



# INFORMATION BULLETIN OF PUBLIC DEFENDER OF GEORGIA

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QUARTERLY  
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PUBLIC  
DEFENDER'S  
OFFICE IS  
TRUSTED BY

**75%**

OF THOSE  
WHO HAVE  
HEARD OF IT



OFFICIAL VISIT TO UNITED STATES OF AMERICA

INFORMATION  
CAMPAIGN  
"SAFE TOY"



## 1. PUBLIC DEFENDER'S WELCOME



THE PUBLIC DEFENDER OF GEORGIA, UCHA NANUASHVILI

According to a survey conducted by the Centre for Strategic Research and Development of Georgia, substance D-2-ethyl-hoxpliflate (DEHP), the use of which is prohibited in toys by the EU regulations, was found in nine out of ten toys bought in Georgia.

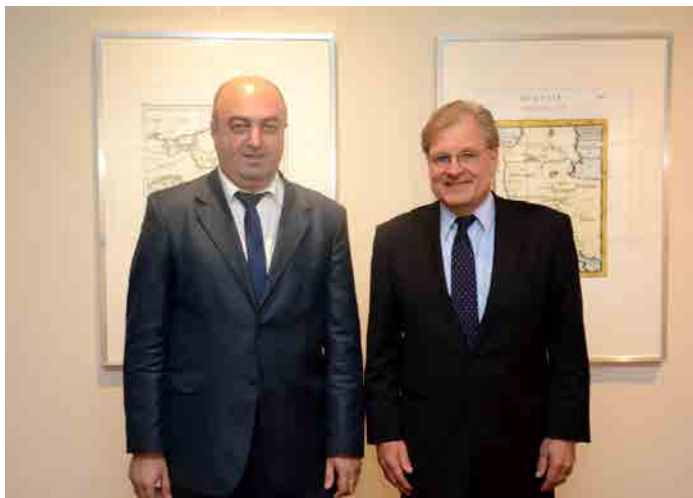
Had you had information about the alarming situation on the toy market before the publication of the survey? I had only overheard it once. But after we've found out that toys can damage our or our friends' children, we must act! First of all, it's important to provide information about this threat to as many people as possible.

That's why we've launched [information campaign Safe Toy](#) and founded an association together with business organizations. The goal of the campaign is to tell the Government what measures are to be taken to eliminate the problem. It is also necessary to create a mechanism that will supervise toy production and supply, regulate legislative and institutional market, and most importantly, define the responsibility of the business sector!

The legislative base, which must regulate the production and import of toys, is due to be created in 2019. In order to avoid postponement of this date for an indefinite period of time, it is important the parties engaged in the production and import of toys to immediately start preparing for the changes.

In order to draw attention to this issue, we held several meetings with the administrations of small group homes, owners of retail networks, non-governmental organizations, chemists, doctors and social workers working on the mentioned issue during [the information campaign](#) in summer.

This summer was important in terms of meetings. In June, our delegation held more than 20 meetings in [the United States](#), including in [the US Department of State](#).



In New York, we met with the representatives of the European Department of the Office of the United Nations High Commissioner for Human Rights, international organizations - Freedom House, Human Rights Watch and International Center for Transitional Justice, who work on the issues of Georgia.

The main goal of our visit was to brief the friends of Georgia of the human rights situation in our country. Along with discussing successes and threats, we were asked about the disappearance of Azeri journalist Afgan Mukhtarli from Georgia at almost every meeting.



Another important event in summer was the opening of the ninth regional [office of the Public Defender in Mestia](#) in July. The problems characteristic of the mountainous region are especially sensitive in Svaneti. That's why we selected Mestia for the opening of a regional office.

## 2. PUBLIC STATEMENTS

In the reporting period, the Public Defender echoed the most alarming cases of human rights violations.

It was reported on June 9, 2017, that [police arrested rappers of the music group Birja Mafia](#) for drug possession. Members of the group were alleging that the rappers were detained due to mocking police officers in their music video. The Public Defender said that the content and visuals used in the video were fully protected by the freedom of expression.

The right to education should be accessible for any person without [discrimination](#). The Public Defender considered that the admission requirement of Shota Rustaveli Theater and Film State University for the academic years of 2017-2018, according to which, applicant should not have any irreparable organic defect, was discriminatory.

