



Review of EMC's work



2018 – 2019



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Board of Directors



Tamta Mikeladze

Director of Equality Policy Programme

Tamta is one of the founders of EMC. Since 2013, she has been the member of the Board of Directors and led the organisation with other programme directors.

The aim of our Equality Policy Program is to create fair, equal and dignified political and social human rights environments for oppressed groups.



Guram Imnadze

Director of Judiciary and Democracy Programme

In 2019, Guram Imnadze became the member of the board of directors as well as the director of the Judiciary and Democracy programme within EMC.

The aim of Justice and Democracy Program is to support formation of a judicial system based on human rights, justice and high social sensitivity.



Kote Eristavi

Director of the Social Policy Programme

Kote became the member of the board of directors in 2019 and also the director of Social Policy Programme within EMC.

The aim of Social Policy Program is to promote developing political, economic and social systems based on social justice, equality and solidarity.



Lina Ghvinianidze

Executive Director

Lina Ghvinianidze joined EMC's board of directors in September of 2019. Lina is one of the founders of the organization. She was the director of Social Policy programme from EMC's foundation till 2018.

Her responsibilities as the executive director entail the supervision over the board of directors, members of which are the directors of the organization's programs. Board unanimously takes care of organization's positioning, of its effective management and its strategic development.

Introduction

This year, the adoption of the organic law “On Labor Rights” that extended the State mandate to control labor safety on working places, represents a significant positive change with regard to improvements of human rights conditions. Moreover, this year was marked with the legislative amendments aiming at upgrading anti-discrimination mechanism and enlarging the mandate of the Public Defender as well as with regulating harassment and sexual harassment. The work carried out by the parliamentary council of gender equality, positive reforms made to the establishment of State Inspector Service and strengthening the work of human rights department of the Ministry of Internal Affairs must be assessed positively. The abovementioned positive changes are basically the outcomes of the performance of international obligations and the significant efforts made by the international partners. However, it weakens the political will to adequately execute the reforms and to have a real impact on human rights conditions. Furthermore, despite the abovementioned important changes, the year was characterized with substantial challenges with regard to human rights protections.

The issues of gross violations to the freedom of manifestation and excessive use of force towards the protesters were problematic this year. The dispersal of the rally on 21 June was followed with punishments and mass violations of human rights. The violations did not result in adequate investigations or the recognition of the infractions committed by the system. Contrary to this, the governing political power was trying to politicize the process and to overshadow the concerns of the society by these means.

Following the events of 21 June, social protests managed to get important political promise from the governing political party. The promise envisaged the possibility of holding 2020 Parliamentary elections based on fully proportional system and based on natural barrier. This type of elections would enable to disrupt the existing polarized political powers, to introduce new political groups and to establish

more fair and inclusive political agenda. Though, on fall parliamentary sessions, the Georgian Dream did not keep the promise and the Constitutional draft-law was rejected. It was justified as if the majoritarian members opposed the draft-law. The above-mentioned decision was followed by the internal crisis within the governing power and the important members left the Party. Political parties and civil groups commenced protesting in the streets. Under the given circumstances, the Government is not willing to create the formats of political dialogue and is trying to keep status quo mostly by radical political rhetoric and by using the police forces. It must be noted that the ongoing process demonstrates alarming signs of using police as a political instrument. The latter diminished the social importance of the reforms undertaken within the system of the Ministry of Internal Affairs.

This year, the tendency of politicization of the Court and Prosecution as well as ungrounded persecution of political opponents, the harassment of media and the increased influence of so called “clan” in judiciary was evident. The abovementioned demonstrated the signs of destruction of State institutions and created the basis for their utilization for political and Party interests.

To overcome the existing economic crisis in the country, the Government envisages to massively privatize the properties, to construct large-sized HPPs and to support labor migration. This is a rough continuation of the neoliberal economic policy. From the outset, it does not have a resource for the sustainable social and economic development.

In parallel with the ongoing political crisis, it is becoming more and more complicated to support the agenda that would be oriented on social reforms and on real needs, concerns and interests of individuals. Growing economic inequality, the huge gap between the quality of lives in villages and in cities, utterly weak and unequal nature of the education sys-

tem and increasing migration are supposed to push the Government to undertake radical social reforms. However, these issues are not even on the political agenda. Unfortunately, this year, the State also failed to initiate the planned significant amendments aiming at reforming the Labor Code.

2019 was a critical year for Pankisi Gorge. In order to commence the construction of HPPs, the Ministry of Internal Affairs planned the large-scale police operation on April 21 when the ongoing political negotiations regarding the construction of HPPs were not completed. The events of April 21 further strengthened the accumulated mistrust that exists among Pankisi population following the violation of the right to life of Temirlan Machalikashvili and its' evident ineffective investigation. Local community indicated to the excessive concentration and intervention of Police forces in favor of the interest of the private company that is planning to construct HPPs. The community claims that, on November 27, the latter resulted in armed confrontation among the community members. Considering the unique democratic processes that started in the gorge, this kind of the decisions taken by the Government substantially damage the possibility of the development of the region and brings the policy back to the security and punishment discourse.

In 2019, it was apparent that antidemocratic violent groups were still politically active. The Police system permits and tolerates their homophobic and other types of violence. The political activism of the above-mentioned groups leaves an impression as a whole that the Government deploy them as political instrument in order to overshadow the agenda and in order to artificially foster conflicts.

2019 year was tough in the occupied territories with regard to human rights conditions as well. Even though the governmental policy demonstrate the rhetoric that is oriented towards normalization and regaining trust, the situation in conflict regions is getting more and more tense. Since the closure of so called "border" near Akhagori in September 2019, there has been a humanitarian crisis in the region and the locals do not have access to basic medical and social services. One person died in Tskhinvali due to the absence of adequate medical assistance. During the same period, de facto Government of South Ossetia detained the doctor Vazha Gaphrindashvili who remains in Tskhivali prison up to now. The closure of so called "border" in Akhagori was related to the attempt of opening of Georgian Police station. The ongoing negotiations on the issue illustrate that civil and political dimension is getting apart from conflict related negotiations and it is mostly limited to the communications between security services.

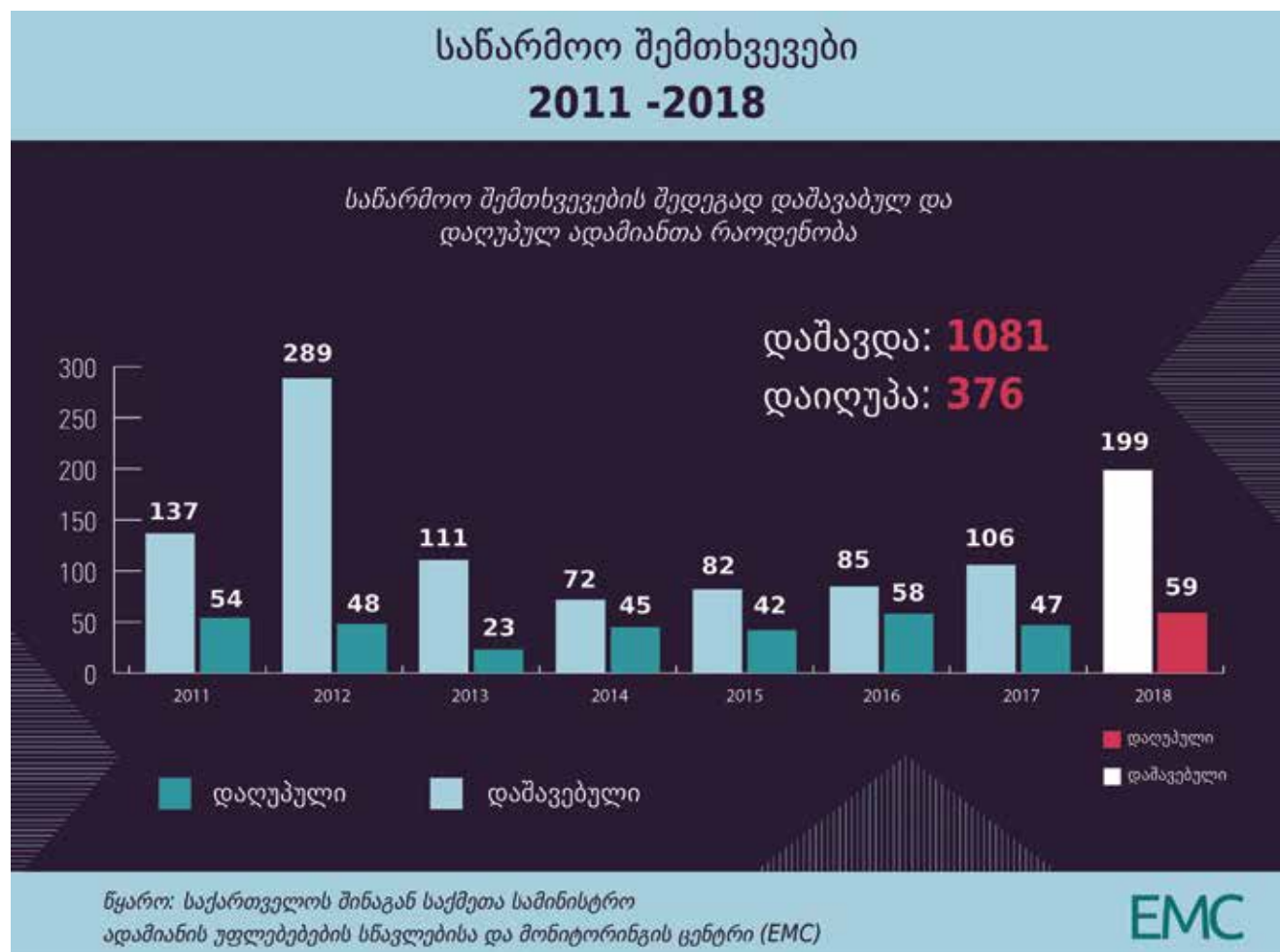


Labor Safety Policy

An overwhelming number of deceased and injured employees indicates the weakness of State policy that is in charge of ensuring health and safety in the workplace and demonstrates the necessity to enhance the policy. In 2011-2018 years, 1081 persons were injured and 376 died as a result of work-related accidents. 2018 year depicted the highest number of deceased employees.

In 2018 Georgia passed the law on "Labor Safety"¹ that created the basis for labor safety policy. Legislative amendments further enhanced and harmonized legal guarantees with international standards. Additional important steps were also taken, namely, attributing the status of Organic law.² Furthermore,

significant provisions entered into force from September aiming at increasing the effectiveness of Labor Inspection. Labor safety standards in the workplace are supposed to be better respected. Moreover, it must be assessed positively that from August 2019, integrated monitoring and inspection groups that examine construction premises in Tbilisi has started to operate in order to supervise construction safety standard safeguards. Nevertheless, under the given circumstances, substantial challenges remain unsolved. Namely, narrow understanding of labor safety concept (it does not include psychosocial threats and risks in the workplace), absence of institutional independence and enhancement of labor inspection, insufficient number of labor inspectors, necessi-



¹ Law of Georgia on "Labor Safety", 2048-III.

² Organic Law of Georgia on "Labor Safety", 4283-III.



ty to elaborate adequate mechanism of labor safety on municipality level (outside Tbilisi), predictability of criminal policy and liability for violating labor safety rules, etc.

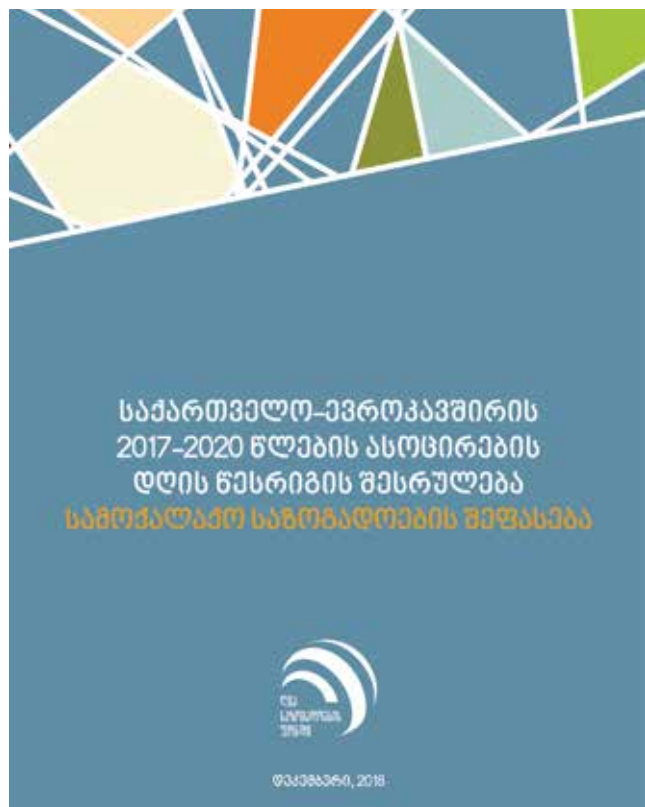
During this period of time, EMC was actively involved in debates around labor safety policy and used among others, the framework of committee hearings. EMC likewise disseminated recommendatory statements and ensured the information campaign on citizens' rights, on labor safety faults and possible solutions.

EMC furthermore assessed labor safety legislation in the light of performance of international obligations. Specifically, according to the EU-Georgia Association Agreement, 2017-2020 years agenda envisages the

obligation for the Georgian government to create legal guarantees to ensure health and safety and to enact operative and executive supervising system. The actions carried out in this regard were assessed by EMC as partial performance of obligations.

It is worth mentioning that from May 2019, a thematic research group on labor safety issues has been working on these issues. EMC is actively involved among other stakeholder in working process of the above mentioned group.

Investigation of cases related to injuries and death at workplace represents a significant challenge for the State with regard to work safety. In this regard, on 16 July, 2018, EMC presented the findings of investigation of Mindeli mine accident. EMC provided the family of the deceased mine worker with the legal aid. As a result of investigatory actions, criminal liability of three citizens has been identified. The Court later held these citizens criminally liable. However, it is noteworthy that not a single manager has been held criminally responsible. EMC considers that, the issues that could have an impact on criminal responsibility of the managing board of Mindeli mine were not adequately assessed and studied within the framework of the investigation. In this regard, it is particularly important to make geological reassessment and analyze the risks of mining district as long as on 5 April, 2018, another tragic work-related accident occurred in the same mining district and left 6 persons dead. Under the given circumstances, the managing body was obviously obliged to conduct a study on whether N1 coalmining district was compatible for any types of works whatsoever.



The following activities were carried out:



Infographics – The number of injured for work related accidents increased in 2018



EMC opinions on Organic law of Georgia on "Labor safety"



Analytical document – EMC assess the outcomes of the investigation on Mindeli mine accident of 16 July, 2018

Necessity of legislative amendments

It is substantial to amend the labor law in a manner that would increase legal safeguards for employees. Public discussions as well as obligations derived from Association Agreement triggered the necessity of strengthening equality policy in labor relations. Consequently, more precise and new provisions related to different forms of discrimination (harassment, sexual harassment, victimization) appeared in Labor Code. The code also prescribes the obligation for the employer to provide the employee with information on equal treatment and its remedies; the obligation to reflect the provisions that ensure this principle in internal regulations; the right of an employee to collect certain data about candidates is now outlawed.

