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**Statement by H.E. Ms. Khatuna Totladze**

**Deputy Minister of Foreign Affairs of Georgia**

**Thirty-seventh session of the Universal Periodic Review (UPR) Working Group**

**Tbilisi, 26 January 2021**

Distinguished President, Members of the Troika, Exellencies, Ladies and Gentlemen,

It is my honour and great privilege to address during the 3rd cycle of the Universal Periodic Review in the capacity of the Head of Georgian Delegation consisting of senior officials from the executive, legislative and judicial branches.

At the outset, let me reiterate Georgia’s commitment to human rights protection and full support to the UPR mechanism of the Human Rights Council. During the 2nd review cycle, Georgia accepted 191 recommendations out of 203. We have also submitted voluntary mid-term report on the implementation of the recommendations that received our support.

We attach great importance to the cooperation with the existing UN human rights mechanisms. During our HRC membership from 2016 till 2018, we were actively engaged in the work of the Council, particularly focusing on initiatives on human rights defenders and increased civil society participation, advancement of rights of the most vulnerable groups, with special emphasis on children, persons with disabilities, women, girls, internally displaced persons and cooperation with OHCHR. We continue to be actively engaged in the work of the Council after completing our term.

Stemming from the aforesaid, it is my honor to use this opportunity to present our candidature to the Council membership for the period 2023-2025.

Let me also note that based on a standing invitation extended to all UN Special Procedures mandate holders in 2010, since our previous review in 2015, we hosted 6 visits.

In order to ensure the effective implementation of Georgia’s reporting obligations before the UN treaty and charter-based bodies, we have developed an inclusive national reporting process with the active engagement of all relevant stakeholders. The role of the Georgian Parliament in this process has been increased since 2016 and all state reports are now subjects to the Parliamentary scrutiny. Since the 2nd cycle of the UPR, we have submitted initial report on the implementation of the Convention on the Rights of Persons with Disabilities, initial reports under the Optional Protocols of the Convention of the Rights of the Child, State periodic reports under the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the International Covenant on Civil and Political Rights. We are now working on the preparation of the remaining two State reports under the International Covenant on Economic, Social and Cultural Rights and Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

We also pay uttermost attention to the implementation of recommendations of the human rights monitoring bodies. These recommendations are translated into the National Action Plans of Human Rights for their effective implementation.

Georgia’s significant progress in promoting and protecting human rights, in particular the rights of women and children, have contributed to the election of Georgia’s candidatures to the Committee on the Rights of the Child (CRC) and the Committee on the Elimination of Discrimination against Women (CEDAW).

Ladies and Gentlemen,

Georgia constantly takes measures aimed at protection and promotion of human rights and in this regard numerous reforms have been initiated and implemented. Indeed, challenges remain and we are aware that there is much work to be done. Let me now briefly outline major developments since the previous review.

In pursuance to received recommendations and undertaken commitments, in 2016, we have acceded to the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure. In 2017, Georgia ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) and we have harmonized Georgian legislation with the standards of the Convention. We continue work to accede to the remaining human rights treaties and relevant domestic procedures are ongoing on this matter.

During the reporting period we have elaborated second Human Rights Strategy for the period of 2021-2030 with the active involvement of all stakeholders. This high-level political document is based on principles of institutional democracy and equality, incorporates the universal human rights standards and is in full conformity with the UN sustainable development goals.

In 2019, an independent state agency – the State Inspector’s Service, which is legal successor of the Personal Data Protection Inspector’s Office, was created for independent and effective investigation of specific crimes committed by law enforcement officers and civil servants. Since 2015, the Office of the Inspector is entitled to oversee covert investigative actions. Considering the expanded mandate, the budget of the Offices doubled in 2020.

We continue to take measures to strengthen the Office of the Public Defender to ensure its effective monitoring of human rights protection, including under the anti-discrimination law. In 2019, the Public Defender of Georgia has been granted the power to seek the enforcement of the recommendations addressed to private law entities through courts. Furthermore, in comparison to 2015, in 2021 the approved budget of the Office has been considerably increased.

As a result of legislative amendments of 2019, the sexual harassment became punishable and relevant sanctions have been introduced.

Further measures have been taken to combat discrimination, hate crimes and to address domestic violence and violence against women. According to the 2018 amendments to the Criminal Code, gender discrimination is determined to be an aggravating criminal circumstance.

