



# EXPERT OPINION

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## Background for the survey of the expert opinion

Market Intelligence Caucasus was commissioned by the Turu-uuringute AS to conduct a research among people who deal with human rights topics in their activities. Research was conducted to supplement the population study on the same topic.

Objectives of the survey:

- Determine experts' assessment of the human rights situation in Georgia;
- Obtain an overview of the activities of NGOs, government authorities, institutions of higher education and the media in ensuring/covering human rights;
- Map the development in the area of human rights in recent years and future plans for dealing with the topic;
- Identify expectations for updating legislation;
- Elicit comments and explanations to the results of the survey of population.

The method for gathering survey material was an in-depth interview. A total of 15 experts were interviewed.

The participants were drawn based on a sample based on a list provided by the Turu-uuringute AS. The respondents represent the following organizations:

1. Human Rights Education and Monitoring Center, NGO
2. Women's information Center, NGO
3. Progressive Forum, NGO
4. Identity, NGO
5. Transparency International, Georgia, NGO – 2 representatives
6. "Supporting Georgian Constitutional Court" - EU project
7. Legal and auditing company "Rödl & Partner"
8. Georgian Parliament – 2 representatives
9. Ivane Javakhishvili Tbilisi state university
10. Free University of Tbilisi – 2 representatives
11. TV "Tabula"
12. Radio "Imedi"

Respondents were first contacted by a preliminary e-mail. A specific interview time was agreed with each respondent individually.

The interviews were conducted from 16 November to 11 December 2014. The average length of the interview was about 45 minutes.

Typically for a qualitative interview, the results cannot be extrapolated to all NGOs or institutions that deal with human rights in Georgia, but give an overview of the spectrum of the respondents' opinions and judgments.

The instructions for conducting the in-depth interviews have been added to the report (see annex 2).

## Findings of the survey of expert opinion

### **1. The most problematic areas of the human rights protection in Georgia**

Hereby is the list indicative of the problematic areas in Human Rights Protection, which has been obtained based on the interviews conducted with experts. As the study analysis further develops problematic areas will be differentiated between the most acute and the mildest ones.

- Children's rights; current situation in orphanages; child beggars on the streets; children as victims of domestic abuse;
- Qualified Staff members with specialized skills in Orphanages;
- Right to Health Care;
- Labor rights;
- Problems in penitentiary system;
- Rights of persons with disabilities and necessary means of transportation;
- Elderly shelters problem;
- Right to freedom of religion;
- Property rights;
- Women's rights;
- Social rights , social security;
- Ethnic minorities (Roma people);
- Religious minorities: Muslims or representatives of various religious sects;
- Sexual minority rights;
- Nepotism in public workforce;
- Personal information protection and confidentiality;
- Access to education;
- Access to courts;

- Rights of Internally Displaced persons.

## 2. Assessment of the current situation in Georgia in the human rights field; different areas in human rights

### 2.1 Social Problems, Labor Rights.

Labor rights have been highlighted amongst social rights. Governmental role has been noted for the improvement of this particular area. 2014 amendments to the Labor Code have been positively assessed by experts however there is a persistent thought that further improvements are needed. It is necessary to control proper implementation of the Labor Code and its proportionality to the implementation as well as the future perfection of the Code itself. Just earlier this year, 2014 November-December time-period has been noted with the railway strike that demanded a pay rise and the betterment of the working conditions. Unfortunately field research of the survey has coincided with the strikes and due to the tense and a busy schedule it was impossible to conduct interviews with the representatives of the labor union. The fact that right after the introduction of the Labor Code the workers of the railway station have gone on strike points to the needs of the Labor Code improvement. Research has further shown that in Georgia the labor code is being violated in nearly all areas.

- Representative of the Higher Educational Institution: *„First of all this is social and there are too many problems. These problems are related to the general social condition, not realized social rights in Georgia , is not only governments fault, However, there are too many spheres in which government is able to work better. For example we can talk about labor rights, regard to this a lot has been done over the past 2 years, the labor code has changed, however, the employees are extremely vulnerable in Georgia. Some Institutional mechanisms should be created, to make possible to protect labor rights in practice.”*
- Media representative: *„ I don't know a single person around me, no matter in which sphere, working whether as a servant or as a representative of an International Organization, where he/she is left with some kind of free time; everyone is demanded to work full-time and with inadequate salaries. In regards to the remuneration some may argue that this is the market price of the labor, thus why would anyone pay more; clearly current situation is difficult in general across the country however it is a Human Right to work with dignity that must not be violated.”*
- NGO representative: *„For the last 2 years workers of the Sachkhere and Kazreti have gone on strike multiple times, they have no labor guarantees, they are not being protected, are out of the reach of the controlled areas, and have no basic living conditions or the way of life. Same can be said in regards to the right to health; when it is notable that the fabric does not properly function in the midst of the wild capitalist nature of the system, when the majority of the workers suffer*

*with the lung cancer or have a clear disposition to it, government has to provide health care services. This situation is evident in Kazreti, where cancer cases are prevalent.*“

- NGO representative: *„It is evident that social rights in Georgia are a clear challenge and Georgia has to maximize its guarantees to people. When today’s fabric workers are being exploited within the same means as in 19<sup>th</sup> century, their situation has to be corrected and the government should act as a watchman so that none will mistreat employees.’’*

## **2.2 Right to freedom of religion; Religious minorities**

**Right to the religious freedom** is often violated at schools, in regards to children. We have spoken to various experts from nongovernmental organizations and with the representatives of the educational sphere.

- Representative of the Higher Educational Institution: *„There are problems in terms of the right to freedom of religion, for example nongovernmental organizations and public defender have stated that there is a problematic situation at public schools (in terms of indoctrination) when teachers try to influence or humiliate students due to their belonging to non-dominant faith.*“
- NGO representative: *„Firstly I would have paid attention towards teachings of Human Rights, starting from kindergarten, which will raise civic awareness and boost civic participatory skills from the childhood. It also very important to train teachers since religious indoctrination present at schools, oppression, abuse and humiliation towards students that do not belong to Orthodox Christianity is unacceptable and unfortunately neither schools nor society reacts.*“

It has furthermore been discovered that religious minorities have faced a breach of their rights to practice their religion as they are not able to pray in their sanctuary’s or receive thorough education at schools.

- NGO representative: *„For example, Adjara Muslim population is not fully given a right to exist, to have sanctuaries and thus to freely worship.*“

## **2.3 Property rights**

**Property rights** have also been discussed however they did not make a list of the most acute violations. Respondents have noted improvements in the last few years and have allocated these improvements to the 2012 changes of the members of the government.

