



## Submission of the Public Defender of Georgia for 74<sup>th</sup> Pre-Sessional Working Group of the CESCR

### Introduction

The Public Defender's Office of Georgia (PDO) is an "A" status NHRI supervising the protection of human rights within its jurisdiction on the territory of Georgia. The PDO's present submission comments on Georgia's third periodic report (hereinafter State Report), evaluates the ICESCR implementation and proposes questions for the list of issues to be adopted by the 74<sup>th</sup> Pre-Sessional Working Group of the CESCR.

### Reply to paragraph 31 of the concluding observations – IDPs

1. As of the latest data at the disposal of the Public Defender's Office of Georgia, there are 295872 IDPs registered in Georgia. A long-term resettlement was carried out in case of 54862 families. Unfortunately, resettlement and housing of IDPs is connected with considerable challenges.<sup>1</sup> For years, the long-term resettlement of IDPs has been hindered by delays in the decision-making process, unsubstantiated negative decisions on housing and, in some cases, the illegal practice of cancelling the scores which were pre-granted to families due to living in difficult conditions and on which positive decisions on housing depended.<sup>2</sup> The practice of inspecting buildings at risk of collapsing has also been flawed in many cases reviewed by PDO.<sup>3</sup> There have also been cases of families still living in such buildings after these buildings were formally declared closed.<sup>4</sup> Buildings at risk of collapsing have been even transferred to possession of IDPs and the legislation is silent on such cases while the municipalities have refused to address this problem.<sup>5</sup>

2. As for the economic state of IDPs, the PDO's 2022 study points to displaced women's limited access to the formal labor market.<sup>6</sup> Participants of the study mentioned inaccessibility of transport, domestic work and scarcity of care facilities (e.g., preschools), insufficient awareness about and lack of measures for their economic empowerment and (mobility) barriers to accessing vocational education as major obstacles to employment.<sup>7</sup>

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<sup>1</sup> Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2022, p. 232-234, available at: <http://tinyurl.com/3ky5fd6r> [last seen 13.12.23].

<sup>2</sup> Ibid, p. 233; Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2021, p. 267, available at: <http://tinyurl.com/3f9fz6uh> [last seen 13.12.23]; Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2020, p. 353, available at: <http://tinyurl.com/m4nfd3t> [last seen 13.12.23].

<sup>3</sup> Supra note 1, p. 234; Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2021, p. 267.

<sup>4</sup> Supra note 1, p. 234.

<sup>5</sup> Ibid.

<sup>6</sup> The Public Defender of Georgia, Mobility Barriers of Internally Displaced Women and its Impact on Women's Economic Empowerment, 2022, p. 25, available at: <http://tinyurl.com/3jpw92uu> [last seen 13.12.23].

<sup>7</sup> Ibid, pp. 26-28.

### **Reply to paragraphs 33 and 34 – Right to work and Labor Inspection**

3. The labor legislations in itself still has significant shortcomings, such as: norms regulating working hours of minors in contravention of international standards, the absence of adequate minimum wage, etc.<sup>8</sup> The labor legislation also does not comply with standards of the right to work of persons with disabilities (PWDs).<sup>9</sup> The Labor Code, for example, fails to explicitly recognize associative discrimination as a form of discrimination.

4. The PDO would like to underline challenges in employment of PWDs. These include lack of awareness on available services, stigma among employers, difficulties in receiving education, non-adapted infrastructure and vacancy websites, lack of supporting services and needed equipment, etc.<sup>10</sup> Measures mentioned in the State Report have insufficiently addressed this problem. In particular, the Employment Agency's services are often not adapted to PWDs' needs and lack geographic coverage.<sup>11</sup> Similarly, vocational education programmes have lacked geographic coverage as well as supporting specialists for students with SEN and PWDs.<sup>12</sup> Unfortunately, the employment support programmes have been ineffective as attested by the low number of PWDs employed within the framework of the employment support services.<sup>13</sup> According to the 2022 statistics on the employment promotion programmes/components, PWDs involved in them and seeking jobs (320) outnumbered employed PWDs (69).<sup>14</sup>

