

**Numbers of discrimination-related criminal, civil and administrative cases adjudicated by Georgia's district (city) courts through 2016-2018**

**Criminal cases**

In 2016-2018, a convicting judgment under Article 155 of the Criminal Code was rendered in one case involving two individuals. Both individuals received conditional sentences. 14 cases were adjudicated under Article 156 against 16 individuals of whom one person was sentenced to imprisonment, 6 persons received conditional sentences and 8 persons were fined. 1 case was examined under Article 142<sup>1</sup> of the Criminal Code involving 10 individuals of whom 2 received imprisonment sentences, 1 person received a conditional sentence, and 7 individuals were acquitted. Case involving 2 persons was deferred to the prosecutor's office for diversion.

**Civil cases**

In the reporting period, 28 civil cases were examined by courts on merits. In 19 cases, the plaintiffs' claims were upheld in full or in part. Lawsuits in 9 cases were rejected. The courts have discussed and found discrimination in 11 out of these cases.

**Administrative cases**

In the reporting period, 6 administrative cases were heard on merits. The courts upheld lawsuits, in full or in part, in 2 cases. In 4 cases, lawsuit claims were rejected. Discrimination was found in 1 case.

**Information on awareness raising activities on the anti-discrimination legislation conducted by the Training Center of Justice of the Ministry of Justice of Georgia**

In 2016, Training Center of Justice of the Ministry of Justice of Georgia conducted trainings on discrimination issues in different regions for 40 groups. In total, 461 individuals participated in the trainings.

On 3 May 2017, in connection with a 3<sup>rd</sup> anniversary after enactment of the Law on Elimination of All Forms of Discrimination, Training Center of the Ministry of Justice organized a public lecture for students, which was attended by 28 students.

During 2018, the Training Center of Justice carried out a large-scale awareness raising campaign that included trainings on anti-discrimination legislation in major cities and ethnic minority regions (Marneuli, Rustavi, Sagarejo, Gardabani, Bolnisi, Tetrtskaro, Akhalkalaki, Akhaltsikhe, Telavi, Kvareltskali, Lagodekhi, Batumi, Poti, Zugdidi, Kutaisi, Tbilisi). The main target group of the trainings were the staff of local authorities and ethnic minorities. During a 5-hour course, the trainees were able to learn about the concept of discrimination, how to detect discrimination and the mechanisms to fight discrimination. Special attention was paid to discrimination on national/ethnic grounds. In total, 17 groups and 244 individuals (201 women and 43 men) attended the courses. In cities populated by ethnic minorities (such as Marneuli, Gardabani, Akhalkalaki and

Tetritskaro), the course was led by two trainers one of whom was a representative of the ethnic minority. The materials used in the course were translated into the Armenian and Azeri languages.

The United Nations Development Programme (UNDP) donated to Training Center of Justice an electronic version of information brochures on discrimination issues in the Georgian, Ossetian, Abkhazian, Armenian, Azeri and Russian languages.

### **Annex 3**

#### **Statistics of hate crime criminal investigations and prosecutions**

In 2016-2018, existence of hate motives was examined in 359 criminal cases. In particular, 63 cases were examined in 2016, 86 cases in 2017, and 210 cases in 2018. Criminal prosecution was launched against 239 individuals, including 44 individuals in 2016, 44 individuals in 2017 and 151 individuals in 2018. This information broken down by year looks as follows:

In 2016, existence of hate motives was examined in 63 criminal cases. In particular, sexual orientation as a hate motive was considered in 4 cases, gender identity in 20 cases, sex/gender in 3 cases, national belonging in 1 case, ethnic belonging in 3 cases, religious affiliation in 27 cases, racial discrimination and violation of equality of individuals in 4 cases, and other ground in 1 case.

Criminal prosecution started against 44 people of whom charges against 4 people involved sexual orientation as a motive, 16 cases involved religious affiliation, 3 cases sex/gender, 4 cases national origin and 14 cases racial discrimination. In 3 cases (in which one person was charged with a hate crime motivated by religion and 2 people were charged with crimes motivated by ethnic belonging), investigation did not find existence of hate motives and therefore no such motives were mentioned in indictments against these individuals.

In 2017, 86 criminal cases were considered for possible existence of hate motives. 12 cases were examined for sexual orientation as a hate motive, 37 cases were examined for gender identity, 25 cases were examined for sex/gender, 1 case was examined for national belonging, 1 case was examined for ethnic belonging and 10 cases were examined for alleged existence of religious affiliation as a hate motive.

Criminal prosecution started against 44 people of whom 4 people were charged with crimes involving sexual orientation as a crime motive, 4 cases involving gender identity, 2 cases involving religious affiliation, and 25 cases involving sex/gender. In 9 cases (in which 6 persons were alleged to have been motivated by gender identity, 1 person by sexual orientation and 2 persons by religion), investigation did not find existence of hate motives and therefore no such motives were mentioned in their indictments.

