



The European Union  
for Georgia

Human Rights for All



*Empowered lives.  
Resilient nations.*

## **EU-UNDP Joint Project “Human Rights for All”**

**In partnership with the Human Rights Secretariat,  
Administration of the Government of Georgia**

# **Recommendations on a proper monitoring system and ongoing activities for the Georgian National Human Rights Action Plan**

## **September 2017**

### International Consultant:

Mr. David Johnson, Human Rights M&E Expert

This publication has been produced with the assistance of the European Union and the United Nations Development Programme (UNDP). Its contents are the sole responsibility of the Expert and can in no way be taken to reflect the views of the European Union and the United Nations Development Programme (UNDP).

# TABLE OF CONTENTS

Heading	Page number
List of tables	3
Acknowledgement	3
List of acronyms	3
EXECUTIVE SUMMARY OF MAIN RECOMMENDATIONS	4
I. INTRODUCTION	10
II. OVERVIEW	11
a. The Georgian Human Rights National Action Plan in context	11
b. Purpose, duration and added value of the HRNAP	12
III. IMPROVING THE HRNAP	14
a. Main issues	14
i. Length of the HRNAP	14
ii. Structure of the HRNAP	15
iii. Drafting and problem analysis	17
iv. Linking priority goals, objectives and activities	17
v. Incorporating HRBA principles	18
vi. Target group /impact indicators	19
vii. Activity /output indicators	20
b. Log frames	21
i. Log frame format	21
ii. Log frame content	25
c. Other HRNAP issues	25
i. Women's rights	25
ii. Support for the Public Defender's Office	26
iii. Enhancing the human rights role of local government	26
iv. Overlap with other action plans	27
IV. IMPROVING HRNAP MONITORING AND REPORTING	28
a. Reports	28
i. Aim of the annual report	28
ii. Structure of the annual report	28
iii. Quarterly and mid-year reports	30
b. The monitoring and reporting system	32
i. An online platform for monitoring and reporting	32
ii. Reporting guidelines for the online platform	33
V. STRENGTHENING HRNAP SUPPORTING MECHANISMS	35
a. The Interagency Council on Human Rights	35
b. Thematic Working Groups	36
c. Promoting and facilitating NGO /CSO participation	37
d. The Human Rights Secretariat	38

e. Outreach to local government, activists, and the public	40
VI. CONCLUSIONS	41

## **ANNEXES**

- I. Analytical overview of lead agency participation in the 2016-2017 Human Rights National Action Plan and listing of additional cooperating agencies (page 42)
- II. Government of Georgia guidelines for reporting on a multi-sectoral national action plan (page 44)

## **LIST OF TABLES**

1. Georgia's current international human rights reporting and follow-up obligations (page 13)
2. Comparison of recently adopted human rights national action plans (page 14)
3. Proposed structure of the new human rights national action plan (page 16)
4. Example of recommended log frame format for the human rights national action plan (page 23)
5. A possible new structure for the annual report (page 31)
6. Proposed guideline for agency input into the online reporting platform (page 34)
7. A possible framework for CSOs in consultative status with the HRNAP supporting mechanisms (page 39)

## **ACKNOWLEDGEMENT**

The author wishes to sincerely thank UNDP in Georgia, particularly the staff implementing the “EU/UN Human Rights for All” for their assistance and support, without which this report would not have been possible. Sincere gratitude is also expressed to the Human Rights Secretariat and to its agency partners for their time and the important information that they shared. It is hoped that the present report may be useful in assisting the Government and the human rights community in Georgia in their notable efforts to improve the effectiveness of the National Human Rights Strategy and its Action Plans. The author takes full responsibility for the content of this report and any factual errors it may contain. The views expressed herein are those of the author alone and do not necessarily reflect those of European Union and UNDP.

## **LIST OF ACRONYMS**

CSOs – civil society organizations

HR – Human Rights

HRBA – Human rights-based approach

HRNAP – Human Rights National Action Plan (for Georgia, a two-year action plan to operationalize the six-year national human rights strategy)

M&E – monitoring and evaluation

NGOs – non-governmental organizations

NAP – National Action Plan

NHRSA – Georgian National Human Rights Strategy and Action Plan 2014-2020

OHCHR – Office of the High Commissioner for Human Rights

PDSA – Public Service Development Agency

SIGMA -- Support for Improvement in Governance and Management, a joint initiative of OECD and the European Union

TWG – Thematic Working Group

UNDP – United Nations Development Programme

## EXECUTIVE SUMMARY OF MAIN RECOMMENDATIONS

The following contains a compilation of the recommendations contained in the report. For an analysis of current practices and the rationale for the recommendations, please refer to the heading and paragraphs in the report as indicated.

### OVERVIEW

#### The Georgian Human Rights National Action Plan in context (Paras. 7-9)

Georgia is one of around 45 countries that have adopted a human rights national action plan (HRNAP) since 1993. By the end of 2017, Georgia is expected to adopt its third consecutive HRNAP, which only four other countries<sup>1</sup> have thus far done. In doing so, Georgia is becoming one of the few countries to have institutionalized the HRNAP process. However, the Georgian HRNAP process is facing a number of challenges, which are addressed in this report.

#### Purpose, duration and added value of the HRNAP (Paras. 10-18)

It is recommended that the next HRNAP reflect a more strategic approach to identifying and prioritizing a limited number of top human rights goals and objectives, which should be better defined and more consistently worded than in the previous plans. This will require an increased role of the Human Rights Secretariat in vetting agency contributions and ensuring a uniform approach throughout the plan. Comprehensive information on the full range of agency objectives and activities can be found in agency action plans and multi-sectoral plans, which should be made publicly available on agency websites. An improved approach to drafting will facilitate effective monitoring and reporting later.

Given the experience in Georgia of successfully managing two-year multi-sectoral national action plans, it is recommended that the present two-year duration of HRNAPs be continued. Maintaining a two-year drafting cycle would assist in keeping the HRNAP current to developing human rights issues and facilitate a timelier follow-up to treaty-body and other international human rights recommendations. However, it may be advisable to exceptionally extend the duration of the next HRNAP, beginning in 2018, to three years, in order to coincide with the expiration of the current Human Rights Strategy in 2020. In that way, the launching of a new human rights strategy will coincide with the launching of a new action plan in 2021. The duration of the next human rights strategy should be either four or six years so that its expiration coincides with the completion of a two-year cycle of the HRNAP.

The next human rights strategy to be adopted should expand the focus from institutional development to addressing priority human rights concerns, as identified, in part, by national partners and international mechanisms. Although the HRNAP is already incorporating follow-up to treaty-body and other international recommendations, this important function should be explicitly referred to in the National Human Rights Strategy. Future HRNAPs should include the timely submission of upcoming treaty body reports and follow-up to their recommendations.

### IMPROVING THE HRNAP

#### Length of the HRNAP (Paras. 21-22)

The latest Georgian HRNAP has at least 250 activities per year<sup>2</sup>, over three times the international average. It is therefore recommended that future HRNAP focus more carefully on addressing priority goals and

---

<sup>1</sup> Australia, Indonesia, Mexico and Nepal.

<sup>2</sup> The actual number is higher since many activities in the Georgian HRNAP 2016-2017 have multiple activities listed as a single activity.

objectives with closely-linked indicators and activities. The resulting plan should be shorter but more focused and strategic in nature than the current approach taken by some of the lead agencies.

#### Structure (Paras. 23-28; see Table 3 on page 16)

It is recommended that the chapters of the next HRNAP should be expressed in terms of rights, which should be clustered into single chapters of closely inter-related rights. It is also recommended that the HRNAP contain an introduction, in line with international practice. This would provide a brief overview with a reference to the HRNAP strategy and previous action plans; the drafting, monitoring and reporting process; and an overview of the structures supporting the HRNAP, including the Human Rights Council, its thematic working groups /commissions and the Human Rights Secretariat.

#### Drafting and Problem Analysis (Paras. 29-30)

In view of the significant discrepancy between lead agencies in the number of goals, objectives and activities, it is recommended that the guidance for drafting be reviewed with a view to ensure a common understanding and consistent approach to properly applying Problem Analysis in the drafting stage.