### **Reply to paragraph 38 – Rights of the child**

6. Early marriage remains a serious problem. The number of studied cases of early marriage increased between 2020-2022.<sup>15</sup> The authorities have struggled to act in coordination, identify alleged coercion of marriage and carry out referral procedures.<sup>16</sup> In the cases studied by the PDO, it was problematic to start administrative proceedings on facts of possible marriage and/or engagement at an early age. Also,

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<sup>8</sup> Comments submitted by the Public Defender's Office of Georgia concerning the 16th National Report on the implementation of the European Social Charter, pdf pages 6-9, 14-15, 40-41, available at: <http://tinyurl.com/3nrfznp6> [last seen 13.12.23]; The Public Defender of Georgia, Child Labor during the new Coronavirus Pandemic and beyond, p. 13, available at: <http://tinyurl.com/mr22mxx6> [last seen 13.12.23].

<sup>9</sup> The Public Defender of Georgia, Right to Work and Employment of Persons with Disabilities, p. 20-27, available at: <http://tinyurl.com/4pwmjfmh> [last seen 13.12.23].

<sup>10</sup> Supra note 1, p. 197.

<sup>11</sup> Ibid, p. 198; Supra note 9, p. 57.

<sup>12</sup> Supra note 1, pp. 196-197.

<sup>13</sup> 103 PWDs were employed in 2017, 99 in 2018, 98 in 2019, 37 in 2020, 115 in 2021, please view: <http://tinyurl.com/23tkuwxv> [last seen 13.12.23]; The Public Defender of Georgia, Right to Work and Employment of Persons with Disabilities, available at: <http://tinyurl.com/4pwmjfmh> [last seen 13.12.23]; Moreover, the PDO has received statistics about PWDs' employment within the 2022 and 2023 State Employment Support Programme: 368 PWDs were employed in 2022 and 285 PWDs – in first nine months of 2023, LEPL State Employment Support Agency's letter N 14884/23 dated 13.12.2023.

<sup>14</sup> Supra note 1, page 198.

<sup>15</sup> The State Care and Assistance Agency for Victims of Trafficking studied 400 cases of early marriage cases in 2022 while 129 and 115 cases were studied in 2021 and 2020 respectively: supra note 1, p. 160; Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2021, p. 123.

<sup>16</sup> Supra note 1, pp. 160-161; Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2021, pp. 121-122.

girls often drop out of schools, teachers do not have adequate information and knowledge about indicators for detection of early marriage, referral procedures, and their obligations.

7. In terms of child-friendly administration of justice, there is a scarcity of spaces tailored to children's needs in buildings of courts and other state bodies as well as a lack of specialists and rehabilitation or supporting services for children and/or their families.<sup>17</sup> Moreover, the Centre for Psychological and Social Services for Children Victims of Violence mentioned in the State Report only functions in Tbilisi and thus its geographic accessibility is not enough.<sup>18</sup>

8. As the State Report mentions the Social Rehabilitation and Child Care State Programme, the PDO would like to note its 2021 report revealing shortcomings in provision of the programme services in 2018-2020, such as the absence of standard for service provision, inadequate government oversight over the implementation, lack of geographic coverage and awareness about the services among children, parents and child development specialists.<sup>19</sup> As for the Sub-programme for the Provision of Shelters to Street Children, 277 children were beneficiaries of the sub-programme in 2021, 314 minors - in 2022 and 240 children – in 2023.<sup>20</sup> However, given the difficulties in case detection and scarcity of services, the aforesaid statistics are unlikely to reflect the correct number and do not cover all the children working or living in the streets.<sup>21</sup> Services supporting children living and/or working in the streets, and their families are scarce, fragmented and do not have appropriate infrastructure and human resources.<sup>22</sup>