- Representative of the Higher Educational Institution: *„There is however one more problem , throughout the years there have been violations of this right – which is*

*the right to property and till today there still are people who have demanded restoration of their property rights but it has not been possible to fix it.“*

- *NGO representative: „In an abundant number of cases citizens have been unable to register private property; in other cases private property has been taken away from them through legal or illegal means . The problem was and still partly remains. “*

The problems of improper protection of **Muslims** have been clearly identified throughout the interviews

- *NGO representative: „In terms of the religious minorities in the last few years multiple violations have been recorded towards Muslims. This has started in 2012 when in October the first case has occurred in the village of Nigvziani, Lanchkhuti region. Following case is known as Nigvziani when the problem occurred in regards to sanctuaries; later on it was the Tsintskaro in the region of Tetri Tskaro, then Dedoplistskaro in Kakheti, Samtatskaro where the situation has escalated and reached physical abuse towards Muslims that later on were forced to leave the area. Kobuleti incident when in an educational institution a slaughtered pig was pinned to the doors of the school; at last an Incident of Mokhe in which the creation of commission has been prolonged in time.“*

As it was previously noted **legislative norms have been discriminatory towards other religions** but Orthodox Christianity:

- *Representative of the Higher Educational Institution: „ As for the various discriminatory laws many can be listed, for example tax regimes, when Orthodox church has a lot more privileges; also only Orthodox church has the right to purchase land from the government. ’*

#### **2.4 Women’s rights**

**Women’s rights** was chosen amongst many as the most acute problem. It has been noted that often time’s Georgian society does not recognize that women’s rights have been violated, despite the fact that statistics show the opposite. Problem persists as within the legislative norms as within the society itself.

- *NGO representative: „Many have been aware of the number of murders of women, which clearly is a tragedy. Traditionally this is not considered to be a problem in this country while many will ask as to where the discrimination is. Despite the commonly held beliefs oppression and discrimination is on every step of the way, which has been proven by studies conducted in regards to the differences in remunerations that women and men have while holding similar qualifications or positions. Murder statistics as well as the statistics as to how inept the reaction of the police has been is very severe, which at the same time is problematic to me as well. Even if we step away from the murder statistics problem itself persists in the*

*legislation, in terms of the domestic violence, physical assault or street harassment in terms of sexual comments or so called 'cat-calling', which is not even criminalized in this country.*“

- NGO representative: *„In terms of women’s rights a lot of work needs to be done on the legislative basis: for example, there is a shortage of shelters, murder rate is high. Ministry of Internal Affairs needs to devote more time towards finding solutions.’’*

Within women’s rights **Women’s Labor rights** have been identified as the most acute problem. The problem is related to the maternity leave and maternity benefits, shortage or inexistence of which contributes to a high number of ‘stay at home’ women, at the same time problems within kindergartens persist. Women are taken away from the social life and are forced to take care of the children.

- NGO representative: *„Women’s right are connected to labor rights. It is evident that Labor right are not themselves well taken care off however women’s question is especially severe. Remuneration, maternity leave has risen in the last few years which is to be welcomed however financial assistance from the side of the state or an employee is still limited. Discrimination is present not only in hiring or promotion process but in most of the cases women are completely shut from the work or workforce as they have no one to leave their children to. Within this it is important to note that the kindergarten system is faulty. Kindergartens in Georgia are free which can seem to be relief from one side however on the other side it causes the shortage of kindergartens, in Tbilisi for example supply does not properly serve the demand. This is a serious problem and neglects women an opportunity to leave the house and join the workforce. Work and an independent income determine independence in other spheres. “*
- NGO representative: *„Personally I , as a human-being and as a woman, am bothered by two issues in regards to the legislation. Domestic violence is being overlooked while it has to be properly taken care off. Police officers must know their rights and responsibilities, since as it seems today unless a murder has occurred physical abuse towards even a pregnant woman does not bring one to jail.“*

## **2.5 Ethnic minorities**

Roma people have been named as one of the most vulnerable groups which NGOs have hard time working with due to various reasons.

- NGO representative: *„Roma people are very vulnerable as it is difficult to work with them.“*

## 2.6 Sexual minority rights

Interviews have revealed grave situation on the matter of sexual minority rights in Georgia. Respondents have frequently referred to 17<sup>th</sup> of May, 2012 when LGBT representative have held a rally for the minority rights protections. Confrontation against Georgian church representatives (Priests and Parishioners) and the demonstrators has occurred on the above mentioned rally. Clergy have confronted sexual minorities and have accused them of the propaganda of false values. This incident has turned into the physical abuse and in the midst of the rally several participants have been injured. This fact has brought a resonance among public. Media has been widely covering these issues and the rally has also caused participation of various NGOs or lawyers.

In regards to sexual minority rights violations many respondents have expressed their concern that these violations, physical or verbal abuse, are coming not only from the members of the society but from the law enforcement officers themselves. According to one of the respondents sexual minority rights are being **violated by the police**, thus the people who have to fight this discrimination, themselves become the subjects of the abuse.

- NGO representative: *„Yes, I deal with the lawyers from both governmental and non-governmental organizations and I was in shock as to how low their public awareness and respect to Human Rights is; of the people who protect these same rights in the courts. Same can be said in regards to 17<sup>th</sup> of May when many have stated that none of the sexual minorities should have been beaten or killed but that at the same time these same people have been attributed to hold views such as: ‘ „What would they have needed in the streets if they were not schemers, they should just be within their own places, nobody will try to invade their personal sphere’ ” etc. These coming from lawyers and HR defenders was a shock to me and served as a surprise. Neither do NGOs receive people from ‘nowhere’. These same people are coming from the society , from the same universities , holding the same values. Clearly I don’t say that they are all the same, there are people for whom dignity and virtues are important, but as for the masses, they don’t have high authority in my eyes. “*
- NGO representative: *„Law enforcement agencies do not make an appropriate response, because in many cases they do not have necessary competence and are often unable to identify a problem; they too are part of the ‘majority’ , at often times they try to show their subjective position on these matters and as a result people suffer discrimination.“*

## 2.7 Personal information protection and confidentiality

- NGO representative: *„In regards to the protection of the personal information the law on the telephone tapping has been adopted, although many gaps remain in the law. Interior Ministry has the leverage to misuse the given power and illegally listen to people and thus illegally obtain their personal information. This clearly is*



*a big problem and is one of the questions that our organization currently focuses on.”*

## 2.8 Children’s rights

**Child street beggars** is a substantial problem of the Georgian society. The state has no proper institutions, mechanisms or at very least a vision as to how this problem should be solved.

