy Concept 2020-2030

84. Relevant national strategic documents identifying priorities and/or main lines of action have been consulted to ensure the Council of Europe support matches the country's needs and priorities and is coherent with other national initiatives. Any reference, in the current Action Plan, to national legislation, strategies, policies, action plans or any other national document does not represent an endorsement of such documents by the Council of Europe.



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