



OFFICE OF THE STATE MINISTER  
OF GEORGIA FOR RECONCILIATION AND  
CIVIC EQUALITY

## The Office of the State Minister of Georgia for Reconciliation and Civic Equality

# 2013 Report



OFFICE OF THE STATE MINISTER  
OF GEORGIA FOR RECONCILIATION AND  
CIVIC EQUALITY

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## Introduction

The following document represents a report on the activities implemented by the Office of the State Minister of Georgia for Reintegration<sup>1</sup> within the time period between 25 October, 2012 and 31 December, 2013. The competency of the Office of the State Minister of Georgia for Reintegration includes, on the one hand, the implementation of the state policy with regard to the population of occupied Abkhazia and South Ossetia, with the goal of their engagement and conflict settlement through close cooperation with other agencies; on the other hand it seeks to elaborate appropriate recommendations and policies for supporting civic integration of the persons belonging to the community of ethnic minorities of Georgia and monitoring of their implementation.

During the preceding period, the results of the activities of the Office of the State Minister for Reintegration, and the outcomes of work of the overall Georgian Authorities within the area of its competencies were the following:

- ✓ *Formation of legal guarantees for peaceful settlement of the conflict*
- ✓ *Ensuring concrete measures with regard to confidence-building*
- ✓ *Pursuing constructive, flexible policy*
- ✓ *Providing necessary conditions for Abkhazian and Ossetian communities for direct dialogue*
- ✓ *Reinforcing international support for the territorial integrity of Georgia*
- ✓ *Increasing international engagement in conflict settlement*
- ✓ *Reaching out to Abkhazian and Ossetian communities to share with them the benefits of Georgia's European Integration*
- ✓ *Taking care of the population affected by the conflict*
- ✓ *Strengthening efforts for the integration of ethnic and religious minorities*

## 1. The Occupied Territories

### ***1.1 New Context of Conflict Settlement and Policy of Georgian Authorities***

Following October 1<sup>st</sup> Parliamentary Elections, and the formation of the Government by the winning coalition “Georgian Dream” on 25 October, 2012, the conflict settlement policy of Georgian Authorities experienced considerable changes. Besides, some previous programs remained in force.

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<sup>1</sup> At the time of publication, “the Office of the State Minister for Reintegration” has been renamed into “the Office of the State Minister for Reconciliation and Civic Equality”. The new title entered into force on 1 January, 2014.

The Government of Georgia pursue a peaceful course of conflict settlement. The Government has chosen pragmatic, flexible and constructive course of action, based on the principle of the inviolability of the territorial integrity of Georgia. The objective of Georgian Authorities is to strengthen the policy of engagement in the Abkhazia and South Ossetia regions and to provide favorable environment for reconciliation and comprehensive settlement of the conflict, thus, bringing new dynamics into the peace process that has been hitherto stuck into a deadlock since late 2006. For this purpose, one of the progressive steps in this direction was that the Georgian Authorities assigned figures with positive experience in conflict settlement processes on key official positions.

Under the coordination of the State Minister's Office, the Authorities of Georgia pursue exclusively peaceful and non-aggressive rhetoric with regard to the conflict and express willingness to hold direct, pragmatic and interest-based dialogue with Abkhazian and Ossetian communities. The Government has also initiated a number of unilateral steps with the goal of building confidence following the decades of estrangement and creating further possibilities for resolving concrete problems for the populations living on both sides of the dividing lines.

*"The Government has chosen pragmatic, flexible and constructive approaches"*

The primary objective of the new leadership of the State Minister's Office was that the new line-up of the legislative branch, should solidify, with its high level of legitimacy, unilateral commitment to the non-use of force avowed by the President of Georgia earlier in 2010 in Strasburg. On 7 March, 2013, the Parliament of Georgia, based on the consensus of its majority and minority representations, adopted resolution on the "Basic Directions of the Foreign Policy of Georgia," in which it re-affirmed Georgia's commitment to peace and unilateral obligation of the non-use of force.

In the past year, the aim of the Office of the State Minister for Reintegration has been to transform the newly formed possibilities and positive context into a real resource for revitalization of the peace process.

## ***1.2. Political Cooperation with International Organizations and Partner Countries***

Within the previous year, the State Minister for Reintegration together with its Office has been holding intensive meetings and formed close cooperation with the representatives of partner countries and international organizations. The State Minister's Office has been hosting intensive bilateral meetings with international organizations and the representatives of Diplomatic Corps. Besides, the State Minister and his Deputy arranged visits to the capitals of a number of partner countries. These activities sought to familiarize the visions of the new authorities on conflict regulation, to ensure wide support for the non-recognition of the Occupied Territories as well as a high level of international engagement in these regions, to observe the human rights and to support the confidence building and reconciliation processes. It should be noted

*"The visions of Georgian Authorities and its partner countries has never been thus harmonized"*

that the conflict settlement policy of the new Georgian Authorities has found a clear-cut positive feedback among international community and received full support for the policy. The visions of Georgian Authorities and its partner countries on conflict settlement has never been thus harmonized, which, in turn, stipulates ever more international support to Georgia's efforts for peaceful settlement of the conflict and its territorial integrity.

### 1.2.1. Geneva International Discussions

During the reporting period, five rounds of Geneva International Discussions have been held. The Office of the State Minister for Reintegration is actively cooperating with the Ministry of Foreign Affairs, which chairs the Delegation of Georgia. The First Deputy State Minister has been heading and actively participating in the Second Working Group on Humanitarian Issues of the Geneva Discussions, which regularly dealt with the dire humanitarian and social challenges caused by installation of artificial barricades by the Russian military servicemen, as well as the issues related to restriction of the freedom of movement, gross violation of human rights in South Ossetia and Abkhazia, including specifically the rights of Gali population, as well as the secure, dignified and voluntary return of the IDPs and refugees and other humanitarian issues. The detailed information on critical problems of the population, that are unfortunately related to the intensified construction of barbed wire fences and other obstacles, also on the cases of the systematic violation of human rights was presented before the Co-chairs and to all participants of the discussions for immediate and principled response. The State Minister's Office has been regularly drafting documents on the violation of human rights in the Occupied Territories (restriction of the freedom of movement, illegal detentions, manipulation with passportization, prohibition of instruction in the Georgian language, persecution on ethnic grounds, abuse of property rights, criminal disorder, forced military conscription, etc.), on economic expansion, security situation and other illegal actions.