- NGO representative: *„As for the children’s rights today we have a situation when children are made into street beggars by their parents and often so they are under influence of various substances. There currently is no leverage on these parents whether it could be terminating their custody or saving the child via different means. “*
- NGO representative: *„Firstly there is no shelter for such kind of children, there was one but today it no longer operates. Orphanages cannot accept children with no documentation despite the fact that such children are prevalent, and so government seems to have no proper mechanisms.”*

## 2.9 Qualified Staff members with specialized skills at Orphanages

- NGO representative: *„Public Defender’s office has conducted monitoring and I have personally made myself aware of such cases. After the so called ‘family-type’ orphanages have been made there has been a substantial improvement in terms of housing however in regards to the qualified staff not much can be said: staff has no proper training or education. Problem of the proper training is especially crucial as these children require a specific approach. “*

It seems that the necessity of the children’s rights protection is more evident in regions and within these specific problems can be identified:

- Children’s labor exploitation from the side of their parents
  - Children’s rights to see both of their parents in cases of divorce
  - Early marriage when especially girls are not able to receive full schooling
  - Forced marriages of daughters by parents
- NGO representative: *„There have been cases of forced marriages when parents in exchange for sheep or other presents have driven their own children to suicides.”*

Boys are forced to **start physical labor at an early age** and are not at often times able to receive education because of it. Neither parents nor children understand that these are the grave violations of children’s rights.



- NGO representative: *„While forcing boys to start physical labor at an early age families do not see it as a violation, they simply see it as a way to financially preserve a family.”*

### 3. Reasons – what are the roots of the problems?

#### 3.1 Faulty legislation (With respect to women’s right)

- NGO representative: *„Women’s Information Center: Unfortunately there are people whose rights are improperly protected due to various reasons. One of the reasons could be the lack of the possibilities to refine Institutional Mechanisms, while another problems could persist in the legislation itself as one of the hampering reasons may be the lack of the budget for the implementation of the action plans from the side of the state.“*

Besides a need to refine the legislation, there also is an institutional problem. As it seems to be, legislative norms are not adapted to the reality and are inflexible. At the same time awareness of the society remains to be a problem as well as the lack of tolerance and compassion towards vulnerable groups.

- NGO representative: *„Women’s Information center: Even within the means of the perfect legislation, implementation of the law itself tends to be difficult. Two problems may be encountered here: One is an inter-cooperation between the Institutions themselves, while another is level of public awareness. There are situations when people who directly work on the gender sensitive cases, for example police officers that have to deal with the victim inadequately assess the situation.”*

#### 3.2 The influence of religious institutions

Large numbers of the respondents have spoken on the matter of influence religious representatives have on the behavior of the society. It has been said that church has a discriminatory ideology against minorities. This assumption is also supported by the 17<sup>th</sup> of May rally, when behavior of the clergy is used as an argument towards supporting a claim that clergy have given examples of violence and discrimination.

- NGO representative: *„Firstly, the most influential institution in this country is church, which unfortunately it is very hawkish on human values/virtues as well as in regards to women’s rights. Everything they say and preach is yet another wonder. Mainly an attitude stating that man is the head of the family that you need to bow your head to the man etc. church can serve as one of the most effective means towards education or raising awareness however our church has expressed no interest or readiness whatsoever. When large majority of the country is a believer and you want progress you need to prove an absolute opposite of what one may hear in church.“*

### 3.3 State policies

In regards to the above mentioned rally of May 17<sup>th</sup>, one of the experts states that the reasons occurs due to the state attitude and due to **the critical links between governing circles and an Orthodox**. The state's desire to maintain this connection produces precedents when minority rights abusers remain unpunished, as these actions may have an 'Orthodox subtext'.

- Representative of the Higher Educational Institution: *„As far as I recall Criminal Code Article 53 states that there are aggravating condition, however the question is if this is being implemented or not. And it is not! In the past 5 years there have been 5 clear cases of religious conflicts upon which various institutions, International or local organizations including Public Defenders office, have written... these are 5 clear facts of religious conflicts, religious violence that was not followed with any reaction from the proper sides. There have been no results despite the fact that these were clear violently motivated actions form the side of abusers, as it has happened during the 17<sup>th</sup> of May rally, whereas this result is not only a response on actions that have happened but also this is a prevention method. Why do we punish, what is a rigid idea of a punishment? We punish so that no one else commits similar crimes and when we don't punish prevention of the potential crimes does not exist. “*
- NGO representative: *„Government tries to deepen links with Orthodox church and aims to create not a Democratic State but an Orthodox Christian state, which threatens human rights in terms of minority rights. No one has been punished after the 17<sup>th</sup> of May rally dispersal, none of the state officials or private individuals, despite the fact that vandalism took place; no one has been held accountable for pinning the pig, whereas even invasion of the private property is considered to be a crime; no one has been punished for not allowing Muslims to pray in Nigvziani; no one has been punished when Muslim's sanctuary has been raided and when existed literature has been thrown outside.”*
- NGO representative: *„State has to harmonize its laws with international standards. Everything must be done to preserve secularization of the state. However an opposite is being done. Conducting religious rituals at schools, usage of the religious symbolism at governmental agencies threatens secularity of the state.”*

### 3.4 Low level of education in society; Stereotypical thinking

The right to education has been identified as one of the problematic areas. As it has been mentioned before government is not concerned about more people receiving quality education, learning critical thinking or acquiring right vision. Majority of

respondents have regarded educational deficit to be the reason of the minority rights violations or discrimination.

- NGO representative: *„Before when I was teaching and even today I was amazed to feel the extent of the shortage of the critical thinking. If you don't think critically, don't ask questions, nod your head every time then what rights are we even talking about? You'd simply say that everything I am being told is good. „*

Lack of competence and education has been linked to such important questions as proper and fair legislative base. We are faced with the **qualifications and the education levels of legislators** themselves

- NGO representative: *„When observing from the legal point of view some things are moving forward, some are being corrected but we still face 'lapses'. This is tied to the fact that legislators, who write the laws do not have proper education. And these issues are not being raised. „*

In an educational sphere not only problems towards access of education have been identified but the poor quality of the education. More specifically it has been discovered that students at schools **face indoctrination from the side of their teachers**.

