

# **The United Nations Human Rights Council**

## **The Submission of the Human Rights Education and Monitoring Center (EMC) to Georgia's Second Cycle of the Universal Periodic Review**

### **The Mid-Term Review**

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## **The Protection of Social and Economic Rights in Georgia**

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## Introduction

1. The presented document aims at providing the brief analysis of the implementation of the recommendations accepted by the Government of Georgia (GoG) in the framework of the UPR with regard to the fulfillment of the general obligations towards the protection of the social rights, the protection of the right to an adequate housing and the labor rights.
2. Overall 20 recommendations were accepted by the GoG, which concerns different directions, such as the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the protection of labor rights by introducing the effective inspection mechanism, strengthening the implementation of the National Strategy for the Protection of Human Rights in Georgia, etc.
3. Taking into account the thematic directions of the above-mentioned recommendations, the report is divided into three main sections. The first section contains the analysis regarding the fulfillment of the recommendations of a general nature, the second section focuses on the protection of the right to an adequate housing, while the third section provides with the description and analysis of the measures taken towards the labor rights.

## The Implementation of the Recommendations under the UPR

### I. General Obligations

<b>№</b>	<b>Recommendation</b>
116.1	Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, as well as the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal)
116.2	Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain)
116.3	Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Uruguay)
116.4	Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Honduras)
116.23	Submit its overdue report to the Committee on Economic, Social and Cultural Rights and the Committee against Torture (Sierra Leone)
117.2	Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Egypt)
117.3	Consider ratifying the International Convention for the Protection of the Rights of Migrant Workers and Members of Their Families (Indonesia)
117.4	Study the possibility of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Mexico)

4. The GoG has not fulfilled the recommendations regarding the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and thus, the procedures for the individual complaints towards the United Nations Committee on Economic, Social and Cultural Rights have not come into force. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families has not been ratified by Georgia as well.

5. Furthermore, the GoG has not submitted its report to the United Nations Committee on Economic, Social and Cultural Rights. Therefore, the country report remains overdue from 2007.

## II. Protection of the Right to an Adequate Housing

6. This chapter aims at analyzing the main challenges regarding the implementation of the recommendations, which have the crossing points with the realization of the right to an adequate housing. The subject of the analysis is the legislation and the state policy towards the people, who have become homeless as a result of their socioeconomic vulnerability, as well as the natural disasters.

### *The General Challenges with regard to the Realization of the Right to an Adequate Housing*

<b>№</b>	<b>Recommendation</b>
117.21	Continue working with the national mechanisms that defend the social rights of the most vulnerable groups of the population (Tajikistan)
117.28	Continue implementing the national strategy for the promotion and protection of human rights (Tajikistan)
117.29	Promote new actions and initiatives to continue progressing in its efforts to implement the National Human Rights Strategy (Turkmenistan)
117.86	Provide, in accordance with its respective obligations under international human rights law, effective protection to the family as the natural and fundamental unit of the society (Egypt)

7. Fighting against homelessness is regarded as one of the most challenging areas in the country. However, the GoG does not recognize the significance of this issue that is reflected in the absence of the relevant legislation, as well as the effective policy and institutional system. The national strategy and/or action plan, as well as the inter-agency coordination mechanism, have not been developed for the effective response to the homelessness issue. In addition, the GoG does not possess the statistics of the homeless persons, as well as the data on the causes and scale of the homelessness, on which the uniform state policy (aiming at the prevention and eradication of the homelessness) should be based. In result, the main needs of the homeless people (including, people who are at risk of losing their homes) are excluded from the political and public agenda and are basically neglected.<sup>i</sup>

8. Although the GoG accepted few recommendations with regard to the further implementation of the National Strategy for the Protection of Human Rights in Georgia for 2014-2020 years (National Human Rights Strategy), which was adopted by the Georgian Parliament, the issue of the realization of the right to an adequate housing (which is one of the 23 main strategic directions of the document<sup>ii</sup>) has not been included in the respective National Human Rights Action Plans (for 2014-2015; 2016-2017 and 2018-2020 years), designed for the effective implementation of the National Human Rights Strategy. Despite the recognition of the homelessness problem by the Georgian parliament, the GoG is not in the position to implement the above-mentioned strategic direction as the term of the National Human Rights Strategy expires in 2020 and there is no possibility with regard to the timing to approve the additional Action Plan.<sup>iii</sup> Furthermore, no steps were taken by the GoG to reflect the abovementioned strategic direction in other policy documents and the practice. Although from 2015, the inter-agency working group (operating under the Ministry of Labor, Health and Social Affairs of Georgia) had been working on the unified independent strategy against homelessness, the draft Strategy has not been approved and the efforts have been stopped in that regard.<sup>iv</sup>