EMC took part in harmonization process of Georgian labor legislation with European Union standards through research and advocacy. Recommendations have been partially implemented in Labor Code, however, it is crucial that denying reasonable accommodation was reflected in labor legislation as a form of discrimination; it is also vital that labor conditions inspectorate had a mandate to monitor and eliminate discrimination in the workplace.



Nutsa Kashakashvili – On reasonable adjustment standards

One of the significant challenges in Georgian reality is that maternity leave issues for the employees that are covered by labor code provisions are not in conformity with international standards. Inadequate remuneration represents one of the problematic issues that does not ensure mother-infant health maintenance and dignified living conditions; fathers are not entitled to use remunerated paternity leave. In order to combat substantial challenges with regard to parental leaves, EMC, with UN Population Fund Georgia (UNFPA) collaborates with Gender Equality Council of the Parliament of Georgia.

It must be noted that working process to reform labor legislation has been started. These process are not undertaken within the framework of Parliamentary hearings so far. EMC is actively involved in advisory meetings and remains optimistic that upcoming alleged amendments will respond to the existing challenges and would be in accordance with International Labor Organization and European Union standards.

The following activities were carried out:



Statement – EMC comments on adoption of Labor Safety Law by the Parliament of Georgia



Analytical Paper – Equality and Labor Relations in Georgia: Necessity of Legislative amendments



Statement – EMC comments on fake information regarding planned amendments to labor legislation

3 Organic law of Georgia on amendments to “Organic Law of Georgia on “Labor Code of Georgia”” N4279-III; Organic law of Georgia on amendments to “Organic Law of Georgia on “Labor Code of Georgia”” N4549-III.

Labor Resilience Instruments

During the year several significant resilience acts occurred that were characterized with strong-will, effective articulation of particular demands of the protesters and solidarity acts.

Social Workers Strike

On February 8, social workers started collective labor bargaining against LEPL “Social Service Agency” and presented their demands. EMC, among with social workers and partner organizations was actively involved in mediation process and led negotiations with the LEPL “Social Service Agency” that is a subordinate body of the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia. Unfortunately, the process failed despite a number of meetings within the framework of mediation and despite an invitation made by the Minister to discuss the problematic issues Committee hearings at the Parliament of Georgia.



On 25 March, 2019, all the social workers employed by the LEPL “Social Service Agency” went on strike and demanded the elimination of systemic flaws existing in social service system. Social workers’ strike was a historic process that aimed at improving social service system, as well as elaborating more operative and fair human rights and social protection mechanisms and policy. Even though, an agreement was reached between social workers and Ministry on 2 April, the problem still remains unsolved. On 8 April, 2019 Social workers that took part in strikes established professional union – Social Workers Union in order to be able to continue defense if their labor right under this form.

Tchiatura Strike



Photo report from Tchiatura

Tchiatura strike represented one of the most outstanding example of labor resilience in 2019. On 15 May, “Georgia Manganese” miners that were employed on so called “roster regime” went on strike. Their preliminary demand was to improve food quality, however as other employees joined the strike their main demands became 50% pay-raise, improved insurance package and prohibition of lorry vehicles inside the town. 15 miners went on hunger strike as ultimate measure and three miners sew lips together.

On 27 may, on 11th day of the strike, the miners reached an agreement on increase the salaries up to 35 % in total as on fulfillment of other demands. Tchiatura miners’ strike was unprecedentedly insomuch that the whole town expressed solidarity towards them, including school children.



Video report: strike in Tchiatura

EMC was involved in workers' resilience process and supported the protesters through advocacy with state institutions, raising public awareness and disseminating supporting statements.

Tkibuli strike

Tkibuli miners' strike of 24 September demanding remuneration for their work was one significant illustrations of resistance. Up to 30 miners went down to the coal mines of Mindeli and Dzidziguri as a form of protest and refused to leave the place until the payment of their salaries. It has been more than a year since Tkibuli has not been mining coal as the Company could not ensure workers' safety.

The trike ended on 26 September as the Ministry of Economics and Sustainable Development entered into negotiations. Upon the completion of negotiations, it has been stated that a new acquiring company will take the responsibility to implement safety standards at Tkibuli coal mines.

The following activities were carried out:



Statement – EMC supports social workers



Statement – Human Rights organizations call the authorities to timely and effectively solve the crisis in Tchiatura



Photo report – Miners' strike in Tchiatura



Video report – Miners' strike in Tchiatura



Statement – EMC addresses Tkibuli Miners' protest



Photo: Liberali, Sopho Aptsiauri

Green Policy

During the years, in different regions of Georgia, we witness important cases of mobilization and resilience of local population with regard to environmental issues such as cutting trees, air pollution or endangering living space in general.

Unfortunately, frequently, despite grave outcomes, the authorities do not hesitate to capitalize, fully exploit and industrialize State natural resources. The same policy is demonstrated in Svaneti as well, where the benefits of various natural resources including forests, gold and other metals are intensively obtained. Though, special focus is exploitation of hydro energetic resources of the region. In Svaneti, merely on river Enguri, the construction of over 20 hydroelectric powers plants are planned.

policy, calls on the authorities to fulfill the human right obligations related to energy sector.

EMC draws attention to the following problems: absence of a strategy and a systemic approach towards renewable energy powers; flawed and non-transparent legislative norms on planning the construction of hydropower plants; offering guaranteed purchase of electricity to investors by the State, with the aim of attracting investments to the hydro energy sector; insufficient involvement of the population impacted by the projects and independent experts in decision-making process; absence of standards and norms established by environmental/safety legislation, disregard for international best practice, and application of obsolete norms of the Soviet period; Non-compliance with minimum standards and failure to fulfill obligations determined by permission documentation and to carry out compensatory measures by hydropower plants that have started operation, as well as the State's inappropriate response.

EMC actively discusses the problems existing in Georgian energy sector and under the given State



Video: Svan population against the constructions of HPPs



Population of Svaneti has an outstanding experience in combatting such HPP construction policy. In March, 2018, representatives from almost every Svan community gathered at Lalkhori meeting in Mestia and announced the decision which on the whole territory of Svanti prohibited the construction of HPP, gold industry or conducting any kind of work that would cause material or non-material damage to nature, cultural heritage and human living space. Simultaneously, Lalkhori addressed the Prime Minister of Georgia, Parliament and International Organization to declare Svans as indigenous population that would entail attribution to Svans their traditional and community property and under international legislation, not a single infrastructural project can be allowed in Svaneti without Svans' consent.

Within the framework of the EWMI ACCESS supported project EMC visited a couple of times the villages of

Upper Svaneti and small town Mestia and prepared video story on why Svan population is opposing HPP constructions, how they fight to maintain their own living environment and how hard is this battle. EMC published blogs describing the concerns of population on HPP constructions. The organization also provided legal consultations for the local population on problematic legal issues and proceeded and planned some strategic litigations.



Photo: Netgazeti



Meeting with the population of Svaneti

Within the framework of the same project, a research paper was prepared concerning the ongoing HPP constructions in Svaneti. The paper analyses the impact of HPP construction on local population and on their rights. Namely, the right to a property and the right to use public space, as well as freedom of expression, right to access public information, employment policy and labor





rights. A new policy paper on the possibility to create new protected territory and landscape in lower zone villages of upper Svaneti was also elaborated.

Tchiatura Municipality village Shukruti protest

Autumn of 2019 in Tchiatura Municipality village Shukruti is marked with protests of population. The reason of protests is hard ecological and infrastructural conditions of Shukruti. Namely, houses and gardens belonging to the local population are in severe conditions. According to the residents, the mountain mining work carried out by “Georgian Manganese”, causes erosion of houses, agricultural facilities and lands and damages the infrastructure. To express their protest, Shukruti residents occasionally gather in front of Koronkhali and Shukruti mines that are located in Shukruti are under Ltd. “Georgian Manganese” possession. The protesters try to prevent the worker to keep working by blocking the entrance. The first wave of protests ended by the conclusion of an interim agreement between the company and Shukruti residents in September, 2019. Under the agreement, the commission consisting of the representatives of village Shukruti, the company and experts, was expected to elaborate a report on damages incurred and on rules of remedies based on a relevant research. However, the document containing the work carried out by the commission is not accessible publicly. “Georgian Manganese” claims that the special commission paid visits to living houses and established that the described damages are not related to the work of the company and are caused by the works carried out in Soviet era. This statement was followed by the renewal of villagers protest from 7 November, 2019. The population demands compensation for the incurred damages as well as cancelation of mining works and attribution of alternative housings. According to the information provided by the locals, on 17 November, another agreement has been reached between the residents of Shukruti and the company representatives. Under the agreement, the company representatives will calculate the amount of damage and will pay the compensation to the injured parties. EMC puts an emphasis on the role of the State in this process and asks the relevant bodies to react immediately under their respective competences.



The following activities were carried out:

-  Video report – Population of Svaneti Against Hydro Power Plants
-  Blog – Power of the Oath and nomad Constitution-Khaishis facing the State
-  Article – Indigenous Population Status – Battle of Svans for living environment
-  Statement – Idliani community – four villages of Svaneti without connecting bridge to the central road
-  Statement – Green Alternative and EMC brought the case before the court on Nekresi Hydro Power Plant
-  Statement – The appeals Court ruled in favor of Manan Saghliani represented by EMC
-  Research paper – Hydro Power Plants Construction in Svaneti and its impact on human rights
-  Policy paper – new protected areas in Georgia
-  Statement – EMC resonates on protests of Tchiatura Municipality village Shukruti population
-  Statement – EMC and “Green Alternative” assess the ongoing processes in Tchiatura Municipality village Shukruti

Mountain mining industries and their impact on social and economic environment

Throughout South Caucasus and Post-Soviet spaces, Georgia occupies a considerable place for possessing mine resources. We are ranked 2nd (following Kazakhstan) in the region for manganese mining. Gold mine export constitutes a considerable portion.⁴ It should be noted, lately, the number of issued licenses on mining has been increased and has been simplified. In 2015 year, 810 licenses were issued.⁵ Despite the increased scales and turnover of mountain mining industries and considering its potential, the annual contribution of this sector remains insignificant in a State economy. Besides economic aspects, working condition for the industry employees, social conditions for local population and the existing ecological environment are also challenging. In addition to socio-economic aspects, the issue of state regulation and monitoring of industrial production is also alarming. The amount of damage done to natural and ecological environment, caused by this industry is high due to inefficient State policy. All these is reflected on air and water pollution, on destruction of fertile lands, sewage mismanagement etc.

EMC has been working on mountain mining sector research and analysis since 2018 year aiming at identifying and putting forward the existing problems and challenges in three mono-industry regions of Georgia (Tkibuli, Tchuatura and Kazreti). Bearing on mind the lack of information on the above-mentioned sector and related issues, the goal of the work was gathering preliminary knowledge, obtaining preliminary data and getting to know the ongoing debates and approaches on international level. Throughout the project, a number of international texts have been translated that reflected the challenges of similar countries and their experience in combatting these obstacle with regard to State policy on resource management. In addition to this, during this project, EMC started working on documentary film aiming at demonstrating the history of mountain mining industry in Tchiatura. The objective was also to mark the exported manganese from Georgia on the global map in order to raise international awareness on the ongoing social-ecological issues in Georgia.

The work carried out during the reporting period demonstrated the necessity for more systemic work



⁴ "Minerals Yearbook – European and Central Eurasia" (U.S. Department of the Interior U.S. Geological Survey, 2014).

⁵ Ministry of Environmental Protection and Agriculture of Georgia



Photo: Radio Liberty

in order to assess mountain mining sector with respect to State policy, as well as for finding solutions and economic alternatives. Creating closer ties with local communities as well as their support and enhancement through science knowledge and argumentation should constitute the important components of future working plan. Additionally, it is important to establish transparent and fair policy for natural mine management that would figure out the role and responsibility of a State with regard to private companies and local population. It is important that the economic development plans contain real approaches for sustainable and inclusive development that would not entail juxtaposing of private interest and public welfare; economic growth and social-ecological protection. This should be able to balance the two poles and to create further fair and equality-based policy to attain development and progress.



Discussion: Natural Environment in public service

The following activities were carried out:



Translation – what is the “just transition”
Raphael Haffron and Darren McCauley



Translation – Rethinking mining/pro-
ducing dichotomy in liberalism



Translation – Extractivism and neoex-
tractivism: two sides of the same curse



Translation – Resilient regions in an
uncertain world: Wishful thinking or a
practical reality?



Blog – Gold and cyanide, battle for
wealth or for survival?



Article – Zygmunt Bauman and Post-
modern ethics



Translation Shrinking Cities: Urban Chal-
lenges of Globalization



Translation – Dispossession by Accumu-
lation? Mining, Water and the Nature of
Enclosure on the Bolivian Altiplano

Right to adequate housing

During the reporting period, no significant changes has been made to guarantee the right to adequate housing and to combat homelessness. The State still does not have a vision that would normally have been reflected into: modifying legislation; establishing the total number of homeless people and generating statistics; searching reasons and forms that trigger homelessness as well as existing challenges facing different social groups; elaborating relevant strategies and action plans based on the above-mentioned research; establishing, enlarging and diversifying relevant services.

Advocating in drafting policy documents on housing

Considering the overwhelming problems that exist in a country, it should be assessed positively that as a result of EMC active advocacy, State obligation to implement the right to adequate housing was reflected into Open Governance Partnership 2018-2019 action plan of the Government of Georgia. The action plan represents the first case where the Government of Georgia undertook particular responsibility in this field. It is noteworthy that while elaborating the document, the position of EMC with regard to existing challenges and primary solutions were taken into account.

Pursuant to the obligation under Open Governance Partnership action plan, interagency commission was established in April 2019. The commission is responsible, among others, to elaborate housing policy document and action plan. Under the obligation prescribed in Open Governance Partnership action plan, the above-mentioned documents are supposed to be elaborated until December 2020 and submission for approval is planned before September 2021.

EMC is actively involved in the working process of interagency commission working group that among other results in sharing experience with State agencies, providing information on human rights based standards and advocacy.

During the Reporting period, EMC commenced to plan meetings with various social groups in order to gain updated information on the challenges that they encounter. The first meeting was held in September 2019 with mortgage victims. In parallel with acquiring information on their problems, EMC representatives provided the meeting participants with the information concerning State obligations to implement the right to adequate housing, eliminate and prevent homelessness. On the other hand, the participants became aware of the ongoing processes of state policy formation.



Meeting with mortgage victims

In parallel with advocating the right to adequate housing within the framework of the process coordinated by the executive government, EMC took part in a thematic research "Studying situation of people requiring adequate housing". The organization submitted to the Parliament the information on the research issues that was based on studies conducted in different times. Namely, the concept of homeless persons, review of housing services, the characteristics of housing policy document, reasons for homelessness, challenges facing the homeless groups, etc.

Analytical work concerning the right to adequate housing

During the reporting period EMC prepared a collection of research – “Right to adequate housing – analysis of fundamental challenges”. The collection contains three independent researches. The first research overviews international legal standards regulating right to adequate housing and its content in different legislations and practices as well as its interplay with various rights and vulnerable groups. The second document analyses the eviction concept and practice on local and international level and discusses, among others, the substance and forms of eviction and obligations to ensure with alternative housing during the eviction execution process. The third document deals with disability rights with regard to right to adequate housing through analyzing international standards and existing situation in Georgia. The document, overviews on the one hand, the substance of a State obligation to guarantee the right to adequate housing to persons with disabilities and to prevent homelessness and on the other hand analyzes national legislative and institutional framework as well as existing housing service approach towards the needs of persons with disabilities.