- NGO representative: *„Teachers are biased and teach that Muslims have been historical enemies of Georgia while Russians have not. These 'zombie' school teachers teach children following things and instill wrong values in them.”*
- Representative of the Higher Educational Institution: *„When students come to our institution, during their first year of studies they already have dogmatic thinking in regards to certain topics. A very simple example can be brought, let's say students at schools students are being taught by their teachers that Christianity is an only proper religion and they require even religious minorities to pray. It is already irrelevant to discuss as to how students will behave after such institutions. One of the biggest problems at schools is the lack of the civic education. In reality there are no qualified staff members who could properly teach the students. “*
- NGO representative: *„This is the problem of an existed literature. Not only civic participation literature but the rest of the books that are being taught at schools that subtly instill wrongful stereotypes. There is a great study conducted on this matter in Georgia. “*
- NGO representative: *„Teachers tend to proactively spread their own religious beliefs on children. For example in Tbilisi there is a substantial percentage of children with different religious or ethnic background and therefore they are subject to pressure; at the same time this will bring upon the possibility that these students will not be willing to identify with Georgian civil institutions.”*

A problem in terms of qualification of professors and teaching methods has been identified within **higher education institutions**

- Representative of the Higher Educational Institution: „ *There is no common approach towards Human Rights teachings. We have been organizing summer schools and I have been in touch with the students from all universities, in October I have conducted various interviews to choose 30 applicants out of 60 present from all universities and various problems have been present. Firstly, while teaching the Constitution and specifically second chapter of the constitution Human Rights are not being defined, the term is merely being heard but neither the scope nor the concept is being explained. Secondly they are not teaching decisions of the Constitutional Court, nor are teachings of decisions of National Court present. Thus as a result we have students who graduate from universities and who do not know how to define a specific right, they know that there is right to religious freedom but do not know what is the scope of it.*”

Low level of education is being connected with the problem that in often cases individuals have **hard time identifying when Human Rights are being breached**, which has also been concluded during quantitative data analysis.

- NGO representative: „ *Within the educational sphere individuals do not see when are their rights violated.*“

According to experts an even more substantial work needs to be carried out in terms of education for the **population in the regions of Georgia**, where the education level is even lower and the need for it is even more acute.

- NGO representative: „ *I consider it to be very important that information moves beyond the borders of the capital city whether it will be in the context of Women’s rights or other issues. People living in the regions must have a greater access to information so that more can be thought of and more can be done especially in the rural areas. As to when there is no information or education faith and hope is disappears. I think more information and education is a necessity for the regions.*“

#### **4. Comparison with EU and neighboring countries**

While comparing Georgia with various countries an unequivocal view has been established: Georgia is behind EU member states in terms of social rights realization. Due to the years old established democratic principles countries have developed strong social situation that serves as the guarantee of the Human Rights protection. In regards to the neighboring states Georgia has noted to have advantages in various spheres such as penitentiary system, freedom of assembly etc. As known Georgia has signed Association Agreement in 27<sup>th</sup> June 2014 which once again underlines direction chosen by the country.

- *NGO representative: „ We are in a better condition than neighboring states are, now clearly maternity leave is implemented on a higher level however in terms of Human Rights in general I would not even compare Georgia with Azerbaijan. As for the EU, women’s rights, children’s right or labor rights in general are administered via different means. EU does not have a so called common/unified standards. For example in France there is a very high support towards children. Nearly from birth does the state take responsibility for the children, there are free kindergartens, where even from 2 month can children be left and given full care while mothers can work. In terms of the health care France is also on a very high level. Neighboring Germany which also is a very progressive and developed state has a very progressive taxation system and a high level of social responsibility towards children and women, it does not however do as much as France does. Nordic countries have a completely different system, thus comparison is almost impossible. Georgia is clearly far behind many EU countries.’’*
  
- *NGO representative: „One of the most often violated women’s rights in Georgia is a right concerning women’s participation in politics. Georgia currently holds 110<sup>th</sup> place in terms of women’s participation in politics. These statistics are very poor. If comparing this question to EU members states, Georgia again is far behind and our organization tries to promote the question.’’*

One of the biggest factors that differentiates Georgia and other European countries is the civic activism; high interdependence between governmental decision-making and the willingness to participate from the side of the citizens. One of the problems in Georgia is that governing forces and various governmental representatives do not feel responsibility towards their citizens, while citizens do not tend to actively be involved in protecting their rights or interests.

- *NGO representative: „In terms of democracy, while assessing as to what extent are societal interests being considered and what kind of leverage does society have over government, we have a very big difference between EU members states and Georgia. Many of the cases that have taken place in Georgia would have caused a huge scandal in EU member states, some of which might have even been followed by a cabinet reshuffle or disappearance of various political parties from the horizons; however we have not yet reached that same level when a liability issue of high authorities is being questioned.’’*
  
- *Representative of the Higher Educational Institution: „There is no civil participation, thus individuals do not feel responsibility towards collective action together with government in terms of Human Rights protection or implementation of HR advocacy. Individuals do not regard Human Rights violations as a personal matter, in most of the cases they do not have interest in none of the Human Rights violations unless it touches them directly. For example domestic violence, rights to*

*the freedom of religion, xenophobic remarks towards LGBT society, torture or inhumane treatment of individuals etc. “*

In terms of civic activism, as noted above, Georgia is significantly behind other European Countries however different can be said in respect to neighboring countries. According to one of the respondents Civic Activism in Georgia is more present than in neighboring Armenia or Azerbaijan and this has objective grounds within.

- Representative of the Higher Educational Institution: *„One thing that is important is that Civic Activism in Georgia is much stronger than in neighboring Georgia or Azerbaijan. Azerbaijan does not allow it while in Armenia there is a nihilistic attitude towards it. In Georgia situation is better in terms of Georgian society and opposition forces being strong, while ‘stinging’ when mistakes are made by governing forces and exposing problems which might be easy to overlook is a common practice.”*

It has also been noted that civic activism in terms of Women’s Rights is high in Armenia, which could serve as an example to Georgia.

- NGO representative: *„Armenia recently tried to reduce maternity leave period and maternity leave pay however this was followed by a serious discontent among the public. Protests and various public speeches has brought society towards its goal and the government decided to step back. There have been various amendments, which clearly is something worth learning from. Nothing similar of this comes to my mind for Georgia.”*

As for Azerbaijan it was found that situation in regards to the freedom of expression in Georgia is better; situation in Azerbaijan can be explained by the current political regime. It is often noted that government is not violating freedom of speech expression rights. According to the experts Georgia is in a much better condition in terms of domestic violence or violence against women. While in Azerbaijan Human Rights NGOs are restricted in scope and cannot freely operate, there also are cases when NGO members are being detained. It is also to the advantage of Georgia that in comparison to Armenia and Azerbaijan legislation in regards to the domestic violence gives more opportunities for NGOs to operate within its specific directions.