#### Linking priority goals, objectives and activities (Paras. 31-34)

An effort to draft a more strategic HRNAP must be made by the representatives of the participating lead agencies, which will be responsible not only for carrying out the activities, but also for reporting on them to the Human Rights Secretariat, along with brief analysis on progress achieved and challenges encountered. The role of the Human Rights Secretariat should be not only to compile the reporting information but also to properly guide the participating agencies during the drafting process and to vet the information submitted and advise the reporting agencies on possible revisions.

#### Incorporating HRBA principles (Paras. 35-37)

The basic principles<sup>3</sup> of the Human Rights-Based Approach (HRBA) are key to informing the HRNAP drafting process. Regarding accountability and participation, more focus should be given in future HRNAPs to strengthening monitoring and enforcement mechanisms and to referencing those mechanisms as indicators in achieving progress toward objectives and goals. These may also include, for example: (1) Public awareness-raising and information campaigns to inform targeted rights-holders of their rights; how to avail themselves of government or CSO assistance; avenues for participation in the policy-making process; and available mechanisms for handling complaints; and (2) Ensuring the presence and effective functioning of a variety of complaints procedures and mechanisms which, in HRBA terms, aim at empowering the rights-holders and holding the duty-bearers accountable.

#### Target group /impact indicators (Paras. 38-41)

Future HRNAPs should aim to more rigorously applying HRBA to target group /impact indicators in order to more accurately capture actual impact and outcomes. Future HRNAPs should also identify key target group /impact indicators for each objective, based on the problem analysis. To that end, it is suggested that the National Statistics Office of Georgia be invited to participate in the work of the Human Rights Council, beginning with the drafting of the next HRNAP. Representatives of the Office may be able to provide advice and guidance on available measurements which may serve as target group /impact indicators and may help to develop new measurements better adapted to human rights. Relevant indicators developed for the Sustainable Development Goals may also be used as target group /impact indicators.<sup>4</sup> The shift to a focus on objectives and target group /impact indicators will transform the nature of the annual report from being

---

<sup>3</sup> They are: universality, indivisibility; interdependence of rights; non-discrimination /equality; participation /inclusion; and accountability /rule of law.

<sup>4</sup> See "Final list of proposed Sustainable Development Goals indicators, UN document E/CN.3/2016/2/Rev.1, Annex IV.

largely descriptive of the activities to a more analytical assessment of progress in achieving the objectives and goals of the plan.

#### Activity /output indicators (Paras. 42-47)

The current HRNAP contains mostly activity /output indicators but the differing formulations used by the various lead agencies should be reviewed with the aim of achieving a clearer, more consistent approach. A more uniform wording would also facilitate reporting on the actual completion of the activity. It is therefore suggested that legislative amendments, and new policies, guidelines and other administrative measures should be considered completed, once they are adopted by the relevant authority. Additionally, information on the percentage of the target audience which received training should be included in the log frames, as well as an indication of geographic coverage, if relevant (for example, whether local government in all provinces received human rights training in a country-wide programme).

#### Log frames (Paras. 48-51; see also Table 4 on page 23)

As future HRNAPs will continue to consist primarily of log frames, it is recommended that the format and content of the current HRNAP log frames are reviewed with the aim of achieving greater conceptual clarity, closer adherence to Government guidelines, and to facilitate subsequent monitoring and reporting. A model of the suggested log frames, *filled in with hypothetical information*, is shown in Table 4.

As a general rule, greater coherence, conceptual clarity and discipline in drafting the log frames will facilitate effective monitoring, alleviate the reporting burden on the agencies and assist all stakeholders in evaluating progress for the annual report.

#### Women's rights (Paras. 52-53)

In general, the "Women's rights" section of the HRNAP should be reviewed with the aim of developing more content in order to more adequately reflect the wide-ranging initiatives being undertaken by Government in this area. Consideration should be given to either summarizing the initiatives being carried out under the two NAPs targeting women (along with links to the plans and their reports) or including priority objectives from those plans within the HRNAP log frames.

#### Support for the Public Defender's Office (Para. 54)

Consideration should be given to including commitments to increase support to the PDO where needed and to enhance follow-up to the Public Defender's recommendations (see Table 3 and para. 53). To that end, reference could be made to increasing the number of recommendations that are effectively implemented, with an indicator using current levels of implementation as the baseline.

#### Enhancing the human rights role of local government (Paras. 55-57)

An effort should be made to integrate the perspective and input of local authorities in the drafting of future HRNAPs. To that end, the Human Rights Secretariat should consider organizing regional meetings on the new draft HRNAP to raise awareness and take into feedback from the local level. Basic human rights training, including training on the human rights-based approach will be essential for the effective implementation of the HRNAP at the local level and should be included in the plan under proposed chapter 7.

#### Overlap with other action plans (Paras. 58-60)

Reporting officers should cross-reference entries in the HRNAP that are related or duplicated in other action plans. In that connection, agencies should consider establishing a special unit tasked with policy planning and reporting under multiple action plans, as some agencies have already done. The Human Rights Secretariat should prioritize engagement with the SIGMA experts to ensure that the value and scope of the

HRNAP is maintained and enhanced. The Secretariat should also study the experience of the PSDA and other interagency action plan secretariats as well as agency reporting /planning units where they exist, with a view to improving the impact and efficiency of the HRNAP drafting, monitoring, and reporting process.

### **IMPROVING HRNAP MONITORING AND REPORTING**

#### Aim of the annual report (Paras. 61-63)

It is suggested that the annual report should:

- a. Provide a descriptive and analytical overview of key government initiatives in the field of human rights, including follow-up to recommendations from its national human rights institution, from international human rights bodies and experts as well as a response to concerns expressed by civil society;
- b. Contain an acknowledgement of implementation challenges, thereby demonstrating a commitment to transparency and accountability;
- c. Provide a link to further, more detailed information available to the public on government human rights-related activities (especially through sectoral NAPs and their reports);
- d. Identify and report on relevant complaints mechanisms as implementation indicators;
- e. Serve as the focal point for consultations, deliberation and decision-making for Government (including Parliament and the Judiciary) as well as the human rights community; and
- f. Serve as a tool to facilitate greater human rights awareness among public servants at all levels of national and regional government as well as civil society organizations and the general public.

#### Structure of the annual report (Paras. 64-71)

A suggested structure for the annual report, taking into account recently adopted Government guidelines, is presented in Table 5 on page 31. As can be seen from the suggested elements, the level of analysis in the annual report should be focused at the level of goals and objectives, not activities. Lead agencies should aim at identifying a more limited number of priority goals and strategic objectives in the next HRNAP. This could be achieved by applying a more disciplined situation analysis to the drafting process and by ensuring a more consistent approach across the lead agencies in their formulations.

A well-organized analytical annual report on the NRHAP should become the “flagship” publication of the Human Rights Council and the Human Rights Secretariat, anticipated each year by Parliament, civil society and the donor community. It could also serve as a more effective tool to facilitate reporting to treaty bodies and other international human rights mechanisms. The HRNAP annual report should be made accessible to the human rights community and the general public by posting it on the internet before it is to be discussed in Parliament.

#### Quarterly and mid-year reports (Para. 72)

Responsible agencies should update information on the HRNAP’s implementation on a quarterly basis and submit it to the Human Rights Secretariat. A mid-year overview of implementation, based on agency submissions, should be developed and presented to the Human Rights Council at its mid-year meeting.

#### The monitoring and reporting system (Para. 73)

A well-designed online monitoring and reporting platform should be implemented by the Human Rights Secretariat to provide adequate guidance to reporting agencies, facilitate their work and enforce common standards for reporting.

#### An online platform for monitoring and reporting (Paras. 74-79)

An online platform for tracking and updating HRNAP implementation should be established as soon as possible. Consideration should be given to employing SharePoint software, which is available at no extra cost. The Human Rights Secretariat should invite the PSDA to share their experience in adapting the SharePoint software to reporting on the implementation of the Migration Action Plan.

SIMORE, when available from OHCHR, should be considered as a tool to facilitate greater public awareness and CSO involvement in human rights issues and follow-up by the Georgian Government to international recommendations. The Public Defender's Office should also consider adapting SIMORE to highlight its recommendations and facilitate Government follow-up, including through the HRNAP.

#### Reporting guidelines for the online platform (Paras. 80-86)

Given the large number of activities and objectives being reported on, the space allocated in the reporting format must be limited in order to avoid overly long or detailed entries. Aside from the basic information on the status of an activity, a brief assessment of the expected impact on the objectives should be included. The output and target group /impact indicators should be referenced as well as a brief assessment of any problems or failures. Finally, any conclusions, recommendations and /or next steps should be briefly stated. See Table 6 on page 33.