The advocating strategy of EMC with regard to the right to adequate house is based on the findings of the above-mentioned collection along with other researches and analytical documents.

During the reporting period, policy paper – “Tbilisi City Hall social housing program without social content” was prepared. The document assessed the policy of Tbilisi Municipality in terms of ensuring the implementation of the right to adequate housing and invoked the example of social housing program. The program started to operate based on the memorandum of understanding signed between Tbilisi Municipality and Swiss Development Agency. Along with other issues, the document analyzed the legal status of social housing beneficiaries as well as ongoing and future issues related to functioning of social housing.



Research presentation – “Right to adequate housing – analysis of basic challenges”

The following activities were carried out:

-  Statement – As a result of EMC advocacy, OGP action plan prescribed the state obligation on housing policy
-  Meeting with mortgage victims
-  Research – Right to adequate housing – analysis of basic challenges
-  Policy Paper – “Tbilisi City Hall social housing program without social content”
-  Statement – “EMC assesses the situation on rights of homeless persons

Disability Rights

Despite the fact that it has been already 5 years since the ratification of the Convention on the Rights of Persons with disabilities, the protection of the letter rights could not become the priority for the Government of Georgia. From year to year, the State policy remains unchanged with this regard. Among others, it is particularly problematic that UN Convention implementation and coordinating bodies have not been defined and social model to assess persons with disabilities has not been implemented so far. The issues of reviewing legislative framework, duly generating statistical data on persons with disabilities and ratifying Optional Protocol of UN Convention remain problematic. Persons with disabilities are constantly becoming victims of stigma and discrimination. Human rights condition of persons with psycho-social needs is also alarming. Hundreds of persons are still placed in institutionalized establishments. The process of deinstitutionalization of large size psychiatric establishments and boarding houses for persons with disabilities has been a significant challenge throughout the years. On the other hand, successful implementation of legal capability reform is blocked due to a number of reasons, including inadequate awareness on the content of the reform among persons with disabilities, their family members and relevant State agency representatives.

Putting forward the Protection of Rights of Persons with Disabilities

During the reporting period, EMC conducted a research with partner organizations. The research overviews the monitoring results of the 2016-2017 Human Rights Governmental Action Plan implementation. EMC assessed the performance of the specific goals, objectives and tasks under the above-mentioned action plan. The assessment was made with respect to the whole list of particular rights (including: right to independent life, right of legal capability, right to live on adequate level, right to health, etc.) and issued recommendation on each of these aspects.

During the reporting period, EMC and its partner organizations reacted on scheduling the pre-session discussions on the report of the Government of Georgia before the UN Committee on Right of Persons with Disabilities. EMC published two coalitional shadow

reports. The documents were elaborated in 2017 and 2018 years and were signed by 18 organizations and submitted to the committee. EMC along with other organizations that also submitted shadow reports will be actively involved in the process of discussions of State report before the UN Committee and will keep advocating the rights of persons with disabilities.

During the reporting period, EMC was trying to identify and put forward the challenges facing different groups of persons with disabilities through statements, blogs and videos. The organization also evaluated State Policy, human rights status of persons with disabilities and elaborated relevant recommendations.



 **Video: Mariam Mikiashvili –Visually impaired persons’ problems**



 **Video: Giorgi Akhmeteli – Rights of Persons with Disabilities**

The following activities were carried out:

-  Research – Report on Human Rights Defense Strategies and Action Plans’ Performance Monitoring
-  EMC Statement on International day of persons with disabilities
-  Statement on day of protection of rights of persons with disabilities in Georgia
-  Blog – disabilities, bonbons and citizenship
-  Video: Mariam Mikiashvili –Visually impaired persons’ problems
-  Video: Giorgi Akhmeteli – Rights of Persons with Disabilities
-  Statement – UN Committee on Rights of Persons with Disabilities discusses the report submitted by the Government of Georgia

Protection of rights of persons with psycho-social needs

During a reporting period one of the important focus of the organization was to advocate and protect the rights of persons with psycho-social needs. EMC actively involved in working process and advocating on the issues of legal capability reform implementation along with its partner organizations (Partnership for Human Rights, Global Initiative in Psychiatry – Tbilisi and Georgian Social Workers Association). Within the framework of the project supported by Open Society Foundations, a number of meetings were held with State body representatives (LEPL Social Service Agency, LEPL Levan Samkharauli National Bureau of Forensics, Common Court judges) as well as with community of persons with disabilities and with organizations working on this particular issues. The meetings aimed at identifying the challenges in legal capability reform implementation process and raising awareness of relevant stakeholder on this issues.



Meeting with international expert and Social Service Agency

In addition to this, EMC was working to increase visibility of existing challenges that face persons with psycho-social needs and was trying to overcome stigma imposed by society. EMC coordinated the preparation of several blogs and videos concerning the issues such as: tough practice of institutionalization of persons with psycho-social needs and flaws of State Policy while implementing psychic health policy, existing societal stigma towards above-mention group of persons and discriminatory approach of potential employers towards job-seekers. During the reporting period, EMC also indicated in its statements that the strategic document on mental health development (2015-2020) is being implemented in a

non-uniform manner in numerous areas such as: execution of deinstitutionalization process, development of community-based services and awareness rising on challenges facing the persons with mental health problems and psycho-social needs. Furthermore, the organization reacted on the cases of suicide allegedly related to gambling addictions and emphasized the importance of recognition of gambling addiction as a constituent part of health policy. EMC indicated to the problem of implementation of the very section of the strategic document on mental health development that envisages the elaboration and implementation of suicide prevention programs.



Video: Olga Kalina on problems existing in psychiatric healthcare

The following activities were carried out:



Meeting of Jotham Tolub with persons with disabilities and with organizations working on their rights



Meeting of Jotham Tolub with the representatives of Social Service Agency and with Levan Samkharauli National Forensics Bureau



Blog – finding a job



Video – Olga Kalina on problems existing in psychiatric healthcare



Blog – the system you don't exist for



Blog – Violence and psychiatric problems: nonexistent link?



Statement – EMC statement on international day of mental health



Statement – EMC reacts on alarming situation concerning gambling

Strategic Litigation

During the reporting period, EMC Social Policy Program brought over 30 cases before the Common Courts, Constitutional Court and Department of Anti-discrimination Mechanism of Public Defender in order protect the labor rights and rights to adequate housing and rights of persons with disabilities.

Among others:

- ▶ During the reporting period, the Court rendered the decision on the labor dispute where EMC represented the interests of Manana Saghlani . She was dismissed from her work duties from organizations established by the municipality of Mestia. Manana Saghlani was actively protesting the construction of HPPs in Svaneti. The decision of Zugdidi Regional Court is already binding. Under the decision made, the Court fulfilled all the claims of the applicant party with regard to abolishment of dismissal decree, restitution on duties and compensation for lost wages. For the moment the decision is being enforced.
- ▶ The organization also represented the interest of Nargis Niguriani and Maia Kakhiani before the Court who were similarly actively involved in protests against the construction of HPPs in Svaneti. The Zugdidi Regional Court found the decree of dismissal illegal and abolished altogether. The Court of Appeals did not rule in favor of the claimants and overruled the decision of the Court of first instance. EMC continues to represent the interests of beneficiaries before the Court of higher instance.
- ▶ With the legal support of the organization, the disputes before the Court of first instance concerning the case of illegal dismissals, restoring and demand of compensation of LTD "Biblus" and Rustavi Municipal Theatre employees has successfully completed. The organization represented the interests of 6 former employees of LTD "Biblus" before the Court. The company requested the information on working conditions to be declared as defamation and their refusal. The Court dismissed the complaint of LTD "Biblus".
- ▶ During the reporting period, the organization successfully completed the legal dispute where EMC represented the interests of the persons who had been made redundant due to the reorganization of LEPL "House of Writers" and LEPL "Georgian National Book Centre". The parties reached the amicable settlement and LEPL "House of Writers" admitted unfair dismissal of the claimant and took the responsibility to pay compensation to restore the breached rights.
- ▶ Another legal dispute has successfully completed and has already become binding where the organization represented the interests of an ecological migrant living in landslide zones. The Tbilisi City Court obliged LEPL Social Service Agency to immediately take all the necessary measures to accommodate the beneficiary. LEPL Social Service was obliged to purchase the house located in a safe place for the beneficiary. For the moment, the decision is being enforced.
- ▶ During 2019 year, the organization with NNLE "Green Alternative" brought the complaint before the Tbilisi City Court and demanded the decision of the Ministry of Environmental Protection and Agriculture to be found null and void. The Decision of the Ministry exempted the project from an obligation to provide the report on the impact to the nature concerning the planned construction of "Nekresi HPP".
- ▶ During the reporting period, the organization represented the interests of it beneficiaries before the Anti-discrimination Mechanism (Department) of Public Defender's Office. EMC demanded the Department to establish specific form of discrimination in labor relations – harassment against LTD "Black Sea Group". The Public Defender of Georgia established harassment in this particular case.
- ▶ The organization also provides with legal support to families of employees deceased in the workplace in order to attain objective and fair investigation outcomes and to seek fair remedies.
- ▶ During the reporting period, Social rights program provided over 100 verbal and written legal consultations on labor rights, rights of persons with disabilities, right to adequate housing etc.

Canceled drug-related policy reform and current tendencies

A comprehensive drug-related policy reform has been canceled for over one year. Since 12 May, 2018 and since large scale rallies, the Parliament has not invoked the issue of drug-related policy reform so far.

The attitude of the government towards the reform is still not known. Consequently, the drug-related legislation has remained substantively unchanged throughout the last years. The government limits itself to the execution of the Constitutional Court decisions and does not make any step forward to the large scale reforms.







Under the given circumstances, EMC continues monitoring and documenting the human rights situation in the field of drug-related policy. For that reason, 16 July, 2019, EMC published the report on State policy, legislative framework and basic tendencies in criminal law practice related to drug crimes. The report

aims at documenting the systemic challenges existing in drug related policy and at studying the situation and practice in the field of Justice.

In parallel with the canceled drug-related policy reform for indefinite time, EMC submitted the Parliament of Georgia along with other supportive groups and called to initiate the procedure of amnesty. Amnesty – as an interim political measure represents a reasonable and a fair mean to improve the conditions of those who have been unfairly and disproportionately convicted for drug-related crimes. However, the issue of amnesty was not discussed on full parliamentary sessions and the convicted persons are still unfairly serving severe sentences in penitentiary establishments.

The following activities were carried out:

-  Constitutional claim on drug-related crimes
-  Observations on Cannabis export issue
-  Videotape – one year since the police operation
-  Study – Drug related policy in Georgia – canceled reform and new tendencies



Video – 1 year since Police operation

20 June events: The dispersal of anti-occupational rally and the disproportionate use of force by the Police

20 June, the Police dispersed the ongoing anti-occupational rally by use of special means. The organization of the rally was due to the visit of Russian “Duma” delegate and his appearance at the Parliament tribune. The rally that was peaceful during the couple of hours, one part of the protesters commenced physical conflict with the Police units in order to enter the Parliament Building. Approximately at midnight, the Police made a decision to disperse the rally and used different special means towards the protesters throughout several hours. During the last years, it was a first time when the rally was dispersed by using such scale Police force.



Photo: Radio Liberty

20 June, the special means used by the Police, disproportionate and un-differentiated use of Police force,

the absence of relevant strategies to manage the flow of masses and the negligence of the number of established principles of dispersing the rally resulted in grave bodily harms of protesters, including the peaceful protesters and was followed by the large scale detentions.

Following the events, EMC litigated the cases of 9 detainees for administrative offences and one criminal defendant.

July 4, EMC published the preliminary legal observations concerning the dispersal of the rally of 20 June and the actions of the Police. The overview described the dynamics of the rally, the initiation of the violent acts by the side of one part of protesters, the decision made by the Police to disperse the rally and the disproportionate mechanisms used by the police as well as grave violation of human rights within the context of dispersal of rally. The preliminary report conducted by EMC contains the following analysis:

- The legitimacy of the decision to disperse the rally;
- The proportionality of the Police forces used during the dispersal of the rally;
- The cases of prosecution and detention of the protesters;
- The cases of hindrance into journalists' activities.







Police reforms – investigative system

The issue of profound altering of operative and investigative mechanism is particularly challenging in the field of Police units reforms. The Criminal Police Department is the very police unit that has been intact for a number of years. While it is the Criminal Police alongside with the Patrol Police Department, that is in a very frequent contact with the citizens. For the purposes of Criminal Police Department reform, the investigative system is substantial. Currently, the investigative system does not comply with the requirements of independent, impartial and effective investigation. The Operative Police unit reform is also essential. The secret and large scale nature of the Operative police units contain high risks of arbitrary restrictions of human rights.

EMC conducted a study in collaboration with the Georgian Law Firms Association that represents the analysis of the investigative system in force and envisages the perspectives of the reform. During the last one year, EMC has been actively involved in advocacy of investigative system reform. The main purpose is to reform Criminal Police and to increase the independence, objectiveness and effectiveness of investigation.

For that purpose, EMC elaborated the recommendations in order to reform the investigative system and called for the relevant state bodies to implement the recommendations. EMC also elaborated a detailed draft law in order to reform the investigative bodies. EMC conducted a number round tables on this issues. EMC also submitted an opinion to the Venice Commission concerning the necessity of reform and other relevant actions that need to be carried out within the framework of reform. With regard to the issue of Police units' reform, EMC also published the legal analysis concerning the new mechanism of public safety officers.

The following activities were carried out:

-  Study – “Analysis of Investigative System”
-  Opinions to the Venice Commission concerning the investigative system reform
-  Draft law on Investigative system reform
-  Observations on the Institute of Public Safety Officers



Video – Investigative system reform

Prosecution reform: Legislation harmonization process with the Constitutional amendments

The last Constitutional reform substantively amended the legal status of the Prosecutor's Office as well as its place in the State body system and constitutional framework determining its eligibility, *modus operandi* and accountability. Despite the effort made, it is clear cut that the Prosecution reform was unable make substantial contribution to its de-politicization and to the improvement of accountability system and to strengthening of independence.

constitutional principles into legislation. Moreover, the organization was actively involved in the discussions of legislative package initiated by the parliament. EMC submitted its opinions regarding the issue.

In order to support the idea of real and fundamental prosecution reform and in order to ensure the platform of discussions, EMC organized a couple of large scale events, including, the discussions on prosecution systems reform where international experts also took part.

To harmonize the legislation with the constitutional amendments, EMC conducted a research in collaboration with international experts and elaborated a detailed draft law concerning the harmonization of

With the coalition "For an Independent and Transparent Justiciary", EMC evaluated the basic flaws of the prosecution reform law that was adopted by the Parliament.



Round-table on the topic: "Prosecution reform in the light of Constitutional amendments."

The following activities were carried out:



Study on Prosecution Reform



Opinions on the Draft Organic Law on Prosecution

The Composition of National Defense Council and Amendments in Coordination of Security Organs

Based on the latest Constitutional amendments, and following to the abolition of State Security Council, the necessity to create an unified coordinating body in a State security system became clear. For that purpose, the Government of Georgian elaborated the legislative package of amendments.