Human Rights Protection and Quality Monitoring Department has been established at the Ministry of Interior in 2018, with the primary function to monitor the quality of investigation of hate crimes, crimes committed with discriminatory intent, cases of violence against women, as well as crimes committed by and against minors.

In 2017, Interagency Commission on Gender Equality, Violence against Women and Domestic Violence was established. In 2018, the Government approved National Action Plan for 2018-2020 to combat violence against women and domestic violence.

Certain positive steps have been taken to increase women’s participation in the decision-making processes. 2018 Constitutional amendments reinforced gender equality provisions obliging state to take special measures for ensuring equality. In 2020, gender quotas were adopted.

In 2016, Interagency Governmental Commission on Implementation of the Convention on the Rights of the Child was created to coordinate and monitor unified policy on the protection of the rights of the child.

One of the recent and important development is the Code on the Rights of the Child adopted by the Parliament in 2019, incorporating the standards enshrined in the Convention.

In 2017, all reservations that allowed the marriage of persons under 18 were lifted.

In 2020, the Law on Rights of Persons with Disabilities was adopted incorporating the Convention on the Rights of Persons with Disabilities into the Georgian legislation.

During the recent years, so-called “third” and “fourth” waves of judicial reforms increased independence, accountability and transparency of the judiciary.

As regards the state policy against human trafficking, according to the US State Department Reports on Trafficking in human beings, Georgia maintained the leading position during the period of 2016-2020.

The State Strategy for Civic Equality and Integration and Action Plan for 2015-2020 are essential tools for ensuring civic integration of the representatives of ethnic minorities. These documents aim to provide equal and full participation of ethnic minorities in all spheres of public life, support cultural diversity and strengthen the tolerant environment.

Different steps for the healthcare and social protection are being implemented. The Government continues to take measures to protect health and lives of population in the midst of COVID-19 pandemic and provide social and economic assistance to those most vulnerable.

Let me now draw your attention to the extremely deteriorated human rights situation in the Russian occupied Georgian regions of Abkhazia and Tskhinvali region/South Ossetia. Violation of the right to life, torture and ill-treatment, kidnapping and arbitrary detention, restriction of freedom of movement, infringement of property rights, prohibition of education in native language and blatant forms of ethnic discrimination have become part of everyday life for the conflict-affected people. Brutal killings of ethnic Georgians –Davit Basharuli, Giga Otkhozoria and Archil Tatunashvili, as well as the death of Irakli Kvaratskhelia in illegal detention at the Russian military base in Abkhazia region have been another vivid example of ethnically driven violence and growing impunity stimulated by the occupation regimes. Local population continues to live under heavy burden of intensively erected barbwire fences and artificial barriers separating families and villages. People lost their lives due to refusal by the occupation regimes on medical evacuations, not allowing treatment in the Georgian controlled territory amid the COVID-19 pandemic.

It is particularly concerning that in such severe circumstances, the international human rights organizations are constantly denied the access to the occupied Abkhazia and Tskhinvali regions.

The Russian Federation, exercising effective control, bears the full responsibility for all violations in the occupied territories of Georgia. The Judgement of 21st of January of the European Court of Human Rights established Russia’s responsibility for human rights violations in the occupied territories of Georgia under the European Convention on Human Rights.

My Government, in its turn, is implementing all available measures to address human rights abuses in the occupied regions, including through raising the issue on the international agenda. We spare no effort to find durable solutions for humanitarian and human rights needs of the conflict-affected people through peace negotiations in the Geneva International Discussions. Furthermore, we continue implementing programmes aiming at improving humanitarian and socio-economic conditions of people in the occupied territories. During the COVID-19 crisis, the Government has been providing full-fledged support to the people on the other side of the occupation line.

We are taking further steps to address the long-term housing and improve socio-economic conditions for IDPs, expelled from their houses as a result of ethnic cleansing. However, the ultimate solution for hundreds of thousands of IDPs is a safe and dignified return, as reaffirmed in the respective Resolutions of the UNGA.

Ladies and Gentlemen,

This is a brief overview of main reforms undertaken since the 2nd review cycle, but more has been done in different areas and the members of Georgian delegation will provide detailed information in this respect. We stand ready to constructively engage in the dialogue, to address the questions raised and to consider the recommendations.

Thank you very much for your attention.