The restrictions on length imposed by the online platform should lighten the burden of reporting by the agency focal points, reduce the time required for inputs, and facilitate both information management and analysis by the Secretariat. The online platform should provide the Secretariat with a compilation of all agency inputs that will serve as the basis for the annual report.

It should be recalled that the HRNAP annual report will be a primary reference for human rights practitioners in Georgia, a guide for policy-makers, and a tool assisting Government in meeting its international reporting obligations. Therefore, every effort must be made to make it as useful and accessible as possible.

### **STRENGTHENING HRNAP SUPPORTING MECHANISMS**

#### The Interagency Council on Human Rights (Paras. 88-90)

It is imperative that the Interagency Council on Human Rights be convened as soon as possible to consider, among other things, lessons learned and recommendations for improving the drafting, monitoring, and reporting process. This should be done before drafting starts on the new HRNAP for 2018-2019 so that agency partners have a common understanding of the way forward.

#### Thematic Working Groups (Paras. 91-94)

In order to avoid overlap and the waste of resources, it is recommended that the recently established commissions or councils (such as those dealing with domestic violence, the rights of the child and the rights of persons with disabilities) should be integrated into the HRNAP monitoring and reporting system, precluding the need for separate thematic working groups on children and on persons with disabilities. The relation of any further human rights-related councils or commissions to the HRNAP and the thematic working groups already established by the Human Rights Council should be carefully considered. Additional human and financial resources for the Human Rights Secretariat must be made available if it is to effectively carry out the additional work entailed in creating new high-level human rights bodies and mechanisms that it must service.

Given the significantly changed circumstances since the Human Rights Council last met, the list of thematic working groups needs to be reviewed and revised. Consideration should be given to organizing the thematic working groups to cover the proposed chapters for the next HRNAP (see Table 3) as follows:

1. Civil and political rights



2. Economic, social and cultural rights
3. Women's rights and gender equality (with the participation of the Interagency Council to Combat Domestic Violence)
4. Children's rights (to be covered by the Commission on the Rights of the Child)
5. Rights of minorities, persons with disabilities and other vulnerable groups (with the participation of the Interagency Council on Persons with Disabilities)
6. Rights of IDPs, migrants and persons in or near occupied territories

#### Promoting and facilitating NGO /CSO participation (Paras. 95-97)

The Thematic Working Groups and the existing HRNAP-related commissions and councils should be urged to adopt a uniform approach to NGO /CSO participation, one that is based on clear and objective criteria for graduated levels of participation and privileges (see Table 7 on Page 40). These criteria should also be applied to the Thematic Working Groups, which should be reconstituted and should meet as soon as practicable. Once agreed upon provisionally by all TWGs, including the related commissions and councils, the criteria and procedures could be adopted and subsequently finalized in three years, following a review of evaluation of actual experience. It is also recommended that the Human Rights Secretariat consider setting up an informal working group of CSOs with its most active stakeholders to examine CSO issues, make recommendations, and develop a more effective outreach strategy, particularly as regards regional CSOs and NGOs focused on economic, social and cultural rights (both of which have been under-represented in the work of the HRNAP). Efforts should also be made to enhance partnerships with media by organizing training and information events.

#### The Human Rights Secretariat (Paras. 98-100)

Staffing levels in the Human Rights Secretariat must rise significantly to meet the growing demands. Consideration should be given to increasing the number of staff allotted to the Secretariat, supplemented by secondments from other departments and possible university internships. Planning must include a training capacity to train new staff as they arrive as well as to train new Human Rights Focal Points due to expected turnover. In recognition of the Secretariat's key role as a bridge to civil society, consideration should be given to establishing a civil society liaison desk focused on exclusively on public outreach and securing greater CSO participation in the HRNAP process as well as the other work of the Secretariat.

#### Outreach to local government, local activists, and the public (Paras. 101-103)

The Human Rights Secretariat should consider developing a more formal strategy and programme for outreach to local officials and community leaders. Supplementary donor funding should be sought and cooperation with CSOs should be institutionalized in agreements and memoranda of understanding to support more field visits, trainings, and events to deepen human rights awareness and address local concerns. The recent UNDP-supported study on public human rights awareness<sup>5</sup> should be used as a baseline for further research and taken into consideration in developing the strategy and designing activities.

### **CONCLUSIONS (Paras. 104-105)**

In many ways, the Georgian HRNAP and its supporting process and mechanisms are already a best practice internationally. The challenge in Georgia is to adapt the HRNAP to the evolving situation in the country, apply the lessons-learned and integrate the extensive, sometimes competing human rights initiatives of Government into a coherent and workable whole so that the HRNAP process can function more smoothly and reach its full potential.

---

<sup>5</sup> "Human Rights and Justice in Georgia: Public Perceptions and Awareness", ACT, 2017.

## I. INTRODUCTION

1. This consultancy was undertaken within the framework of the “EU/UN Human Rights for All”, a joint initiative of four UN agencies – the United Nations Development Programme (UNDP), the United Nations Children Fund (UNICEF), the Office of High Commissioner on Human Rights (OHCHR) and the International Labour Organization (ILO). The overall objective of the project is to enhance the capacities of government institutions and Parliamentary Committees on Human Rights and Civil Integration and on Legal Issues and to improve mechanisms for better protecting human rights in Georgia. The project includes assistance aimed at developing the capacities of the Georgian Human Rights Council and its Secretariat in policy-making, implementation and monitoring the National Human Rights Strategy and Action Plan 2014-2020 and the Human Rights National Action Plans (HRNAPs) subsequently adopted for 2014-2015 and 2016-2017.

2. Within that framework, the expected results of the consultancy include<sup>6</sup>:

- a. Recommendations on a proper monitoring system for the National Human Rights Strategy and the HRNAPs subsequently adopted;
- b. Guidelines on monitoring the HRNAPs as regards relevant indicators, means of verification, sources of data and financial / human resource needs;
- c. Recommendations on ongoing monitoring activities under the designed system for the Human Rights Secretariat;
- d. Guidelines on HRNAP reporting by partner agencies of the Government of Georgia; and
- e. Training for selected staff of the Human Rights Secretariat and other government agencies for implementing the monitoring system and on reporting under the HRNAP.

3. To that end, the consultant undertook a mission to Georgia from 13 April to 2 May 2017. During that time, meetings were undertaken with UNDP, the Human Rights Secretariat and a wide range of HRNAP partners, including representatives from: lead ministries implicated in the HRNAP; representatives supporting the work of related inter-agency coordinating committees or councils and their action plans; representatives of the Georgian Parliament; representatives of Government Administration overseeing the monitoring and evaluation of national action plans; representatives of OHCHR and other international organizations supporting the HRNAP or participating in its work; representatives of training institutions tasked with implementing parts of the HRNAP; the Head of the Department of Prevention and Monitoring, Office of the Public Defender; and representatives of human rights non-governmental organizations (NGOs) active in Georgia.

4. Based on the views and information collected, the first draft of the present report was submitted in May 2017. Another major "deliverable" under the consultancy, the first draft "Guidelines for Drafting, Monitoring and Reporting on the Georgian Human Rights National Action Plan" was submitted in June 2017. The draft Guidelines are, of course, based on the recommendations made in the first draft of this report. A second mission to Georgia took place from 6 to 26 July 2017 for the purpose of securing feedback from consultancy partners and HRNAP stakeholders on the many proposals and recommendations made in the present report as well as on the form and content of the draft Guidelines. Several validation trainings and meetings facilitated by the consultant were also organized by UNDP and the Human Rights Secretariat, in accordance with the terms of reference.

5. It should be noted that this consultancy has been undertaken in coordination with another UNDP consultancy aiming to support the Human Rights Secretariat and the HRNAP process by developing guidelines for integrating the Human Rights-Based Approach in Georgia. To that end, a number of the meetings were undertaken jointly with the International Expert, Mr. Patrick Twomey of the International Human Rights Network, who is tasked with that consultancy. It is anticipated that the tools developed by

---

<sup>6</sup> Summary of the Terms of reference, UNDP consultancy for “Expert for developing guidelines on monitoring and evaluation of and reporting on implementation of NHRAP”.

Mr. Twomey and the training that he will provide under his consultancy will be key to drafting a more effective HRNAP and will sharpen the focus for effective monitoring and reporting.