*“The pressing issue of removing additional artificial barriers, including the barbed wire fences, for the movement on the territory of Tskhinvali region, was critically raised at Geneva Discussions“*

On all five rounds of the Geneva Discussions, the First Deputy State Minister affirmed pragmatic position of the Georgian Authorities and its readiness to solve those humanitarian problems that affect the populations living in the Occupied Territories and its adjacent areas (for example, healthcare services, emergency medical aid, education, free movement and access to vital infrastructure, like gas and water) in a business-like and status-neutral manner. In addition, a number of constructive steps were taken unilaterally, affirming the priority of humanitarian issues for the Authorities of Georgia and the possibility of solving the problem without crossing the principal political red-lines. Accordingly, during the last five rounds, participation of the Government of Georgia in the Geneva International Discussions was directed at diffusing traditional inadequately high polarization of issues, a substantial discussion of the issues set on the agenda and seeking ways for pragmatic solution of the humanitarian problems of the population.

On 11-12 December, 2012, during the 22<sup>nd</sup> Round, on the very first round with the participation of the representatives of the new Authorities, humanitarian issues were featured as one of the central topics within the discussion, affirming the position of the Georgian side and confirming the viability of approaches of the Authorities in the Second Working Group. Specifically, prior to this round, methods of humanitarian needs assessment were discussed in frames of an informational session. The guest experts introduced to the participants the best international practices of the assessment of humanitarian needs of the populations living along the dividing lines, emphasizing the need for access to humanitarian aid in these zones. In addition, the representative of the State Minister's Office stressed the troubling upward trend in the number of detentions for violating the rules of crossing the dividing lines and the new restrictions imposed on the freedom of movement, particularly for those who require emergency medical treatment. The State Minister's Office provided the international community with the information on the cases having fatal consequences, when the persons were denied the right to cross the dividing line for emergency medical treatment. The 22<sup>nd</sup> Round was important because the participants of the Second Working Group marked the progress, through tabling concrete proposals for resolving the issues that were suspended for years (providing gas for Akhlagori District, the issue of missing persons). In particular, the State Minister's Office elaborated and presented proposals for the restoration of potable and irrigation water to Tskhinvali Region under the auspices of the OSCE, as well as for providing gas supplies to Akhlagori District by the Georgian side. These issues had been "frozen" for years due to their politicization.

*"From the very first participation of the New Authorities within the Geneva Process, the Georgian side expressed its goodwill and initiated specific unilateral steps for the restoration of trust"*

The pressing issue of removing the additional artificial barriers, including the barbed wire fences, for the movement on the territory of Tskhinvali Region, was also critically raised on 27 March, 2013 on the 23<sup>rd</sup> Round. Besides, the United Nations brought up the issue of the so-called humanitarian visits, on which the Georgian side expressed willingness to maintain cooperation. Protection of cultural heritage in the Occupied Territories and the related proposals, regularly raised by the Georgian side within the agenda of the Humanitarian Working Group, were discussed as well.

During the 24<sup>th</sup> (June 26) and the 25<sup>th</sup> (October 15-16) Rounds, the Georgian side, in the framework of the Humanitarian Group, categorically demanded to stop the construction of fortifications across the dividing lines.

In framework of the Working Group on Humanitarian Issues, the First Deputy State Minister for Reintegration stressed the need for immediate termination of the appalling humanitarian consequences of this process. During these rounds the issues of initiating the mechanisms for monitoring of human rights situation in the Occupied Regions and the support to humanitarian activities of international organizations were brought up as well. Besides, the issue of return of IDPs was thoroughly reviewed and the Deputy State Minister provided detailed clarifications on the inviolability of this right, and underlined the importance of the Geneva Discussions not for the political solution of the issue but

rather for its practical solution; also, the possibility and the need for the solution of significant issues through small but effective steps within this format was stressed.

In framework of the 25<sup>th</sup> Round, due to the sharpness of the problem, “pragmatic approaches to the freedom of movement” were discussed within the informational session, in which the guest experts familiarized the participants with the practice on freedom of movement in conflict-affected areas and emphasized the need for humanitarian activities and unimpeded movement under any circumstances.

During the 23<sup>rd</sup> Round, the informational session on women’s engagement in the peace process was discussed, with respect to the UN #1325 Resolution, where Georgian side was actively involved.

During the 24<sup>th</sup> Round, the informational session concerned the issue of non-use of force and the applicable responsibility, which is one of the central topics within the First Working Group of the Geneva International Discussions.

On 18 December, 2013, during the 26<sup>th</sup> Round of Geneva International Discussions the Second Working Group reviewed all the issues set on the agenda. The central subject remained the same – serious challenges for the population that emerged after the physical barriers were installed in different forms, related with the restriction of access to their lands, of the freedom of movement and people-to-people contacts. In the course of discussion, the Georgian side was stressing that the humanitarian conditions endangered the lives of people living on both sides of the dividing lines due to the physical barriers installed by the Russian military servicemen. The cases of human rights violations and the restriction of the rights on the Occupied Territories were also discussed in detail. Along with other topics, the issues of safe, dignified and voluntary return of IDPs and refugees to the places of their residence and the protection of cultural heritage were discussed as well.

It should be noted that from the very first participation of the New Authorities within the Geneva Process, the Georgian side expressed its goodwill and initiated specific unilateral steps for the restoration of trust. Therefore, since the 22<sup>nd</sup> Round, the willingness of the Georgian Delegation to solve “frozen” issues was a kind of turning point which caused additional awkwardness to the opponents and removed the arguments they employed before. Finally, the constructive proposals voiced by the Georgian side on the 22<sup>nd</sup> Round changed the context of the Geneva Discussions and reinforced the position of the Georgian delegation. Moreover, these steps of the Georgian side were followed by positive assessment and considerable support by the international stakeholders and Co-chairs.

### **1.2.2. Cooperation on Infrastructural Projects**

The Government has reached beneficial agreement with a private company on the price and other terms for providing gas to the Akkhalgori District. Also successful have been negotiations on the restoration of water supply from the Zonkari dam, through which additional irrigation water could be provided to the villages on both sides separated by the dividing line. At present, this issue is under consideration with the de-facto authorities, through the assistance of the OSCE.