The legislative amendments comprised the following basic issues:

- ▶ Organizational structure of the National Defense Council;
- ▶ The role of Prime Minister in the National Defense Council political management;
- ▶ The composition of the National Defense Council;

- ▶ The status of the National Defense Council Secretary and the terms of appointments;

Taking into consideration the necessity of creating an unified, coordinating organ in state security system, EMC was actively involved in committee discussions of the initiated draft law. EMC elaborated the opinions regarding the issue and shared with the Parliament and the Government as the body that initiated the draft law. In order to discuss the initiated draft law, EMC organized a round table where local and international organizations and security experts took part.

After the adoption of the draft law, EMC prepared a short analytical document evaluating the amendments made to State Defense Council legislation.



Discussion on the topic: "National Security Council – the review of the proposed legislative amendments"

The following activities were carried out:



The analysis of the amendments made to the law on State Defense Council

Situation in Justice System: the judiciary reform outcome

Despite the reforms carried out in justice system throughout the last years, the trust of the society towards the judiciary is considerably low. This is mostly determined by the High Council of Justice and its problematic decisions as well as the practice of court hearings of high profile and sensitive cases and its numerous canceled or incomplete reforms.

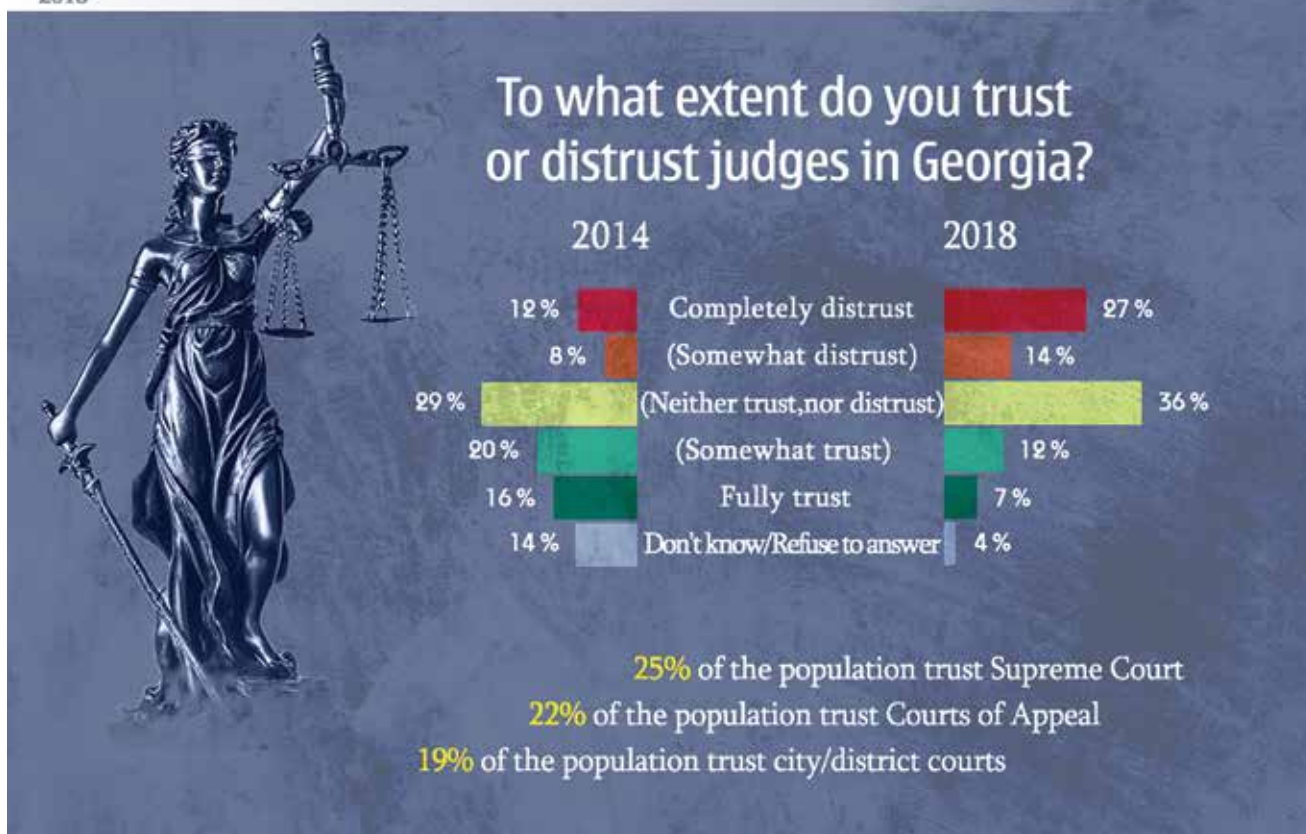
In order to study the public awareness and attitudes towards the Court system, EMC conducted and published the results of public opinion surveys with partner organizations. 2080 individual interviews were conducted within the framework of the survey which revealed that faith of society in Court system is critically low compared to the other branches of government. The similar survey conducted in 2014 also referred to the tendency of decrease of trust. The

survey demonstrated that almost a half of the population consider that the judges are not independent.

Despite that, in order to analyze the results and the impact of the reforms carried out in judiciary throughout the last years, EMC in collaboration with IDFI elaborated a number of monitoring reports, including the report that comprises two most important reforms of the last periods – new system of case attribution before the Court and the evaluation of the work carried out by the Independent Inspector regarding disciplinary issues.

The enactment of the rule of random attribution of cases was one of the most positive and important news of the last years. However, the report revealed that despite the enforced amendments, there are number of obstacles that deter to fully enact the model of case attribution. The list of the obstacles in-

Population survey on knowledge and attitudes towards the judiciary 2018



The European Union
for Georgia
EUAJustice

საერთაშორისო მართლმსაჯულების ცენტრი
EMC
Human Rights Education and Monitoring Center

IDFI
Institute for Development
of Freedom of Information



The contents of the study are the sole
responsibility of EMC, CRRC and IDFI and do
not reflect the views of the European Union.

clude: Court Chairpersons' irrationally high powers, the lack of judges and the increased numbers of exceptions to the general rule that an established practice by the High Council of Justice.

While assessing the work of Independent Inspector and judges' disciplinary liability system, among other issues, the ambiguity of disciplinary liability criteria was once again manifest. The assessment also identified the necessity of increasing the institutional guarantees of the Independent Inspector and fair, non-arbitrary and objective use of disciplinary mechanisms.

Moreover, EMC in collaboration with partner organization IDFI published the monitoring report on the performance of 5 years strategy of Justice System and 2 years action plan elaborated based on the Georgia-EU Association agenda. It was a considerable step forward to create a long-term strategy based on the consensus and by involvement of the three branches of government and civil society. However, the monitoring on the performance of the obligations envisaged by the action plan revealed that strategy elaborated by the judiciary is not a priority document. Effectively, all issues of fundamental importance remains undone. 53 % of activities out of 100 activities studied through monitoring are not






How tough is the schedule of the judges to deal with the cases.

fulfilled, 20 % of activities are partly fulfilled and 26 % are performed. One activity could not be classified in any of the categories.



The following activities were carried out:

-  Report- "knowledge and attitude of the Judge towards judiciary"
-  Monitoring report on the performance of Court Strategy and Action Plan
-  Infographics – "How many cases are heard by a judge"
-  Study – "Assessment of Justice System Reform Outcomes"
-  Blogpost – "Why the independence of the High Council of Justice is important?"
-  Blogpost – "The role and influence of the Court Chairperson"
-  The assessment of Judiciary Reform outcomes – the system of disciplinary liability

Selection of Supreme Court Judges: Historic process and opportunity for Georgian Justice System

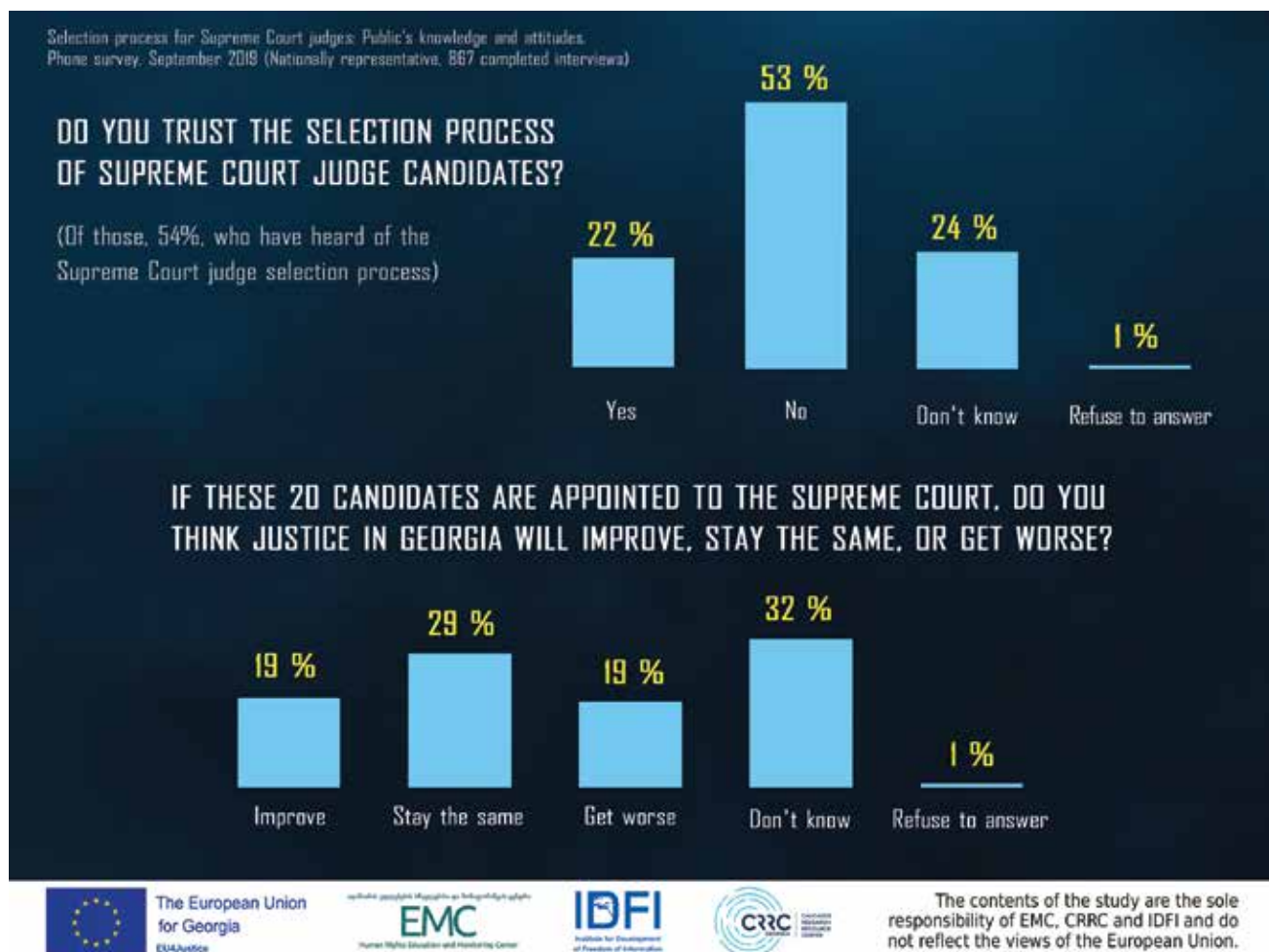
Highly important process for the Justice system commenced by the end of the 2018 year, when the High Council of Justice made a decision to nominate 10 candidates for lifetime appointment at the Supreme Court. The Decision was made with procedural flaws and in an accelerated timeline. The arbitrariness of the Council and privileging the closed group of judges was followed by a tough criticism and protest from a particular part of society.

In order to cancel the process and to demand legislative reforms, EMC started to collaborate with the professional and activist groups within the framework of an open platform. With the help of the very platform, several important demonstrations were scheduled, public petitions and proposals were elaborated. These facilitated to stop the accelerated process and to strictly regulate the process of Supreme Court Judges selection.

Due to the number of submissions and public protest, the Parliament refused to discuss the issue in an accelerated manner. The nominated candidates withdrew themselves from the appointment procedure. Since then, the Parliament started to work on the amendments regulating the process and criteria for Supreme Court Judges appointment.








Manifestation-“Save the Court”



EMC, in collaboration with the member organization of justice issues coalition, was actively involved in committee discussions of the draft law. Though, through the whole process the government was unable to demonstrate its steady political will to elaborate a legislative framework that would establish practical and real barriers for the influential group of judges.

From May 2019, the High Council of Justice recommenced the process of appointment of Supreme Court Judges based on a new legislative framework. EMC, alongside with its partner organization is actively monitoring each stage of the selection of candidates. In the end, the High Council of Justice selected 20 candidates and presented them to the Parliament of Georgia on 4 September 2019. Throughout the autumn session, one more hearing of the Supreme Court candidates was conducted before the Committee of Legal Affairs. The hearings were open and public. The members of Parliament as well as the representative of the Public Defender and the representatives of academia, professional and civil groups had an opportunity to ask the questions to the candidates. **For the time when this report was being drafted, the Parliament had not made the final decisions on which candidate would be selected as a Supreme Court Judges.**

The following activities were carried out:

-  Blogpost – What are the breaches of Supreme Court Judges selection process?
-  Analytical document – The role and influence of the Court Chairpersons
-  Manifesto – To Save the Justice
-  Telephone survey results – “Knowledge and attitude of the society towards the process of Supreme Court Judges Selection”
-  Telephone survey results “Selection of Supreme Court Judges: what does people know and what is their attitude towards the process”

Advocating social rights in justice process

The defense of social rights according to adequate standards represents a significant challenge for the Justice in Georgia and for the national institutions in general. Academic or professional discussions are hardly ever held around the above mentioned rights. Eventually, in collaboration with an expert Nana Mtchedlidze, EMC drafted two guiding documents on labor rights and right to housing. The handbooks review labor rights and rights to adequate housing as well as certain state policy elements under the light of the standards established by the case-law of the European Court of Human Rights, the European Social Charter and the European Charter of Fundamental Rights.

The aforementioned documents are guiding tools that aim at sharing thematically collected, systematized and processed material on labor rights and right to housing to judges, to lawyers and to the organizations working on human rights. The objective of the documents was to raise awareness and sensitivity towards labor rights and right to housing amongst relevant professional circles and in public in general. Moreover, the goal was to establish higher standards in case proceedings. In order to promote these documents and social rights as a whole, EMC held a work meetings with an author of the handbook at Tbilisi, Kutaisi, Batumi and Telavi Court premises. Judges as well as Court staff were present on those meetings.

The following activities were carried out:



Handbook for lawyers "Right to housing – overview of international standards and practice"



Handbook for lawyers "Labor rights – overview of international standards and practice"



The perspectives of the Criminal Justice Reform

The role and procedural powers of a judge while exercising its functions has been a subject of discussions for a number of times among the civil society groups and among the representatives of judiciary. There exists an idea that according to the legislation in force, judiciary powers are somehow limited that causes the decrease of effectiveness of justice in the process of fundamental human rights defense.

- ▶ Court proceeding on administrative offences;
- ▶ Drug-related crimes and domestic violence;
- ▶ Proportionality of penalties and etc.