6. This Recommendations Report – and the companion document "Guidelines for Drafting, Monitoring and Reporting on the Georgian Human Rights National Action Plan" -- reflect the further input of the Human Rights Secretariat, HRNAP stakeholders and UNDP following the validation trainings for reporting officers and meetings with representatives of Parliament and CSOs in July 2017. It is hoped that both documents will contribute to providing a solid foundation for improving the drafting, monitoring, and reporting on the Georgia Human Rights National Action Plan.

## **II. OVERVIEW**

### **a. THE GEORGIAN HUMAN RIGHTS NATIONAL ACTION PLAN IN CONTEXT**

7. Georgia is one of around 45 countries that have adopted a human rights national action plan (HRNAP) since Australia developed the first one in 1993. By the end of 2017, Georgia is expected to adopt its third consecutive HRNAP, which only four other countries<sup>7</sup> have thus far done. In doing so, Georgia is becoming one of the few countries to have institutionalized the HRNAP process. It is also emerging as a “best practice” country for HRNAPs for a number of reasons, including:

- a. The HRNAP is supported by a high-level standing mechanism (the Human Rights Council and its thematic working groups), established by decree;
- b. A full-time Human Rights Secretariat has been established and staffed to support the HRNAP and its institutional framework; and
- c. The annual report on the HRNAP is considered by Parliament.

8. The Georgian HRNAP is also among the most ambitious of all such plans internationally, in terms of the number of lead and cooperating agencies, the number of activities covered and the relatively tight duration of only two years. Yet, owing in part to that ambition, the Georgian HRNAP is facing a growing number of challenges since the first plan was adopted in 2014. Chief among them are:

- a. An absent supervisory mechanism (the Human Rights Council) that hasn't been convened since April 2015;
- b. Insufficient staffing that has not kept pace with the increasing number of tasks assigned to the Human Rights Secretariat;
- c. HRNAP's that increase in length with each cycle composed of agency contributions of uneven quality;
- d. Challenges of effective information management for the Human Rights Secretariat and for the cooperating agencies;
- e. Unclear relation of the HRNAP to a number of closely-related multi-sectoral plans, such as those dealing with criminal justice reform, the elimination of torture, gender and women's empowerment, etc);
- f. An annual report that contains too many details and insufficient analysis;
- g. Diminishing interest and support from civil society organizations (CSOs); and
- h. Diminishing interest and support from Parliament.

9. Given the practice of the Government of Georgia to produce long-term strategies and shorter-term NAPs for each sector as well as NAPs for major cross-cutting issues, the adoption of future HRNAPs seems relatively assured. However, improvements in the entire HRNAP process, from drafting to monitoring and

---

<sup>7</sup> Australia, Indonesia, Mexico and Nepal.

reporting, should be made as soon as possible. Many of the improvements suggested in this report could be implemented immediately while others may require the authority of the Human Rights Council to take effect.

b. PURPOSE, DURATION AND ADDED VALUE OF THE HRNAP

10. There is still no consensus on the purpose and added value of the HRNAP, even after two plans and nearly four years of implementation. Some stakeholders feel that the plan should try to reflect all government or lead agency initiatives related to human rights. Other stakeholders favour an approach in the HRNAP that focuses on priority issues. Judging from the current HRNAP, it appears that different lead agencies have chosen different approaches on this question. Some agencies have selected to include a large number of detailed goals, objectives and activities in the plan to demonstrate reflect the extensiveness of their human rights-related initiatives. In contrast, other agencies, despite their deep involvement in human rights-related work, have been more strategic in limiting the number and detail of their commitments.

11. It should be noted that, in general, the HRNAPs adopted by other countries have not attempted to address every possible human rights issue or include every human rights-related activity. Even if the latter were possible, it would present significant challenges to information management and analysis for the Human Rights Secretariat while adding to the burden of reporting for lead agencies. As suggested by one recently-interviewed stakeholder, the resulting annual report would be so lengthy and detailed to be of interest only to graduate students conducting research. There needs to be a common approach among lead agencies as to the amount of information and the level of detail the HRNAP should aim for. It should be recognized that **comprehensive information on the full range of agency objectives and activities should be found in agency action plans and multi-sectoral plans, which should be made publicly available on agency websites.**

**12. For these and other considerations, it is recommended that the next HRNAP reflect a more strategic approach to identifying and prioritizing a limited number of top human rights goals and objectives, which should better-defined and more consistently worded than in the previous plans. This will require an increased role of the Human Rights Secretariat in vetting agency contributions and ensuring a uniform approach throughout the plan. An improved approach to drafting will facilitate effective monitoring and reporting later.**

13. The duration of the HRNAP, that is its two-year lifetime, is an issue that has arisen occasionally. Among the 65 HRNAPs adopted by 45 countries since 1993, the duration of the plans has ranged from two to 11 years, with a few being “open-ended”. The average is 4.6 years and indeed only a few countries have adopted two-year plans.

14. Marc Limon observed in 2015 that the Human Rights Secretariat is “locked in a perpetual cycle” of reporting on the current plan while preparing the new one and suggested that a four-years’ duration be adopted.<sup>8</sup> He noted, however, that civil society skeptics of extending the periodicity of the plan beyond two years expressed doubt that the commitments will be fulfilled without the threat of an imminent deadline. Interviews undertaken in the present consultancy confirm that such skepticism is still widespread and shared by more than only CSO representatives.

**15. Given the experience in Georgia of successfully managing two-year multi-sectoral national action plans, it is recommended that the present two-year duration of HRNAPs be continued.** If implemented, many of the recommendations contained this report would facilitate improved information management

---

<sup>8</sup> “Institutional strengthening and organizational development of the Human Rights Council of Georgia”, Marc Limon, 2015, page 5.

while streamlining the HRNAP drafting, monitoring and reporting process. **Maintaining a two-year drafting cycle would assist in keeping the HRNAP current to developing human rights issues and facilitate a more timely follow-up to treaty-body and other international human rights recommendations.** However, it may be advisable to exceptionally extend the duration of the next HRNAP, beginning in 2018, to three years, in order to coincide with the expiration of the current Human Rights Strategy in 2020. In that way, the launching of a new human rights strategy will coincide with the launching of a new action plan in 2021. The duration of the next human rights strategy should be either four or six years so that its expiration coincides with the completion of a two-year cycle of the HRNAP.

16. The value added by the HRNAP is already significant and should be further enhanced. It is one of the few multi-sectoral NAPs whose annual report becomes a public document and is considered by Parliament. The current HRNAP reflects, of course, the National Strategy for the Protection of Human Rights in Georgia, 2014-2020. The main aim of the Strategy is to strengthen and develop those government institutions most implicated in respecting and protecting human rights in Georgia, particularly as regards the criminal justice system and the rule of law. The Strategy and its national action plans are generally not aimed at directly addressing specific human rights problems. Rather, the assumption is that, as the human rights capacity of the lead agencies is developed and strengthened, many human rights problems will be addressed or prevented.

17. Considering Georgia's relatively recent full embrace of human rights and the still-ongoing transition to an "institutional democracy", it is fitting that the National Human Rights Strategy and its action plans have focused primarily on institutional development. **However, now that the democratization process has deepened considerably, the next human rights strategy to be adopted should expand the focus to addressing priority human rights concerns, as identified, in part, by national partners and international mechanisms. Although the HRNAP is already incorporating follow-up to treaty-body and other international recommendations, this important function should be explicitly referred to in the National Human Rights Strategy. The relatively short two-year cycle of the HRNAPs should be used to integrate recently-accepted recommendations into its goals and objectives.** This would also facilitate reports to the various treaty bodies and the UPR, a number of which are either to be submitted over the next three years or are already overdue (see Table 1).

<b>Table 1: Georgia's current international human rights reporting and follow-up obligations</b>		
<b>Recent recommendations</b>	<b>Reports to be considered</b>	<b>Reports to be submitted</b>
ICCPR (2014) CEDAW (2014) CERD (2016) CRC (2017) UPR (2015) SR Torture (2015) SR VAW (2016) SR Child trafficking (2016)	CRPD (2018)	ICESCR (overdue since 2002) CAT (overdue since 2006) CEDAW (2018) ICCPR (2019) CERD (2020) UPR (2020)

18. **Considering the importance of the reporting process under the international human rights mechanisms and the considerable work required in that process, future HRNAPs should include the timely submission of upcoming treaty body reports and follow-up to their recommendations (see heading 7(c) in Table 3 on page 17).**

### III. IMPROVING THE HRNAP

19. Improving the monitoring, reporting and evaluation systems for the HRNAP must begin with a consideration of the form and content of the action plan itself. What is contained in the action plan is, of

course, what gets managed for two years in terms of monitoring and reporting. Since the content drives the reporting process, drafting the Plan is, in some ways, a critical part of the process.