### 1.2.3. Incident Prevention and Response Mechanism (IPRM)

In 2013, Office of the State Minister for Reintegration has been participating in Ergneti Incident Prevention and Response Mechanism (IPRM) meetings which are held along the Administrative Boundary Line (ABL) with Tskhinvali Region on a regular basis.

Within the IPRM framework the issues of human rights violations in the Occupied Territories, including but not limited to illegal detentions, prisoners, deprivation of property, issues related to provision of potable and irrigation water as well as harvest gathering, have been discussed. In the framework of IPRM meetings, the Office of the State Minister for Reintegration has been actively collaborating with the Ministry of Interior as well as with people residing on the Occupied Territories and across the dividing line. In Working Group II of Geneva International Discussions and other relevant formats, representatives of the Office of the State Minister reiterated the need to resume the Gali Incident Prevention and Response Mechanism (IPRM) meetings. Significant progress has been made on the issues related to missing persons as well as release of prisoners of Ossetian origin which has been positively assessed by the Co-chairs of Geneva International Discussions. This progress has also largely contributed to Georgian-South Ossetian confidence building process.

*“It has to be mentioned that significant progress was made regarding the issues related to missing persons as well as release of prisoners of Ossetian origin.”*

### 1.2.4. Cooperation with International Organizations on Policy Development and European Integration Processes

Particular attention should be paid to the close partnership on strategic level that has evolved between the European Union and Georgia, aiming at a maximum harmonization and mutual sharing of visions and policies. Likewise, reports drafted by the Council of Europe provided clearly positive assessment to the steps taken by Georgia with regard to conflict resolution.

The Government of Georgia expressed readiness to share the benefits derived from Georgia’s ongoing integration with the European Union to the people living in the Occupied Territories; particularly the new opportunities arising from the EU-Georgia Association Agreement, DCFTA and Visa Liberalization Action Plan processes. For this purpose, the State Minister’s Office held consultations with EU representatives, conducted research, met with independent experts to review the mechanisms that may be employed for extending of the coverage of DCFTA to the Occupied Territories. Besides, the Office of the State Minister for Reintegration was been holding

*“The Government of Georgia expressed awareness to share those benefits that derive from Georgia’s integration process with the European Union to the people living in the occupied territories”*

consultations virtually on a daily basis with international organizations for maintaining and reinforcing their engagement in the Occupied Territories, in spite of the huge pressure and restrictions they faced with regard to their entry and operation in those territories.

On the request of the Office of the State Minister for Reintegration, the European Union, the United Nations and the Council of Europe have provided two expert missions to Georgia, for providing international legal counseling and recommendations on policy elaboration to the Office. The leading western experts held meetings with the representatives of the Office, the members of civil society, international governmental and non-governmental organizations, and elaborated generic proposals on the issues of non-recognition, engagement, strategic planning and the reintegration policy. In the framework of this assistance, a visit of the delegation of governmental agencies to the Republic of Cyprus has been planned, for the purpose of studying the best experience of this country, for which a prior analysis by a group of experts with regard the experience in the resolution of the Cyprus Conflict was already prepared and delivered. International experience and the advice of western experts, with respect to the measures for non-recognition, the form and content of Georgian Authorities' contacts with Abkhazian and Ossetian sides and the western engagement that are acceptable from the point of international law shall largely determine the new policy of Georgia.

With the support of the United States Agency for International Development (USAID) local and foreign consultants were invited at State Minister's Office for analyzing the current activities and enhancing the efficiency of the Office. At present, the recommendations are taken into consideration for overcoming the identified shortcomings and further optimization of the structure.

Besides, with the support of the European Union, a group of consultants was assigned to the State Minister's Office for capacity-building in strategic communications.

### ***1.3. Cooperation with Civil Society Organizations***

Encouraging cooperation between Civil Society Organizations (CSOs) on both sides of the dividing lines, as well as restoration of contacts among the people and trust-building is an essential priority. The State Minister's Office has been actively cooperating with non-governmental organizations working on conflict transformation; it was demonstrated by the fact that the representatives of State Minister's Office participated in the meetings and seminars organized by CSOs in Tbilisi, in other regions of Georgia and abroad. SMR employees were also involved in the meetings with the CSOs of the Occupied Territories, launched in the framework of international projects.

The representatives of the State Minister’s Office held regular meetings with youth, vocational and other NGOs and the persons working on the issues pertaining to the Occupied Territories, who expressed interest in implementing specific projects with the participation of members of the Abkhazian and Ossetian communities and with regard to stirring up the conflict settlement in general. The Office of the State Minister for Reintegration has been assisting such organizations and persons to elaborate project proposals and providing necessary counseling in relations with donor organizations.

*“The State Minister’s Office was working on possibilities for the mobilization of additional financial resources and/or facilitating funding procedures for the support of NGO projects”*

Throughout the reporting period, the Office of the State Minister for Reintegration was actively discussing and working with donor organizations/countries (Switzerland, the United States, the European Union etc.) for supporting similar grassroots projects and developing the potential of NGOs through the possibilities for mobilization of additional financial resources and/or facilitating the existing funding procedures.

## ***1.4 Implementation of the State Strategy and Action Plan for Engagement***

The SMR has actively implemented the State Strategy towards the Occupied Territories: Engagement Through Cooperation and the Action Plan for Engagement. Within the frames of these policy documents, special importance is attached to ensuring healthcare provision and education, as well as to deepening of people-to-people contacts and supporting greater engagement of international and local organizations in the Occupied Territories.

### **1.4.1 Medical Services**

The Government of Georgia closely cooperates with international organizations and actively uses its own resources, as well as the Liaison Mechanism established under the United Nations Development Program (UNDP), to ensure provision of medical assistance to the people living in Abkhazia and Tskhinvali regions. Subsequently, all possible assistance is provided to the residents of the Occupied Territories for them to receive comprehensive healthcare services locally as well as across the dividing lines.

Last year, as well as before, the residents of the Occupied Territories enjoyed various state programs, the most important of which is the State Referral Program.

The Government of Georgia does its best to make the mentioned Program free from bureaucracy as much as possible. In order to benefit from the State Referral Program, the residents of the Occupied Territories apply to the State Minister for Reintegration. The Minister, on his behalf, initiates relevant

application to the Ministry of Labor, Health and Social Protection. The possession of Abkhazian or Ossetian passport issued by the de-facto authorities is sufficient for the residents to receive medical services. Notwithstanding the fact that Georgia does not recognize any of the documents issued by the de-facto authorities, the Government of Georgia does not establish artificial barriers for participation in the State Referral Program and considers these documents as tools for personal identification. In a situation where the Occupation Regime does its best to fully isolate the residents of the Occupied Territories, the latter still find ways to cross the dividing lines.