In 2018, 210 criminal cases were examined for possible existence of hate motives. 28 cases were considered for allegations of sexual orientation as a crime motive, 29 cases were considered for gender identity, 112 cases for sex/gender, 6 cases for national belonging, 2 cases for ethnic belonging, 2 cases for race, 23 cases for religious affiliation, 4 cases for political views, 3 cases for disability and 1 case for other ground.

Criminal prosecution started against 151 people. Namely, 15 persons were charged with crimes involving sexual orientation as a crime motive, 12 persons - involving gender identity as a crime motive, 1 person - involving the ethnic grounds as a crime motive, 1 person involving the race as a crime motive, 3 persons involving national grounds as a crime motive, 2 persons involving the

religious grounds as a crime motive, 111 persons involving sex/gender as a crime motive, 3 persons involving the political viewpoint as a crime motive, 2 persons involving disability status as a crime motive and 1 person on other basis.

In order to proactively inform the public and raise public awareness of hate crime occurrence, in 2017 and 2018, the Prosecution Office was actively published on its webpage and social network page information on criminal prosecutions and convicting judgments in the cases involving sexual and religious minorities as victims.

#### **Annex 4**

##### **Activities of the State Fund for Protection and Assistance to (Statutory) Victims of Human Trafficking in the field of awareness raising on domestic violence issues**

In cooperation with the State Fund for Protection and Assistance to (Statutory) Victims of Human Trafficking (hereinafter, the State Fund), training sessions for various target audiences are being planned periodically and State Fund staff members are invited as trainers. In 2014, the National Network on the Protection against Violence, implemented a project sponsored by the UN Women; within the project, the Network conducted a series of training sessions for the members of the Georgian Interior Ministry (patrol police officers and neighborhood inspectors), in which a State Fund employee participated as a trainer. The training sessions focused on domestic violence issues, the applicable legislation in this field and referral procedures for the domestic violence victims. The training sessions were held for police officers from the Kakheti, Samegrelo, Guria, Imereti, Achara and Shida Kartli police departments. In May and June 2014, the Ministry of Interior conducted one-day sessions on domestic violence issues for its staff in the Samegrelo region (10 patrol police officers and 30 neighborhood police officers were trained).

Throughout June 21-November 22, 2014, the Interior Ministry conducted a series of training sessions on domestic violence for the members of the police force. 180 patrol police officers and 40 neighborhood police officers were trained. The sessions were led by a State Fund representative. On 17 December 2014, the State Fund representatives held an information meeting on domestic violence issues with the 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> grade the pupils from the Tbilisi School no. 1 (the Classical Gymnasium).

On 2-3 April 2015, at the initiative of the Chief Prosecutor's Office and with the support from UN program entitled "Facilitating gender equality in Georgia", the State Fund for the Protection of Trafficking Victims helped conduct a training course on domestic violence issues for the prosecutors. A representative of the State Fund was one of the trainers on the course.

On 28-29 November 2015, the UN Population Fund organized a training course for healthcare specialists on the issues of detecting cases of physical, psychological and sexual violence against women, treatment principles and referral procedures. A representative from the State Fund led a session dedicated to legal issues and State Fund-offered services.

On 23 July 2015, the EU Delegation to Georgia helped organize a training course at the Interior Ministry Academy entitled "Legal mechanisms of combating human trafficking and modern trends". Staff members from the headquarters of the State Fund and the shelters for trafficking victims attended the training.

### *Awareness raising campaigns*

The State Fund is actively engaged in various public awareness raising campaigns. It shoots and broadcasts TV clips and radio programs, ad campaigns and publishes booklets. One of the important directions in increasing public awareness is organizing meetings with various groups and professionals: some 90 informational meetings and campaigns were held from 2014 to 2019 on domestic violence and services provided by the State Fund.

## **Annex 5**

### **Statistics of Criminal Investigations by the Department for Investigating Crimes committed during Legal Proceedings**

In 2015, a new specialized Department for Investigating Crimes committed during Legal Proceedings was established within the Prosecutor-General's Office. The Department is currently investigating 462 criminal cases. 51 of the cases concern allegations of battery, torture, inhuman and degrading treatment. 411 cases concern the yielding of property under coercion and other forms of coercion.

Investigations into 155 crime episodes have been completed. 43 public officials were revealed. Of these individuals, criminal prosecutions were launched against 12 of them. In relation to 27 individuals, the prosecutors used their discretion deciding not to start prosecution based on Article 105(3) of the Criminal Procedure Code. Investigation was terminated in relation to 4 individuals due to their death.

239 individuals were found victims. Based on final decisions of the Prosecution Office, they received their real estates and movable things back with a total value of GEL 46,280,717.

The Department for Investigating Crimes committed during Legal Proceedings decided to move for revision of judgements rendered as a result of miscarriage of justice in relation to 64 individuals (including 16 political prisoners). Such judgements were already revised in relation to 56 individuals ending with acquittals.