20. Another challenge for any multi-sectoral plan such as the HRNAP is to ensure a consistent approach to drafting the plan, identifying priorities and selecting the proper indicators for evaluation. If these issues are considered and addressed in the drafting process, then monitoring and reporting on its implementation should be easier for the Human Rights Council, the Human Rights Secretariat and the lead agencies participating in the plan.

a. MAIN ISSUES

i. Length of the HRNAP

21. The current HRNAP has received some criticism for containing a large number of activities, some of which may not be priorities in achieving strategic objectives. As shown in Table 2, other recently-adopted HRNAPs vary from 16 to 160 activities per year of duration, with an average of around 80 activities per year. In contrast, the latest Georgian HRNAP has at least 250 activities per year<sup>9</sup>, over three times the international average.

Comparison of recently adopted Human Rights National Action Plans <sup>10</sup>				
Country	Duration in Years	Pages of Logframes	Total Activities	Activities per year
Turkmenistan	5	22	82	16
Armenia	3	40	119	30
Moldova	4	80	282	70
Tanzania	5	87	375	75
Sri Lanka	6	83	531	89
Malawi	5	62	445	89
Australia	3 <sup>11</sup>	78	356	119
Nepal	5	99	798	160
Georgia, 1 <sup>st</sup> Plan	2	88	376	188
Georgia, 2 <sup>nd</sup> Plan	2	127	500	250

Table 2.

22. This all-inclusive approach has created challenges for collecting and compiling information on the plan's implementation. The resulting relative flood of detailed information has hindered a more analytical approach to evaluating the results of the plan. **It is therefore recommended that future HRNAP focus more carefully on addressing priority goals and objectives with closely-linked indicators and activities. The resulting plan should be shorter but more focused and strategic in nature than the current approach taken by some of the lead agencies.**

ii. Structure of the HRNAP

<sup>9</sup> The actual number is higher since many activities in the Georgian HRNAP 2016-2017 have multiple activities listed as a single activity.

<sup>10</sup> Turkmenistan, 2016-2020; Australia, 2012; Armenia, 2014-2016; Moldova, 2011-2014; Tanzania, 2013-2017; Sri Lanka, 2011-2016; Malawi, 2016-2020 (adoption pending); Nepal, 2014-2019; and Georgia, 2016-2017.

<sup>11</sup> The Australian Plan does not specify an end date but reporting on progress was foreseen to take place three years after its launch.

23. The structure of the next HRNAP should be the subject of thoughtful consideration, taking into account international practice and experience. The structure of the current 2016-2017 action plan contains 25 chapters, some of which are framed in terms of rights (e.g. right to fair trial), some of which are framed as issues (e.g., business and human rights) and some of which focus on the lead institution (e.g., Prosecutor's Office). Measures concerning gender and women, usually a main focus of HRNAPs, are spread over multiple chapters. According to activity 25.1.1. in the plan, an additional three chapters will be added in the next HRNAP to cover the right to property, the right to health and the right to education. If this approach is maintained, the resulting annual report for the next HRNAP will contain at least 28 chapters.

24. A comprehensive HRNAP, such as Georgia's, necessarily contains encompasses the full range of human rights and related issues, which may number into the dozens. Consequently, most HRNAPs internationally have followed the approach of: a) expressing the chapters in terms of rights and b) clustering those rights, when possible, under broader headings (e.g. civil and political rights or economic, social and cultural rights). This also means, of course, that the report on implementation will also follow the same organizing principles, resulting in a more streamlined, accessible structure. **It is therefore recommended that the chapters of the next HRNAP should be expressed in terms of rights, which should be clustered into single chapters of closely inter-related rights.**

25. **It is also recommended that the HRNAP contain an introduction, in line with international practice. This would provide a brief overview with a reference to the HRNAP strategy and previous action plans; the drafting, monitoring and reporting process; and an overview of the structures supporting the HRNAP, including the Human Rights Council, its thematic working groups /commissions and the Human Rights Secretariat.** The Human Rights Secretariat has already produced an information note that contains the necessary information on most of these points. The HRNAP introduction would be a "boilerplate" that could be updated periodically and re-used in subsequent action plans.

26. The recommended approach, shown in Table 3, would:

- Reduce the number of chapters from a projected 28 to seven; Six of those chapters would be framed as clusters of sub-chapters dealing with closely-interrelated rights;
- Introduce a new (final) chapter dealing with:
  - o Business and Human Rights;
  - o Commitments concerning international obligations and the submission of reports;
  - o Support for the Public Defender and follow-up to his recommendations; and
  - o Support to the Human Rights Council and other national structures supporting the HRNAP.

27. The proposed new structure would also introduce a new sub-heading on Human Rights and Law Enforcement to consolidate and highlight commitments concerning the police that are presently dispersed under other chapters.

## PROPOSED STRUCTURE OF THE NEW HUMAN RIGHTS NATIONAL ACTION PLAN

*(Explanatory annotations are in italics)*

Introduction *(presently missing; brief overview of HRNAP strategy, process and supporting structures, such as the Human Rights Council, its working groups /commissions and Secretariat)*

1. Civil and political rights
  - a. Criminal Justice Reform *(presently Criminal Justice)*
  - b. Right to fair trial and access to justice *(to include Prosecutions)*
  - c. Human rights and law enforcement *(presently references to the police are limited and mostly under "Torture")*
  - d. Human rights of detainees
  - e. Elimination of torture and other abuses *(to include a focus on the work of the IAC Council Against Torture and its action plan)*
  - f. Right to privacy
  - g. Freedom of expression
  - h. Freedoms of association and assembly *(presently freedom of assembly and manifestation)*
2. Economic, social and cultural rights
  - a. Right to education *(presently not generally covered in a separate section)*
  - b. Right to health *(presently not generally covered in a separate section)*
  - c. Labour rights
  - d. Property and land rights *(in the National Strategy but missing in current plans)*
3. Women's rights and gender equality *(presently Gender equality and women's empowerment; this may include, for example, sub-chapters on sexual and reproductive health rights, property rights, participation in public life, etc)*
  - a. Gender equality and women's empowerment
  - b. Combating violence against women and domestic violence
  - c. Women, peace and security
4. Children's rights *(this may include, for example, sub-chapters on children in conflict with the law, violence against children, disabled children, child trafficking, etc.)*
5. Rights of minorities, persons with disabilities and other vulnerable groups
  - a. Protection of ethnic, religious and linguistic minorities *(presently two chapters: protection of ethnic /religious minorities and protection of religious minorities)*
  - b. Rights of persons with disabilities
  - c. Combating trafficking *(this sub-chapter may be replaced by sub-chapters in the chapters on women's rights and on children's rights)*
6. Rights of Internally Displaced Persons (IDPs), migrants and persons in or near occupied territories
  - a. Rights of IDPs
  - b. Rights of migrants and refugees *(presently rights of migrants, asylum seekers and asylum status holders)*
  - c. Rights of eco-migrants
  - d. Rights of repatriates
  - e. Rights of persons in occupied territories or living near the border
7. Other human rights-related issues
  - a. Business and human rights
  - b. Strengthening human rights and governance institutions and processes *(presently missing, except for the final chapter on HR trainings; may contain commitments)*

**Table 3**



28. The adoption of the proposed structure, or a revised version of it, would have implications for the number of thematic working groups and /or commissions established under the Human Rights Council as well the focus of their mandate. The result may be a more streamlined approach for the Human Rights Secretariat in its work supporting the implementation of the HRNAP and the monitoring, reporting and evaluation of the plan.

iii. Drafting and Problem Analysis

29. The first step in drafting a national human rights action plan is, of course, undertaking a proper Problem Analysis<sup>12</sup>, identifying the priority human rights concerns to be addressed (the goals of the plan) and the underlying factors (the objectives of the plan) contributing to the main problem. The activities which constitute the main part of the plan are aimed at achieving the objectives and when the objectives are achieved, so also should the goal be achieved.