- NGO representative: *„ Azerbaijan is an extreme case, which has an authoritative regime, has no freedom of expression or rights to privacy. One may be easily put in jail due to the conflicting political views.”*
- NGO representative: *„Georgia is much more advanced. In comparison in our regions we have similar cases of domestic violence and family problems, in both countries these subjects are taboo, such as early marriages for example, however in Azerbaijan, as far as I am informed, HR organizations do not have as much freedom. There have been cases of detaining people that work in Human Rights field, including women. Thus it cannot be compared to Georgia, as their situation*

*is a lot more severe. Neither in Azerbaijan nor in Armenia is there a law regarding domestic violence despite that they have been speaking of it for a long time. We on the other hand have adopted such law in 2006. Afterwards we have started to work on the perfection of this question as well as the proper implementation, whereas Armenia and Azerbaijan have yet to go through the same path. Thus I do think that our country has a better approach, and a better cooperation with State Institutions.’’*

- Member of the Parliament: *“I think that the quality of the political freedom is on a much higher note than that of neighboring countries, same can be said in terms of freedom of expression and Media freedom, which all are on quite high level in Georgia.’’*

According to the respondents both in Armenia and Azerbaijan **sexual minority rights protections** are in a much more severe conditions. As it seems both cultural and religious influence is a lot stronger than it is in Georgia.

- NGO representative: *„Both Armenia and Azerbaijan are the countries in which LGBT rights are protected worse than in Georgia and often times shelter is found here. I lately had a case when it was unimaginable to register an LGBT organization. Both culture and religion is very strong and one may strongly assert that Azerbaijan in these terms is far behind. Same can be said in terms of Armenia, where these movements are dispersed and merely underground.’’*

## 5. Changes in the last few years

### 5.1 Legislative changes

7<sup>th</sup> of May 2012 rally has been followed with Georgia adopting an **anti-discriminatory law**. These laws, as it was declared, were meant to serve as a guarantor against discriminations of 17<sup>th</sup> of May or against any other. A lot of positive reaction has been followed by the law; however as one of the expert’s states this law is not perfect.

- NGO representative: *„Various arguments can proof the necessity of an anti-discriminatory law. This law is invalid, it has frightened society, it has attached thousands of stigma, however if looked into the law itself one may easily state that it really is nothing. There is no specific fee, agreement with church is still in force, and state is in concession again. It is important that such things in law are not present. “*

According to the experts there are changes in women’s rights protection area, which are at very least evident in public consciousness. This has been facilitated due to the introduction of the law on domestic violence, **definition of the terms** and the positive role of the media.



- NGO representative: *„As for the specific change one of it could be the fact that ‘gender’ is no longer identified as ‘feminism’ After the law on violence has been adopted we have received a definition that we haven’t had before and society has learned what is good and what is bad. As for the media, at times it gives a better coverage of issues however at other times it merely further strengthens stereotypes.”*

According to the exerts such changes are more focused on betterment of sexual and religious minority rights protection however labor rights still continue to stand as one of the most pressing, unresolved problem.

- NGO representative: *„Situation in regards to the freedom of speech has substantially improved . Anti-Discriminatory law has in a way regulated sexual and religious minority problems. However despite some changes in labor code problems for employees still persist. In my opinion workers’ rights violations seems to be the most grave in today’s society.”*

Member of the parliament asserts following progressive steps from the side of the government in regards to the universality of **the right to education**.

- Member of the Parliament: *„There can be two things said in regards to the access to education: first, twenty faculties do not require any financial funds, second for a very large social groups no matter the choice of the faculty studies have become free. Free school textbooks have also played their role.”*

As stated above while discussing relations with the European Union **signing Association Agreement** in 2014 cannot be overlooked as it was a very important political step. It is interesting to note an assessment of this step by the member of the Human Rights and Civic Integration committee of the parliament: *„Association Agreement is a specific step in a specific direction. This is not an adopted legal act. You as a government take various responsibilities on yourself, responsibilities that you commit to implement step by step, while not receiving any kind of tangible results. This has forced us to be more involved and to better regulate legal acts in order to fulfill our obligations. Even if not signed these were the standards that we had to implement, however the signature has merely made us more aware and involved towards specific results, which are too early to be discussed. It is evident that this fact has created a new political reality and hence we all should be aware of the responsibility that we have brought upon ourselves.”*

Approval of the **2014 Human Rights Action Plan** has also been regarded as an important step.

- Member of the Parliament: *„Parliament has approved a very important document this year, 2014 Human Rights Action Plan, a document that was one of the prerequisites towards signing Association Agreement. If all that has been included is to be implemented, I suppose a considerable improvement and perfection will be*

*evident, the rest will be the matter of the practical implementation of the document. Lots of things are set out in the action plan. Amongst those are the numbers of changes to be made in law. Special commission works along the Ministry of Justice which plans for the fundamental reforms, electoral reform reforms in healthcare, not only in terms of the proper healthcare but also in terms of ensuring the life.”*

- MP speaks of the waves of the changes that took place after the 2012 parliamentary elections and have bettered the Georgian legislative framework: *“After electing our new government the legislation has changes and same can be said in regards to Courts as two of the very serious waves of changes have been brought. Under the previous government the legislation would itself enable the implementation of the reality that we had. Legislative changes have been made now it is time for its full implementation. The third wave of the changes in the form of the Venice Convention is already on its way. Second wave was the implementation of the ‘tapping’ laws which has brought a significant change from the legislative point of view. Unfortunately it has not reached its conclusion as it was left in the Interior Ministry, yet its reform should not be obscured. Criminal Procedure Code has also been touched with significant changes. In order to ensure the benefits of the defense, I do not deem it to be necessary to implement a Jury System however even in terms of this major changes have occurred as the scope has expanded and possibilities on fighting extremely serious crime have been developed. Electoral law, that will prepare us for the parliamentary elections is ahead of us.”*

## **5.2 Changes in the civil sector, activities of the Non-Governmental Organizations**

According to the experts in the last period NGOs have managed to better the situation in terms of the minority rights protection. They try various means to spread information about discrimination, increase public awareness; they work with different social groups or ages.

- *NGO representative: „I think that founding an NGO ‘Inclusive’ from 2005 has been an important step. This was the first gay organization, there were a lot of changes afterwards, break ups, re-connections, various movements etc. and now an NGO ‘Identity’ is in its fourth year and has no risks of disappearance is a steady organization works its way towards future. “*

## **5.3 Governmental changes**

Experts are stating that an important change in terms of Human Rights Protection was the shift of the government in 2012. Both progress and downturns have been noted , for example, there have been cases of political persecution, dismissals from workforces due to the political differences, however new government seems to be more tolerant towards minority rights violators/violations.