The insult of a young woman and alleged threats made against her by the organizers of [the movement Georgian March](#) on social networks further complicate the situation of gender equality in the country, - said Ucha Nanuashvili. The Public Defender called on the Ministry of Internal Affairs to timely and effectively carry out an investigation into the case.

Representatives of the Public Defender's Office were intensively observing the protests held in front of [the Governmental Administration](#) and the administrative building of [LLC Georgian Railway](#). The monitoring revealed that police often illegally restricted the citizens' freedom of assembly. According to the Public Defender, such actions are incompatible with the freedom of expression.

On July 25, the Public Defender expressed his sorrow over [the death of the construction worker](#) in the Didi Digomi district. High rate of death and injuries of workers in the workplace clearly indicate that this issue is very serious in Georgia and requires a timely, systematic and consistent approach in order to radically change the situation.

The Public Defender of Georgia disapproved the decree of the Parliament of Georgia, according to which, [the regulations on tobacco products](#) will take effect on 31 January 2022 instead of 1 January 2018.

9 years have passed since the [August 2008 war](#), though the people living on the occupied territories and along the dividing line still suffer from the consequences of the war. [Frequent attacks of the representatives of the de facto and Russian authorities](#) on civilian activists cause concerns. It is important to resolve the acute humanitarian issues without politicization of the issue and find a way out on the basis of the human rights-based approach.



The state policy in the field of mental health should be focused on the development of community-based services, and the role and participation of local self-governments are particularly important in this process. On August 24, the Public Defender of Georgia [criticized the Rustavi City Hall's refusal](#) to co-finance the Mobile Psychiatric Healthcare Service, since termination of the service may cause deterioration of patients' health.

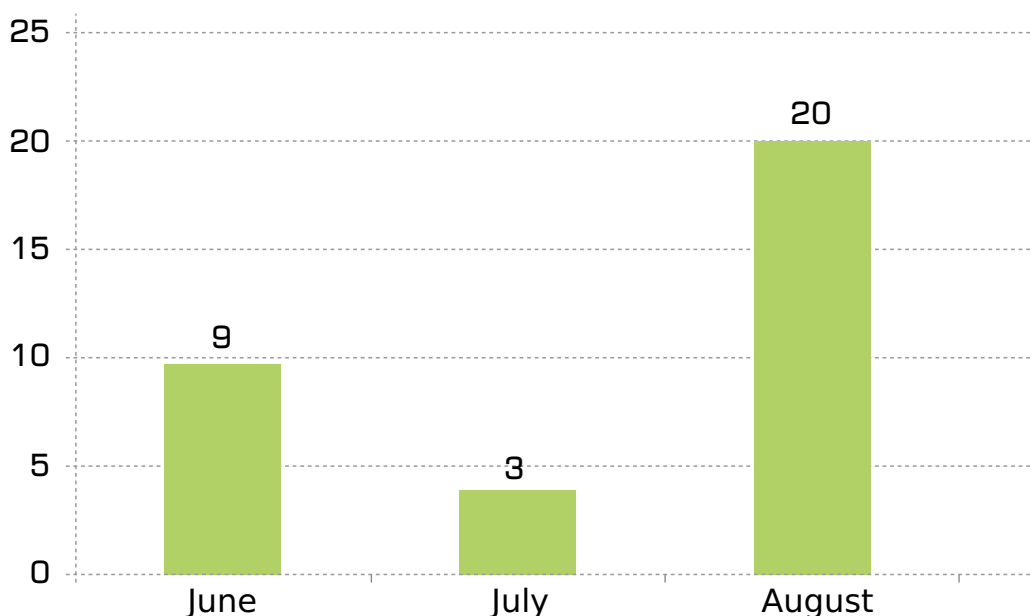
[A number of cases of violence and homophobic attitude have been observed](#) in recent years, when representatives of LGBT community referred to the inaction of police or their insulting attitude. Apparently, similar fact took place in Batumi, where police officers detained members of the Equality Movement, when they were demanding protection from the attackers. The Public Defender urged the Prosecutor's Office to react to the alleged ill-treatment by the law enforcement officers.