30. The importance of drafting an action plan based on a valid problem analysis cannot be overstated. The 2015-2016 HRNAP lists 53 goals, 199 objectives and 500 activities. In the plan, the overall ratio of approximately four goals to one objective and two to three activities for each objective is what is to be expected in a national action plan. However, there is substantial variation within the plan, ranging from a low of one objective for one goal with only one activity to a high of 14 objectives for a single goal with 47 associated activities. **In view of such a significant discrepancy between lead agencies in the number of goals, objectives and activities, it is recommended that the guidance for drafting be reviewed with a view to ensure a common understanding and consistent approach to employing Problem Analysis in the drafting stage.**<sup>13</sup>

iv. Linking priority goals, objectives and activities

31. Once a priority goal has been identified, the main factors linked in a causal relationship to achieving the goal need to be identified and addressed. If the linkage is not sufficiently strong, the activities committed to in an action plan may have little or no bearing on progress in achieving the objectives. Also, if the indicators are linked only to those activities rather than to the objectives, they may be of little value in measuring actual progress in achieving the objectives and goals. As a result, the annual report on the implementation of the action plan will likely focus mostly on the completion of the activities rather than whether the objective – and ultimately the goal -- was actually achieved.

32. The Human Rights Secretariat and its agency partners are facing this challenge in assessing the impact of the current HRNAP. The activities being reported on number more than 500 and most of the indicators focus primarily on the completion of those activities.

33. Adding to the potential confusion is the mismatch among many activities in terms of importance. Some of the activities in the HRNAP represent major, multi-step initiatives, such as drafting and adopting a new piece of legislation, which involves legal review, consultation among ministries and civil society stakeholders, drafting new provisions, submitting them to Parliament, guiding the legislative process to adoption, publishing the new laws in the official gazette and creating awareness among rights-holders and duty-bearers of the new law and its intended impact. Alongside such important but nonetheless single entries among the HRNAP activities can be found much more mundane, bureaucratic activities that are not key factors in a proper problem analysis and which represent a level of detail that does not belong in a national

---

<sup>12</sup> In M&E literature, this may also be referred to as a “situation analysis”, “theory of change” or “problem tree”.

<sup>13</sup> A practical example of applying Problem Analysis, from the drafting through the reporting stages, is contained in annex IV of the author's "Guidelines for Drafting, Monitoring and Reporting on the Georgian Human Rights National Action Plan", August 2017.

action plan. Creating a meaningful, analytical report from compiling information on several hundred such activities is a daunting, if not impossible, challenge for the Human Rights Secretariat.

**34. An effort to draft a more strategic HRNAP must be made by the representatives of the participating lead agencies, which will be responsible not only for carrying out the activities, but also for reporting on them to the Human Rights Secretariat, along with brief analysis on progress achieved and challenges encountered. The role of the Human Rights Secretariat should be not only to compile the reporting information but also to properly guide the participating agencies during the drafting process and to vet the information submitted and advise the reporting agencies on possible revisions.** The more strategic and well-thought out the activities linked to an objective are, the fewer they will be in number, the lesser the reporting burden will be on the responsible agencies and more valid, useful, and meaningful the monitoring, reporting, and evaluation process will be for the audience of the report and for the reporting agencies themselves.

v. Incorporating HRBA principles

**35. The basic principles<sup>14</sup> of the Human Rights-Based Approach (HRBA) are key to informing the HRNAP drafting process.** Three of those principles in particular, are key considerations in any HRNAP:

- Non-discrimination /equality will focus attention on the vulnerable groups that exist in any society;
- The question of participation /empowerment will be key to identifying ways in which rights-holders may be empowered and assisted in defending their own rights; and
- Concern over accountability /rule of law should guide the identification of necessary changes in criminal and administrative law and regulations as well as effective enforcement mechanisms.

36. A careful review of the 2015-2016 HRNAP in light of those three HRBA principles reveals a strong focus on vulnerable groups and concerns over non-discrimination. There is a similar strong focus on accountability /rule of law issues, with legal /regulatory reform as a strong theme in many of the chapter headings. Training, which accounts for around 20 per cent of all the activities listed in the plan, can be considered as part of the accountability requirements. However, there are few references to monitoring and enforcement mechanisms within the lead agencies – the duty bearers – in the HRNAP. Every organization needs to hold itself and its staff accountable for carrying out their duties in the prescribed manner. Enforcement and complaints mechanisms also offer a convenient quantitative indicator (e.g., number of complaints received, number of investigations undertaken, number of disciplinary actions resulting, etc.) for measuring progress. **In future human rights action plans, more focus should be given to strengthening monitoring and enforcement mechanisms and to referencing those mechanisms as indicators in achieving progress toward objectives and goals.**

37. Ultimately, the most effective human rights protection results from the empowerment of the target rights-holders themselves. Unfortunately, this consideration is largely missing from the current HRNAP. **Ways to promote participation and empowerment of rights-holders should receive more attention in subsequent HRNAPs. These may include, for example: (1) Public awareness-raising and information campaigns to inform targeted rights-holders of their rights; how to avail themselves of government or CSO assistance; avenues for participation in the policy-making process; and available mechanisms for handling complaints; and (2) Ensuring the presence and effective functioning of a variety of complaints procedures and mechanisms which, in HRBA terms, aim at empowering the rights-holders and holding the duty-bearers accountable.**

---

<sup>14</sup> They are: universality, indivisibility; interdependence of rights; non-discrimination /equality; participation /inclusion; and accountability /rule of law.

vi. Target group /impact indicators

38. A main problem identified by partners in the HRNAP – and, indeed, in many if not most other NAPs internationally – is that many indicators do not measure actual impact. The effect, if any, of the completed activity on the larger problem being addressed, is assumed rather than demonstrated.

39. Given the main focus of the current NAP on institutional development and the human rights-related activities of the lead agencies, most of the indicators are counting activities or “outputs” of the “duty-bearing” institutions. In contrast, target group /impact indicators of the actual impact on “rights holders” are relatively few. As a result, monitoring of the NAPs may demonstrate positive results in terms of activities undertaken but may not capture the actual impact, if any, on the human rights situation on the ground. Therefore, it should not be surprising if there is a disconnect between the positive results obtained in monitoring the NAP and relatively negative reports on the actual human rights situation “on the ground”.

**Future HRNAPs should aim to more rigorously applying HRBA to target group /impact indicators in order to more accurately capture actual impact and outcomes.**

40. The proliferation of national action plans in Georgia has led to an effort by the Administration to facilitate a more effective and uniform approach to policy planning, monitoring, reporting and evaluation on national action plans. Consequently, two complementary guidelines were recently issued by the Administration,<sup>15</sup> which contain helpful guidance that will assist in the drafting and reporting of Georgia’s human rights national action plans.

41. Above all, the guidance clarifies that the annual report of a multi-sectoral national action plan (such as the HRNAP) should focus on whether the objectives were achieved. This assessment should be supported by target group /impact indicators, which are data or information indicating that there is a problem. They can be used to measure whether an objective or activity was achieved. This contrasts with the approach in the current HRNAP, where most of the indicators are activity /output indicators focused essentially activities and whether they were completed or not. This does not help to assess whether the activities had any impact on the target group. The shift in focus means that future NAPs, including the HRNAP, should include target group /impact indicators as a many of priority. Some activity /output indicators will continue to be important, but they should not be focused on merely whether an activity was completed. That question should be answered under the “status”<sup>16</sup> of each activity. The new guidance from Administration will broaden the focus of the HRNAP from predominantly concentrating on the activities of the lead agencies (the duty-bearers) to include the impact on the target population (the rights-holders). Consequently, **future HRNAPs should identify key target group /impact indicators for each objective, based on the problem analysis. To that end, it is suggested that the National Statistics Office of Georgia be invited to participate in the work of the Human Rights Council, beginning with the drafting of the next HRNAP. Representatives of the Office may be able to provide advice and guidance on available measurements which may serve as target group /impact indicators and may help to develop new measurements better adapted to human rights. Relevant indicators developed for the Sustainable Development Goals may also be used as target group /impact indicators.**<sup>17</sup> The shift to a focus on objectives and target group /impact indicators will transform the nature of the annual report from being largely descriptive of the activities to a more analytical assessment of progress in achieving the objectives and goals of the plan.

vii. Activity /output indicators

---

<sup>15</sup> “Policy Planning Handbook”, Administration of the Government of Georgia, 2016; and “Government Policy Monitoring, Reporting and Evaluation Systems”, Administration of the Government of Georgia, 2016.