*“Residents of the Occupied Regions can apply to different state healthcare programs among which the State Referral Program is the key one”*

During the period of November 2012 – 1 December, 2013, the SMR received 837 applications from residents of the Occupied Territories (639 from Abkhazian region, 188 from Tskhinvali region) with the request to initiate relevant application to the Ministry of Labor, Health and Social Protection and get involved in the State Referral Program. Overall state funding in this regard equaled to more than 500,000 GEL. The residents of the Occupied Territories mainly receive treatment in medical centers in Zugdidi, Kutaisi, Batumi, Gori and Tbilisi.

Notwithstanding the barbwire fences and maximum restrictions on the freedom of movement across the dividing line, the number of people from Tskhinvali region willing to receive medical treatment has increased as compared to 2012. Although 70% of these people arrive to the rest of Georgia through the Larsi crossing point, there are also ones who manage to enter Georgia-controlled territory by overcoming barbwire fences and evading the Occupation Regimes at their own risk.

All these factors point to the fact that the residents of the Occupied Territories have not lessened their willingness to receive medical treatment on Georgia-controlled territory and enjoy a special confidence in Georgian medical institutions.

The Universal Healthcare Insurance Program initiated by the Government of Georgia in February, 2013 applies to the residents of the Occupied Territories too, regardless of the age categories of the latter. Under the Program, persons holding the Status Neutral Documents are eligible to receive the health insurance policy and participate in the insurance program free of charge.

In 2013, overall funds allocated by the Government of Georgia for the medical treatment of people living in the Occupied Territories equaled approximately to 2 million GEL.

It is important to underline that through the Liaison Mechanism, two emergency medical vehicles/ambulances were delivered to Abkhazian region in 2013 with the purpose of improving the healthcare of local residents.

LM has also delivered the medicine for treatment of tuberculosis, diabetes and immunization vaccines to the residents of Abkhazian and South Ossetia on a regular basis.

Overall cost of medicines delivered in 2013:

1. Tuberculosis treatment medicine – 3,827 GEL;
2. Immunization vaccines – 150,038 GEL;
3. Diabetes treatment medicine – 24,774 GEL.

The funding of the Sokhumi AIDS Center is implemented under the assistance of the Global Fund. The allocated assistance covers the operational expenses of the Center, as well as the costs of patients' testing and treatment.

#### **1.4.2 Status Neutral Documents**

In the reporting period, the Government of Georgia has ensured the availability of the Status Neutral Identification Card (SNID) and Travel Document (SNTD) to the residents of the Occupied Territories as an additional means for them to exercise the freedom of movement and receive social and other benefits. In 2013, the SNTD was additionally recognized by Hungary and Romania; the SMR periodically receives notifications from various countries about the on-going discussions regarding this issue. The Government continues efforts for further recognition of the SNTD. At this stage the document has been recognized by 12 countries, including by 9 EU Member States (Lithuania, Latvia, Estonia, the Czech Republic, Poland, Bulgaria, Slovakia, Hungary, Romania, USA, Japan and Israel). As of December 1, the Service Development Agency has issued 235 SNIDs and 29 SNTDs.

*“In 2013 the Status Neutral Travel Document was additionally recognized by Hungary and Romania. At this stage the document is recognized by 12 countries, including by 9 EU member states”*

#### **1.4.3 Liaison Mechanism**

The Liaison Mechanism (LM), established on the basis of the Action Plan for Engagement and functioning under the UNDP, maintains effective contacts across the dividing lines and at this stage operates as the only legal mechanism for interaction. The Abkhazian side receives necessary medicines through this instrument on a regular basis; in the framework of other UNDP projects, the LM has been engaged in the provision of Abkhazian region with pesticides and means for fighting against the White American Butterfly.

LM actively assists international organizations in establishing contacts inside Abkhazia and in the selection of participants for confidence-building projects. In 2013, participants were selected for several projects of the Council of Europe which envisaged meetings on neutral territories by various professional groups living across the dividing line:

1. Meeting of 6 Georgian and 6 Abkhaz foreign language teachers in Graz University (Austria) to participate in foreign language learning methodology seminar;

2. Meeting of 10 Georgian and 10 Abkhaz art representatives in Venice (Italy) to participate in seminar on cultural heritage management.

In addition to this, the meeting of Georgian and Abkhaz historians is planned in order to launch the work on joint history textbook. With this aim, meeting was held in September in Tbilisi with the participation of Georgian historians, experts from the Council of Europe and SMR representatives.

*“Confidence-building projects provide for the meetings of various professional and interest groups from both sides of the lines of division”*

The SMR has also been directly engaged in the implementation of study visit of 10 CSO representatives from Tskhinvali, 10 from Tbilisi and other cities to Bosnia-Herzegovina to study the experience of conflict resolution in the Balkans.

#### **1.4.4. Popularization of Abkhazian Language and Preservation of Cultural Heritage in the Occupied Territories**

Office of the State Minister of Georgia for Reintegration held a meeting with the specialists of Abkhazian language residing in Tbilisi with the aim of establishing a working group which would work on the issues of popularization of Abkhazian language in the rest of Georgia.

Office of the State Minister also organized interagency working meetings where the state of the monuments of Georgian cultural, historical and religious heritage located in the Occupied Regions was discussed. Deliberate destruction and acts of vandalism against monuments of Georgian cultural and historical heritage as well as illegal archeological excavations in the occupied Abkhazia and Tskhinvali Region are ongoing. Ancient works of arts are intentionally being destroyed and many-centuries-old Georgian monasteries are being replaced by the temples of non-Georgian appearance. Some monuments are in urgent need of rehabilitation. As a result of joint work of the Office of the State Minister and the Ministry of Foreign Affairs, Ministry of Culture and Monument Protection, National Agency for Preservation of Georgian Cultural Heritage and the expert community, the recommendation letter along with the list of the monuments of Georgian cultural heritage located in occupied Abkhazia has been prepared and delivered to the UNESCO Secretariat. In the light of the above-mentioned it should be noted that this issue was raised by the Georgian Foreign Minister during her meeting with the UNESCO Director-General, where the need for launching UNESCO expert mission was also underlined. In 2013, the Office of the State Minister for Reintegration has been regularly raising the issue of preservation of cultural heritage in the Occupied Territories in Working Group II of the Geneva International Discussions.