[The Council of Religions of the Public Defender of Georgia called on the Parliament](#) of Georgia not to allow addition of grounds such as state security, prevention of crime and administration of justice to the Constitution of Georgia, since such grounds are not foreseeable and may endanger the freedom of conscience, belief and religion.

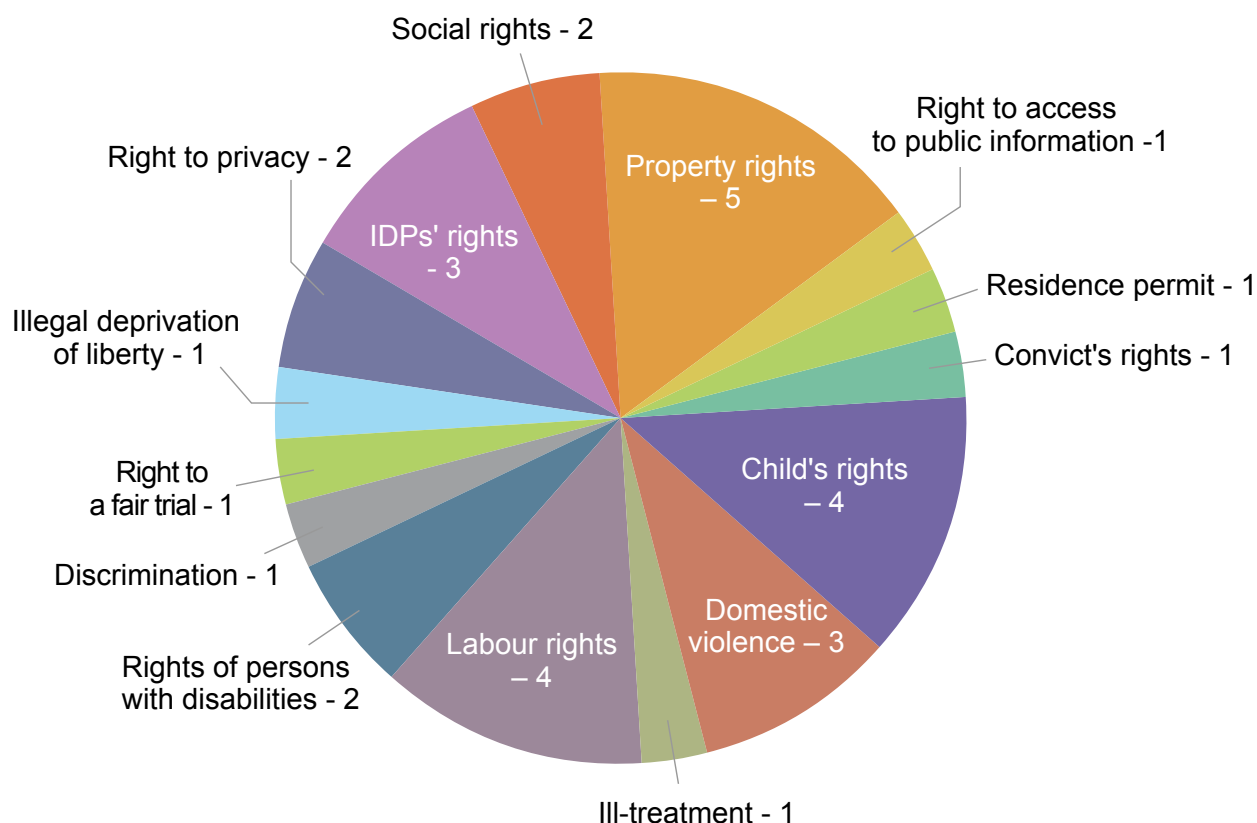
### 3. RECOMMENDATIONS, PROPOSALS AND GENERAL PROPOSALS

In the summer of 2017, the Public Defender submitted 21 recommendations and 11 proposals to various state agencies.

#### 3.1. Submitted recommendations/proposals according to months



### 3.2. Recommendations/proposals according to topics



We received replies to 29 recommendations/proposals; no replies have been received with regard to three recommendations/proposals.