9. The State Report mentions the deinstitutionalization process.<sup>23</sup> In 2022 state took significant measures aimed at the deinstitutionalization of large residential facilities for children.<sup>24</sup> However, it is noteworthy, that despite many positive steps taken in respect to deinstitutionalization, there is one institution - NNLE Javakheti Ninostminda St. Nino Boarding school - left with 9 beneficiaries<sup>25</sup> for whom the process of defining further family-like care has been ineffective and delayed.<sup>26</sup> As regards to bringing justice to the facts of serious breaches of children's rights (including violations possibly

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<sup>17</sup> Supra note 1, p. 209; The Public Defender of Georgia, Special Report on the Administration of Justice on Crimes of Sexual Abuse and Sexual Exploitation of Children, 2021, pp. 9-10, available at: <http://tinyurl.com/3c3d9vey> [last seen 13.12.23]; The Public Defender of Georgia, Administration of Justice on the Right of the Right of the Child to maintain Relations with both Parents, pp. 6, 8-9, available: <http://tinyurl.com/33pshd85> [last seen 13.12.23].

<sup>18</sup> Supra note 1, p. 211.

<sup>19</sup> The Public Defender of Georgia, Special Report on Analysis of the State Programs for Social Rehabilitation and Childcare for 2018-2020, 2021, page 6, available at: <https://tinyurl.com/mr2882zj> [last seen 13.12.23].

<sup>20</sup> Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2021, p. 217; Supra note 1, p. 215; LEPL Agency For State Care And Assistance For the (Statutory) Victims of Human trafficking, letter # 1000318 4 23 00983468 dated 18/09/2023.

<sup>21</sup> Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2021, p. 217; Supra note 1, p. 215.

<sup>22</sup> Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2021, page 217; Supra note 1, p. 216.

<sup>23</sup> Third periodic report submitted by Georgia under articles 16 and 17 of the Covenant, due in 2007, § 199.

<sup>24</sup> Supra note 1, p. 205

<sup>25</sup> Latest information on the number of beneficiaries at the facility received through monitoring of the Public Defender of Georgia and verbal communication with the LEPL Agency For State Care And Assistance For the (Statutory) Victims of Human trafficking.

<sup>26</sup> LEPL Agency For State Care And Assistance For the (Statutory) Victims of Human trafficking, letter # 1000318 4 23 00983468 dated 18/09/2023; Supra note 1, p. 214.

equal to torture, degrading and humiliating treatment) revealed by the PDO's monitoring in the aforementioned boarding school and the examination of case materials, the process is still ineffective. Despite the fact that the Public Defender addressed the Prosecutor General with a proposal in 2021 and outlined all the challenges at that stage,<sup>27</sup> unfortunately, no changes were made to the qualification of the cases, the investigation was being conducted into violence instead of a degrading or inhumane treatment, only one person was recognized as a victim and no specific individuals have faced criminal prosecution.<sup>28</sup> Apart from these problems, other challenges in state care include meeting children's emotional and social needs, a lack of child-friendly environment, improper infrastructure, continued training of care-takers, etc.<sup>29</sup>

### **Reply to paragraph 39 – Poverty, right to food and adequate health**

10. According to the legislative provisions, separating children from their parents is an extreme measure and should only be used if it's required for the child's safety and best interests. According to state statistics placement of 346 children under the state care was, related to the violence and neglect (81%), difficulty in child's behaviour (14,3%), abandonment by the parent (2,3%), health problems of the child or parent (2,4%).<sup>30</sup> However, the Public Defender's study showed that the main reason for the separation of children from biological families or one of its significant contributing factors is the parents' difficult economic situation, lack of housing and stable income.<sup>31</sup> As regards child poverty, the number of children receiving subsistence allowance increased for 5 consecutive years (2019-2023)<sup>32</sup>. The existing central and local targeted support services are not flexible and effective enough for tackling child poverty, meeting individual needs of children and their families, and for developing families' skills to achieve independent living. Unfortunately, consequently, the failure to address this problem leads to placing children in state care.<sup>33</sup>

11. As for the targeted social assistance programme, the PDO has repeatedly indicated shortcomings in the programme's methodology of assessing the socio-economic status of socially vulnerable families and the need to reassess the methodology and the programme's effectiveness based on research of households.<sup>34</sup> The PDO has also criticized the lengthy period established for the appointment of a subsistence allowance within the programme.<sup>35</sup>

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<sup>27</sup> Supra note 1, page 214; Special Report of the Public Defender of Georgia on the Rights of Children in NNLE Javakheti Ninotsminda St. Nino Boarding School, pp. 4, 17-18, available at: <https://bit.ly/3Mqn3iZ> [last seen 13.12.23].