*“The goal of the working group will be popularization of the Abkhazian language in the rest of Georgia.”*

### **1.4.5 Modalities for Conducting Activities in the Occupied Territories**

The SMR has been exercising the Modalities for Conducting Activities in the Occupied Territories based on the principles of coordination of relations with international and local organizations and information exchange. Starting from November 2012, the Non-objection Order has been issued with regard to 24 projects of international organizations and 16 projects of local organizations (overall 40 projects). Since Modalities became effective, overall 169 projects were granted the Non-objection Order. None of the projects has been rejected.

### ***1.5. Responding to the Needs of the Population Affected by the Installation of Barbed Wire Fences and Other Barriers Along the Dividing Lines***

During the past year, substantial share of activities of the Office of the State Minister was dedicated to the assessment of the needs of the population affected by the installation of barbed wires, trenches, fences and other artificial barriers along the dividing lines of South Ossetia and Abkhazia as well as to the work of the Governmental Commission established on its basis.

#### **1.5.1. Activities of the Interagency Working Group**

On 30 May, 2013, on the meeting of the Government of Georgia, it was decided to establish an Interagency Working Group which would elaborate valid mechanisms for identification of the needs of the population affected by the installation of barbed wire-fences and other barriers near the dividing line and responding to them, for the purpose of improvement of their social conditions. The representatives of the Ministry of Regional Development and Infrastructure, the Ministry of the Agriculture were included in the Working Group. The activities of the mentioned Group were coordinated by the Office of the State Minister.

On 1 June 2013 the Interagency Working Group, under the leadership of the Office of the State Minister, held a field meeting, in the framework of which it visited the communities/villages of the Gori District, affected by installation of barbed wire-fences and other barriers. The representatives of the Municipal Development Fund, the Ministry of Agriculture, the Ministry of Internal Affairs and Gori Municipality participated in the meeting. The employees of the Office of the State Minister held further meetings and familiarized with the situation on-site. The activities performed during the reporting period covered study of the existing situation in 77 villages of Gori, Kareli, Kaspi and Sachkhere districts located near the dividing line.

On the basis of the information, requested from the above-mentioned municipalities and local Gamgeoba/Sakrebulo, the Office of the State Minister identified primary needs. Emphasis was made on the identification of urgent needs of the population, affected by the process of installation of barbed wire-fences and other barriers, registration of houses and agricultural plots, temporarily lost by the affected households. After processing of the mentioned information, priority needs of the territorial entities of each affected district and villages therein were recorded.

Needs were identified based in the first-hand information, identified during the meetings with Gamgeoba leaders on-site, as well as the information sent by local self-governance bodies. The mentioned process included sorting of priority needs and development of the list of priorities of each community/territorial entity. The mentioned list of priorities was summarized on the basis of consideration of the demands of the included villages. Finally, consolidated needs of communities were outlined according to spheres/categories and sent to the relevant ministries. Also, the identities of the affected citizens and their land plots were identified according to their personal numbers and the citizens with the status of IDP, according to the Civil and Public Register, were identified.

In the framework of the above-mentioned Interagency Working Group, the Office of the State Minister for Reintegration held five working meetings. The Office developed four documents, reflecting the priority needs of each affected district – Gori, Kareli, Kaspi and Sachkhere Municipalities.

### **1.5.2. Activities of the Interim Governmental Commission**

On October 4, based on the resolution of #257, the Interim Governmental Commission was established to respond to the needs of the affected population living across the dividing line. The first meeting of the Commission was held on October 2. The Office of the State Minister for Reintegration co-chairs this Commission. The main objectives of the Commission are: identification of the basic needs of the affected population and developing appropriate conclusions; preparing and submitting of the relevant proposals to the Government; coordination and implementation of assistance programs. In October, the Commission held on-site meetings in about 40 villages (in Gori, Kareli, Kaspi, Khashuri, Sachkhere, Zugdidi, Tsalenjikha and Oni municipalities) adjacent to the dividing lines. During the reporting period Interim Governmental Commission held four sessions.

*“In October the Commission held meetings approximately in 40 villages (in Gori, Kareli, Kaspi, Khashuri, Sachkhere, Zugdidi, Tsalenjikha and Oni municipalities) adjacent to the dividing line”*

The Commission identified the needs of the affected population and figured out priorities within a short period of time. Based on the Commission’s recommendations, various infrastructural projects were planned. For example, construction of out-patient clinics/ambulatories, rehabilitation of water supply systems and irrigation canals, construction of boreholes, gasification, metering, schools and kindergartens etc. Besides, in accordance with the recommendation of the Commission, each family living near the dividing line was issued GEL 200 (total 11 475 families) for heating during the

winter/winterization. The Commission introduced the needs of the affected population to the Diplomatic Corps and the representatives of international donor organizations and asked support for rehabilitation of damaged roofs, schools, kindergartens and ambulatories. Donors expressed willingness to assist these projects. Based on the consultation with the representatives of the UN High Commissioner for Refugees (UNHCR), the organization has allocated additional funds to help 1200 families (those with members with disabilities, large families and those with special needs) living along the dividing line.

The Office of the State Minister for Reintegration has conducted intensive consultations, particularly with the European Union and USAID, in order to ensure assistance to the affected population.

### ***1.6. Legislative Initiatives and Activities***

During the reporting period, the Office of the State Minister for Reintegration elaborated various bills and legal acts that were further addressed to the Government of Georgia. Specifically, on 28 December, 2012, the Government of Georgia adopted a draft resolution “On Amendments to the Resolution#219 dated November 12, 2008, of the Government of Georgia” with regard to the “Modalities for Engagement of Organizations Conducting Activities in the Occupied Territories of Georgia.” Following the amendments, the procedures for issuing non-objection/consent to the implementation of the prohibited activities in the Occupied Territories were simplified. According to the previous edition, the mentioned non-objection/consent was issued under the Governmental Order after the applicable Ministry presented the justified solicitation of the planned activity to the Government of Georgia.

According to the amendments, the applicable Minister is authorized to issue such non-objection based on the agreement with the State Minister of Georgia for Reintegration. Thus, the procedures for granting consent were further accelerated. The amendments enable the persons and legal entities, applying to the relevant ministries for receiving the non-objection for economic activities based on justified solicitation, to avoid trouble they might have incurred in case of long-term procedures for receiving consent in the number of cases.