## 4. ACTIVITIES OF PUBLIC DEFENDER AND PUBLIC DEFENDER'S OFFICE

### ALTERNATIVE REPORTS

The Public Defender submitted an [alternative report to the UN Committee](#) on the Elimination of Racial Discrimination, which concerns the alleged violations of the convention on racial discrimination by the Russian Federation in the occupied territories of Georgia.

On August 18, the Public Defender of Georgia submitted [communication to the Committee of Ministers of the Council of Europe](#), in which he reviewed and analyzed the cases of violence against religious minorities, the state response to them and other offenses, as well as shortcomings.

### PUBLIC DEBATES

Two public debates were held in summer

On June 30, a public debate was held about: Rights of Foreigners and Persons with Neu-



tral Documents and State Security. The state practice not to provide explanations about why they refused to grant humanitarian status to refugees and asylum seekers was criticized at the debate.

On July 28, at the public debate held in the city of Gori, First Deputy Public Defender Natia Katsitadze spoke about the role of the International Criminal Court, its investigation of crimes committed during the 2008 war and security challenges.

### SPECIAL REPORTS

The Public Defender presented certain chapters of the 2016 report on the situation of human rights and freedoms, as well as the recommendations aimed at improving the rights situation to the Government of Georgia, diplomatic corps, international and local organizations.



Special reports concerned the rights situation of [children](#), [internally displaced persons](#), [conflict affected](#) population and [persons with disabilities](#), as well as opinions, recommendations and evaluation of the [privatization of mental health care institutions](#). On 26 June - the International Day in Support to Victims of Torture, presentation of [the report of the National Preventive Mechanism](#) was held.



## INFORMATION MEETINGS AND WORKSHOPS

Representatives of the Public Defender held more than ten information meetings on the human rights issues with population, employees of municipalities and vulnerable groups in the regions of Georgia.

Meetings were held with school teachers of Gali district, local NGOs, Zugdidi and Tsalenjikha municipal administrations and municipal councils, as well as young civil activists, in the Zugdidi office of the Samegrelo Regional Division.

The regional representatives of the Marneuli Office held meetings on issues of early marriage and child's rights in the villages of Kesalo, Meore Kesalo and Ilmazlo, as well as in the village of Algeti, Marneuli municipality.

Members of the National Preventive Mechanism, together with the employees of the regional offices, discussed the issues of torture and other ill-treatment of detainees, as well as the mandate and activities of the Public Defender, at the meeting with lawyers and representatives of local NGOs in Kutaisi and Telavi.

## TRAININGS

Human Rights Academy of the Public Defender held two trainings in July



Training on “Promotion of Human Rights Education at the Level of General Education” was held for teachers of Tbilisi public and private schools. The second training on “Psychological Aspects of Domestic Violence and Violence against Women” was held for the employees of the Ministry of Defense of Georgia and the General Staff of the Armed Forces, who have direct contact with the military servicemen who serve in various missions abroad and are in need of psychological support.



## 5. SUCCESSFUL CASES

5.1. As a result of numerous requests made by the Center for Child's Rights of the Public Defender's Office, the Akhalkalaki municipal administration allocated GEL 80 000 for the improvement of infrastructure and rehabilitation of the kindergarten in the village of Azavreti.

5.2. Following the recommendation of the Public Defender, an IDP was compensated for the missed allowance that she had not been getting from January 2012 to May 2014 due to failure to pass mandatory registration.



5.3. As a result of the appeal of the Public Defender, the Prosecutor's Office of Georgia launched investigations into 2 cases of alleged domestic violence.

5.4. An investigation was launched into a minor girl's forced marriage.

5.5. The Prosecutor's Office of Georgia took into consideration [the proposal of the Public Defender](#) and handed over the criminal case of alleged criminal offense committed against Azerbaijani journalist Afgan Mukhtarli by police officers to the investigators of the Prosecutor's Office <sup>1</sup>.

5.6. On 20-22 June, Tbilisi City Court declared the [Minister of Justice and heads of 10 legal entities of public law](#) of the Ministry as infringers of law due to non-compliance with the lawful request of the Public Defender of Georgia. In addition, Tbilisi City Court found that [the Director of the penitentiary establishment No 8](#) violated law as he did not fulfill the lawful request of the Public Defender and fined him GEL 800.