<sup>28</sup> Supra note 1, p. 55.

<sup>29</sup> Ibid, pp. 214-215.

<sup>30</sup> Ibid, p. 213.

<sup>31</sup> Ibid, p. 213.

<sup>32</sup> Ibid, p. 212; In 2023 the number of minors receiving subsistence allowance increased up to 347 295, please view: <https://ssa.moh.gov.ge/statistik.php?lang=1&id=202212070002225855299551&v=>

<sup>33</sup> Supra note 1, p. 212.

<sup>34</sup> Ibid, p. 186; Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2021, p. 175; Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2019, pp. 223-224 available at: <https://tinyurl.com/4c3jr3yf> [last seen 13.12.23].

<sup>35</sup> Supra note 1, p. 186.

12. In terms of realization of the right to food, the PDO conducted a monitoring of 59 free canteens in March-February 2022.<sup>36</sup> The monitoring revealed that the management or delivery of free meal services was not regulated by a uniform standard and that menus were not planned by specialists and did not consider energy value of food and beneficiaries' age, health and religious beliefs.

13. In 2022, the PDO also monitored 57 rural outpatient clinics in 18 municipalities to assess primary healthcare provided within the state programme on village doctors mentioned in the State Report. The monitoring revealed the need to arrange/rehabilitate electricity/24-hour water supply system in some regions and the failure to meet the minimum standards on hygiene and disinfection in most of the clinics and the standards of accessibility for PWDs in some of them.<sup>37</sup> As for reproductive health care, challenges include the absence of maternity and/or gynecological departments in medical facilities in some municipalities, stereotypes and misinformation about sexual and reproductive healthcare, inaccessibility of such healthcare for PWDs, the exclusion of psychologist services from postnatal services and unavailability of antenatal care services within the State Maternal and Child Health Program after the 13<sup>th</sup> week of pregnancy, limited access to abortion for sexual violence survivors.<sup>38</sup>

#### **Reply to paragraph 40 – Improvement of living conditions**

14. In terms of housing policy, the obligation to create a housing policy document, assumed within the "Open Government Action Plan of Georgia for 2018-2019", has not been fulfilled.<sup>39</sup> Unfortunately, matters concerning the right to adequate housing are absent in the National Human Rights Strategy for 2022-2030.<sup>40</sup> Thus, the state has to yet design a comprehensive policy on the issue of homelessness. The policy development is also hindered by absence of research into causes of homelessness and of consolidated databases on central and municipal levels.<sup>41</sup>

15. The current legislation fails to define a homeless person in compliance with international standards and excludes from its scope individuals in need of housing, e.g., people living in substandard conditions in social houses without legal guarantees and under threat of eviction, persons temporarily living with relatives or in institutions (e.g., orphanages).<sup>42</sup>

16. As to situation in practice, the PDO's monitoring revealed inadequate living conditions in social housing buildings.<sup>43</sup> The problems identified include lack of space, impossibility of sound isolation, dampness, insanitariness, etc. According to the monitoring, the existing housing or social services and their budgets are insufficient.

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<sup>36</sup> Ibid, pp. 186-187.

<sup>37</sup> For Pictures depicting the state of the monitored clinics please view: <https://tinyurl.com/4mk5yyp6> [last seen 13.12.23].

<sup>38</sup> Supra note 1, p. 157.

<sup>39</sup> Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2021, p. 178.

<sup>40</sup> Supra note 1, p. 189.

<sup>41</sup> Ibid.