*“Following the amendments, the procedures for issuing non-objection to the implementation of prohibited activities in occupied territories were facilitated”*

In December 2012, the State Minister’s Office elaborated the “Draft Amendments to the Law on the Occupied Territories of Georgia,” the “Draft Amendments to the Criminal Law Code of Georgia” and the “Draft Amendments to the Administrative Law Code of Georgia,” that were presented to the Parliament of Georgia as a legislative initiative of the Government of Georgia. The elaboration of the draft laws derives from the liberalization of the Criminal Law policy with regard to the rules of illegal entry in the Occupied Territories. According to the current edition, Article 322<sup>1</sup> of the Criminal Code of Georgia has a loophole and provides for criminal responsibility of foreign citizens or non-citizens for the entry of the Occupied Territories through the violation of the rules of the “Law on the Occupied Territories of Georgia.” Those to whom the norm may apply, may not know about the restrictions that

are in effect in Georgia for the entry in the Occupied Territories. Besides, the penalties provided for by Article 322<sup>1</sup> (imprisonment from 2 to 4 years, and imprisonment from 3 to 5 years in case of aggravating circumstances) are extremely harsh and disproportional to the illegal act for which a person is culpable. Accordingly, it would be adequate to invoke the Administrative Code instead of the Criminal Code for the first-time illegal entry in the Occupied Territories; and therefore to invoke criminal responsibility of a person if he/she was previously held responsible under the Administrative Code. Besides, the draft law provides for the possibility of issuing, as an exception, special permission for the entry to the Occupied Territories by the Government of Georgia, after the actual entry, given the national interests. In addition, the Law provided for clarifications with regard to the basis for the issuance of special permission and stipulated that the special permission shall be issued by the Governmental Order.

On December 6, the Venice Commission reviewed the applicable draft amendments to the “Law on Occupied Territories of Georgia” and to the Criminal Code and Administrative Code of Georgia. The Commission unanimously endorsed the conclusive document, through which it has welcomed the initiated amendments. The Parliament of Georgia started to review these bills this year, in the spring session. Currently, the bills are adopted with the first hearing and are being reviewed at second Committee hearing.

*“The Venice Commission welcomed the initiated amendments by the Government to the “Law on Occupied Territories”*”

The Office of the State Minister for Reintegration submitted draft amendments to “Initiating Amendments to the Decree #61 dated 14 February, 2004 of the President of Georgia” with regard to the “Establishment of the Position of the State Minister in the Government of Georgia,” to the Government of Georgia. According to the amendment, the title “State Minister for Reintegration” is to change into the “the State Minister for Reconciliation and Civic Equality.” Accordingly, the title of the Office of the State Minister of Georgia was changed. Through initiation of the new title, the Georgian side expresses, on the one hand, awareness in regard to the restoration of trust and direct dialogue, and on the other – is more adequately representing its second important direction of Civic Integration. The Government of Georgia supported this change and re-directed it to the President of Georgia for signing in December 2012. Finally, in the light of the Constitutional changes in effect after the October 2013 Presidential Elections, this decision was endorsed by the Government in November 2013 and is due to enter into force on 1 January, 2014.

## 2. Civil Integration

### ***2.1. The National Concept on Tolerance and Civil Integration and Action Plan for 2009 – 2014***

In 2013, the Office of the State Minister for Reintegration acted towards the integration of ethnic minorities in compliance with the National Concept on Tolerance and Civil Integration and Action Plan for 2009-2014, which was approved by the Resolution #348 dated 8 May, 2009 of the Government of Georgia. According to this act, the Office of the State Minister for Reintegration was ordered to develop, coordinate the policy in regard to the representatives of ethnic minorities and submit it to the Government of Georgia and Council under the President. For the purpose of efficient implementation of these processes State Inter-agency Commission was established in the composition of the leadership and personnel of the Office of the State Minister for Reintegration, as well as the representatives of the relevant state institutions, ministries, departments and organizations, Tbilisi Sakrebulo and regional administrations of the three regions populated by ethnic minorities. The Chairman of the State Inter-agency Commission is the First Deputy State Minister for Reintegration.

The main goal of the National Concept on Tolerance and Civil Integration and Action Plan is facilitation of formation of democratic, consolidated civil society, based on common values, which considers diversity as the source of its strength and provides all citizens with the opportunity of maintaining its own identity and development. The concept is based on the Constitution of Georgia and international obligations taken by Georgia.

The implementation of the “Concept of Tolerance and Civil Integration and Action Plan for 2009 – 2014” continued in 2013. The report on fulfillment of the Action Plan of 2012 was prepared under the coordination of the Office of the State Minister. Action Plan for 2013 was also developed, which actually, represents continuation of programs started in 2012. The working process proceeds in six strategic directions, determined by the Concept: rule of law, education and state language, media and access to information, political integration and civil participation, social and regional integration, culture and preservation of identity.

*“On the basis of analysis of the current Concept and Action Plan, the Office of the State Minister is going to develop the Concept and Action Plan for the further period “*

The Office of the State Minister for Reintegration started working on preparation of document on analysis/ assessment of the Action Plan of 2009- 2014 of the National Concept on Tolerance and Civil Integration. For this purpose, working group was established in the composition of the representatives of the Office of the State Minister, the members of the state interagency Commission, experts. On 24 December, 2013, the assessment document and the developed initial recommendations were presented

and discussed at the meeting of the State Interagency Commission. Achieved results, positive and negative trends of the activities implemented have been revealed. It will serve as basis for a new strategy. The validity of the current Concept and Action Plan expires in May 2014, so the Office of the State Minister starts elaboration of the Concept and Action Plan for the further period. This process will be open, that implies active involvement of civil society, extensive discussions with the representatives of ethnic minorities and consultations with international organizations, experts. Through this process, the Office of the State Minister will be actively supported by the UN Association of Georgia in the framework of the Project “Strengthening of National Integration in Georgia” funded by USAID.

### **2.1.1. State Inter-Agency Commission**

In December 2012, the State Interagency Commission held the first working meeting after change of the Government. The current working process, as well as future plans were discussed on the meeting. The second meeting of the Commission was held in April 2013, where the performed activities were reviewed in all the six directions of the Concept. The members of the Commission also presented the Action Plan for 2013 developed in the frameworks of specific directions.