## 6. NEW DEVELOPMENTS IN PUBLIC DEFENDER'S OFFICE

6.1. [The Public Defender's Office is trusted by 75% of those who have heard of it](#)

According to the organization ACT, the Public Defender's Office is trusted by 75% of those who have heard of it, 80% knows that Public Defender is Ucha Nanuashvili and 73% is ready to appeal to the Public Defender in case of necessity.

65% of respondents consider that Public Defender's information is reliable. 72% of those who had any kind of contact with the Public Defender's Office for the last 5 years are satisfied with this experience. They emphasized justice, attention, high qualification and quick service, when describing the Public Defender's Office.

6.2. Activities of the Department of Criminal Justice

In June, July and August, representatives of the Department of Criminal Justice visited 273 prisoners during their 65 visits to various penitentiary establishments.

<sup>1</sup> However, the Prosecutor's Office did not satisfy the request on granting victim's status to Afgan Mukhtarli

### 6.3. Activities of the National Preventive Mechanism

During summer, members of the Special Preventive Group studied and evaluated the situation in the Ksani Tuberculosis Treatment and Rehabilitation Center No 19, Kutaisi detention and closed institution No 2 and Tbilisi detention and closed institution No 8. In addition, they inspected the divisions and temporary detention facilities of the Ministry of Internal Affairs in the Imereti, Racha-Lechkhumi and Kakheti regions.

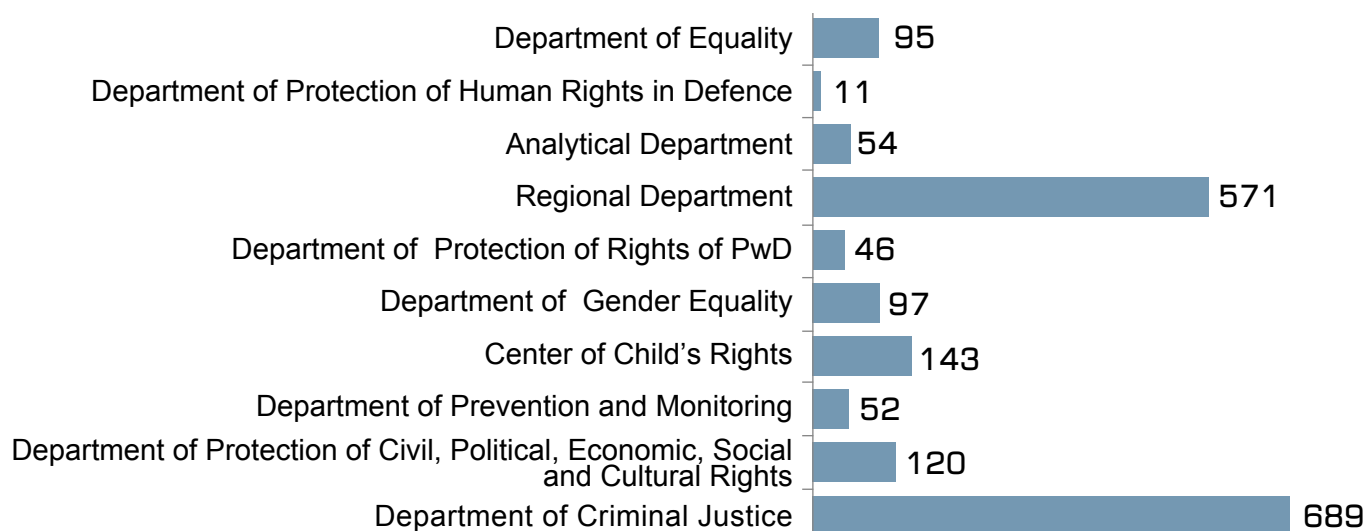
### 6.4. Activities of the Center for Child's Rights

The Center for Child's Rights of the Public Defender's Office conducted monitoring of four general educational institutions of Tbilisi. In addition, together with the representatives of the Department of Prevention and Monitoring and experts of the Special Preventive Group, they examined 10 small group homes and 9 children's homes under religious confessions.