<sup>42</sup> Comments submitted by the Public Defender's Office of Georgia concerning the 16th National Report on the implementation of the European Social Charter, pp. 18-19.

<sup>43</sup> Supra note 1, pp. 190-191; Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2021, pages 179-181.

## Reply to paragraph 43 – Care for persons with mental illnesses

18. The Law on Psychiatric Care mentioned in the State report needs to be improved. It fails to: recognize/regulate rapid tranquilization as a chemical restraint, explicitly oblige psychiatric facilities to prevent crisis/critical situations, determine a clear procedure and criteria for restriction of patients' fundamental rights by doctors, differentiate between informed consent to placement in inpatient care and consent to treatment, clearly determine obligatory measures and a procedure for reviewing a patient's status in case of applying restraint methods to patients under voluntary treatment.<sup>44</sup>

19. The monitoring by the National Preventive Mechanism reveals that expression of informed, voluntary consent to both placement in inpatient care and treatment is problematic.<sup>45</sup> Patients often sign forms of informed consent under such circumstances that exclude or cast doubt on validity/voluntariness of the consent given. There have been cases of deceiving or psychologically pressuring patients to make them sign the form. Moreover, the form is usually filled out only once initially and patients' consent to any later changes in treatment is not obtained. There have also been involuntary transfers of those individuals to psychiatric facilities who did not need inpatient care. Moreover, most patients in facilities monitored in 2022 did not know medicine/injections they were taking, their side effects and the reason for taking them. Patients formally undergoing voluntary treatment were arbitrarily not allowed to leave psychiatric facilities. Other problems in practice include a large number of those waiting to be admitted to shelters (despite opening of new shelters), challenges in improving the somatic health and human rights situation of patients (despite increase in funding of facilities) and unequal geographic coverage of psychiatric services.

20. The Mental Health Strategy of Georgia for 2022-2030 is flawed<sup>46</sup> in that it fails to cover such important matters as awareness raising and suicide prevention; some of its parts addressing the development of psychiatric healthcare are declaratory and provide no specific ways of achieving their aims; the document uses a term stigmatizing PWDs.<sup>47</sup> There have been serious delays in implementations of the 2022-2024 action plan of the strategy.<sup>48</sup> As for the mental health state programme, there are no standards for implementation of some of its components, such as the provision of community outpatient psychiatric services and housing for persons with mental health issues.

## Reply to paragraphs 29, 45, 46 – Education

21. The rate of suspension/termination of pupil status in 2022 was higher than the rate in previous years.<sup>49</sup> In 2022, the number of students whose status was suspended on the ground of "moving abroad

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<sup>44</sup> The 2022 Report of the National Preventive Mechanism, pp. 191-196, 198-199, 202-203, available at: <http://tinyurl.com/5x2yfba7> [last seen 13.12.23]; Supra note 1, pp. 28, 32, 42.

<sup>45</sup> The 2022 Report of the National Preventive Mechanism, pp. 199-203; Supra note 1, p. 32.

<sup>46</sup> Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia 2021, pp. 225-226.

<sup>47</sup> The term "invalidization".

<sup>48</sup> Supra note 1, p. 198

<sup>49</sup> Ibid, p. 207: 12792 pupils in 2022, 8429 in 2021, 6704 in 2020.

with their families” doubled compared to 2021 and this increase may be closely related to the economic and social challenges in the country.<sup>50</sup> Moreover, the statistics on the grounds for suspension/termination of pupil status still need to be refined and clarified.<sup>51</sup> In particular, the ambiguous grounds for suspending/terminating the status, such as the "parent's application" or the "limit of absences", do not provide accurate information about the real reason for suspension/termination of school studies. Although the State report refers to the engagement of social workers in cases of absence from school, the practice shows that schools do not refer to social workers/services when parents neglect their disabled children's right to education.<sup>52</sup>