The next meeting of the Commission was held on July 8 of this year, where the Report on fulfillment of the Action Plan for 2012 was presented to the Public Defender and the representatives of the Council of Ethnic Minorities. The success and the challenges accompanying the implementation process of the Action Plan, as well as the achieved results were reviewed on the meeting. Special attention is given to the component of the state language and education, as this direction is one of the most important instruments in the process of integration of the representatives of ethnic minorities. Various programs are being actively implemented in the framework of this direction. The Public Defender stressed the importance of introduction of the working process to the society and its involvement in it. The Office of the State Defender will submit the results of monitoring of implementation of the Action Plan and the recommendations in the nearest future.

*“Special attention is given to the component of the state language and education”*

The above-mentioned Report was submitted to the Cabinet of Ministers on the meeting of the Government on June 20. The Report on the Action Plan of Tolerance and Civil Integration for 2012 was translated into Armenian, Azeri, Russian, English languages and uploaded on the web-page of the Office of the State Minister.

The working meeting on the State Inter-agency Commission in the direction of the state language and education was held on September 20. The achieved positive results, as well as problems and challenges were discussed. The members of the Commission discussed the experience of other countries and its relevance/ application in the context of Georgia. The participants agreed on establishment of thematic groups within the directions and continuation of activities in parallel in this format.

The working meeting on the State Inter-agency Commission in the direction of Media and access to information was held on October 4. The current projects and future plans were discussed. Information on the modification of the format of TV program “Chveni Ezo” (Our Yard) of the Public Broadcaster and “Moambe” in the languages of ethnic minorities was provided to the meeting participants. The representatives of non-Georgian language printed media were invited to the meeting. The state supports publication of the three non-Georgian language newspapers, Armenian language “Vrastan”, Azeri language “Gurjistan” and Russian language “Svobodnaya Gruzia”. Important role of these publications in regard to providing information to the representatives of ethnic minorities and encouragement of the spirit of tolerance was stressed on the meeting. At the same time, the issue of increase of the interest and need of these publications among non-Georgian speaking population was put on agenda. The meeting participants agreed that activities would continue in this direction and the efficiency of the printed media must be increased and its function must be fully enforced.

### **2.1.2. The Meetings of Thematic Groups of the Inter-Agency Commission**

Meetings of two thematic working groups were held in September-October, where specific issues and future plans were discussed; in particular, future strategy in the direction of teaching of the state language and the issue of ensuring access to information. In this regard, establishment of Russian language TV channel is under active discussions. This issue is actual because of the lack of knowledge of keeps the representatives of ethnic minorities in information vacuum on the current political and economic developments in the country and they remained their dependency on Armenian, Azerbaijani, Russian and Turkish TV channels.

The members of the Inter-agency Commission also participated in the experience sharing program in cooperation with Estonian colleagues. With the invitation of Estonian East Partnership and support of the Diplomatic School of Estonia, the members of the Inter-agency Commission under the leadership of the First Deputy State Minister for Reintegration visited Tallinn on September 2-4. The purpose of the visit was sharing of Estonian experience in the field of civil integration. Meetings were held with the representatives of the Estonian Ministries of Culture and Education, as well as with the civil society actors and expert community.

## ***2.2 Activities Implemented within the Framework of the Action Plan for 2013 of the National Concept***

During the reporting period the fulfillment of the Action Plan for 2013 in the framework of the National Concept on Tolerance and Civil Integration and Action Plan for 2009-2014 was in progress. This working process was coordinated by the Civil Integration Unit of the Office of the State Minister. Activities were implemented in partnership with relevant state agencies.

### **2.2.1. Social and Cultural Dimension**

Specific activities were organized and performed with the support of the Office of the State Minister for Reintegration. The Office of the State Minister in cooperation with the National Screening Center was actively involved in the State Screening Program that aims at providing information to the representatives of ethnic minorities. Three information meetings were held in Kvemo Kartli, Kakheti and Samtskhe-Javakheti regions. In particular, on June 28, information meeting took place in the village Foka of Ninotsminda municipality; on June 28 a workshop on the availability of the state programs on cancer screening was conducted for the population of Bolnisi municipality and village Kabala of Lagodekhi municipality. State Screening Program has been operating in Georgia since 2008 and implies access to free health screening for any Georgian citizen.

*“Music Festivals were held for the purpose of facilitation of preservation of uniqueness of ethnic minorities“*

Music festivals and art exhibitions were held with the purpose of demonstration cultural diversity of Georgia. Among them, it is noteworthy multi-ethnic cultural festival “Under One Sky – Dialogue of Cultures”. The festival brought together the young people from Tbilisi, Samtskhe-Javakheti, Kvemo Kartli and Kakheti music schools to the stage of Vano Sarajishvili Tbilisi State Conservatory Hall. Pioneer artists displayed their works in the frame of the Festival. Another folklore concert was hosted by Griboedov Russian Dramatic Theatre. The participants of the Festival were awarded diplomas and prizes.

On May 31, literary-educational contest on the topic “My Homeland” was conducted in the public school of the village Karajala of Telavi municipality. Participants made presentations on historical sites of Kakheti region. The contest participants were awarded with diplomas and were presented with books.

## 2.2.2. Civil Awareness Raising / Increase of Tolerance Campaign

During 2013, a special attention was paid to the young representatives of ethnic minorities. Youth is one of the main target groups within all strategic directions of the Concept. Meetings with various state agency representatives give them an opportunity to get acquainted with their work, views and approaches.

Office of the State Minister organized some visits for young people from the regions, compactly settled by ethnic minorities, to various state institutions. On April 26, over 50 young people from Kvemo Kartli and Samtskhe- Javakheti visited the Ministry of Sports and Youth Affairs where they were informed on priorities and future plans of the Ministry. On April 27, about 20 young people from Marneuli visited the Teachers' House of the National Center for Teachers Professional Development. The administration of the Teachers' House and the young people agreed on future cooperation.

*"Youth are one of the main target groups for all strategic directions of the Concept"*

On the International Children's Day, ethnic Kist young people, living in Akhmeta District, met with the State Minister for Reintegration. In the framework of this program, sightseeing tour in Tbilisi was organized.

A series of seminars and discussions were dedicated to the ethnic and religious diversity of Georgia and its role in sustainable and democratic development. A round table on the issue of Caucasus role and function in world geopolitics was organized for Georgian and non-Georgian students from different universities.

