



**End of mission statement of the
UN Independent Expert on the promotion of a democratic and equitable
international order, Dr. Livingstone Sewanyana**

**Official country visit to Georgia
5 May 2023**

I am addressing you today at the conclusion of my official visit to Georgia, which I undertook at the invitation of the Government, from 26 April to 5 May 2023, in my capacity as UN Independent Expert on the promotion of a democratic and equitable international order. I would like to warmly thank the Government of Georgia for the invitation to conduct this country visit and for its cooperation before and during the visit. I am also thankful and give particular appreciation to the UN Country team for their valuable support and assistance.

During my visit, I met with Governmental officials based in Tbilisi, and had the opportunity to visit the Administrative Boundary Line (ABL) in Khurvaleti, adjacent to the Tskhinvali region.

I met with the Prime Minister's Advisor on Human Rights, the representatives of the Minister of Foreign Affairs, the Anti-corruption Bureau, the Policy Planning and Governmental Coordination Department of the Administration of the Government, the representatives of the government in the Administrative Boundary line in Khurvaleti, the State Minister of Georgia for Reconciliation and Civic Equality, the Ministry of Economy and Sustainable Development, the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs, the Ministry of Internal Affairs, the Ministry of Justice, the Ministry of Culture, Sports and Youth, the Ministry of Environmental Protection and Agriculture, and our focal point from the Government, the Counsellor, in the UN Division Department of International Organizations of the Ministry of Foreign Affairs.

I also met with members of Parliament: The Chairperson of the Human Rights and Civil Integration Committee and the Chairperson of the Gender Equality Council.

I would also like to express my gratitude to the representatives from the civil society organizations with whom I was able to meet and engage in an open discussion on Georgia's efforts and improvements in promoting, protecting and strengthening the democratic and equitable International Order. My sincere thanks also go to academia, in particular the Tbilisi State University for hosting my delegation during the visit.

This end of mission statements draws my preliminary findings from this visit. It will be followed by a full report with a thorough analysis and assessment, observation,

conclusions and recommendations which will tentatively be presented to the 54th session of the Human Rights Council in September 2023.

During the meetings I had with the different stakeholders, I had the occasion to hold discussions on Georgia's efforts to promote and contribute to the political, economic and social progress at the national, regional, and international level through diverse areas of cooperation. In addition, I have had opportunities to discuss on the country's efforts in maintaining peace and security at the national and regional level. Furthermore, I had an exchange of views on fair trade practices, on the fight against corruption as well as the overall protection of human rights in the country.

With regard to the upcoming thematic report to be presented to the Human Rights Council alongside with this country visit report, I also had discussions on youth's representation and participation at the national and intergovernmental level.

General context

Since Georgia gained independence in 1991, the country endured several periods of armed conflict and has invested significant efforts in restoring peace and security, through different areas of cooperation at the national, regional and international level. From the signing of the cease-fire agreement dated 12 August 2008 following the "five-day war", Georgia undertook notable efforts in upholding the respect of the principles enshrined in the agreement, in order to maintain peace and security and to avoid a return to the hostilities despite its non-recognition of the two territories of Abkhazia and the Tskhinvali/ South Ossetia region, which access continues to be restricted.

Georgia has a good record of ratification of international human rights instruments, and maintains good cooperation with UN human rights mechanisms, and an affirmed willingness to implement the sustainable development goals and the 2030 Agenda. Yet, it has not ratified the International Convention on Enforced Disappearances and the International Convention on the Rights of Migrant Workers and their families.

Georgia is also a member of a number of regional international organizations including the Council of Europe, the Organization for Security and Cooperation in Europe, among others. In addition, Georgia has developed working frameworks for cooperation in different areas with regional organisations such as the European Union, namely the European Union Monitoring Mission (EUMM) an unarmed civilian monitoring mission deployed since 2008 to help facilitate the resumption of a safe and normal life for the local communities living on both sides of the Administrative Boundary Lines (ABL) with Abkhazia and Tskhinvali/South Ossetia region.

Maintaining peace and security in the country and in the region

Georgia has generally a peaceful climate and has made progress in maintaining peace within the country despite its history of recent armed conflicts. I acknowledge that in spite of the different challenges encountered in Abkhazia and in Tskhinvali/South Ossetia, the Georgian Government has formulated a Reconciliation and engagement policies towards Abkhazia and South Ossetia which entered into force in 2010 focusing on building trust between the communities and providing care for the populations behind the ABL. The

strategy also enables the products originating from or produced in Abkhazia and Tskhinvali /South Ossetia region to access the internal market of Georgia as well as foreign markets through the privileged export opportunities available to Georgia, inter alia, the Deep and Comprehensive Free Trade Agreement (DCFTA) with the European Union. It also implies the supply of goods produced on Georgian-controlled territories, or imported into Georgia, to Abkhazia and Tskhinvali /South Ossetia region as well as encourages activities related to trade across the dividing lines, including joint business initiatives.

In addition, I would like to encourage the continuity of the Geneva International Discussions in order to address the consequences of the Ceasefire Agreement signed in 2008 which is periodically held in Geneva.

