



REFERENCE:KF/fup-115

10 December 2015

Excellency,

In my capacity as Special Rapporteur for Follow-up to Concluding Observations of the Human Rights Committee, I have the honour to refer to the follow-up to the examination of the fourth periodic report of Georgia.

At the end of its 111th session, the Committee transmitted its concluding observations to your Permanent Mission. You may recall that, in paragraph 21 of the concluding observations, the Committee requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 13 and 14 of the concluding observations.

On 9 March 2015, the Committee received the reply of the State party. At its 115th session, held in October 2015, the Committee analysed this information and adopted the following decisions:

- **Paragraph 13: [B1]:** The Committee welcomes the amendments adopted by the parliament in August 2014, which set the maximum period of administrative custody for all violations entailing administrative detention for 15 days and provided for various procedural protections. In light of General Comment No. 35 on liberty and security of persons, the State party should provide additional information on:

(a) Measures in place to guarantee the use of alternatives to administrative detention;

(b) Standards and procedures in place for imposing and reviewing administrative detention, including information on the authority taking these decisions.

[B2]: The Committee requires information on the rationale behind the initiative to place administrative offences under the Criminal Code as minor criminal violations or crimes. In particular, additional information is required on the types of offences that are suggested to be placed under the Criminal Code and the compatibility with articles 9 and 14 of the Covenant. The Committee also requests further information regarding whether and to what extent administrative

His Excellency
Mr. Shalva Tsiskarashvili
Ambassador Extraordinary and Plenipotentiary
Permanent Representative
Fax: 022 733 90 33



detainees are being held in temporary detention facilities managed by the Ministry of Internal Affairs, and what steps have been taken to reduce this practice.

- **Paragraph 14: [B2]:** The Committee notes the draft law developed by the Ministry of Justice to reform the jury trial system. The State party should submit additional information on:

- (a) Whether the draft is in full compliance with article 14 of the Covenant; and
- (b) The progress and implementation of the draft.

The next follow-up report of the Human Rights Committee will be adopted in July 2016. If the State party wishes the information referred to be taken into account on that occasion, the reply should be sent in Word electronic version to the Secretariat of the Human Rights Committee by **11 April 2016** (Kate Fox: kfox@ohchr.org and Fernanda Santana: fsantana@ohchr.org).

The Committee looks forward to pursuing its constructive dialogue with the Georgian authorities on the implementation of the Covenant.

Please accept, Excellency, the assurances of my highest consideration.

Sarah Cleveland
Special Rapporteur for Follow-up to Concluding Observations
Human Rights Committee