22. As for inclusive education, the challenges at the pre-school level include difficulties in recruiting inclusive education specialists and their insufficient number in terms of geographic coverage, lack of physical accessibility, non-existence of resource rooms in many kindergartens, low awareness among parents and personnel and ensuing stigma and the increased risk of dropping out, lack of trainings and qualifications of employees and insufficient remuneration leading the staff to leave their jobs.<sup>53</sup> Moreover, the monitoring of resource schools conducted by the PDO in 2023 detected the following problems: insufficient funding, lack of accessibility and geographic coverage, recruitment and retraining of qualified personnel, employee turnover, lack of sign language specialists, lack of information about violence, inadequate hygienic conditions. Moreover, the PDO studied inclusive education at higher education level in 11 universities in 2023. The issues revealed include physical accessibility and accessibility to learning materials, stigma and stereotypes leading the students to hide their needs, lack of engagement of PWDs and SEN students in extracurricular and academic activities, personnel's low qualifications (in respect of, inter alia, reasonable accommodation). Most of the universities did not have a systemic document to organize teaching and learning for PWDs and SEN students and, instead, they used a reactive approach, i.e., they only worked on issues post factum. Unfortunately, there are also serious challenges in ensuring education for ethnic minorities. They include insufficient territorial coverage of kindergartens, lack of bilingual teaching and qualified/trained personnel at the pre-school and school levels, absence of a unified conceptual approach and vision regarding general education (for ethnic minorities), failure to publish mother language and/or literature textbooks for ethnic minorities, providing schools with relevant educational and methodological programs and necessary material and technical resources, etc.<sup>54</sup> As for higher education for ethnic minorities, students participating in the “1+4 program” are subject to a problematic regulation hindering their further studies. In particular, the students, who complete the program of preparation in Georgian language within the “1+4 program”, are not allowed to receive state funding if they enroll in accredited educational programs that are financed by the state according to the general rule.<sup>55</sup>

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<sup>50</sup> Ibid, p. 208.

<sup>51</sup> Ibid, p. 208.

<sup>52</sup> Ibid, p. 196.

<sup>53</sup> These problems were revealed during face-to-face meetings held by the PDO.

<sup>54</sup> Supra note 1, pp. 224-227; The visits conducted by the PDO in pre-school and school level educational institutions on 20, 21, 24, 29 and 30 November 2023 in the following municipalities: Marneuli, Bolnisi, Gardabani, Tsalka and Dmanisi.

<sup>55</sup> Supra note 1, p. 228.



23. As for human rights education, it is minimally incorporated in the new unified strategy of education and science and its action plans.<sup>56</sup> Moreover, the (separate) strategy and action plan for human rights education have not yet been developed while the new National Human Rights Protection Strategy for 2022-2030 fails to address improvement of human rights education.<sup>57</sup> Lack of comprehensive education about reproductive and sexual health and rights in schools should also be noted.<sup>58</sup>

### **Questions proposed to be put by the Committee in the List of Issues regarding the 3<sup>rd</sup> periodic report of Georgia**

24. Please indicate the measures planned/taken to address remaining shortcomings in labor law.

25. Please indicate the measures planned/taken to increase PWDs' access to vocational education programmes (including geographic and physical accessibility), the variety and availability of (in-demand) vocational education programmes, geographic coverage of the Employment Agency's services, awareness about and effectiveness of employment facilitation programmes.

26. Please indicate whether the State Party plans to develop guidelines for uniform operating procedures to respond to cases of child marriage and a unified communication strategy to prevent child marriage.

27. Please indicate the measures planned/taken to increase child-friendly spaces in buildings of the authorities and the number and competencies of specialists involved in juvenile justice as well as the number of rehabilitation or supporting services for children and their families.

28. Please indicate the measures undertaken/planned to assess and gradually enhance the effectiveness of services of the Sub-programme for the Provision of Shelters to Street Children, within the Social Rehabilitation and Childcare State Programme.

29. Please indicate measures planned/taken to obtain a maximally accurate number of children living or working in the streets.

30. Please indicate measures planned/taken to (re-)train employees of small family-type houses, shelters for mothers and children, homeless children's shelters on children's emotional and social needs, management and prevention of difficult behavior of children and other specific challenges identified when working with minors in each facility.