9. The right to an adequate housing is not directly prescribed by the national legislation, whereas its general content is presented narrowly and vaguely. “A homeless person” is defined by the Law “on Social Assistance”;<sup>v</sup> however, it cannot be regarded as an effective tool for the identification and support of the homeless persons, as it contains significant shortcomings and does not fully reflect the international human rights standards. The criteria for the qualification of the person as homeless are vague and create the threat of the abuse of powers by the administrative agencies. The formal requirement of the definition, which concerns the registration element of the persons at their municipalities, in practice is not followed by some self-governing bodies.<sup>vi</sup> Furthermore, the different vulnerable groups of people (the persons who do not own

homes and live with the other people, such as relatives; people residing in the state specialized institutions or the empty buildings (not designed for the living purposes) or those whose living places do not comply with the minimal standards of living)<sup>vii</sup> are excluded from the definition. Against this background, the GoG has not carried out the effective steps to eradicate the above-mentioned flaws in the national legislation. Thus, the rights and freedoms of the above-mentioned groups of people are constantly violated.

10. In spite of the gravity of the issue, the GoG has not developed the strategy and/or action plan, as well as the other effective policy tools towards combating homelessness neither at the central nor at the municipal levels. On the one hand, the central government does not take the responsibility regarding the above-mentioned issue and on the other hand, the efforts of the municipalities are fragmented, inconsistent and inefficient, which cannot be considered as the adequate response to the problem.<sup>viii</sup> The absence of the effective state institutional mechanisms towards the homelessness remains problematic. The national legislation does not define the obligations of the state institutions at the central level (namely, the Ministry of Labor, Health and Social Affairs of Georgia; the Ministry of Economy and Sustainable Development of Georgia and the Ministry of Regional Development and Infrastructure of Georgia) in a detailed manner. Moreover, the existing obligations of the state institutions proved themselves as narrow and insufficient, as well as the mostly not enforceable in the practice. The relevant structural bodies at the local municipalities lack the powers<sup>ix</sup>, as well as the budgetary allocations, in order to effectively fight against homelessness. The uniform housing standards have not been developed in the country, which causes the inconsistent policy at the municipal level and, in many cases, the contradictory practices between the different municipalities. Moreover, as the housing services at the local budgets are not prescribed in all municipalities, the municipalities are limited to the responses (which resembles the humanitarian aid) only to the urgent cases.<sup>x</sup> Furthermore, despite the recommendations from the different organizations,<sup>xi</sup> *inter alia*, the Public Defender of Georgia, no inter-agency coordinating mechanism involving the central and local authorities, is functioning, which would address the above-mentioned problem systematic and systemic manner<sup>xii</sup> as the GoG does not admit the homelessness problem at the state policy level.

#### *The Protection of the Rights of Eco-migrants to an Adequate Housing*

117.117	Take the necessary steps to address concerns over the rights of vulnerable groups, including internally displaced persons, refugees and migrants, and carry forward measures to integrate them effectively into the broader social and political systems (Republic of Korea)
117.119	Strengthen measures to protect displaced persons and include them in public social development policies (Chile)
118.53	Ensure greater participation of internally displaced persons in decision-making related to projects affecting them, particularly those concerning access to adequate housing (Spain);
118.54	Strengthen protection of the economic and social rights of internally displaced persons, including by protecting against unlawful evictions and resolving issues related to legal ownership of living spaces currently inhabited by internally displaced persons (Canada).