In order to support the discussion on criminal justice, EMC prepared an analytical document that provides with an overview on existing barriers and challenges in adversarial criminal justice system.

In order to further study the issue and to facilitate the discussions, CRRC elaborated a document that describes the attitudes of judges and attorneys at law towards the role of a judge to ensure fair, impartial and human rights oriented criminal justice. Within the framework of the study, around 20 individual interviews with the judges and three focus groups with the lawyers have been conducted. The study englobes the opinions of judges and lawyers on the following issues:

The following activities were carried out:



Study – “The role of a judge in criminal justice”



Blogpost – For critics of adversarial criminal law proceedings: barriers on the road to establish the truth”



EMC held the presentation along with CRRC on the qualitative research results on the role of judges in criminal justice system

Advo Prevention of the excessive use of force and an impact of operative-investigative actions on criminal proceedings cating

Operative-investigative actions are actively applied to police and investigatory activities that enables the police officers to get important information on particular criminal acts, offenses and criminal situation as a whole. Though operative-investigative actions are rather strong mechanism for the Police, it also creates risks for the unjustified interference into human rights as the Court and the prosecutor exercise inadequate control over the operative-investigative actions and effective inter-monitoring mechanism is missing.

The above mentioned issue is well known for the EMC and the organization has been advocating for years the issue of operative investigative actions reform. At the end of the year, EMC prepared a summarizing research on operative investigative actions that analyses relevant legislation as well as the police practices. The research demonstrates that the above mentioned mechanisms forms a parallel investigation or so called pre investigation stage. Within the framework of operative investigative actions, investigator gather important information in a manner that enables them to avoid supervision and standards established by criminal procedure legislation.

The absence of uniform strategy on excessive use of force represents another important challenge to the police investigative actions. Throughout the years, excessive use of force by the police represented one of the major challenges with regard to human rights defense. Following the establishment of an independent investigative body (from November, 2019, State Inspector's Office has started to operate and it is eligible to investigate particular crimes committed by police officers), it is also important to introduce inter-agency mechanisms that would prevent the risks of ill-treatment by the police. EMC eventually conducted a research that overviews particular aspects of police operations that creates extreme risks for the excessive use of force. The research also provides the detailed recommendations on mechanisms that could prevent excessive use of force and ill treatment by the police.

The following activities were carried out:



Research "Operative Police actions"



Research "Prevention of ill-treatment in police actions"



Research presentation – "Operative-Investigation work in Law Enforcement Agencies"

Pardon

Pardon of convicts by the President is an important legal and political instrument under the existing circumstances of severe criminal justice. Throughout the years, the presidential power of pardon was actively used with regard to persons convicted for drug related crimes that can be considered as attempt to soften repressive drug related policy.

During the reporting period, use of the right of pardon by the president in office became a public debate issue for a number of times. In fall, 2019 the president initiated a moratorium over the execution of that power before elaboration of legal act specially tailored on this issue.

In order to study this issue, EMC analyzed the data of the first 9 months of 2019n year concerning the power of pardon. Namely, how many convicts have

submitted applications to the President to ask for pardon, how many application have been satisfied and what was the general tendency – which crime convicts has been most frequently granted a pardon. Moreover, a short analytical document has been prepared that discusses the concept of pardon institution, short history of its origin and development and basic flaws and challenges of Georgian pardon model in force.

The following activities were carried out:



Infographic on the application pardon throughout the first 9 months in 2019



Analytical article “Political nature of granting a pardon and the logics of constitutional order”



Strategic litigation

EMC continues strategic litigations before the Common and Constitutional Courts as well as before the European Court of Human Rights. EMC also represents the interests of victims of arbitrary use of powers and exceeding official powers by the side of Police organs before the Court, before the Prosecutor's Office and before other relevant State bodies.

During the reporting period, EMC submitted two applications before the European Court of Human Rights for the alleged inhuman treatment:

- ▶ Vladimer Mtcheldishvili's appeal refers to his arrest for administrative offences that was followed by beating in the Police division and that was not adequately investigated;
- ▶ The case of Zviad Ratiani was also submitted before the ECHR. The case particularly draws attention to facts of inhuman treatment towards Zviad Ratiani when he was detained on 23 December 2018 for an alleged administrative offence. Namely, when arresting Zviad Ratiani, Police gravely insulted and assaulted him physically. The case was ineffectively investigated within the country.

During the reporting period, EMC submitted one more claim before the Constitutional Court of Georgia on drug-related policy and asked the Court to declare unconstitutional the punishment prescribed for possessing a minimum narcotic substances.

Human Rights Situation of Ethnic Minorities

During the reporting period, no significant positive changes had been observed with regards to ethnic minorities' human rights and their integration. Integration policy composed of state planned routine activities, does not meet actual political and social challenges of ethnic minorities; and low, more correctly "imaginary" political participation of minorities makes adequate political articulation of needs, concerns and priorities of non-dominant groups even more difficult.



Instead of focusing on human rights protection and inclusion principles, the State policy towards ethnic minorities is based on problematic perspectives such as: security, geopolitization and cultural domination. State policy does not have an adequate vision of profound and structural inequality which exists towards ethnic minority groups due to the practice of historical negligence and domination. Within the context of given approaches, the state has no specific positive policy (special mechanisms oriented on the growth of political participation, employment assistance policy, proactive approaches of social protection, among the others) that would allow systemic and institutional opportunities for its eradication.

Crisis in Pankisi gorge

During the reporting period, the Pankisi Gorge topic maintained its relevance. The case of a 19 year old Temirlan Machalikashvili, murdered in his own bed

on a night of 26 December 2017, revived the fear of repressive policy and insecurity among the local community.

This dissatisfaction of local community was further prepended by HPP cascade construction issue in Pankisi Valley. There are already 2 functioning HPPs in the valley. Locals believe that the construction of 2 additional HPPs in the same river network – "Khadori 2" and "Samkuristkali 2" – will substantially damage unique natural environment of the valley and the resource for region's sustainable development. The analysis of permission document on the HPP construction exhibits that they lack the validation; Conceivable risks with respect to the environment damage are not properly taken into account – the impact of HPPs on nearby protected territories among the others.

For almost a year, the local population was disclosing its concerns over the HPPs construction via different means and was asking for a fare discussion format with the State. Nevertheless the remaining resource for negotiation and the publicly given promises by government representatives on discussion continuity, the Ministry of Internal Affairs conducted a massive police intervention in the valley and deployed hundreds of special task department staff and weaponry on 21st April 2019.



Photo: AjaraTV



According to the official explanation, the deployment of police forces in the valley took place following the request from the Ministry of Economics in order to secure HPP “Khadori 3” construction. The large-scale police operation in the Pankisi Gorge took place several days after Natia Turnava was appointed as a Minister of Economics which gave human rights NGOs a reason to suggest the conflict of interests and the problem of energy interest lobby.

The local community reacted by spontaneous self-organization and resistance to such an unexpected renewal of HPP construction. Among the protesters were women as well as elderly persons. The policy counterbalanced the local discontent and collective resistance with intense police force (using tear gas, rubber bullets, truncheons).

It should be noted that up to the events of 21st April, the local representatives of the police and State Security Service as well as deputy minister of Internal Affairs were involved arbitrarily into the mediation process about the HPPs construction. The local police utilized the police control mechanisms illegally on several occasions in order to stop the activists and community leaders involved in the resistance.

During this whole period, active intervention of police and State Security Service concerning HPP construction as well as creating inner groups and the incentive strategy, increased risks of intercommunal

confrontation which according to locals, resulted in armed confrontation and in heavy casualties on 27th November of the year in progress.

=During the parliamentary deliberations, the Ministry of Internal Affairs recognized the errors committed on 21st April events and highlighted the problem relating to the lack of information and coordination. The fact that, from the very start the Government-made steps to deescalate the situation, must be noted positively. However, these steps were not durable and stable response to the trust crisis and frustration which had accumulated in the community following last events.

Following the events of 21st of April, a number of questions have emerged in local Pankisi community with regard to the establishment of deserted village Khadori celebration, located nearby the HPPs. Within the given context, the local government canceled the already traditional “Pankisoba” festivities and did not invite the representatives of Kist community to the newly established “Khadoroba” this later being essentially Christian content and aesthetics. These decisions were perceived as a punishment by the local government.

Overall, the violation of right to life of Machalikashvili, as well as large-scale police intervention with regard to HPPs construction, serve as examples of force demonstration which is a historical characteri-

zation of various previous government policies in the Pankisi Gorge. Demonstratively repressive operation in the valley create insecurity, fear and estrangement amongst the locals. However, these severe cases of punishment and repression are accompanied by a complete negligence and/or unacceptable legitimization and normalization rhetoric of utilized force by the Government. No legal or political mechanisms are used in order to evoke the social security and trust in the local community.

Despite numerous recommendations destined at the government which would be oriented on equality and sustainable development-based policy contrary to the repressive and control oriented one, neither political will nor resource has been put into action. The project arranged for Pankisi Valley development which was elaborated by State Ministry Apparatus on Reconciliation and Civil Equality Matters, represents in larger extent a compilation of several agencies' routine activities rather than a social change and positive development-oriented vision.

During the last years, local activists seek to change the governing policy structure which favors a governing policy using privileged community members and to make it more democratic, participatory and open. However, within the given context when the government does not alter its approaches to the valley and continues to operate with non-democratic control mechanisms, local activists find it more dif-

ficult to attain social changes as well as to keep the faith for such changes.

During their rightful resistance to the HPPs construction process, EMC was trying to support them by court representation, advocacy on national and international levels as well as by better informing the society on HPP related projects and their impact on environment. The case on both HPP constructions are pending before the Courts of first instance. EMC represents the interests of locals before the Court. EMC prepared various videos and legal assessment documents with regard to locals' and experts' evaluations.








Video – HPPs Construction

During the reporting period, EMC took an active part in the discussion about the Pankisi Gorge development project plan and with the participation of local actors, elaborated a package of recommendation relating to reconciliation and civil equality issues for State Ministry Apparatus.



The following activities were carried out:

-  Research – Under the Security Vision: History, Politics and Religion in Pankisi Valley
-  Analytical paper – Critical analysis of ecological conclusion documents with regard to HPPs arranged for Pankisi
-  Analytical paper – Critical analysis of report on Khadori -3's impact on the environment
-  Video – HPPs in Pankisi
-  Video – HPPs Construction

Challenges of Georgia's Azerbaijani Community

Starting from 2019 EMC works on a systematic basis in order to identify and search for solution paths of challenges posed to ethnic Azerbaijani community living in lower Kartli region. Field visits to the region villages and active working process with local population and self-government bodies revealed those systemic problems which in essence hinders the integration process of local community and aggravates its political and social isolation.



EMC's Meeting in the Village of Saral

Insufficient implementation of integration policy in the community is mostly linked with the State language policy. Despite the fact that state language is being taught in every regional school and despite the existing separate State programs, they do not allow ethnic minority groups to learn properly the state language. The latter serves as an obstacle not only for political and civil integration but also for a quality education process. According to local youth, they complete their high-school education without being capable of expressing themselves into Georgian language. Pre-school education is another severe problem in Lower Kartli region. The absence of kindergartens in great number of Marneuli

municipality villages as populated by ethnic Azerbaijanis, is the premise for language and integration setback.

The problem of Georgian language domination policy practice is especially obvious while interacting with self-government bodies. A field study conducted by EMC revealed that a large part of ethnic Azerbaijani population does not approach administrative bodies with the purpose to solve the problem. Due to the language barrier, it is twice as complicated for them to apply for information in public agencies. With EMC's support, youth initiative groups living in the town of Marneuli



Video – Language and Political Isolation in Georgia's Azerbaijani Community

and Bolnisi, addressed the administrative agencies with the demand to translate online (on official web pages and in social networks) information on local language. It should be noted that, as a result of EMC's and local activists' active advocacy, Marneuli City Hall renewed the practice of bilingual information posting on official web page with regards to events happening in the municipality. Besides this, on behalf of local activists, EMC filed a lawsuit demanding the translation of important legal documents by self-government agencies, authorization of submissions on Azerbaijani language and obligation of providing requested public information in translated versions.

Beyond the language policy, political participation of the community and feeble mechanism of involvement on a municipal level remains an important challenge.

The life and integration of Lower Kartli's Azerbaijanis is even more complicated by the existing harsh social reality. The source of living for large part of the population is daily manual labor of mortgage lands. They do not have lands in possession owing to the fact that after the decomposition of the Soviet Union, agricultural assets were distributed unequally; many local families were left with no lands at all. The language barrier is the

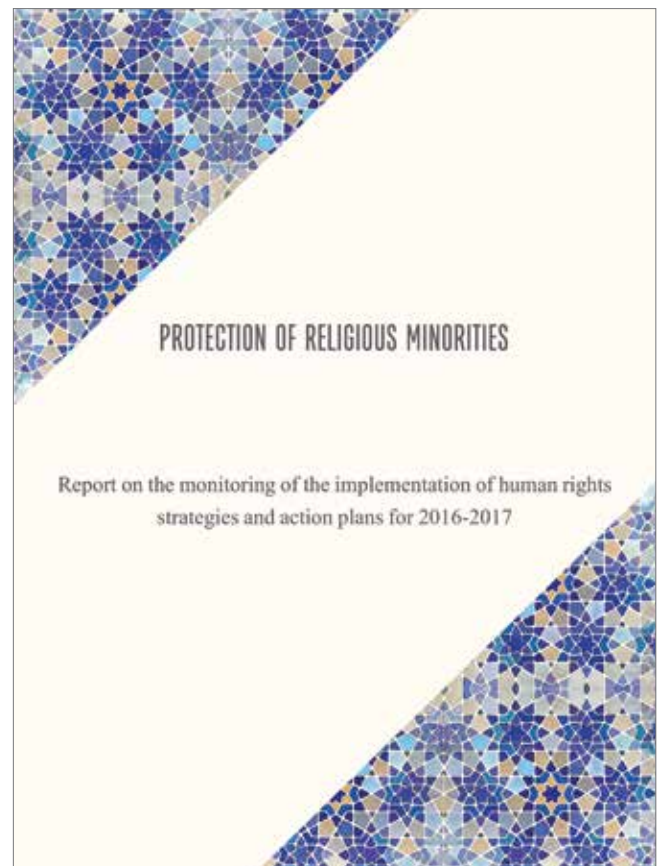
reason why the major part of the population had never appealed the unequal land distribution. Adequate functioning of potable water and irrigation system represents a problem in many villages.

An important challenge for Marneuli municipality villages is the absence of public cultural spaces and inadequate functioning of public transport. This is an additional obstacle with regard to local community participation in public life.

Existing social and political challenges are even more of a burden for women who alongside with general oppression, are also isolated for gender reasons.

Conspicuous practice of State culture domination is noteworthy in regions populated by ethnic minorities. This is clearly visible in local cultural policy among other things by revising local festivities and by feeble representation mechanisms of culture of minorities.

Significant social outcomes of 1+4 program must be highlighted which, among others, manifests itself in the region by creating young, well-educated activists' unique resources and by elaborating interesting experiences of political self-determination and organization.