Another seminar was held on October 18 in Samtskhe-Javakheti State Educational University that aimed at considering social-economic conditions of Muslim Meskhians residing in Georgia.

On April 12, the representatives of the Office of the State Minister on Reintegration were assigned to Pankisi Gorge for study visit to reveal and assess the current difficulties and problems of local population.

On November 16, the Office of the State Minister held a reception, dedicated to the International Day of Tolerance; the representatives of non-governmental organizations and different confessions, as well as diplomatic corps, accredited to Georgia, were invited. In his speech the State Minister stressed the necessity to strengthen the efforts towards equal protection of rights of all citizens, promote cultural diversity, and contribute to the creation of the atmosphere of tolerance. The same day the representatives of the Civil Integration Unit visited Marneuli, where they met the students of Kvemo Kartli region; workshop-discussion was held on the issues of tolerance and cultural diversity.

On December 10, the International Human Rights Day the State Minister visited Samtskhe- Javakheti region. Meeting- discussion with students, academic staff and the representatives of local NGOs was

held in Akhaltsikhe University. The Minister spoke about the issues of protection of human rights in Georgia, in particular, positive trends and challenges, faced by the state.

### **2.2.3. Civic Engagement**

For the purpose of keeping ethnic minorities informed on the activities implemented within the framework of the National Concept on Tolerance and Civil Integration and Action Plan in the period of June- July field meetings were organized in Kvemo Kartli region. State policy towards integration of ethnic minorities was actively discussed among local population, the representatives of local self-governance and NGOs; Members of Parliament, young activists, students and community leaders also participated in the discussions. One of the meetings was held together with the representatives of the Ministry of Education and Science and was dedicated to the review of ongoing projects in education sphere.

During the reporting period, meetings were held with the representatives of media and NGOs. The results achieved within different strategic directions and the challenges revealed, as well as the objectives and priorities of a new strategy were under discussion.

### ***2.3. Meetings/ Visits of the State Minister and First Deputy State Minister***

The State Minister for Reintegration was personally involved in civil awareness raising campaign. During 2013, the State Minister held working meetings in Kakheti, Kvemo Kartli, Samtskhe-Javakheti regions. The existing problems and the opportunities of their solution were discussed during the meetings with local population.

First Deputy State Minister visited ethnic Abkhaz living in Batumi. Various topics were considered, including the issue of preservation and teaching of Abkhazian language. The First Deputy Minister also got acquainted with social problems of Abkhaz living in Adjara. Consultations were held with various organizations operating in Batumi on the possibility of allocation premises for Abkhaz Sunday school.

During the year, the State Minister and the First Deputy Minister congratulated the representatives of ethnic and religious minorities, living in Georgia, as well as the representatives of diplomatic corps accredited in the country, with their national and religious holidays and participated in the celebration events.

## ***2.4. Management of Religious Issues***

In connection with the tensions emerged on religious grounds, in June-August of the year 2013 the State Minister visited village Samtatskaro in Dedoplistskaro District and village Chela in Adigeni District, where he met local population, leaders of Muslim community, village governors. Recent problems related to religious issues and the ways of their resolution were discussed.

For the purpose of accommodation of certain issues related to religious associations into legal framework and their resolution, Inter-agency Commission was established on the initiative of the Office of the State Minister. The main objective of the Commission is to study the issues like construction of religious-worship sites/buildings, funding of religious associations, management of religious educational activities etc. and to develop respective legislative recommendations.

## ***2.5. European Charter for Regional or Minority Languages***

During the reporting period, the Office of the State Minister performed extensive activities on studying Georgia's obligation in regard to signing and ratification of the "European Charter for Regional or Minority Languages", taken by Georgia in 1999, upon joining the Council of Europe.

In March of the year 2013 the Office of the State Minister organized meeting, dedicated to the issues of minorities with participation of European Center for Minority Issues (ECMI) where information related to the Charter was delivered to the representatives of the Georgian Authorities and initial exchange of ideas took place.

In April, thematic inter-agency working groups, represented by the experts of different governmental departments, were created, which, under the coordination of the Office of the State Minister, developed matrix on which paragraphs of the Charter are being implemented by Georgia, by the end of May. In parallel, the representatives of the Office started participation in TV programs and discussions in order to provide objective information on the Charter against the background of high politicization of this issue. On May 28, the representatives of the Office of the State Minister had meeting with Georgian linguists as well. With the invitation of the State Minister for Reintegration, working meeting of CoE expert with the members of the mentioned group was held in June 4-6, where the goal of the Charter, the experience of the countries which have already ratified the Charter, recommendations of the Council of Europe, the existing challenges and possible options of ratification were discussed.

On the initiative of the Office of the State Minister, based on the Resolution #163 dated 21 June of 2013, Inter-agency Commission, developing recommendation in regard to implementation of the obligations of Georgia related to the “European Charter for Regional or Minority languages”, was established. The Commission is chaired by the State Minister for Reintegration; its Regulations were approved. The purpose of the mentioned Commission is to provide the analysis of compliance of “European Charter for Regional or Minority Languages” with Georgian legislation and study obligations of Georgia related to the above-mentioned Charter. Besides, the Inter-agency Commission facilitates development of the first draft of the instrument of ratification in the case of establishment of uniform position of the Government of Georgia in regard to the issues of signing and ratification of European Charter and expedience of its ratification. The Commission performs certain coordinating function through conducting consultations with international organizations, civil sector and academic community, related to the European Charter. In the case of ratification of the Charter, the Commission is obliged to develop action plan for implementation of the Charter and perform its monitoring. Besides, the Commission prepares summary recommendations for consideration by the Government of Georgia.

*“The Office of the State Minister actively worked on the issues of “European Charter on Regional And Minority Languages, obligation of signing and ratification of which was taken by Georgia in 1999, when joining European Council”*”

Up to the present, with coordination of the Office of the State Minister for Reintegration, on the issues of the Charter two meetings of the inter-agency working group on the level of deputy ministers were held, as well as about ten meetings of Inter-agency Working Groups on the level of experts and four meetings of the State Commission were held, during which the expedience of signing of the Charter, the existing challenges, and, in the case of ratification, various options of ratification document, including the joint one, developed by the experts of the Council of Europe and Inter-agency Working Group of experts, were discussed.