



GYLA Submitted four Coalition Reports in the UN

GYLA jointly with partner organizations submitted four coalition reports in the UN. The report covers 2010-2014 period and encompasses the following topics:

1. Judiciary, law-enforcement and penitentiary systems;
2. Labor rights, cultural heritage;
3. Freedom of expression, media, information, personal data protection and freedom of assembly;
4. Healthcare.

In addition, GYLA submitted coalition report about protection of the rights of indigent and discriminated individuals with GYLA assistance. The reports have been submitted in the framework of the Universal Periodic Review Mechanism (UPR).

UPR will assess human rights protection condition in Georgia in November, and the UN member states will apply to the Government of Georgia with relevant recommendations. The first case when GYLA submitted reports within foregoing mechanism was in 2010.

Judiciary, Law-enforcement and Penitentiary Systems

The report focuses on the problem of ineffective investigation of crimes with involvement of law-enforcement officers, before 2012, as well as afterwards. Particular attention is paid to ineffective investigation of facts of torture and ill-treatment. Even though prior to 2012 ill-treatment was a widespread problem in prisons, neither thorough investigation was conducted on the cases and nor the state rehabilitation program was set up for victims of torture.

Moreover, the report also underlines inefficient state response to violence against

women and to hatred-motivated crimes.

The report submits information about facts of ill-treatment in prisons, conditions of lifetime prisoners and on lack of review mechanism of alleged miscarriages of justice. Further, the report notes the necessity of setting up a public monitoring mechanism in prison, as well as importance of creating independent tool for investigation of offences committed by law-enforcement officers.

Moreover, the report provides information about flaws revealed in legislation regulating activities of the High Council of Justice and practice and notes the necessity of altering the judges' disciplinary responsibility system and the principles of distribution of cases.

The necessity of reforming the prosecutor's office and the Ministry of Interior is also underlined.

Labor Rights

As provided by the report, notwithstanding introduction of key amendments to the Labor Code in 2013, applied standards of labor rights' protection appears to be insufficient in the country. The report notes the necessity of setting up an effective mechanism of labor inspection with a broad mandate.

Further, it states that political changes affect greatly labor rights of public servants and undermine stability and independence principles in public service.

In addition, the document reveals inequality and discrimination problem (including gender identity) in labor relationships.

Cultural heritage

As provided by the report, the state has not implemented re-registration of monuments registered in the state registry and sites included in the list of sites with monument signs. Regretfully, as a result of introduced amendments to the Law on Cultural Heritage in 2013, the date for re-registration was postponed until January 1, 2018.

The state still has no State Policy Document for Protection and Development of Cultural Heritage. Furthermore, amendments introduced to various legal acts in the

reporting period complicated protection of cultural heritage even more, while developments around Sakhdrisi-Khachiani goldmine and the chain of decisions made in different state agencies in 2013-2014 leave many questions without response.

Freedom of Expression, Media, Information and Personal Data Protection

The report focuses on uninvestigated offences committed against journalists prior to change of the government as well as after its alteration. As reported, independence of public broadcasting from political influence is not ensured adequately.

The report notes that the Ministry of Interior, General Prosecutor's Office and Local Self-government Agencies should ensure journalists' access to public information according to the rules and within terms established by Law.

The right to Assembly and Manifestation

The report concerns legislative flaws which restrict unreasonably right to peaceful assembly and manifestation ensured by the Constitution. Further, the document reports about the facts of gross violation of the rights of LGBT community members on May 17, 2012 and 2013 and protraction of investigation on the cases of gross violation of the right to assembly in 2007, 2009 and 2011.

Personal Data Protection

The report notes necessity of revising regulations connected to secret surveillance for their further improvement with a view to eliminate direct access of law enforcement structures to the data of telecommunication operators and to citizens' communications. Further, it is crucial to find a balance between personal data protection and freedom of information/expression, as well as to continue activity for development of personal data protection legislation and enhancement of the role of Personal Data Protection Inspector.

Healthcare

Human Rights Protection Report in Healthcare field focuses on the problems such as right of patients requiring palliative therapy, health of LGBT community members, rights of individuals with mental problems, drug addicts, rights of women to have access to healthcare services and access to sexual and reproductive health and rights.