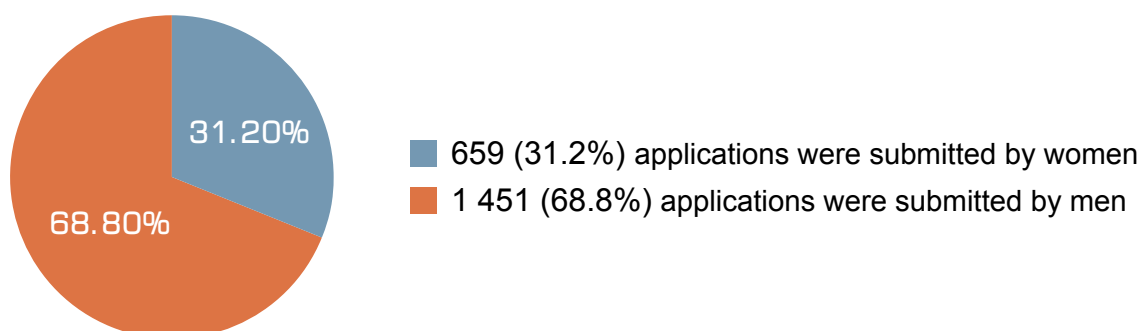
## STATISTICS

1 333 applications have been filed with the Public Defender's Office in June

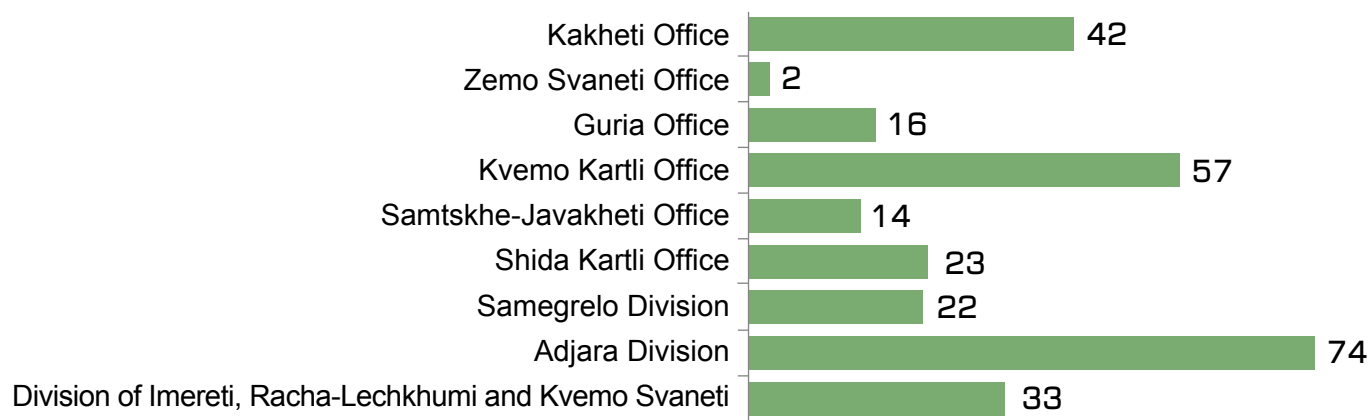
### 6.5. Admissible applications were forwarded to the following departments