- NGO representative: *„On 1<sup>st</sup> of October 2012, government has changed. Furthermore a lot has improved in terms of Human Rights. In times of the former government fear towards government was evident; a lot has been recorded by our organization itself, for example, pre-election period persecution, dismissal from workforces for political reasons. This has been more or less eradicated in times of the current government and the progress in these terms is clear. On the other hand there are some questions that have suffered, for example, fewer problems were evident in terms of the right of religious minorities. Opposed to current government previous government was less tolerant towards such cases.”*
- Member of the Parliament: *„We no longer rape prisoners, we do not beat up the journalists, and we don't run after individuals in the streets. People are no longer followed by Special Forces due to the varied political opinions. If we look at it in general terms progress in the sphere of Human Rights is clear and definitely are on the right path. It is not yet irreversible, which itself is the prime concern. When it becomes irreversible then we can be calm.”*

Improvements are also seen in terms of the democratization, which is evident in an area of electoral rights, case concerns **elimination of electoral fraud**:

- NGO representative: *„In terms of elections the main problem was the fact that voters di not have a chance to express their own will, so that their vote would reflect the reality of the parliamentary mandates and the positions that would have been chosen by the society itself. For years there have been talks on falsification of elections, on the lack of complete voters' lists and that elections were not the clear reflection of the will of the society. For the last 2-3 years this problem has been relatively eradicated, certain problems still persist, however not in terms of fraud election possibilities. There merely are questions of the proper administration of the resources for the campaign purposes, however this problem was and still is from the side of the public officials.”*

In the last few years betterment of the penitentiary system has been evident. Public was given access to the prisoner's rights violations when video-recording, depicting rape, torture etc., of prisoners have been made public in 2009. This was followed by the widespread coverage of the topic, discussions, large scale demonstrations and protests involving students as well. A few months after these events as a result of elections government has changed and the power was taken over by the coalition 'Georgian Dream'. After this, certain reforms have been made around penitentiary system however problems pertain till today although the magnitude is unknown.

- Representative of the Higher Educational Institution: *“In recent years the situation has substantially improved, which is evident when assessing current situation at the penitentiary system. However, all this right should be under constant surveillance and should not lose actuality. Protection of human rights in the penitentiary system is one of the most topical issues, Public Defender and*

*others have often pointed to systemic problems. In this regard, the situation has improved. If we look at reducing the number of prisoners, it automatically means that the conditions are improving step by step, radically reduced the mortality rate of prisoners, none of the cases of torture have been observed by the Ombudsman, there was some evidence of inhumane treatment, but even here the situation has changed radically too. Given that it is particularly vulnerable contingent, it must be under permanent monitoring.”*

Interesting to note that **court review** of the member of the parliament is in discord with the representative of the university

- Member of the Parliament: *“We claim that we have significantly reduced or completely eliminated interdependence of the judiciary and the executive branches of the government. Evidently it did not entail a full and an absolute independence or professionalism and problems still persist.”*
- Representative of the Higher Educational Institution: *„Implementation of the right to the fair trial and justice are still there and gaps are very important. Evidently our system is continuously affected by reforms that intend to bring it closer to the European standards, however in the recent cases it has been clear that prosecutor’s requests have not been separated from the political processes. That it actively participates in political process, decides whether or not cases are worth political persecutions, whether or not investigations should be started, which leaves us with the feeling that these are motivated by political interests and reasons.”*

According to the experts right after the introduction of the Healthcare in 2014 situation in terms of health care rights has significantly improved. Members of the parliament have specifically highlighted this reform and have further states that enactment of the education reform would be an essential and a crucial step.

- Member of the Parliament: *“Health care reform was a correct step for a large number of individuals, the fact that in some cases one would pay a lot of money for the treatment and spend his/her last money which would have left him/her with no financial funds, while now this reform has created freedom and given green light to citizens. But in the long run an important question is to what the role of the education will be. In a future perspective an important question is to what will the goal of the education be. As to if the school will not create fundamentals of the education one may not simply be able to enroll in a higher education and will not develop as a professional. To be put in a perspective: education is the backbone of the governmental development. “*

#### **5.4 Crucial changes**

**Orphanage policy changes** – replacement of the orphanages with family type ‘houses’ have been positively assessed by experts, however this system has its own drawbacks as well. There have been multiple cases when children were sent home

earlier, when the monitoring has not continued when the child has returned home, thus there was lack of care in regards to ensuring that these children would not have returned to streets and begging and would have not have stayed without proper education.

- NGO representative: *„Deinstitutionalization of the orphanage processes were positive events, which have driven us away from Soviet Style orphanages when all have been shut down, however many were sent back home earlier than they were supposed to be. There have been cases of returning children because parents had opportunities to take them back however later on they still were found on the streets. Social workers have not checked upon their living conditions once they were back. Similar cases occur till today and parents have no opportunity to give children education and take them to school.”*

**2005 Educational reform** was when the financing of the higher educational institutions have changes as well as the admission process and unified admission examinations have been formed. This reform had an important influence on the eradication of the corruption in higher institutions.

- NGO representative: *Educational reform has been very rigid and no one could have done a better reform than Kakha Lomaia.*

## **6. Role of the media and its function in human rights protection; assessment of the media in Georgia**

While assessing the media all of segments of the respondents have addressed the problems that Georgian Media and thus the Georgian society is currently facing. An attempt to highlight scandals and shade the real problems as well as the low qualifications of the journalists has been named.

- Member of the Parliament: *„We need to raise qualification bars here as well. In most of the cases, media searches scandals. They are oriented on masses. It seems to want to chain individuals to Television and a Newspaper with American and Latino-American TV-shows. Newspapers are not being sold without some kind of scandalous headline as the title.”*
- NGO representative: *„I think that media actively covers this topic, however its interest are not raise public awareness as much but to create some kind of shows, in these media talk shows, creation of a show seem to stay as a leitmotif ; for example when last year we were facing an ongoing midst of religious conflict, majority of Georgian media rather than discussing the grave Human Rights violations that have taken the place or that these people were to be considered equal to the rest of the citizens , were trying to invite radical and extremist people, who were talking on whether or not these people had the right to reside in Georgia rather than how could we have created proper living conditions for them.”*

Focus has been made on **the regional media** as well. It has been noted that non-Georgian speakers have no proper conditions to preserve their own cultural space.

- Representative of the parliament: „*Individuals in regions must have an opportunity to preserve their own cultural space, for example Armenians in Akhalkalaki. They must not have a sense that we tried to assimilate them rather than integrate, that they are being expelled from these area. They must have a possibility to listen to the media in the languages that are spoken in Georgia. Television on the other hand must offer its maximum in terms of high quality shows to the society.*”

While assessing Media Performance it has been noted that it is important to improve the **media coverage format.** Media must not focus solely on negatives but must also highlight the positive.