11. The main challenges towards the protection of the rights of the eco-migrants have not been duly responded by the GoG. The special law regulating the protection of the eco-migrants (the development of the draft law started in 2013) has not been adopted and contrary to the international standards, this group of people is not considered as the internally displaced persons in Georgia.<sup>xiii</sup> Therefore, unlike the internally displaced persons from the occupied territories of Georgia, the eco-migrants do not enjoy the social safeguards, which would illustrate their specific needs, such as the status-based services, compensation for rent, monetary assistance, etc.<sup>xiv</sup> The GoG has not established its vision on the resettlement stages of the eco-migrants yet.

12. The relevant shortcomings are presented with regard to the working of the Commission in charge of the resettlement of eco-migrant families (operating under the Ministry of Internally Displaced Persons from the

Occupied Territories, Accommodation and Refugees of Georgia).<sup>xv</sup> For example, the body does not possess the information on the number of the eco-migrant families living in the threatening environment who should be settled without taking into account the criteria prescribed by the legal framework.<sup>xvi</sup>

13. The lack of the financial resources aiming at providing the eco-migrants with the housing is regarded as one of the most challenging areas in that regard.<sup>xvii</sup> In 2017, the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia provided 94 households with the housing, which exceeds data for 2016 by just 1 family.<sup>xviii</sup> In addition, about 4000 families are on the waiting lists for the resettlement; however, the budgetary funds allocated for this purpose are not sufficient<sup>xix</sup> and are not growing progressively.

14. Although transferring process of the legal ownership of the dwellings to the eco-migrants continued, in 2017, the much lesser families (101 families)<sup>xx</sup> were provided with the ownership of the residential property, than in 2016 (311 families).<sup>xxi</sup>

### III. Protection of the Labor Rights

<b>№</b>	<b>Recommendation</b>
117.11	Continue efforts towards the adoption of administrative and legislative measures to achieve equality of women, in particular to ensure their access to social and health services in all areas of Georgia and provide the same work and pay opportunities to men and women (Mexico)
117.12	Strengthen existing law and practice to combat gender-based discrimination and sexual harassment, inter alia, with regard to labour (Poland)
117.37	Continue to prioritize gender equality and consider the incorporation of international best practices in policies and legislation relating to the employment of women and combating violence against women (Singapore)
118.39	Continue efforts to enhance social dialogue, as well as to ensure adequate protection and promotion of economic rights of the labour force, e.g. through the establishment of an efficient labour inspection mechanism with executive powers (Germany)

15. Although the GoG has accepted the recommendation regarding the enhancement of the social dialogue and the adequate protection and promotion of economic rights of the labor force, it is concerning how many challenges are faced by the employees. Some steps were taken for the improvement of the safeguards for the protection of the labor rights, however, the existing legal and policy framework still remains problematic. As a result, the labor rights are constantly and seriously violated. The above-mentioned shortcomings, for example, resulted in the increased number of deaths and injuries in 2017 as a result of the industrial accidents.<sup>xxii</sup> The violations of the labor rights, such as inhuman working conditions, illegal dismissals, inadequate salaries, overtime works without the remuneration, and discrimination towards the parental leave are regarded as challenging areas as well.<sup>xxiii</sup> In addition, the legislation does not define the maximum amount of daily working hours, as well as the limit of the overtime work.<sup>xxiv</sup>

16. The adoption of the Law “on Labor Safety” (dated March, 2018) by the Parliament of Georgia can be considered as a positive step with regard to establishing the labor safety standards, as well as the granting the labor inspection mechanism (the Department of the Labor Conditions Inspection of the Ministry of Labor, Health and Social Affairs of Georgia) with some additional mandate. However, there are some serious shortcomings in the law, as the document does not fully address the existing challenges in the country and is not in full compliance with the international standards<sup>xxv</sup> - the law only concerns the workplaces under excessive risk of harsh, harmful and hazardous conditions<sup>xxvi</sup>; instead of the full spectrum of the labor rights, only the occupational safety and health issues are regulated; the labor inspection mechanism is not empowered to unconditional access to the employment places. In addition, the GoG failed to allocate

necessary financial and human resources aiming at the facilitating of the implementation of the Law, which casts the doubt on the enforceability of the above-mentioned reform.