<sup>16</sup> That is, whether the activity was fully completed, partially completed, ongoing or not implemented at all.

<sup>17</sup> See “Final list of proposed Sustainable Development Goals indicators, UN document E/CN.3/2016/2/Rev.1, Annex IV.

42. Activity /output indicators are useful only insofar they go beyond merely whether an activity is completed or not. As explained in para. 63, the “status” of each activity concerning its completion should be recorded in a separate column in the log frames. The statistical information on completion will be presented in the analysis of whether progress was made in achieving the objective.

43. As discussed in the preceding section, activity /output indicators should be combined with target group /impact indicators for each objective. **The current HRNAP contains mostly activity /output indicators but the differing formulations used by the various lead agencies should be reviewed with the aim of achieving a clearer, most consistent approach.**

*Activity /output indicators for law reform, policy development and administrative measures*

44. Like other HRNAPs globally, the current HRNAP contains many activities concerning law reform, policy development and /or a review of administrative codes, guidelines and practices dealing with human rights issues. Presently, however, there is not a clear and consistent approach in the language of the indicators for these activities. In the current HRNAP, an action to undertake legal reform may be considered completed is if it “submitted to Parliament”, if legislative changes have been “conducted and implemented”.... or, even more vaguely, if it is “in place”. **A more uniform wording would facilitate reporting on the actual completion of the activity. It is therefore suggested that legislative amendments, and new policies, guidelines and other administrative measures should be considered completed once they are adopted by the relevant authority.** The responsible agencies will have an opportunity in the reporting guidelines to explain why an activity may be only “partially completed”, insofar it may still be under the review, in consultations, or in another stage.

*Activity /output indicators for human rights-related training*

45. Activists know from experience that training is usually an important component in any multi-pronged approach to a human rights problem and it is almost invariably a key component in HRNAPs. Training is often a necessary, if not sufficient, element in achieving positive change in an organization.

46. However, a notable limitation of training activities is measuring their impact. This challenge was acknowledged and discussed in meetings with representatives of several training centers either mentioned in the current HRNAP or which are associated with lead agencies tasked in the plan. Training activities listed in the current HRNAP typically have indicators focused on the number of trainings held and /or the number of people trained. Any impact the training may have as one component addressing a larger human rights problem is assumed rather than demonstrated. The impact of trainings is seldom immediate and may become manifest only over a longer term. It is probably not possible to adequately capture such information – even if it were available -- in the monitoring process for an action plan of only two years’ duration.

47. Efforts to measure the actual effectiveness of human rights-related training, should be, first and foremost, the task of the various training centres and their quality control procedures or units. It is up to them, not the Human Rights Secretariat, to implement evaluation measures such as questionnaires, testing and longer-term follow-up surveys as may be suggested in current international practice.<sup>18</sup> In contrast, reporting under the HRNAP will continue to be restricted to information on the number of trainings held and the number of persons trained, both of which indicate the scale of activity. **Additionally, information on the percentage of the target audience which received training should be included in the log frames, as well as an indication of geographic coverage, if relevant (for example, whether local government in all provinces**

---

<sup>18</sup> See, for example, the KirkPatrick model for training evaluation, as presented at <https://www.mindtools.com/pages/article/kirkpatrick.htm>, accessed April 2017.

received human rights training in a country-wide programme). Such information will be useful for the annual report's analysis on progress made in achieving the objectives.

## B. LOG FRAMES

48. International experience has shown that most HRNAPs that have been adopted globally are comprised of both narratives and log frames, which contrasts with the approach of the Georgian HRNAP of using log frames only. The Georgian approach, however, is understandable given that each two-year action plan is based on the more expansive seven-year National Human Rights Strategy, the format of which is narrative and which contains no log frames. **As future HRNAPs will continue to consist primarily of log frames, it is recommended that the format and content of the current HRNAP log frames are reviewed with the aim of achieving greater conceptual clarity, closer adherence to Government guidelines, and to facilitate subsequent monitoring and reporting. A number of specific changes are suggested in the following two sections and are shown in Table 4.**

### i. Log frame format

49. Although there is similarity among the 12 Georgian action plans studied for this consultancy, there is no complete uniformity in every detail. Since general Government guidelines<sup>19</sup> on log frames have been only recently published by Administration, greater uniformity may be expected over time. Most of the specific changes that are recommended in this paper are based on these guidelines as well as on the experience of other Georgian action plans.

50. There are presently seven fields, or columns, in the HRNAP log frames. **It is recommended that consideration should be given to modifying the fields as follows. A model of the suggested log frame, filled in with hypothetical information, is shown in Table 4.**

1. Goal – although this may be referred to as “Policy Outcome” in some log frames, the term is widely used in Georgian action plans and there is a common understanding. Use of the term should be maintained. However, if it is felt that the presentation of the log frames is too crowded owing to too many columns, the goal may be moved to a sub-heading over the log frames. This would have the effect of sub-dividing the log frames by goals (see, for example, the Migration Action Plan 2016-2017). No recommendation is made in this regard.
2. Objective – although this may be referred to as “Output” in some log frames, the term is widely used in Georgian action plans and there is a common understanding. Use of the term and its position in the log frames should be maintained.
3. Action – this term is not widely used in Georgian action plans, which instead favor the term, “Activity”, which better conforms to Government terminology. **It is recommended that the HRNAP follow standard practice and employ the term “Activity” in the log frames instead of “Action”.**
4. Indicators -- although sometimes referred to as “Performance Indicators”, the term is widely used and should, therefore, be maintained. Whereas this field more often follows “Activities”, in the HRNAP it appears as the final column. In past practice, indicators have been linked mostly to activities and their status. However, newly adopted Government guidelines require that the focus of reporting and analysis in reports should be shifted from whether “activities” were

---

<sup>19</sup> See “Government Policy Monitoring, Reporting and Evaluating Systems” and “Policy Planning Handbook”, both published by the Administration of the Government of Georgia (2016).

carried out or not (i.e., their “status”) to whether the “objectives” were achieved. For reasons explained in paragraph 64, **“Indicator” should be moved to appear after “Objective” and before “Activity” in order to establish the correct conceptual linkage and elicit the proper information and analysis from reporting agencies.**

5. Data source – sometimes referred to as “means of verification”, this column should follow the “Indicators” column and should note the expected source for each indicator listed. The purpose of the information is to assist the responsible agencies in their monitoring, reporting, and evaluation. This column may or may not appear in the public version of the HRNAP, depending on space constraints and the desirability of including this information for public use.
6. Agency in charge – sometimes also referred to in other action plans as “Lead Agency”, “Responsible Entity” or a combination of the two. **A more precise formulation as “Responsible agency” should be considered.** A source of confusion in the approach of the present HRNAP is to include all cooperating partners in this column as well. A related problem is the HRNAP practice of identifying the “Government of Georgia” as the “Agency in charge”. **In order to assign clear responsibilities for implementation and reporting, it is strongly recommended that only a single lead agency be identified in this column and that overly-general references to “Government of Georgia” are avoided. It is further recommended that a new field /column titled “Cooperating Partners” should be inserted in the log frames following “Responsible agency”.**
7. Implementation timeframe – sometimes also referred to as “Completion deadline” or more simply as “Timeline” and refers to a specific activity. Consideration should be given to changing this to “Completion deadline”, which is the essence of what must be reported. In view of newly adopted Government guidelines, this column should contain not only the year but the quarter as well (e.g., 2017 Q3). **It is therefore recommended to change the title of this column to “Completion deadline (year/quarter)”.**

**Table 4: EXAMPLE OF RECOMMENDED LOG FRAME FORMAT FOR THE HUMAN RIGHTS NATIONAL ACTION PLAN**

(Note1: All entries and references are hypothetical and are for illustrative purposes only)

**Goal 3: Eliminate the excessive use of force in policing demonstrations**

Linkages: Criminal Justice Reform Action Plan, goal 5; Ministry of Internal Affairs Action Plan goal 15