During the reporting period, EMC was making an effort to work with several instruments. Primarily one must underline the fact that the organization has a local lawyer who works in Marneuli on a regular basis and seeks to identify local needs and to provide the population with legal assistance. Throughout the one-year period, EMC studied in details the existing situation in Marneuli and Bolnisi Municipality villages and drafted reports relating to the human rights and social conditions on the territories that are densely populated by ethnic minorities. In addition, in coordination with local activists, EMC sought to bring the existing challenges in the municipality, the needs and concerns of the locals on self-government's agenda. With this aim, EMC took an active part in budget elaboration process and made budget proposals alongside with the local community organizations. EMC regularly organizes mobile clinics in the villages where along with social worker's and doctor's consultations, legal consultations are provided to the locals.

During the reporting period, EMC also drafted practical guidelines regarding ethnic minorities' rights and State's positive obligations which were translated into Russian and Azerbaijani languages.



The following activities were carried out:

- | | |
|--|--|
|  Practical Textbook – Review of International standards related to the Protection of Ethnic Minority Rights |  Blog – Workers' market |
|  Analytical paper – Document of recommendations and visions directed to Marneuli local authority |  Video – early marriage – What do Azerbaijani women think? |
|  Analytical paper – Evaluation of Marneuli Culture Centre's policy |  Article –Azerbaijani female workers' Precarious state of being |
|  Analytical paper – General assessment paper on existing problems and challenges in Bolnisi Municipality |  Article – Dmanisoba – rewritten celebration and cultural domination mechanism |
|  Statement – Budget proposals for Marneuli Municipality |  Research – Identity Issues among Azerbaijani Population of Kvemo Kartli and Its Political and Social Dimensions |
|  Blog – «On the road to school» |  Report – Protection of Religious Minorities – Report on the monitoring of the implementation of human rights strategies and action plans for 2016-2017 |
|  Video – Language and political estrangement in Georgia's Azerbaijani community | |

Critical Politics Schools and Solidarity Platform

During the reporting period, with the participation of local activists, EMC was organizing critical politics schools in Marneuli and Pankisi aiming at establishing the dialogue and collective action platform in Lower Kartli region and in Pankisi. The objective of work as planned in the project, beyond the sharing of critical theoretical knowledge, is to support the process of reflection on reality and political self-determination.

Within the framework of critical politics, a series of lectures (around 20 in each school) and debates were being held around social justice issues seen from the prism of political and social sciences as well as history and philosophy. The lectures' cycle was destined at the solid group chosen in advance.

In Pankisi valley as well as in Lower Kartli region, an interesting process of self-identification and resistance awareness is being identified which requires recognition, dialogue and cooperation from other activist groups.

After the termination of critical politics schools in the regions, EMC organized an even more massive solidarity



Critical Politics Schools in Pankisi and Marneuli

platform which unites the activists from several regions including Adjara, Pankisi, Lower Kartli, Samtskhe-Javakheti and Tbilisi; Its objective is to strengthen their ties and support them collectively. At this given moment, the platform comprises up to 25 young activists. Solidarity platform is an independent and auto-organized space and its developments will be planned essentially in correspondence with the ideas and interests of its participants.



The State of Religious Freedom

A large part of challenges relating to human rights protection (including, existing non-secular and discriminatory practice of funding, non-existence of restitution policy towards religious minorities) remained relevant this year. Furthermore, the initiatives (initiatives on adopting special law about religion, on banning Muslim women religious attributes, on the abolition of law exempting non-dominant religious authorities from compulsory military service among others) related to the deterioration of legislative standards and guarantees concerning religious freedoms framed the agenda on numerous occasions. To prevent the above-mentioned initiatives from coming into action is in large part due to religious organizations and human rights activist's advocacy.

This year's reports published by ECRI, FCNM, the Oslo coalition, UN and EU international ad hoc expert Meggie Nicholson indicate to the monitoring and preference based approach problem within the L.E.P.L Council of Religions and the lack of trust towards that agency. Despite the harsh criticism and recommendations coming from a significant part of religious organizations, the government has not undertaken the measures in order to abolish or to transform its mandate and policy; the latter is still trying to keep the status quo in place.

The ongoing year witnessed an interesting dynamics regarding the new mosque construction in Batumi. On 30th of September 2019 Batumi City Court ruled a historic decision on the Mosque construction according which Batumi City Hall's negative response to the mosque construction was considered discriminatory and illegal. However, Batumi City Hall appealed the court's ruling and once again adopted the process procrastination and interruption strategy. The construction of new Mosque in Batumi is a Georgian Muslim community's historical demand and is motivated by the feeble political and cultural representation of Islam as well as insufficient recognition of Muslims' rights and their protection. However, the government



Photo: JAMnews

shows no adequate reaction to this problem and maintains a negligent approach.

Harsh human rights conditions of Adigeni Muslim community remained problematic in the current year. The State handed illegally the lands to the Patriarchate belonging to Muslims living in Kikibo and Dertsel villages of Adigeni Municipality. These lands are a vital resource for Muslim peasants and to seize them only hardens the existing rigid social reality of families residing in highland villages. Despite EMC's numerous attempts, the problem remained unsolved through negotiations. At this stage, EMC conducts a litigation in courts. After the revealed religious conflicts in the village of Tchela in 2013, in the village of Mokhe in 2014 and in the village of Adigeni in 2016, the harsh reality of human rights in region's Muslim community is once again apparent and necessitate timely and systemic intervention from the State.



 Video – Adigeni residents speak on illegal land transfer to the Patriarchate

In the current year, the Catholic Church was damaged again in Akhalkalaki. This is the continuation of the cases of vandalism which had occurred in the region during the previous years.

Another case of religious indoctrination was documented in 2019 in Adjarian Highlands during the meeting in the Resource Centre between the Keda village high-school teachers and the Skhalta Eparchy representatives. High-school principals made hurtful comments students “coming back to ancient religion and their re-conversion”.

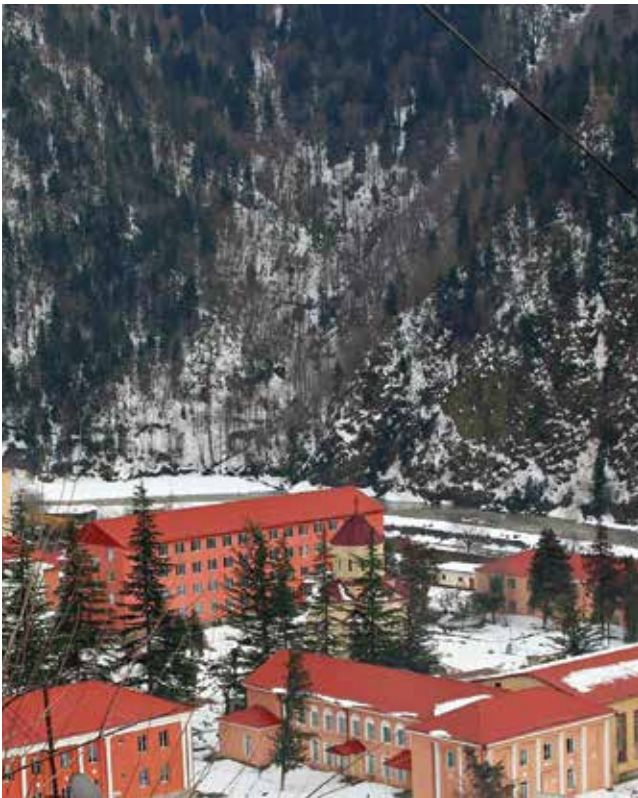


Photo: The Patriarchate of Georgia St. Tbel Abuseridze Learning University

The reporting period was critical for the Orthodox Church. Influential members of the Patriarchate clergy such as (former) Archi-bishop Jacob and (former) Tch kondidi bishop Petre Tsaava, made public statements on the possible government influence on the current processes and remarked on the violent and canonically unacceptable sexual practices within the Church. These statements were not followed by adequate investigation. The revealed crisis in the depth of the Patriarchate did not lay a basis for further reflection and reform. By punishing detracting bishops, the Synod maintained the status quo and canceled the examination of severe accusations.

Throughout this whole period, EMC was trying to support the multilateral discussion around the Church domination and politicization problematics. With this objective, EMC organized a cycle of discussion on the following topic: “religion and its social dimensions – an attempt for re-reading”. The goal of the discussion was to encourage the dialogue and reflection between religious authorities and civil groups on social and public role of the religion as well as the conceptualization of this dialogue into Georgian reality. The discussion was mostly destined at religious authorities of the Orthodox Church and the researchers working on religious and political topics. An honorable guest of the discussions was the speaker Zura Jashi who is a Pd.D. candidate at Munster Orthodox theological faculty. He gave lectures on the following topics:

- ▶ « The idea of social justice and activity in the early and modern period’s orthodox churches”;
- ▶ «Understanding individuals» freedom in early Christian theology”;
- ▶ «Modernity and Church tradition»

Other speakers presented interesting expositions at the meeting,

Among the others :

- ▶ Father Giorgi Tserodze, on the topic: The Personality theology
- ▶ Shota Kintsurashvili, on the topic: On the development of social learning in the western church or the liberation of theology;
- ▶ Giorgi Khasaia, on the topic: Producing compassion and its consequences – on the Georgian Orthodox church crisis;
- ▶ Ketil Rcheulishvili, on the topic: Orthodox theology and western social theory;
- ▶ Luka Nakhutsrishvili, on the topic: Religion within the modernity – on several aspects on Georgian modern reality.

Throughout this period, EMC was working actively on the report of religion’s state of freedom and prepared a number of important surveys in this direction, including, on the following:

- ▶ On the issues of political Islam and social representation in Adjara; the practice of cultural domination in Lower Kartli;
- ▶ The education policy in the highlands of Adjara and its social aspect; the restitution practice and its Georgian context;
- ▶ Special law on religion and its political and legal dimension;
- ▶ Public schools and the issues of religion teaching;
- ▶ The analysis of the activities of State Agency for Religious Issues;
- ▶ Public space and the issues on the use of religious attributes.

EMC will publish this report the following year.

In addition to this, EMC was actively litigating the cases on the religious freedom and discrimination issues before national Courts.

It should be noted that, in the current year, EMC also started an active work in the highlands of Adjara and has a permanent local representative in the region. During the reporting period, EMC was trying to collect the information on the local community's human rights and social condition in Khulo and Keda and to start an advocacy process with relevant State agencies.

The following activities were carried out:

-  Statement – Decision on Batumi Mosque case
-  Statement – High schools' religious indoctrination practice in the highlands of Adjara
-  Blog – Several political aspects of Church's crisis
-  Photo – Discussion cycle on the topic: "Religion and its social dimensions – an attempt of re-reading"
-  Article – Land which served to Adigeni Muslim population was handed to the Patriarchate
-  Video – Muslim owned pastures in the villages of Kikibo and Dertsel were transferred to the Patriarchate
-  Video – Social consequences of the Patriarchate domination in Dzama Valley
-  Opinion – The practice of limitation of Muslim women's traditional headscarves and the human rights standards
-  Analytical paper – The history of Islam in Adjara, author Ruslan Baramidze



Discussion cycle on the topic: "Religion and its social dimensions – an attempt of re-reading".

Gross violations to the rights of LGBTQ persons

This year was particularly sharp for the LGBTQ persons. Violence and incitement to violence against LGBTQ persons as well as hard cases of hindrance into the realization of their rights were common practice in 2019. The abovementioned facts were mostly committed by organized violent antidemocratic groups. The State did not confront the existing violent homophobic practice neither by effective preventive and legal means, nor by the equality-based rhetoric and non-degradatory respect of human rights. Moreover, the history of the existing antidemocratic groups and their active participation against anti-governmental protests creates the risks that the Government utilizes these groups for political reasons and grant them with a particular immunity.

Even though, during the recent years, there are some positive changes with regard to institutional approach and with regard to legislation on sexual orientation and gender identity-based discrimination (including positive amendments made to the law on elimination of all forms of discrimination), the issues related to LGBTQ persons are still politicized and in practice, LGBTQ persons are not permitted to equally exercise their rights. It is also problematic that working on issues of protection of LGBT women's rights have been ruled out from the Gender Equality Council agenda.

In relation to the ongoing institutional reforms, the improvement of the hate-crime combatting policy and an attempt for its' adequate institutionalization (establishment of the special unit on coordination and monitoring) within the Ministry of Internal Affairs must be assessed positively. However, effective investigation of past crimes bearing high public interests and sensitivity remain problematic. Some of the obvious homophobic violence case investigations revealed the approach of incrimination of "both sides" and an arbitrary prosecution of LGBT persons. Furthermore, the work on hate crime prevention and victim protection requires substantial strengthening within the system of the Ministry of Internal Affairs. It must be noted that the Council of Europe (including:

ECRI, Committee of Ministers that is monitoring the execution of the European Court of Human Rights decision – Identity and others against Georgia) call the Government of Georgia to create special services within Police system that would be responsible for the investigation of hate crimes and that would have a direct mandate to react.

The State is still unable to ensure the protection of the freedom of peaceful assembly of LGBTQ persons and openly neglects their rights. On 17 May, 2012 and 2013 on the international day against homophobia and transphobia, the attack on the peaceful manifestation of LGBTQ persons is left without reaction. Violent acts committed against the organization "Tbilisi Pride" and their supporters in June, 2019 were also ignored. In November, 2019, the State was also unable to prevent violent acts coming from antidemocratic violent groups. These acts were destined to foster hatred and were related to the diffusion of the movie "And then we danced". Incitements to violence that were publicly made by

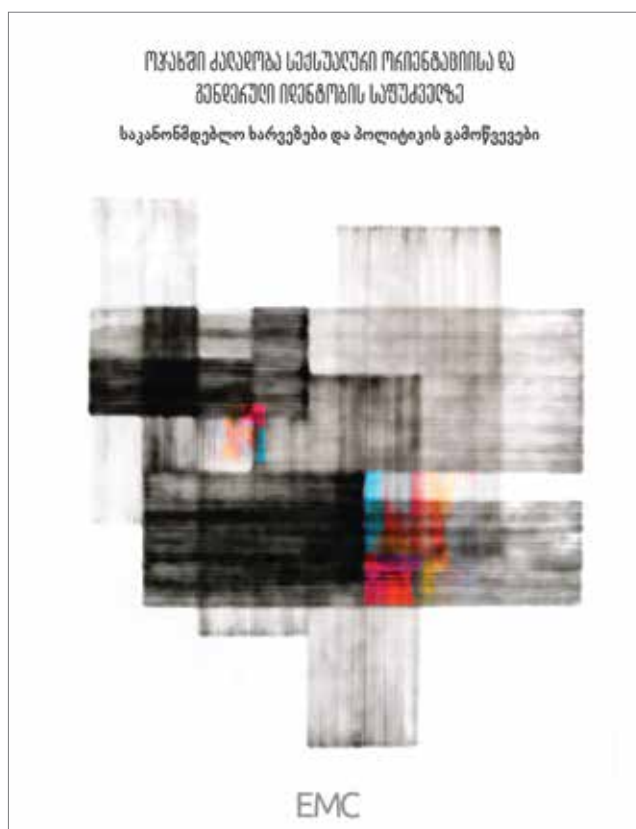




Photo: NETGAZETI

the ultraconservative group leaders did not result in application of legal mechanisms.

The Government does not analyze adequately the harsh political and social outcomes of homophobia

and does not take necessary systemic measures in order to strengthen its rhetoric that would be oriented towards education, raising awareness among public officials and professionals circles and human rights.