17. As it was noted above, the labor inspection mechanism is not provided with the adequate powers under the legislation.<sup>xxvii</sup> The body lacks the financial and human rights resources as well.<sup>xxviii</sup> The mechanism is not empowered to unconditional access (without the permission of the employer) to the workplaces even in the cases of the violation of the labor rights (except for the allegations of labor exploitation and forced labor),<sup>xxix</sup> which makes it impossible to properly carry out the inspection and reduces the possibility of detecting the violations. In addition, the above-mentioned body is not empowered to take the effective executive measures even in the cases of the grave violation of the labor rights as it possesses only recommendatory powers (except for the cases regulated by the Law “on Labor Safety”).<sup>xxx</sup> Taken into account of the above-mentioned facts, it can be regarded, that the labor inspection body proved itself as the inefficient mechanism to cope with the challenges arising in the sphere of the occupational health and safety and can be qualified as contrary to the minimal standards of the International Labor Organization.<sup>xxxi</sup>

18. At the same time, there is no perceived progress in terms of enforcement of criminal justice in the cases of violation of the labor safety rules. In particular, during 2017, out of 128 cases of investigation, only 11 cases reached the courts. Out of 90 cases of accidents (from January 2015 to October 2017), the detention was used only in three of them, while 72,2% of cases ended without a substantive review of the court (via a plea agreement). The amount of the imposed fine ranges from 500 to 5000 GEL.<sup>xxxii</sup>

19. In addition, the Trilateral Commission for Dialogue among the Social Partnership proved itself as a mostly ineffective body. The meetings of the above-mentioned Commission are held rarely<sup>xxxiii</sup> and mostly do not result in the decisions which would have the important impact with regard to the protection of the labor rights. The working group operating under the Trilateral Commission for Dialogue among the Social Partnership can be considered as more active, but it does not make important impact on the overall quality of the social dialogue.

20. The mediation mechanisms of the collective labor disputes are regarded as problematic. The GoG took some measures in order to enhance the mediation mechanism, for example, by introducing the Register of the Mediators.<sup>xxxiv</sup> However, these steps cannot be regarded as sufficient as no measures were taken for the substantive improvement and the reformation of the mediation mechanism. The management of the system of the mediators, as well as the examination procedures of the labor disputes, should be regarded as challenging issues as well. Although the number of agreements is achieved through mediation, they are mostly non-fulfilled as the mechanism for the efficient execution of these agreements has not been developed; therefore, the actual settlement of the labor disputes does not take place,<sup>xxxv</sup> and the mechanism of mediation loses legitimacy and trust in the eyes of the employees.

21. The challenges are presented with regard to the protection of the labor rights of the most vulnerable groups of people (for example, women, children<sup>xxxvi</sup> and the persons with disabilities). The discriminatory practices are in place towards women during the pre- and post-contractual labor relationships, as well as maternity leave, dismissal, etc. The equal participation of women in the labor market, including, the difference between genders with regard to the amount of the annual revenue, as well as the amount of the remuneration of women, which is twice less that of the men, remains the serious challenges in the country.<sup>xxxvii</sup>

22. Although there is an urgent need for the additional protection of the vulnerable groups of people, the process of the legislative revision has not come to an end yet. The Parliament of Georgia is currently reviewing the legislative package aiming at the harmonization of the national legislation with the requirements of the European Union Directives (prescribed by the Annex 30 of the Association Agreement between Georgia and the European Union), however, the draft amendments do not concern the sexual harassment and reasonable accommodation as the forms of discrimination,<sup>xxxviii</sup> which means that they will remain without the execution and monitoring mechanism. In addition, there is an urgent need to reform the areas of maternity, paternity and parental leave. Under the existing legislation, compensation for maternity leave is inadequate, and fathers do not receive remuneration for the parental leave.<sup>xxxix</sup>

## Conclusion

23. The analysis of the fulfillment of the relevant recommendations under the URP shows, that the GoG is mostly unable to respond the challenges regarding the protection of economic and social rights and thus, has not duly implemented the above-mentioned recommendations. Some measures (although mostly inefficient) have been carried out with regard to the protection of the labor rights, while the GoG has not taken any steps towards the fighting against homelessness. Due to the lack in the performance of the general recommendations, individuals are still unable to refer to the United Nations Committee on Economic, Social and Cultural Rights in the instances of violations of their rights and fundamental freedoms. In addition, the GoG has not fulfilled the recommendations concerning the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and submission of the overdue report to the Committee on Economic, Social and Cultural Rights.