31. Please indicate measures planned/taken to identify families with children living in poverty and their needs and to devise effective supporting services or improve the current ones for them.

32. Please indicate measures planned/taken to improve the methodology of the targeted social assistance programme.

33. Please indicate measures planned/taken to standardize the free canteens service in terms of requirements regarding hygiene, food quality, menu, infrastructure.

34. Please indicate measures planned/taken to build/rehabilitate primary healthcare infrastructure, including clinics within the state programme on village doctors.

35. Please indicate measures planned/taken to address: the absence of maternity and/or gynecological departments in medical facilities in some municipalities, stereotypes and misinformation about sexual and reproductive healthcare and inaccessibility of such healthcare for PWDs.

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<sup>56</sup> Ibid, p. 262.

<sup>57</sup> Ibid, p. 263.

<sup>58</sup> The Public Defender of Georgia, Sexual and Reproductive Health and Human Rights: National Assessment Key Findings, available at: <http://tinyurl.com/28cw6acp> and the PDO's findings are also reflected in the Review of Education on Human Sexuality in Georgia, available at: <http://tinyurl.com/2enmek83> [last accessed 15.12.2023].



- 36.** Please indicate measures planned/taken to integrate postnatal care and psychological services into the State Maternal and Child Health Programme and to allow exceptional access to antenatal care services within this programme after the 13th week of pregnancy.
- 37.** Please indicate whether the State Party plans to introduce legislative amendments to allow sexual violence victims to receive abortion services as soon as the investigation is launched.
- 38.** Please Indicate legislative measures planned/taken to determine the definition of a homeless person and create a framework legislation on the right to housing in compliance with international standards and best practices.
- 39.** Please indicate measures planned/taken to create minimal standards for social housing and a comprehensive policy to ensure the right to housing according to international standards as well as measures planned/taken in the meantime to provide people living in social housing with alternative housing suitable for dignified life.
- 40.** Please indicate whether the State Party intends to amend the Law on Psychiatric Care in order to: extend guarantees under article 16 to rapid involuntary tranquilization, oblige the responsible Ministry to develop and adopt internal guidelines for crisis prevention and management in psychiatric facilities, determine obligatory measures and a procedure for reviewing a patient's status and a sanction for their breach in case of applying restraint methods to patients undergoing voluntary treatment, determine a clear procedure and criteria for restriction of patients' fundamental rights by doctors on the ground of safety, differentiate between informed consents to placement in inpatient care and treatment.
- 41.** Please indicate whether the State party plans to adopt an order approving and regulating a form on informed consent to placement in inpatient care and an order obliging psychiatric facilities to inform patients about their rights and the internal regulations of inpatient care verbally and in written form during placement in inpatient care and regularly thereafter.
- 42.** Please indicate measures planned/undertaken to develop a standard for shelters for persons with mental health problems and to ensure placement of these persons in housing compatible with the standard in the process of deinstitutionalization.
- 43.** Please indicate measures planned/undertaken to create a state service of supporting persons in order to provide persons with psychosocial needs with a service of professional supporters.
- 44.** Please indicate measures planned/taken to examine the causes of the increasing rate of termination/suspension of school studies, to improve the statistics on termination/suspension and to devise a strategy to mitigate termination/suspension risks.
- 45.** Please indicate measures planned/taken to increase the accessibility of infrastructure and learning resources and the number of inclusive education specialists at the pre-school and school levels.
- 46.** Please indicate measures planned/taken to enhance access to infrastructure, reasonable accommodation and inclusivity of teaching/learning in universities.
- 47.** Please indicate measures planned/taken to build and rehabilitate kindergartens and to improve the infrastructure and technical-material resources of schools in municipalities densely populated with ethnic minorities.
- 48.** Please indicate whether the State Party plans to publish mother language and/or literature textbooks for ethnic minorities.
- 49.** Please indicate whether the State Party plans to adopt a policy document on human rights education.