The following activities were carried out:



Statement - Committee of Ministers of the Council of Europe publishes monitoring report on the case "Identity and others v. Georgia"



Statement of Coalition for Equality on May 17



Statement Coalition for Equality reacts on security challenges on Tbilisi Pride



Statement Human rights organizations respond to the events developed on 14 and 16 June



Statement of Coalition for Equality on violent groups



Statement EMC responds to the events of 8 November



Research: Domestic violence based on sexual orientation and gender identity (SOGI) – legislative gaps and policy challenges

Queer Activism

EMC supports the development of queer left and feminist activism in Georgia by encouraging critical activists' reflection and self-organized process. With this objective, EMC created a critical politics platform which is a political and academic program for young activists and researchers interested in social justice and queer and feminist policy. Its main goal is to create a space for critical knowledge sharing, collective debate and common action.

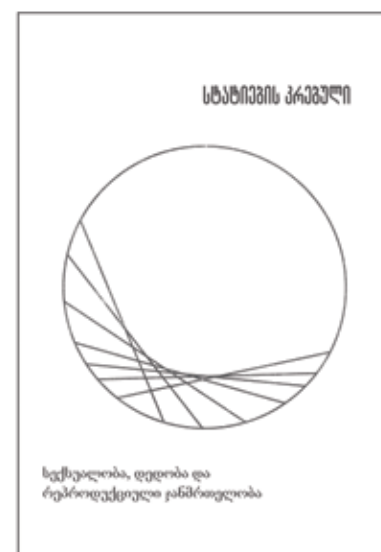
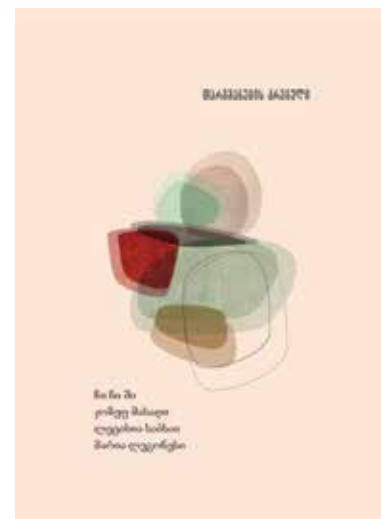
Critical politics platform is an attempt to reflect on political, social, economic cultural and social conflicts' structural causes which have emerged on local and global levels. In parallel with the renewed understanding of collective action practice and creation, it enables young researchers and activists to produce critical knowledge.

The platform was taking place from October 2018 until June 2019 according to pre-arranged syllabus. Overall, 18 young persons with different educational and professional backgrounds, joined in the platform. The project was set to deliver the platform participants, small grants on the alternative agenda – oriented activities.

A series of translations and articles published in 2019 by EMC, played an important part in the queer left and feminist activism knowledge sharing and critical reflection. EMC published two collections of translations on queer, feminist and more broadly on sexuality, co-authored by left, de-colonialist and queer theorists.

A collection of articles « motherhood, sexuality and reproductive justice” brings together 7 authors and reviews the exuality, biopolitics, reproductive health and justice issues, based on local context.

Apart from supporting social justice -based activist agenda by the educational process, EMC seeks to encourage LGBTQ organizations and an active dialogue between queen activists by means of democratic





Training for Journalists, November 2-3, 2019



and inclusive agenda. Having this objective, EMC conducted a three- day away meeting in April 2019 with the participation of LGBTQ non-governmental organizations, queer activists and supporting local funds in order to renew the understanding of past crisis and experiences and to better identify future perspectives for democratic, de-centralized and inclusion-based future cooperation.

The following activities were carried out:



I Collection of translations



II Collection of translations



Collection of articles

A survey on LGBT Persons' Social Exclusion and Vulnerability

During the reporting period, EMC started working on social exclusion and vulnerability practices of LGBT persons. The work unites qualitative and quantitative survey methodology and aims to describe social exclusion and insecurity of LGBT persons' as well as to review in a critical manner the imperfections of State policy. At the end, the goal of the report

is to prepare and to advocate a package of recommendations for relevant State agencies, donor and community organizations. Throughout the reporting period have been elaborated a survey methodology and a qualitative survey questionnaire and an interviewing process has begun.

Harsh State of Human Rights in Occupied Territories




During the reporting period, the state of human rights of Akhlagori residents and the humanitarian crisis were among the most problematic issues. On September 4 in 2019, de facto government of South Ossetia closed the Mosabruni (so called Razdakhan) checking point which created a severe social and humanitarian situation for Akhlagori's Georgian as well as Ossetian population. The border is closed up to this point. In the reality of such isolation, the locals have no access to an adequate health services, to the pension and alimentation. They were detached from their families who are residing in Georgia and find themselves in a total isolation, the elderly being concerned the most. Young persons were deprived of their right to education. While there are not an adequate health services in Tskhinvali, several cases of tragic deaths have been documented. It should be noted that, on December 2nd, de facto regime in South Ossetia softened the control regime at the Akhlagori closed border and let the seriously ill and retired persons to cross the border by special lists. However, this decision is valid for a limited number of individuals and the majority of the locals still face important social challenges.

This crisis was further exacerbated on November 9, 2019, with the detention of Doctor Vazha Gaprindashvili who remains until now in Tskhinvali prison. The fact of linking Vazha Gaprindashvili to the Russia – Georgia 2008 war by the Tskhinvali de facto regime and the accent on the non-recognition by the doctor of so called South Ossetian borders, creates risks of political connotation for this case. This latter increases the risks for the inadequate treatment towards the detainee and the prolongation of his detention period.

It should be noted that, despite numerous recommendations by the actors working on human rights, the government of Georgia did not address the European Court of Human rights on the harsh reality in Akhlagori with the demand to use temporary action (European Court Rules and Procedures – Article 39) in response to the critical situation in Akhlagori and employs mainly political and diplomatic mechanisms which have not been followed by a significant repercussion up to now.

The case of Akhlagori resident Tamar Mearakishvili, prosecuted by the de facto South Ossetia regime, was problematic throughout the year. Despite the fact that the investigation has been canceled by local courts on numerous occasions, the de facto Prosecutor's Office keeps on renewing the investigation and a lawsuit. The non-justification and content of the submitted charges against Tamar Mearakishvili, manifests the political nature of the criminal law prosecution. According to Tamar Mearakishvili, the government of Georgia does not apply sufficient effort within the international formats in order to make an agenda of her case and to obtain the support.

The following activities were carried out:

-  Statement Humanitarian crisis in Akhlagori
-  Statement Call of human rights organizations on the case of Vazha Gaprindashvili to the institutions of Council of Europe
-  Statement Legal assessment of the case of persecution and harassment against Tamar Mearakishvili



Strategic Litigation

- ▶ The Case of violation of right to life of Temirlan Machalikashvili – violation of the right to life of Temirlan Machalikashvili represents one of the important cases of the recent years. The case demonstrated once again the problem of State repressive policy in Pankisi Gorge. Regarding the abovementioned case, EMC argues before the Prosecutor's Office of Georgia that unnecessary and unproportioned force was used against Temirlan Machalikashvili when the State Security Service conducted the operation. The Prosecution has neither made a summarizing decision nor identified the possible perpetrators so far. Under the given circumstances, EMC considers that the ongoing investigation of the case is ineffective and does not ensure the restoration of the infringed right. For that reason, on June 6, EMC submitted before the European Court of Human Rights on behalf of the Machalikashvili family. In the application submitted, EMC argues that there has been an alleged violation of the following article of the European Convention on Human Rights: Article 2 (Right to life); Article 3 (Prohibition of torture or to inhuman or degrading treatment or punishment) and Article 13 (Right to an effective domestic remedy). On national level, EMC also argues the violation of presumption of innocence and claims that on the conference held on December 26, 2017, the State Security Service affirmatively referred to Temirlan Machalikashvili as a criminal (as a person who had committed the acts terrorism). The case is currently pending before the Court of Appeals of Georgia. After all the existing domestic remedies are exhausted in this part of the case, EMC will lodge an additional application before the European Court of Human Rights. It must be noted that throughout the last year, the father of Temirlan Machalikashvili is seeking to establish the truth on the case of violation of his son's right to life by using civil forms of protests. However, he constantly encounters negligent approach and non-recognition from State bodies. Among others, he addressed the Parliament requesting the establishment of ad hoc investigation commission and the request was not supported by the parliamentary majority.
- ▶ Husein Machalikashvili's Case – it's been more than a year since Moris Machalikashvili has been accompanying his uncle who lost his son and he has been trying to support and defend him through tough conditions. On 20 June, 2019, during the anti-occupation rally, he was also assisting his uncle and trying to protect him. On 26 July, 2019 Moris Machalikashvili was arrested. Tbilisi City Court applied detention as a preventive measure. The investigative body argues that during the mass rallies of 20-21 June in front of the Parliament building, he took part in a group violence which is sentenced under Article 225(2) of the Criminal Code of Georgia. The Prosecutor's office claims that Moris Machalikashvili was in front of the Parliament building and along with other persons exercised violence against Police officers. Namely, he was beating them and participated in other violent activities. EMC is representing the interest of Husein Machalikashvili and considers that despite this formulation of the charges, the criminal case materials presented by the Prosecutor's Office up to now does not create a reasonable doubt that Moris Machalikashvili participated in group violence, not even that he was attacking on Police officers. Moris Machalikashvili's criminal case materials presented by the Prosecutor's Office is composed of the following information: 1. One video-recording; 2. Police Officer report; 3. Examination records of the potential witnesses, that does not have any linkage with Moris Machalikashvili case.
- ▶ The case of illegal transfer of pastures belonging to Muslims of Kikabo and Dersteli villages to the Patriarchate – at the end of 2018, the locals of Kikabo and Dertseli villages addressed to the National Agency of Public Registry for the purpose of registration of agricultural assets. The assets are located in a small settlement of Kvabijvari of village Kikabo (the settlement is currently deserted) and that were transferred to their families in 1900-2000 years. However, they discovered that the lands that were under their legitimate ownership and that they collectively used for grazing and mowing were registered as Patriarchate's property from October, 2018. In June 2018, the Public Registry attributed to the State the right of property of the abovementioned lands – approximately 7 hectares (68 346 square meters). In October of the same year these assets were granted for free to the Patriarchate for agricultural purposes. In this process,

the State completely ignored the fact that the local population bore vital economic and social interest towards that real estate and neglected that the locals had legally prescribed documents that justify the legitimate ownership of the assets. L.E.P.L. National Agency of Public Registry infringed the law and transferred the property to the Patriarchate without participation of the parties concerned. On behalf of the part of the local population, EMC filed the lawsuit and appealed the administrative acts authorizing the transfer of disputed lands to the Patriarchate. Akhaltsikhe District Court dismissed the claims of EMC. The decision is currently appealed before the Kutaisi Court of Appeals.

- ▶ The case of Tandoiats Church – “Tandoiants Surb Astvatsatsin” (Tandoiants Virgin Mary) church is located on 38 Ave. Aghmashenebeli in Tbilisi. The church is a historical heritage of Armenian Saint Orthodox Church of Georgian Eparchy. In December 2017, the Eparchy accidentally became aware of the fact that based on the decision issued by the National Agency of Public Registry, the right to property over the Church was transferred to the Patriarchate of Georgia. Regarding the above mentioned decisions, on behalf of the Eparchy, EMC and DTI are processing 2 distinct litigations before the Tbilisi City Court: 1. To declare void the decision made by the National Agency of Public Registry and; 2. To declare void the decision made by the National Agency of State Property. In 2018, several trials took place on both cases and substantial submissions were discussed: including – inadmissibility, termination of the proceedings and merging the cases.
- ▶ The case of new mosque construction in Batumi – the ongoing year was still problematic with regard to the new Mosque construction in Batumi. In 2017, Batumi City Hall did not issue the permission for the construction of the Mosque in a discriminative manner. The case is currently pending before the Batumi City Court. The Court gave the parties a time limit for amicable settlement of a dispute. For that reason, several meeting were held between Batumi City Hall and the Batumi New Mosque Construction Foundation. However, the agreement was not reached as long the Batumi City Hall enlisted 2 preconditions for the construction of the Mosque: 1. N.C.L.E. Batumi New Mosque Construction Foundation must withdraw the case from the Batumi City Court; 2. The Foundation shall transfer the right of the purchased land to L.E.P.L. Administration of Muslims of All Georgia and the latter shall submit an application to Batumi City Hall for the construction permission. The transfer of the right of property to Mufti Administration is totally unacceptable for the Muslim community. Under the circumstances of utilizing Administration of Muslims of All Georgia as a political instrument, the society has mistrust towards the administration and the State. The Foundation was established through direct support and trust of Muslim community and its decision-taking process is based on democracy and consensus. Consequently, within the framework of the meetings, the Foundation explained to the Batumi City Hall that the suggestion that completely ruled out the participation of the Foundation was unacceptable from the outset. However, the Batumi City Hall demands the transfer of the land to Administration of Muslims of All Georgia and considers no alternatives. That actions practically rule out the possibility of amicable agreement and demonstrates the discriminatory character of the refusal for the construction. On September 30, 2019, the Batumi City Court rendered a historical decision on the Construction case of Batumi New Mosque and assessed the refusal of the Batumi City Hall as discriminatory and illegal. Though, Batumi City Hall utilized the strategy of delay and appealed the decision. Along with Tolerance and Diversity Institute (TDI), EMC is involved in legal proceeding of the case.
- ▶ Kobuleti Boarding School Case – this year, the launching of Kobuleti boarding school for Muslim children still was not achieved. The order of 15 September, 2018 issued by the Supreme Court fulfilled the demands of application lodged by the N.C.L.E. Georgian Muslim Union, Kakha Kakhadze, Badri Iremadze and Temur Khalvashi and established that the Ministry of Internal Affairs did not adequately fulfilled its positive obligations and failed to protect the rights of Muslim Community. Despite the decision of the Court, the population belonging to the local Orthodox community, still deters the Muslim community to launch the functioning of the boarding school. Moreover, the Ministry of Internal Affairs is unable to ensure their security. In the same case, the Public defender of Georgia established the fact of discrimination in refusal of Ltd. “Kobuleti Water” and Kobuleti municipality to connect the Muslim Boarding School to the sewerage system. However, Kobuleti Municipality still does not ensure the connection of the board-

ing school to sewerage system. For that reason, the Public Defender of Georgia filed a lawsuit before the court and requested the implementation of the recommendation. Batumi City Court decided in favor of the Public Defender. The legal assessment of the alleged wrongful acts committed against the boarding school employees are still left aside. Batumi Prosecutor's Office still delayed granting a victim status to the representatives of Muslim community and still has not made a summarizing decision in the investigation process. During the reporting period, EMC lodged an application before the European Court of Human Rights on this case and argues that there has been a violation of Article 3 (degrading and inhuman treatment) and Article 14 (prohibition of discrimination) of the Convention.