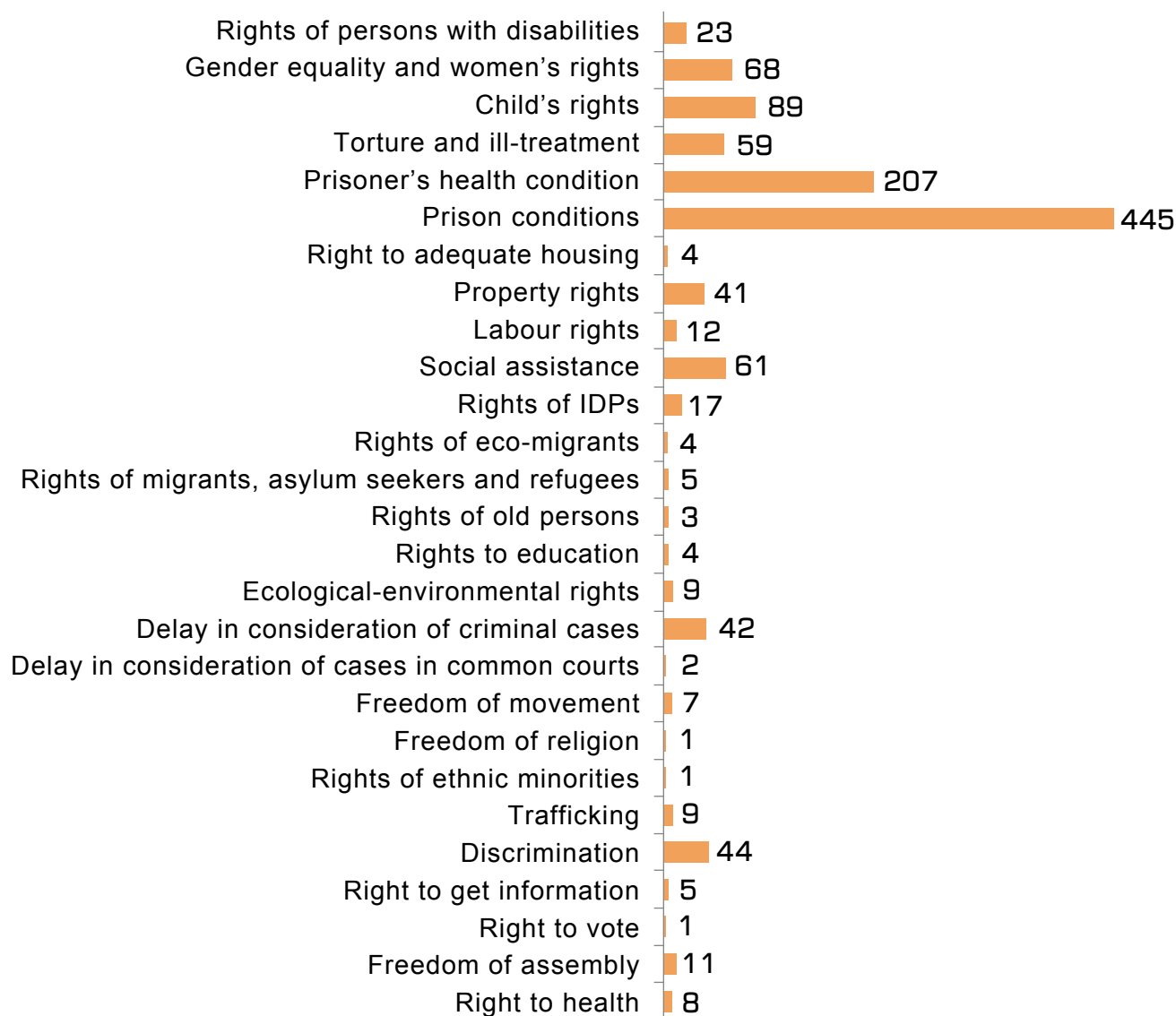
### 6.6. Number of applications according to gender



## 6.7. Applications registered in regions – 283



## 6.8. Topics of the applications



## 6.9. Topics of hotline calls

- Right to get information - 539
- Discrimination - 9
- Delay in consideration of cases in common courts - 1
- Delay in consideration of criminal cases - 7
- Ecological-environmental rights - 4
- Rights of IDPs - 2
- Social assistance -13
- Labour rights - 5
- Property rights - 10
- Prisoner's rights - 62
- Prisoner's health condition - 34
- Torture and ill-treatment - 1
- Child's rights - 49
- Gender equality and women's rights - 6
- Rights of persons with disabilities - 18

## 6.10 Number of visitors and calls

- Number of visitors (in the Tbilisi and regional offices) - 1 678
- Number of hotline calls - 1 432
- Number of landline phone calls - 2 336

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591 96 88 82

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**BATUMI**

9 MAZNIASHVILI STREET  
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MOB: 595 80 78 43

**MARNEULI**

51 RUSTAVELI STREET  
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MOB: 595 52 53 57

**GORI**

1 SAMEBA STREET  
TEL: 0370 27 05 49  
MOB: 551 66 14 77

**KUTAISI**

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MOB: 577 55 33 81

**TELAVI**

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