- NGO representative: „*Media must not solely be covering negative , it must critically show the problem however it need to also be covering positive cases, so that citizens do not get the feelings of their rights not being protective or that criminals will not develop a sense of impunity. I do think that there are some positive developments within this direction.* “
- Member of the Parliament: „*I very much negatively asses the role of the media while speaking of Human Rights. Human Rights is an area that requires a deep understanding of the matter.*”

According to the representative of the media, for the past few years there have been a considerable progress in terms of the **hate speech eradication:** „*I suppose Media has refined its vocabulary ad to my mind ‘Tabula’ works at best in this; LGBT and disabled people seem to like our work the most. ‘Rustavi-2’ needs most of the refinement in terms of it slipping to use various discriminatory expressions; however as the time goes these sensitive topics are being covered with a lot more gratitude, ethics and refinement. This is all to also be due to the work done by NGOs*”

## 7. Recommendations – future strategies

### 7.1 Legislative changes

According to the respondents, **harmonization and the refinement of the legislative fundament** need to be made. Responsibility towards that should to be taken by society as well as by the government.

The need to change specific laws and the mechanisms of implementation of these laws has been addressed, such as institutional refinement or work improvement.

Constitutional problem has been highlighted as well. According to one of the experts today Constitutional Court is limited in its scope and its role in the society is weaken. Hence concrete steps ought to be taken in this direction.

- Representative of the Higher Educational Institution: *„All the fields need to be taken care of and all need to be monitored , therefore it is hard to highlight a specific field. Both Society and the Government need to be constantly improving the legislation, harmonizing it within modern standards, most importantly practice of this legislative needs to be permanently being refined while no major Human Rights should be violated in practice. In terms of these specific mechanisms of the institutions can be refined, for example let’s say in terms of Human Rights protection **Constitutional is very limited in scope**. An only matter that it can discuss is whether or not the legislative norm is harmonized with the constitution, it cannot however discuss decisions decreed by the last instances of the Court, which substantially reduces its role in terms of Human Rights Protection. In general, reforms in institutions need to occur. “*
- NGO representative: *„In terms of legislation all that has been done needs to be refined as there are parts of the legislation that are inactive. One of such laws is the law on gender equality which merely is written in the legislation and has no real power. Discussion of the domestic violence has clearly shown that these laws require some further changes. “*
- Representative of the Higher Educational Institution: *„ Legislation does not mere mean improvement of the norms, **it is important to create such institutions that will make it possible to realize Human Right Protection**. These can be said in regards to the qualification which is no less important, or it also is important that governmental mentality is changes, which were used to a different set of the matter not only for the last few years but from the Communist regime. Furthermore institutions and Institutes need to develop so that Human Rights will be better protected.’’*
- Media Representative: *„ Law in regards to regional languages has been open to discussion for a while now; law that would serve as a guarantor and give an opportunity to ethnic minority to broadcast media or receive education in their own language etc. while at the same time learning of the official language needs to be promoted. These reforms will at some point improve the situation. This law will be positively assessed when one will do it guarantees to do and when one takes its prime responsibility to ensure the knowledge of the official language’’.“*

## **7.2 Raising public awareness; strengthening the role of Media and activity in this regards**

In terms of the Human rights protection improvement an increased role has been attached to the public awareness. Media can play a distinguished role in respect to raising discussions and covering wide range of problematic questions.

- Representative of the Higher Educational Institution: *“It is crucial that qualifications of the society are raised or that their awareness is taken care of and*



*Media can be a great tool for this. The positive precedents of media usage for realizing Human Rights protection have been set. For example at often times Media tries to rise the spirit of the societal tolerance. It is crucial to permanently have discussions in regards to the Human Rights. “*

In cases of the domestic violence at often time large number of the society does not know who and how to address, which is true as for the victim as for the people surrounding the victim.

- NGO representative: *“Children suffer due to the Domestic Violence in Georgia, when at often times they leave educational facilities thus are left with no education, some suffer various psychological issues and have suicide attempts. It is possible to timely eliminate such matters however they simply do not know who to address during family problems. All people have the responsibility to address specialized agencies that help people in this need as well as the police should not overlook such issues. “*

Involvement of women in public life will change the stereotypical attitudes towards them.

- NGO representative: *“29 women were recently murdered by their husbands. In order to change the societal attitudes towards women, there should be more involvement of those in the political life; We can argue whether or not this needs to be artificially regulated with the quotation system or not, however in the reality we all need to find ways to engage women in politics so that women will not vulnerable. “*

### **7.3 Strengthening the role of NGOs in civil life**

Involvement of International NGOs in local matters has been positive accessed as an important factor towards improving the situation. According to the experts **NGOs need to be even more active while society needs to be more willing to enroll in NGOs.** Need to strengthen the role of NGOs in the regions has been highlighted.

- Representative of the Higher Educational Institution: *„International organizations have been doing a lot of work in terms of raising qualifications of those working in non-governmental or governmental organizations. Public Defenders office is continuously take care of by these international organizations. In terms of this raising qualification among governmental officials is crucial. An emphasis needs to be places on other types of the subjects involved in this matter.”*
- NGO representative: *„It is desirable to have more societal involvement so that people will identify an importance of organizing/founding NGOs and will unite within institutions so that existing problems will be solved faster.”*
- Representative of the Higher Educational Institution: *“The problem is that there is an imbalance in terms of having a highly concentrated non-governmental sector in*

*Tbilisi while regions can merely boast to have NGOs existing from the beginning of funding till the end of such; thus cannot achieve their goals. It is important to consider that regional problems are not seen as well from the central government and I think that a project which would be given to large NGOs that would strengthen regional non-governmental sector, would be excellent. “*

Studies show that NGOs are actively involved in public processes and at often times its actions achieve certain goals, however there is a problem; in some cases there is bias and NGOs are being impacted by governmental or political circles. Also at often times low qualification and low expertise is the issue.

- Representative of the Higher Educational Institution: *„They work quite actively and they need to continue that , although it is important that in terms of Human Rights protection their qualification is raised. High degree of an influence from the political circle remains to be a big problem. In some cases they are loyal to governments while at others their attitude is too rigid. **NGOs need to be free from the political influence.** They need to be distanced from politics as much as possible.’*
- NGO representative: *„I wish that there was **more expertise from the side of NGOs** as in specific spheres there is a deficit in terms of knowledge. ’*
- Representative of the Georgian Parliament has also touched upon non-governmental sector problems: *„NGOs prime role is to raise civic participation, announcing specific opinions within a knowledgeable level , organizing discussions on various subjects. In no cases should NGOs this their function is to be speaking with ultimatums or making of categorical statements. It is a very important segment, a lot more energy needs to be used so that society understands what do specific laws entail, what is good etc. Recommendations that are to be offered by NGOs to be proficient, objective, good and neutral. If they want to criticize political processes this needs to be done proficiently and this is where NGOs need to be helped the most.’*

#### **7.4 Proper economic activities**

One of the factors towards improving Human rights protection area has also been named as to when government takes proper economic steps towards right investments. Economic activity that will more or less solve current social problems will positively impact formation of the equal, nondiscriminatory society.

