



# **Monitoring of the implementation of the Government's Human Rights Action Plan**

## **Objective 4.2.2**

## Objective 4.2.2. Adapting living and other conditions in penitentiary establishments to accused persons/convicted defendants special necessities

The progress of the implementation of the Objective: 50%

Indicator: Living conditions in penitentiary establishments are tailored to the special needs of the accused/convicted persons

Assessment:

The activities planned under this objective concerned the improvement of the living and material conditions of women and persons with disabilities placed in penitentiary establishments. In the reporting period, no considerable progress has been identified in this regard.

### Activity 4.2.2.1. Assessing and revealing special necessities of accused/convicted women

<b>Responsible agency:</b>	
• Ministry of Corrections of Georgia	
<b>Indicator:</b>	
Living conditions in penitentiary establishments are tailored to the special needs of the accused/convicted persons	
<b>Status:</b> Mostly completed	<b>The progress of the implementation of the Activity:</b> 70%
<b>Start date:</b> 2018-01-01	<b>Deadline:</b> 2020-12-31

### Assessment

The joint 2018 report of the Public Defender and the Human Rights Centre on the Situation of Female and Juvenile Prisoners in Georgia discusses a number of problems faced by the female offenders placed in establishment no. 5.[\[1\]](#)

First, the practice of searching female prisoners remains problematic. In particular, upon admission to and leaving the establishment, female prisoners are still subjected to a full body search, including strip search, and required to squat even when they are menstruating. Due to this practice, prisoners refuse to leave the penitentiary establishment to receive medical care outside it or to attend court hearings.[\[2\]](#)

According to the same report, the method of strip search is also problematic. In particular, prisoners are required to take off their clothes at once and not in two-steps. This practice is against the established CPT standards.[\[3\]](#)

The report also discusses search practice involving a scanner. Despite the wording of the statute of

establishment no. 5, the scanner is used together with strip search and not as an alternative means of examination.<sup>[4]</sup>

The special report also discusses material conditions female prisoners are faced with in establishment no. 5: absence of hot water, ventilation related problems, lack of exercise area in some wings, etc.<sup>[5]</sup>

According to the 2018 report of the National Preventive Mechanism, the situation of the female prisoners placed in penitentiary establishment no. 2 is problematic, as they do not have access to specific services.<sup>[6]</sup>

According to the Human Rights Secretariat's 2019 Monitoring Report on the Governmental Action Plan on Human Rights, "in 2019, an assessment tool called the Initial Screening for Violence against Women and Domestic Violence was introduced at penitentiary establishment no. 5 for women. The tool was developed in cooperation with the National Network for Protection from Violence. The results obtained according to the evaluation process are score-based and the beneficiary is referred to the relevant service through special criteria."<sup>[7]</sup>

---

<sup>[1]</sup> The Joint Report of the Public Defender of Georgia and the Human Rights Centre on the Situation of Female and Juvenile Prisoners in Georgia, 2018.

<sup>[2]</sup> Ibid., p. 23.

<sup>[3]</sup> Report to the Czech Government on the visit to the Czech Republic carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 1 to 10 April 2014, published in 2015, available at:

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168069568c>.

<sup>[4]</sup> The Joint Report of the Public Defender of Georgia and the Human Rights Centre on the Situation of Female and Juvenile Prisoners in Georgia, 2018, p. 24.

<sup>[5]</sup> The Joint Report of the Public Defender of Georgia and the Human Rights Centre on the Situation of Female and Juvenile Prisoners in Georgia, 2018, pp. 26-28.

<sup>[6]</sup> The 2018 Report of the National Preventive Mechanism of the Public Defender of Georgia, 2019, p. 50.

<sup>[7]</sup> The Human Rights Secretariat's 2019 Monitoring Report on the Governmental Action Plan on Human Rights, p. 49.

## **Activity 4.2.2.2. Arranging appropriate infrastructure at compact placing locations by taking into account the needs of the persons with disabilities**

### **Responsible agency:**

- Ministry of Corrections of Georgia

### **Indicator:**

Living conditions in penitentiary establishments are tailored to the special needs of the accused/convicted persons

**Status:** Mostly incompleted

**The progress of the implementation of the Activity:**  
30%

**Start date:** 2018-01-01

**Deadline:** 2020-12-31

## Assessment

The ministry has not supplied any information about the activities carried out in the reporting period for fulfilling this objective.

According to the information published on the website of the Special Penitentiary Service, there are two four-bed cells in establishment no. 12 that are adapted to the needs of PWDs.

According to the same source, in the non-reporting period, namely, in September 2019, the Minister of Justice handed the Special Penitentiary Service escort vehicles, one of them being adapted to the needs of PWDs.<sup>[1]</sup>

According to the Human Rights Secretariat's 2018 Monitoring Report on the Governmental Action Plan on Human Rights, "ramps and shower rooms adapted to people with disabilities were arranged in medical establishment no. 18; the cell of persons with disabilities was repaired in penitentiary establishment no. 6."<sup>[2]</sup>

According to the Human Rights Secretariat's 2019 Monitoring Report on the Governmental Action Plan on Human Rights "in 2019, 14 rooms for short visits have been repaired completely; community areas have been adapted to the disabled and appropriate ramps have been arranged in penitentiary establishment no. 2; two elevators were installed for the disabled in the penitentiary establishment no. 14."<sup>[3]</sup>

---

<sup>[1]</sup> Available at: <http://sps.gov.ge/ka/media/akhali-ambebi/article/23395-thea-tsulukianma-eskortirebisa-da-specialur-ghonisdziebatha-mthavar-sammarthvelos-akhali-specializebuli-avtomanqanebi-gadasca.html>.

<sup>[2]</sup> The Human Rights Secretariat's 2018 Monitoring Report on the Governmental Action Plan on Human Rights, pp. 49-50.

<sup>[3]</sup> The Human Rights Secretariat's 2019 Monitoring Report on the Governmental Action Plan on Human Rights, p. 49.