As part of the good practices to be highlighted on peace and security, it is encouraging to note that Georgia adopted the 2022–2024 National Action Plan of Georgia for Implementation of the UN Security Council Resolutions on Women, Peace and Security (WPS NAP) in October 2022.

I have also been encouraged to hear about Georgia's willingness to play a role of facilitator of dialogues with regard to the conflict resolution between Armenia and Azerbaijan together with the support of the UN presence in Georgia and other international organizations.

Despite this progress, I remain concerned about the existing challenges, repeatedly mentioned by previous Special Procedures mandate holder on various country visits, and by the international community, namely the restricted access to Abkhazia and South Ossetia with the exception of the International Committee of the Red Cross to provide humanitarian assistance, the lack of adequate living conditions of the neighbouring people living near the ABL, in particular the older persons, but also their severely restricted freedom of movement, and serious lack of infrastructure.

Allegations of arbitrary detention of so-called "illegal" crossing, kidnappings and killings of civilians have also been reported, by the de facto authorities in Abkhazia and South Ossetia which are particularly concerning. In addition, I have noted the lack of data in monitoring the number of people arbitrarily detained and killed and the lack of an effective investigative mechanism in this regard.

I wish to express concern about the installation of the barbed wires fences along the ABLs and call upon those responsible to remove these barriers.

I would like to encourage the Georgian Government to strengthen its cooperation on the ground with the European Union Monitoring Mission, as well as humanitarian organizations in ensuring a safe and quasi-normal life for the local communities living on both sides of the ABLs with Abkhazia and the Tskhinvali/ South Ossetia region.

I would like to welcome the introduction of the Human Rights strategy adopted in 2022 for 2022-2030 and call for its full implementation in particular in defining an action plan on human rights, both at the central and at the local.

As it has been reported during our meetings, I welcome that internally displaced persons (IDPs) have access to health care, emergency health care and are provided with financial assistance for their integration. However, I remain concerned about the lack of durable solutions towards a lasting solution to the conflict. I call for a full compliance to the 2008 Cease fire Agreement.

Civic space and freedom of assembly and freedom of expression

According to different testimonies received, the perception of the civil society in the country is faced by a repressive attitude from the national authorities, creating a climate of distrust and stigmatization towards civil society organizations and human rights defenders. Although these are not absolute rights, freedom of assembly, freedom of expression, and an enabling environment for civil society should be guaranteed or order to enhance democracy, respect for human rights and rule of law in the country.

In particular, this sense of distrust and stigmatization was triggered by the aborted draft law on Transparency of foreign influence.

In view of this current polarization, I would welcome efforts towards expanding the democratic space and encourage deliberate actions towards increased involvement of alternative voices in decision-making processes.

Independence of the judiciary

Judicial independence guarantees the protection of an independent and impartial Court system which is essential for the protection of human rights. In light of this principle, I am concerned about the allegations of the lack of independence of the judiciary, in particular the role of the High Council of Justice, in the appointment and control of judges. In view of that, I welcome efforts aimed at judicial reform and encourage all concerned parties to work towards conclusion of this process.

Fight against corruption

From the discussions we have held, tremendous progress has been made in eradicating corruption. In view of this, I welcome and commend the establishment of the Anti-corruption bureau as an independent body aimed at promoting financial transparency and accountability. The adoption of the 5-year strategy on the fight against corruption is a very welcomed development. I therefore, invite Government to provide the necessary financial and technical support to the bureau in order to enhance its investigative powers, implement an effective financial system and build a capacity to implement its mandate.

In addition, I encourage the Government to take further steps to ratify the UN Convention against Corruption following its accession to the Convention in 2008.

Furthermore, practical measures of fighting against corruption have also been observed in the sphere of public administration. Specifically, in relation to the establishment of the Legal Entities of Public Law (LEPL) of the Public Service Hall which demonstrates a harmonized working methodology for the delivery of public services in record time. The establishment of a such body is a good practice and a good example for the region.

Among the good practices observed, I would specifically like to note the LEPL “Entreprise Georgia” which was established to provide financial support to individuals and joint production and partnership projects, under a grant program “Enterprise for a Better Future” issuing small grants within 7,000 – 35,000 GEL for start-up business ideas and thus facilitate trade-economic activities.

This strategy also includes an enhancement of educational opportunities for the residents of Abkhazia and Tskhinvali/South Ossetia region in the areas of education including higher and vocational, and access to health.

Implementation of Sustainable Development Goals (SDGs)

Georgia has a good record in upholding SDGs and has demonstrated this through the establishment of the Inter-Agency Council for Sustainable Development Goals and mainstreaming them into ministerial programmes by integrating the Voluntary National Review in 2020.

In translating the SDGs and through delocalisation strategy, we note however that there exist a lack of data disaggregated by age, gender, and in particular on goals and targets that deals in particular with, labour rights, gender issues, poverty and unemployment.

Youth

While appreciating the formulation of the National Youth Strategy for the period of 2023-2026, I wish to invite the Government to formulate and implement targeted actions for its operation.