- Cases of persecution of LGBTQ persons – this year, EMC litigated 7 cases concerning the violation of LGBTQ persons' rights. Following the applications made by EMC, the majority of the cases has been classified as having committed on intolerance bias and possible perpetrators have been identified. Despite the improvement of the work carried out by the Police, the investigation of several cases still demonstrate the practice of inadequate and ineffective reactions to the cases of violation of LGBTQ persons' rights. Namely, on assault cases of T.K. and L.B., the Ministry of Internal Affairs and the Prosecutor's office still have not assured adequate investigation of the acts of beatings against LGBTQ community members. In the above-mentioned cases, the community members indicate that the citizens abused them physically and verbally on trans/homophobic bias and these acts were perceivable for the Police officers who were present. The Police officers remained inactive and despite the exercised violence, they arrested the community members as an administrative measure. In the same case the community members claimed that the Police officers also assaulted them physically and verbally on a homophobic bias. Nevertheless, there is an ongoing investigation in order to assess the acts committed by the civilians as well as by the Police officers, there has not been any legal outcome so far. The members of the community have not been granted the victim status within the framework of the ongoing investigation. The attack on the LGBT community organization "Equality Movement" can be invoked as another example of the violation of LGBTQ rights from the State. On 29 September, 2018, a man living next door verbally and physically assaulted four members of the community on homophobic bias. After 8 years of investigation the Prosecutor's Office of Tbilisi brought charges against all participants of the conflict, including the community members. The Prosecutor justified bringing charges to the community members on the grounds that the attacker suffered a concussion, even though it could not be proved whether he got the concussion as a result of the acts committed by community members. The decision made by the Prosecutor was accompanied by a number of restraining effects such as: the prohibition to leave the territory of Georgia for two years and the perspective to be tried and found guilty by the biased trial. For that reason, the community members were obliged to pursue the case and accepted diversion. Bringing charges against all persons involved in the case not only refers to the legal problems, but also demonstrates the future policy of the State. More specifically, LGBTQ persons are obliged to not use legal remedies to defend their rights as they will have fear for future punishments.

Forum "Social Justice in Times of Crisis" May 1-5, 2019, Tbilisi

Forum „Social Justice in Times of Crisis“ was held in May 1-5, 2019 in Tbilisi, Georgia. The forum aimed at identifying the room for Georgia on the world map from antiimperialist perspectives. In order to reconsider the tough political and economic transformation of post-Soviet Georgia, it requires addressing distinct concepts and issues such as Neoliberal Globalization, Imperialism and Colonialism, Global South, Financial Capitalism and „Great Transformation“. The following topics were covered on forum discussions: what type of a State and Society we seek for? What was an impact for Georgia when it moved to market economy and involved in neoliberal globalization process? What are the weaknesses of current development policy? How to create a room for clear thinking that would be free from neocolonial narratives?

The forum hosted, among others, the following keynote speakers: Indian economist – Prabhat Patnaik, Greek economist and politician – Costas Lapavistas, Georgian writer – Naira Gelashvili, Indian political scientist – Nivedita Menon, British Sociologist – Michael Burawoy, philosopher – Giorgi Maisuradze, professor – Marina Muskhelishvili.

Keynote Speakers:

- ▶ Prabhat Patnaik "Globalization and World Economy"
- ▶ Costas Lapavistas "Financialized Capitalism and its Prospects"
- ▶ Nivedita Menon "Thinking the Global South"
- ▶ Michael Burawoy "The Great Transformation Today"
- ▶ Naira Gelashvili and Gioergi Maisuradze, „Caucasus – Our Home“



Series of blogs

The series of blogs have been uploaded on the EMC webpage. It aimed at identifying the impact of neo-liberalism and neocolonialism on the ongoing political and social process in Georgia. Moreover, the blog authors provide with a critical overview on the effects of self-orientalization, the tendencies of eurocentrism, the importance of de-colonial and post-colonial theories, the peculiarities of peripheral work-force, the outcomes of financial capitalism and path of development of Georgia in parallel with the above listed processes.

Available blogs:

- ▶ Luka Nakhutsrishvili "Svetlana Alexievich Finding room for Georgia
- ▶ Luka Nakhutsrishvili " Merab Mamardashvili: Finding room for Georgia II
- ▶ Tamta Khavtashvili "Post-socialist City: Seeking for De-colonization"
- ▶ Shota Papava "Against Berlin: Eurocentrism and progressive racism"
- ▶ Zaal Anrodnikashvili "Where is (another) Georgia How to recite modern history of Georgia? "
- ▶ Irine Beridze "Over nine hilltops"
- ▶ Ana Diakonidze "Labor in Periphery: Generators vs. performers"
- ▶ Lela Rekhviashvili "Civil Society, political elite and counter hegemony"
- ▶ Mate Gabitsinashvili "Trade, interest and ideology"

Series of translations

In the world, dominated by the global North, the significant evidence marked by the global South on modern critical thinking, remains almost invisible. Global South is not a geographic location. This is a concept which underlines economic, political and epistemic dependency and those unequal relations which constitute global agenda. Given these circumstances, works by southern authors, neglected in Georgian academia and universities, were translated into Georgian language. These works describe the world seen from the edge. Translations were periodically published on EMC's website and were printed at the end of the year.



2019 in numbers

2019 – Number of successful cases – 25



Strategic Litigation

2

Cases litigated
before the Constitutional Court
of Georgia

66

Pending cases
before the Common Courts

12

Cases processed
before the administrative
bodies

4

Application
lodged to the European Court
of Human Rights

15

Criminal proceedings before
investigative bodies

2

Public Defender
as anti-discrimination mechanism,
processed cases



Publication

8

Research

3

Practical
handbook

26

Analytical
document

4

Collection
of translation

1

Collection
of articles



Public events

48

Public discussions, presentation/forum, training, workshop



Visions/multimedia

41

Blog

22

Translation

12

Article

34

Video

12

Infographics

EMC publication (September, 2018 – December, 2019)



Legal and Sociological Research of Labor Mediation Mechanism

The legal analysis part of this study seeks to identify the legal and practical deficiencies of the mechanism, to look at international standards and practices in this regard, and by means of comparative analysis work out specific recommendations in administering the mechanism, as well as prevent collective labor disputes and improve the effectiveness of settlements reached through mediation. While the sociological part of the research examines not only procedural and enforcement gaps of the mechanism, but also tries to tackle the challenges related to its incorporation in labor and examines the impact of structural factors on effective functioning of the mechanism.



Assessment of the Judicial Reform

The report described and assessed the two novelties introduced in the so-called “third wave” of the judiciary reform: the electronic system of case distribution and the system for disciplinary liability of judges as the office of Independent Inspector has been put into action.



The Role of Judges in the Criminal Justice System

The study aimed to identify the issues in regard with the role of judges that legal professionals (judges and lawyers) find important for ensuring fair, impartial and human rights oriented criminal justice system.



Drug Policy in Georgia – Canceled Reform and New Tendencies

The report provided with an overview of basic tendencies concerning the state policy, legislative framework and criminal law practices on drug-related crimes.



Construction of HPPs in Svaneti and its Impact on Human Rights

The report provides with an overview of rudimentary challenges and deficiencies of the State policy related to the construction of HPPs by invoking the examples of Nenska and Khudon HPPs



Assessment of the Judicial Reform System of Disciplinary Liability of Judges

The research aimed to assess the system of disciplinary liability of judges in light of the “third wave” reform of the judicial system



Operative-Investigation work in Law Enforcement Agencies

The analysis of the current legislation and practice has identified the main problems associated with the operative activity in law enforcement agencies. Operative-investigation work does not comply with the democratic mechanisms of police work and endangers the protection of fundamental human rights.



Ill-treatment Prevention in Police Work

This document analyzes the factors inducing ill-treatment by the law enforcement officials on the basis of a discussion of the uniform problems in relation to the criminal proceedings conducted by the organization. Along with the problematic issues invoked in this document, the study also contains international standards and the best practice of different countries.



Overview of International Standards Related to the Protection of Ethnic Minority Rights

The handbook aims to encourage the protection of ethnic/national minority rights and to raise awareness in society on the obligation of the State in this regard as well as to strengthen awareness amongst the organization working on this issue, lawyers, other stakeholders and persons concerned.



Right to Housing (Overview of International Standards and Practices)

In the light of the standards established by European Social Charter and EU Charter of the Fundamental Rights, the handbook analyzes different aspects of the right to housing and particular components of the State policy that need to be implemented.



Labor Rights (Overview of International Standards and Practices)

In the light of the standards established by European Social Charter and EU Charter of the Fundamental Rights, the handbook analyzes different aspects of labor rights and particular components of the State policy that need to be implemented.



Collection of Translations

The collection of translation was prepared by the within the framework of the project funded by the Sexual and Reproductive Health and Rights and Partnership with Civil Society program(2018-2020) of Swedish Association for Sexuality Education.



Collection of Translations

The collection of translations was prepared within the framework of the project "Activist Residence for Queer Intervention" funded by the "Open Society Foundations".



"The South Also Exists" – Part 1

"The South Also Exists" – Part 2

In the world, dominated by the global North, the significant evidence marked by the global South on modern critical thinking, remains almost invisible. Global South is not a geographic location. This is a concept which underlines economic, political and epistemic dependency and those unequal relations which constitute global agenda. Given these circumstances, works by southern authors, neglected in Georgian academia and universities, were translated into Georgian language. These works describe the world seen from the edge. Translations were periodically published on EMC's website and were printed at the end of the year.



Collection of Translations

The collection aims to support renewed understanding of reproduction and sexuality as well as the related topic and seeks new ways of resistance and emancipation. The afore-mentioned above all refers to the analysis existing approaches of SRHR framework convention in the light of academic/theoretical perspectives.



Identity Issues among Azerbaijani Population of Kvemo Kartli and Its Political and Social Dimensions

Primary research conducted for this study sought to analyze problems associated with ethnic and cultural identity among the Azerbaijani community living in Kvemo Kartli, and to determine political, social and cultural triggers of identity construction.



Research: Domestic violence based on sexual orientation and gender identity (SOGI) – legislative gaps and policy challenges.

Primary research aims to draw out unified approach to combating and eradicating homo/bi/transphobic domestic violence towards LGBT groups through utilizing multidisciplinary approach



Protection of Religious Minorities

The purpose of this report is to assess implementation of the provisions of 2016-2017 of the Action Plan of the Government of Georgia on the Protection of Human Rights and present recommendations to the government for future development of policies and a new Action Plan.



The Right to Adequate Housing – the Analysis of Basic Challenges

Aim of the primary research is to overview international standards on the rights to adequate housing, best practices and also to overview challenges on practicing the rights.



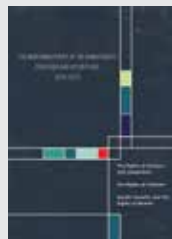
Under the Security Gaze: History, Religion and Politics in the Pankisi Gorge

Primary purpose of the research was to analyze the process which made Pankisi gorge the political epicenter of Georgia in the context of historic circumstances, power configurations and dominating discourses.



Implementation of the Judicial Strategy and the Action Plan

This publication was prepared in frames of the project “Facilitating Implementation of Reforms in the Judiciary (FAIR)” which Human Rights Education and Monitoring Center (EMC) is implementing with support from European Union and in cooperation with Institute for Development of Freedom of Information (IDFI) and the Caucasus Research Resource Center (CRRG Georgia). The purpose of the publication is to review the implementation status of the Judicial Strategy for 2017-2021 and its Action Plan for 2017-2018, also examine the implementation of action plans in adjoining areas and assess specific measures taken by responsible state agencies.



Final Results of the Monitoring of Human Rights-related Strategies and Action Plans

This document contains findings of the monitoring regarding the implementation of the Governmental Human Rights Action Plan for 2016-2017 years, which concerns the rights of persons with disabilities, the rights of children, gender equality and the rights of women. This report is part of major research that is being carried out by several organizations to monitor human rights-related strategies and action plans.

EMC is a member of the following coalitions:



Equality Coalition

„Equality Coalition” is non-formal unity, which was formed in 2014 while adopting the law on “Elimination of All Forms of Discrimination” by Open Society Georgia Foundation and unites several non-governmental organizations. The aim of coalition is strengthening the mandate of antidiscrimination mechanism and promoting effective struggle against discrimination. Apart from ensuring the legal assistance and strategic litigation programs for various groups, the member organizations annually monitor the work of equality mechanism and present recommendations to the relevant agencies. Coalition member organizations are actively involved in the advocacy processes both on local and international levels. They actively cooperate with Public Defender's Office of Georgia and they carry out several campaigns for the awareness raising purposes. EMC was a chair organization between 2016-2017 years.



The Coalition for an Independent and Transparent Judiciary

The Coalition for an Independent and Transparent Judiciary was formed in 2011. It brings together organizations that focus on judicial system, criminal justice, and human rights issues. The goal of the coalition activities is to facilitate deliberations on problems concerning the judicial system, implementation of institutional reforms, as well as the promotion of independent and accountable justice system through research, advocacy and public discussions.

EMC joined the coalition in 2013. Since then, the organization has been the active member of the coalition's steering committee and has co-authored numerous reports, research papers and overviews. In cooperation with the coalition, EMC has placed on the public agenda the necessity of reforms in the law enforcement bodies, which resulted in the institutional separation of the Ministry of Internal Affairs and its State Security Services. As a consequence of the coalition's active advocacy efforts, several stages of reforms were implemented in the judicial system as well.



Campaign – This Affects You Too

The public campaign ‘This Affects You Too’ is the initiative of civil society groups. It was launched in 2012, in order to change the election legislation through active citizen participation. The campaign was resumed in 2014, this time to change illicit practices and legislation regarding covert surveillance, and wiretapping, as well as to end prevalent forms of illegal mass surveillance.

Since 2014, EMC has been the active member and supporter of the campaign. In 2016, ‘This Affects You too’ campaign was followed by the Constitutional Court of Georgia's rule which recognized the legislation on secret surveillance as unconstitutional. Within the frameworks of the campaign, EMC was actively involved in the advocacy for a new secret surveillance system formation. In addition, EMC placed issues related to the reform of the state security services on the public agenda.



FEANTSA

FEANTSA is the European Federation of National Organizations working on issues concerning homelessness. The federation brings together those non-governmental organizations from European countries that focus on tackling homelessness. FEANTSA was founded in 1989.

It unites more than 130 member organizations from over 30 countries.

EMC has been FEANTSA member since 2017.

Donors and Ongoing projects:



**Swedish Association for
Sexuality Education, RFSU**

1,027,600 GEL

Strengthen the human rights situation of LGBT persons, advocate SRHR issues and support the queer activists



**Open Society Georgia
Foundation (OSGF)**

47,509.00 USD

Advocacy of system reform in law enforcement system



The European Union

267,780.82 EUR

Supporting Effective implementation of judicial reforms through multifaceted approaches



The State of Netherlands

342,900.00 GEL

Supporting Protection of the Rights of Non-dominant religious Groups through Research and



**Heinrich-Böll-Stiftung
e.V.**

86,300.00 GEL

Mining Industries and related social-ecological aspects



**Open Society
Foundations**

68,933.00 USD

Social Justice in Times of Crisis



**Open Society Policy
Center**

279,459.00 USD

To support policy advocacy and new practice on the right to the legal capacity for the persons with disabilities



**Open Society Georgia
Foundation (OSGF)**

75,000.00 USD

Supporting systemic reforms of law-enforcement agencies



**Open Society Georgia
Foundation (OSGF)**

25,000.00 USD

Supporting the capacity building of the critical political knowledge and participation of local activists in Kvemo Kartli and Pankisi



**Open Society Georgia
Foundation (OSGF)**

19,999.78 USD

Supporting the improvement of the queer policy through the development of discussion platform



**Open Society Georgia
Foundation (OSGF)**

15,000.00 USD

Supporting equality, through utilization of anti-discriminatory mechanism



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