24. In spite of the sporadic measures taken by the particular municipalities in that regard, the protection of the homeless households remains as one of the most problematic areas in the country. The GoG has not responded to the homelessness issues at the legislative, institutional and state policy levels. The protection of the eco-migrants should be considered as a serious challenge as well. While there is the absence of political will, legislative framework and the financial resources, the state policy lacks the coordination between the state agencies and mainly concerns the fragmented resettlement of the families; therefore, the measures taken by the relevant institutions are not directed to the long-term solution of the problems arising in that regard.

25. The creation of the ineffective institutes and legal instruments suggests the lack of willingness of the GoG to take significant steps with regard to the protection of the labor rights. In spite of some positive changes, the labor inspection mechanism still lacks the powers to eradicate the violation of the labor standards at the workplaces; while the criminal justice system does not respond adequately to the industrial incidents resulted in the cases of death or injury. The impact of the Trilateral Commission for Dialogue among the Social Partnership and the mediation mechanisms is insignificant towards the protection of the labor rights. In addition, the GoG has not taken effective measures in order to promote the labor rights of the vulnerable groups of people and equalize capabilities between the genders in the sphere of employment.

26. The Human Rights Education and Monitoring Center (EMC) calls for the GoG to fully acknowledge the importance of the effective fulfillment of the recommendations under the UPR and take all efficient and necessary measures in order to implement the respective obligations in due time.

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<sup>i</sup> Homelessness – Analysis of State Policies, the Human Rights Education and Monitoring Center (EMC), 2016, PP. 31-35, available at: <https://emc.org.ge/uploads/products/pdf/Homelessness.pdf>; Last Visited: 27.05.2018.

<sup>ii</sup> National Strategy for the Protection of Human Rights in Georgia (for 2014-2020 years), PP. 22-23, available at: [http://gov.ge/files/429\\_51454\\_924779\\_STRATEGYENG.pdf](http://gov.ge/files/429_51454_924779_STRATEGYENG.pdf); Last Visited: 27.05.2018.

<sup>iii</sup> The Statement of the Human Rights Education and Monitoring Center (EMC) to the Parliamentary Committees on Carrying out of the Public Hearing towards Neglecting of the Housing Rights, available at: <https://emc.org.ge/ka/products/emc-s-mimartva-parlamentis-komitetebs-satskhovreblis-uflebis-gautvalistsineblobis-sakitkhze-sajaro-mosmenastan-dakavshirebit>; Last Visited: 27.05.2018.

<sup>iv</sup> Homelessness – Analysis of State Policies, the Human Rights Education and Monitoring Center (EMC), 2016, P. 18, available at: <https://emc.org.ge/uploads/products/pdf/Homelessness.pdf>; Last Visited: 29.05.2018.

<sup>v</sup> The Law of Georgia “on Social Assistance”, Art. 4(p), available at: <https://matsne.gov.ge/en/document/view/23098>.

<sup>vi</sup> The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2017, P. 238, available at: <http://ombudsman.ge/uploads/other/5/5139.pdf>; Last Visited: 26.05.2018.

<sup>vii</sup> Homelessness – Analysis of State Policies, the Human Rights Education and Monitoring Center (EMC), 2016, PP. 33-34, available at: <https://emc.org.ge/uploads/products/pdf/Homelessness.pdf>; Last Visited: 27.05.2018.

<sup>viii</sup> The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2016, P. 439 available at: <http://ombudsman.ge/uploads/other/4/4882.pdf>; Last Visited: 26.05.2018.

<sup>ix</sup> Homelessness – Analysis of State Policies, the Human Rights Education and Monitoring Center (EMC), 2016, P. 14, available at: <https://emc.org.ge/uploads/products/pdf/Homelessness.pdf>; Last Visited: 27.05.2018.