- NGO representative: *„I think that government needs to care more about the proper disposition of the budget , when focus is on individuals rather than militaristic necessities. Actions that will regulate banks so that money will still stay in banks should not occur. There should be more thought and money put into healthcare, education. About. It is only right to not only ensure electricity and pavement but to*

*also give access to all kind of information people in the regions may require, so that individuals will simply learn something.*”

- Member of the Parliament: *„Economic stimulus seems to be crucial; business needs to be independent from political influence. Only when this happens will it start to thrive and create new spaces. Business is just like the forest which is not been cut off, it develops only when it is free and independent. At the same time areas that are weak need to receive appropriate stimulus from the government.*”

One of the initiatives that need to be carried out by the government is **involvement of the citizens towards whom these reforms are directed.**

- NGO representative: *„ In general in a democratic society decision making involves participating of the interested parties thus it will be my advice before the implementation of various reforms for the government to engage people who might be influenced by these planned changes. ”*

#### **7.5 Teacher’s training, re-training**

Trainings of the teachers at various educational facilities oriented at not only raising their professional qualification but instilling right methods of teachings so that the new generation is intelligent and properly raised.

- NGO representative: *„There have to be various trainings that would re-qualify teachers that will teach students as to what is bad or good and that will most importantly teach tolerance for example in terms of religions. “*

#### **7.6 Baby boxes**

A widely known practice of leaving newly born children has been in practice in 90s Georgia, for the eradication of such practices one of the experts believes that establishment of the Baby box projects could be a great idea:

- NGO representative: *„There have been cases in Europe as well when newly born babies were left in the trash, however as the baby box idea has been developed, when mothers abandon their children, nurses have been taking care and later on giving such children for an adoption. Within this system 100 babies have been saved from trash and given for an adoption. By adopting a similar system in Georgia we could avoid a huge sacrifice. Clearly this might have big obstacles however we need to weigh what could be more important having a baby’s life on stake or not knowing an identity of real parents. “*

#### **7.7 Pension system**

- NGO representative: *„When the pension system is on the verge of the collapse and does not even reach the minimum threshold , this could be the time to think of the new pension system; for example of the private pension system. These is not indicative of current pensioners receiving pensions from the private system however this means that people who will be on a pension in 20 years from now will*

*be able to take advantage of the private pension system. They will not be taking an established amount of 110 GEL but will let's say take 2000 dollars''*

## SUMMARY OF THE QUALITATIVE PART OF THE SURVEY

The opinion survey of experts regarding the human rights situation in Georgia pointed up violation of the freedom of religion as a major problem. It occurs especially frequently in state schools where teachers with an Orthodox background try to indoctrinate or shame students from religious minorities. The reason lies in the generally weak state of education, where teachers are not able to remain neutral. In some cases, the rights of religious minorities have been violated in connection with curbs placed on, or insufficient safeguards for, their religious customs. One of the NGO representatives who participated cited cases involving obstacles sown to establishing mosques in different parts of Georgia. The study emphasized that Georgian legal norms discriminate against religions other than the Orthodox faith.

A keen problem for Georgia is that women's rights are not protected. The roots of the problem lie in legal norms but the effects extend throughout society. Legislation does not deal sufficiently with the problem of domestic violence or physical and verbal abuse. Often, violations of women's rights are not even recognized as a problem. The large number of murdered women, for instance, is not considered a discrimination-related problem. In addition, women are excluded from social life, with the lack of maternity leave forcing women to become stay-at-home mothers. The problems have been attributed to deficiencies in legislation addressing the actual situation and low public awareness. The influence of the Orthodox Church has led to rigid beliefs regarding the role of women in society. Fortunately, safeguards for women's rights are now part of the public discourse and legislation outlawing violence provided definitions for terms that were previously lacking.

The Orthodox Church generally has a very important role in Georgia and the ties between the church and government are strong. This relationship creates precedents where the church's discriminatory behaviour goes unpunished. The situation is especially urgent for sexual minorities, who are on very unstable ground in Georgia. An example cited in support of this assertion is the violent conflict of 17 May 2012 where church representatives attacked sexual minorities who had held a

demonstration to call attention to their situation. It is regrettable that law enforcement is not able to respond adequately to such situations and that law enforcement officers have themselves discriminated against people in a number of situations. Most of the participants in the study considered the reason for violations of the minority rights to deficits in education, which amplify stereotypical attitudes in society. As a positive development, an anti-discrimination law was passed as a consequence of the 17 May events; this law does however need to be supplemented.

Children's rights are a major general problem. The government lacks mechanisms to deal with the problem of child beggars. Often the children are forced to do so by their parents and the government has not been able to set up shelters and foster care for children living in such families. Rural areas see the most problems with children's rights – parents use their children as labour or force their children into marriage very early. The forced marriages of girls amplify the violations of women's rights referred to above. Experts do give positive marks to the new children's home policy, where Soviet-era children's homes were replaced by new family-type children's homes.

The greatest problem of social rights pertains to workers' rights, where the amendments to the Employment Act made in 2014 improved the situation to some extent, but it has been demonstrated that the law is being violated in every field. Occupational environments that pose a health hazard, abuse of employees and wage levels below standards of human dignity are a cause for concern. Whereas the aforementioned changes in society are mainly aimed at protecting minority rights, experts feel that the problems related to employee rights are the most urgent unresolved problems.

The roots of human rights violations often lie in low public awareness. A representative from one higher education institution said one of the biggest problems for schools is the lack of civic education. Thus the low education level and stereotypical attitudes are a reason that people often find it complicated to recognize when their rights or those of others are violated. The situation in rural areas is especially problematic, which was also shown by the survey of the population. Yet developments have taken place in the field of education; for example, schoolbooks are free of charge for pupils.

In comparison to neighbouring countries, Georgia is much more progressive but it lags far behind the European Union. The association agreement signed in 2014 with the European Union was an important step. It entails many obligations and hopefully will usher in a new political reality. One step was the establishment of a human rights action plan, which was a precondition for signing the agreement.

Domestically, a number of other changes have taken place. In addition to the changes to legal acts mentioned above, the 2012 change of government has led to other forward strides, but the new government is more conciliatory regarding violations of the rights of religious minorities. In general, however, the new government has done good work toward the democratization of society and improvement of the penal system. Changes are envisioned in three waves: changes in the judicial system, implementation of the surveillance and wiretapping act and accession to the Venice Convention.

Experts praised NGOs' activities in improving the situation related to minorities' rights. NGOs have focused mainly on raising public awareness and worked with different social and age groups. At the same time, the media has been more involved in creating scandals than analyzing problems. As a positive development, progress has been made in eradicating hate speech.