

Situation with tolerance and diversity in Georgia: main areas of concern in treatment of minorities

Submitted by: Agit Mirzoev,
Public Movement "Multinational Georgia" (www.pmmg.org.ge)

1. We also should underline that we estimate as priority areas of concern the following:
 - European Charter of the Regional and Minority Languages, which is still not ratified. Process of ratification first of all should be supported through awareness raising campaign and public discussions, in order to eliminate fears existing in the society that this charter can somehow harm status of Georgian language as state language. This will also allow to provide wider alliance of the advocates for the ratification of the Charter
 - The same applies to the "Convention on the Participation of Foreigners in Public Life at Local Level" and "The European Convention on Nationality"
 - Implementation of the CoE Framework Convention on Protection of National Minorities is not sufficient first of all with regard to the lack of involvement of the minority representatives to the planning and carrying out of this implementation including creation of the subordinate documents and adjustment of the legal environment to the Convention. There are also other areas of concern in this regard, which are described in details in the Alternative report of the PMMG, which is attached to the given recommendations.
 - Still there is no special legal act on the status of the ethnic, religious and linguistic minorities, adoption of which has been recommended by ECRI, UN Human Rights Committee and FCNM Advisory Committee. PMMG developed draft law, which has been subjected to the number of the public discussions in the minority regions, within expert community and has been submitted to the consideration of the MPs of the Parliament of Georgia who provided number of the remarks to it. Efforts on advocating for its adoption are still carried out. Support of the international organizations is necessary in this regard. Please see draft law attached to this document.
 - There is still no adequate legal base for the combating of hate crimes and hate speech, as well as no lack of the adequate judicial environment, low level of capacities of the law enforcement and other judiciary personnel. There is also lack of awareness raising efforts among public at large and especially youth on the issue.
 - Mentioned above point promotes impunity of those who conducts hate speech and hate crimes, both at the level of the everyday life and at the level of the political statements. Mass-media space and internet are also full of the hate statements. Monitoring efforts are not permanent and comprehensive.
 - Criminal-Procedural Code of Georgia does not secure interests of the ethnic minorities especially at the level of the court of the first instance and at the level of the preliminary investigation with regard to provision of the qualified aid of interpreters. There are no standards in the selection and there is no process of certification of the interpreters.
 - Educational system does not have tolerant environment. Text-books contain intolerant phraseology or inappropriate records of the ethnic origin. There are no sufficient efforts on teaching tolerance in the schools (lack of the standards and

adapted curricula, lack of mainstreaming of diversity in the educational materials). There are no programs on instruction of the educators in the field.

- Access to high education is complicated for the school graduates from the regions with the compact settlement of the ethnic minorities. These graduates lack practice of Georgian language and level of mastery of the language significantly decrease. Mentioned above creates difficulties for the passing of the unified national exams. Young people usually migrate to the countries of their ethnic origin to enter high educational establishments. There is need for awareness rising among parents and youth about necessity of the studying of the state language for the full-fledged personal development.
- Migrants as new phenomenon for Georgian society raise new concerns related to their protection, ensuring of their rights in accordance with the international standards, as well as with regard to the awareness rising among local population with the aim to eliminate fear and suspicions which exist in the society and feeding xenophobia. There is no comprehensive state policy to address migration issue.

With all mentioned above in view we call upon OSCE institutions to include mentioned above issues in its work with and towards Georgia.