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- <sup>x</sup> Ibid, P. 24.
- <sup>xi</sup> Ibid, P. 97; The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2017, P. 238, available at: <http://ombudsman.ge/uploads/other/5/5139.pdf>; Last Visited: 29.05.2018.
- <sup>xii</sup> Homelessness – Analysis of State Policies, the Human Rights Education and Monitoring Center (EMC), 2016, P. 24, available at: <https://emc.org.ge/uploads/products/pdf/Homelessness.pdf>; Last Visited: 27.05.2018.
- <sup>xiii</sup> The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2016, P. 482, available at: <http://ombudsman.ge/uploads/other/4/4882.pdf>; Last Visited: 26.05.2018.
- <sup>xiv</sup> Ibid.
- <sup>xv</sup> The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2017, P. 240, available at: <http://ombudsman.ge/uploads/other/5/5139.pdf>; Last Visited: 26.05.2018.
- <sup>xvi</sup> Ibid, P. 242.
- <sup>xvii</sup> Ibid, P. 240.
- <sup>xviii</sup> Ibid, P. 241.
- <sup>xix</sup> Ibid, P. 242.
- <sup>xx</sup> Ibid.
- <sup>xxi</sup> The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2016, P. 483, available at: <http://ombudsman.ge/uploads/other/4/4882.pdf>; Last Visited: 26.05.2018.
- <sup>xxii</sup> For example, in 2017, the number of the cases of death or injuries resulted by the violation of the labor safety rules was 153, while in 2013, there were 134 cases with the same results, in 2014 – 117 cases, in 2015 – 124 cases and in 2016 – 143 cases. See, the Infographic of the Human Rights Education and Monitoring Center on the Number of Injuries and Deaths Resulted by the Industrial Incidents, available at: <https://emc.org.ge/ka/products/2017-tslis-ganmavlobashi-satsarmoo-shemtkhvevebis-shedegad-dashavebulta-raodenoba-gaizarda>; The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2017, P. 194, available at: <http://ombudsman.ge/uploads/other/5/5139.pdf>; Last Visited: 26.05.2018.
- <sup>xxiii</sup> The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2016, P. 320, available at: <http://ombudsman.ge/uploads/other/4/4882.pdf>; Last Visited: 26.05.2018; The Statement of the Human Rights Education and Monitoring Center (EMC) on the Situation of Labor Rights in the Sewing Factories, available at: <https://emc.org.ge/ka/products/samkervalo-fabrikebshi-dasakmebulta-shromiti-uflebebis-mdgomareoba>; Last Visited: 27.05.2018; The Statement of the Human Rights Education and Monitoring Center (EMC) on the Labor Conditions for People Employed in Railway Transport Sphere, available at: <https://emc.org.ge/ka/products/sarkinigzo-satransporto-sferoshi-dasakmebul-pirta-shromis-pirobebi>; Last Visited: 27.05.2018.
- <sup>xxiv</sup> The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2016, P. 318, available at: <http://ombudsman.ge/uploads/other/4/4882.pdf>; Last Visited: 26.05.2018; The Assessment of the Human Rights Education and Monitoring Center (EMC) regarding the Human Rights Situation of Employees in the Sphere of Service, available at: <https://emc.org.ge/ka/products/emc-is-shefaseba-momsakhurebis-sferoshi-dasakmebulta-uflebriv-mdgomareobastan-dakavshirebit>; Last Visited: 27.05.2018.
- <sup>xxv</sup> The Joint Statement of the Non-Governmental Organizations on the draft law “on Labor Safety”, available at: <https://emc.org.ge/ka/products/ertoblivi-mimartva-shromis-usafrtkhoebis-kanonproektan-dakavshirebit>; Last Visited: 27.05.2018; The Respond of the Public Defender of Georgia to Adoption of Law of Georgia on Safety at Work, available at: <http://www.ombudsman.ge/en/news/public-defender-responds-to-adoption-of-law-of-georgia-on-safety-at-work.page>; Last Visited: 27.05.2018.
- <sup>xxvi</sup> The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2017, P. 194, available at: <http://ombudsman.ge/uploads/other/5/5139.pdf>; Last Visited: 26.05.2018.
- <sup>xxvii</sup> The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2016, PP. 318, 321, available at: <http://ombudsman.ge/uploads/other/4/4882.pdf>; Last Visited: 26.05.2018.
- <sup>xxviii</sup> The Necessity of Creation of Effective Labor Inspection Mechanism, Human Rights Education and Monitoring Center (EMC), 2016, available at: <https://emc.org.ge/ka/products/shromis-inspektirebis-efektiani-mekanizmis-shekmnis-autsilebloba>; Last Visited: 27.05.2018.
- <sup>xxix</sup> Deficiencies of the Current Labor Safety Reform in Georgia, the Human Rights Education and Monitoring Center (EMC), 2018, P. 4, available at: [https://emc.org.ge/uploads/products/pdf/Labour\\_Safety\\_Reform\\_1521819312.pdf](https://emc.org.ge/uploads/products/pdf/Labour_Safety_Reform_1521819312.pdf); Last Visited: 27.05.2018; The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2016, P. 321, available at: <http://ombudsman.ge/uploads/other/4/4882.pdf>; Last Visited: 26.05.2018.
- <sup>xxx</sup> The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2016, P. 318, available at: <http://ombudsman.ge/uploads/other/4/4882.pdf>; Last Visited: 26.05.2018.
- <sup>xxxi</sup> An Assessment of the Labor Inspection Mechanism and a Study of Labor Rights Conditions in Georgia, the Human Rights Education and Monitoring Center (EMC), 2017, PP. 91-93, available at:

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[https://emc.org.ge/uploads/products/pdf/An\\_Assessment\\_of\\_the\\_Labour\\_Inspection\\_Mechanism\\_and\\_a\\_Study\\_of\\_Labour\\_Rights\\_Conditions\\_in\\_Georgia.pdf](https://emc.org.ge/uploads/products/pdf/An_Assessment_of_the_Labour_Inspection_Mechanism_and_a_Study_of_Labour_Rights_Conditions_in_Georgia.pdf); Last Visited: 27.05.2018.

<sup>xxxii</sup> The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2017, P. 198, available at: <http://ombudsman.ge/uploads/other/5/5139.pdf>; Last Visited: 26.05.2018.

<sup>xxxiii</sup> Association Implementation Report on Georgia, Joint Staff Working Document, the European Commission, High Representative of the Union for Foreign Affairs and Security Policy, 2017, P. 12, available at: [https://eeas.europa.eu/sites/eeas/files/association\\_implementation\\_report\\_on\\_georgia.pdf](https://eeas.europa.eu/sites/eeas/files/association_implementation_report_on_georgia.pdf); Last Visited: 27.05.2018.

<sup>xxxiv</sup> Ibid.

<sup>xxxv</sup> An Assessment of the Labor Inspection Mechanism and a Study of Labor Rights Conditions in Georgia, the Human Rights Education and Monitoring Center (EMC), 2017, PP. 53-55, available at: [https://emc.org.ge/uploads/products/pdf/An\\_Assessment\\_of\\_the\\_Labour\\_Inspection\\_Mechanism\\_and\\_a\\_Study\\_of\\_Labour\\_Rights\\_Conditions\\_in\\_Georgia.pdf](https://emc.org.ge/uploads/products/pdf/An_Assessment_of_the_Labour_Inspection_Mechanism_and_a_Study_of_Labour_Rights_Conditions_in_Georgia.pdf); Last Visited: 27.05.2018.

<sup>xxxvi</sup> Situation of Children's Rights in Georgia, the Public Defender of Georgia, 2016, PP. 12-15, available at: <http://ombudsman.ge/uploads/other/4/4472.pdf>; Last Visited: 26.05.2018.

<sup>xxxvii</sup> Women's Rights and Gender Equality, the Public Defender of Georgia, 2016, P. 12, available at: <http://ombudsman.ge/uploads/other/4/4452.pdf>; Last Visited: 26.05.2018.

<sup>xxxviii</sup> The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2016, P. 372, available at: <http://ombudsman.ge/uploads/other/4/4882.pdf>; Last Visited: 26.05.2018.

<sup>xxxix</sup> Ibid, P. 318; Maternity, Paternity and Parental Leave in the Light of Equality, the Human Rights Education and Monitoring Center (ECM), 2017, PP. 51-54, available at: <https://emc.org.ge/ka/products/kvleva-dedobis-mamobis-damshoblis-shvebulebis-ufleba-tanastorobis-shukze>, Last Visited: 27.05.2018; The Situation of Human Rights and Freedoms in Georgia, the Public Defender of Georgia, 2017, PP. 136-137, available at: <http://ombudsman.ge/uploads/other/5/5139.pdf>; Last Visited: 26.05.2018.