Objective	Indicators	Data source	Activity	Responsible Agency	Cooperating Partners	Completion Deadline	Status	Additional Funds Needed	Source of Additional Funds	Comments
3.1 Ensure applicable procedures in line with int. standards	Results of review		3.1.1 Identify relevant international standards and best practices	MIA	- Human Rights Secretariat - OHCHR	2017 Q1	Completed	None	None	UPR rec 117.4 (2015)
	Codes and procedures changed		3.2.2 Review and amend internal codes and disciplinary procedures	MIA	None	2017 Q3	Ongoing	None	None	
3.2 Ensure police are trained on relevant standards and practice	Percentage police trained		3.2.1 Develop training course content, materials and training plan	MIA	Police Academy	2017 Q4	Partially complete	None	None	CCPR rec. 26 (2014)
	Percentage of police stations trained		3.2.2 Conduct the course	MIA	Police Academy	2018 Q3	Delayed	None	None	
	Geographic coverage Positive evaluation of training		3.2.3 Evaluate the success of the training through testing and follow-up survey	MIA	Police Academy	2018 Q4	Delayed	None	None	
3.3 Equip police with protective gear and a full range of non-violent tactics and non-lethal responses	Percentage police stations equipped		3.3.1 Identify equipment needs	MIA	None	2017 Q1	Completed	None	None	
	Equipment type and training provided		3.3.2 Conduct inventory at all stations	MIA	None	2017 Q3	Ongoing	None	None	
			3.3.3 Supply needed equipment	MIA	None	2018 Q2	Delayed	450,000 GEL (est.)	International donor	
			3.3.4 Provide training on proper use of equipment	MIA	Police Academy	2018 Q2	Delayed	None	None	
3.4 Ensure prompt investigation and follow-up of reports of excessive use of force	- No. reports - No. incidents investigated - Results of investigation - No. PDO recommendations implemented		3.4.1 Police Headquarters to monitor follow-up to incident reports	MIA	PDO	Ongoing	Ongoing	None	None	CCPR rec 27 (2014) PDO rec
	3.4.2 Implement relevant recommendations of the PDO.		MIA	PDO	Ongoing	Ongoing	None	None		
	3.4.3 Cooperation and follow-up with CSO monitors									

8. Status – although this column does not yet appear in Georgian action plans, newly adopted Government guidelines require that the status of each activity must be reported regarding whether it is “complete”, “partially complete” “ongoing” or “delayed”. For reasons explained in paragraph 63, **“Status” should be included as a new field in the log frames, immediately after “Completion deadline”. A use of common terminology to fill in the field should be decided upon.**
  
9. Budget – this column appears in the HRNAP but is rather rarely used. While some other action plans do not have a field /column for budget, others devote more than one field to this (see, for example, the Migration Action Plan 2016-2017). it should be noted that newly adopted *Government guidelines requires information on the budget only if additional funding is necessary for the implementation of the activity.*<sup>20</sup> This specific requirement needs to be reflected in the log frames. **It is therefore recommended that the column for “Budget” should be changed to “Additional funds needed” followed by another column titled “Source of additional Funds”.**
  
10. Linkages to other plans – While neither the current HRNAP nor any other related plans have such a column in the log frames, this should be considered as a means to flag to the reporting agencies as well as to the wider HRNAP audience, that similar (or even the same) goals, objectives and activities are being carried out elsewhere, either in more detailed multi-sectoral plans (such those on torture, trafficking, etc.) or in ministerial /agency action plans. For agency reporting officers, it may facilitate HRNAP reporting where it is duplicative under other action plans. For HRNAP stakeholders, it may point the way to further information, including on other related activities. However, it would not be necessary to enter a linkage for every activity on the Plan so the proper position of the column in the log frames should be carefully considered. **It is recommended that a field on “Linkages” be considered for inclusion in the log frames.**
  
11. Risks – Under the new Government guidelines, a field for risk analysis is recommended to identify factors that may impede the achievement of the goals and objectives. Proper risk analysis is important for planning measures to mitigate the risks. This field may be useful for assessing problems and failures later in the reporting phase. It may be for internal use only and does not have to appear in public versions of the HRNAP, unless it is considered useful to do so. **Consideration should be given to including “Risks” as a field in the internal (non-public) version of the HRNAP.**
  
12. Comments – Like most action plans, the HRNAP log frames do not have a column for “Comments”. However, **the Secretariat should consider adding a “Comments” column in their working copy of the HRNAP (but not in the public version) if it facilitates monitoring and reporting by the Secretariat. Information in the “Comments” section could include, for example, references to treaty body or other authoritative recommendations to which the objective or activity corresponds.** This field may be for internal use only and does not have to appear in public versions of the HRNAP, unless it is considered useful to do so.

---

<sup>20</sup> “Policy Planning Handbook”, op.cit., page 11.



## ii. *Log frame content*

51. Numerous improvements could be made regarding the content contained in the current and previous HRNAP. Some sections are more problematic than others, likely due to qualitative and quantitative differences in the submissions by the lead agencies. Most of the problems could be addressed by stricter adherence to guidelines and a more active editing by the Human Rights Secretariat. **As a general rule, greater coherence, conceptual clarity and discipline in the drafting stage will facilitate effective monitoring, alleviate the reporting burden on the agencies and assist all stakeholders in evaluating progress for the annual report.** The problems to be addressed in the next HRNAP include the following:

- a. Some lead agencies have submitted a great quantity of material that tends to be “unfiltered”, overly-detailed and lacking in priority. As noted earlier, five of the 37 lead agencies identified in the current plan account for over half of all the activities listed in the HRNAP<sup>21</sup>. As a result, parts of the HRNAP resemble a corporate business plan where every action to build agency capacity may be considered as a human rights activity. **The HRNAP cannot substitute for a detailed ministerial action plan, but should contain those priority elements that directly impact on human rights of the rights-holders and which contribute to the achievement of a larger priority objective. Lead agency submissions should therefore contain a more reasonable number of priority objectives with clearly linked supporting activities.**
- b. In some parts of the current HRNAP, entire paragraphs appear under the log frame headings where only succinct sentences should appear. These entries contain too much unnecessary detail and may list multiple objectives or activities under a single entry. The resulting lack of clarity detracts from the entire HRNAP. **Future HRNAPs should adopt a uniform approach to filling in the log frames avoiding long, overly-detailed, or multiple entries. Reporting agencies should recognize and respect the role of the Human Rights Secretariat to properly edit the agency submissions in order to achieve a consistent approach and a uniform format and wording throughout the action plan.**

## iii. Other HRNAP content

### *Women’s rights*

52. The HRNAP for 2016 – 2017 contained two new “chapters”: one concerning the 2016 -2017 Action on the Measures to be implemented for Combating Violence against Women and Domestic and for the Protection of its Victims /Survivors; and the other concerning the 2016-2017 National Action Plan for Georgia implementation of the UN Security Council Resolutions on “Women, Peace and Security”. Both “chapters”, however, consist only of a single sentence referencing the relevant Government decree and inviting the reader to find it (although no further information is given on where the decrees or the two NAPs can be found).

53. Otherwise, the HRNAP chapter on “Gender Equality and Women’s Empowerment” is rather sparse when compared to the “Women’s rights” chapter of other HRNAP’s adopted globally. Taken together with the references only to the NAPs concerning violence against women and implementation of the UN Security Council resolutions, it may appear that Women’s rights is not a priority issue for Georgia. Of course, this is not at all the case. **In general, the “Women’s rights”**

---

<sup>21</sup> See annex I (a), “Lead Agencies by activities”

**section of the HRNAP should be reviewed with the aim of developing more content in order to more adequately reflect the wide-ranging initiatives being undertaken by Government in this area. Consideration should be given to either summarizing the initiatives being carried out under these two NAPs (along with links to the plans and their reports) or including priority objectives within the HRNAP log frames.** It should be recalled that many other HRNAP chapters focus on areas covered by other NAPs (such as torture, migration, IDPs, etc) but still manage to include a significant amount of relevant content.

#### *Support for the Public Defender's Office*

54. It is notable that a foremost national human rights institution in Georgia, the Public Defender's Office (PDO), is not targeted by either the Strategy or its action plans for strengthening or support. In fact, the current plan tends to further burden the PDO by requesting it to monitor around 30 of the commitments made by lead agencies, to train civil servants and to develop and "initiate" legislative amendments dealing with anti-discrimination. **Consideration should be given to including commitments to increase support to the PDO where needed and to enhance follow-up to the Public Defender's recommendations (see heading 7(b) in Table 3 on page 17). To that end, reference could be made to increasing the number of recommendations that are effectively implemented, with an indicator using current levels of implementation as the baseline.**

#### *Enhancing the human rights role of local government*

55. Human rights national action plans are invariably focused largely on central government institutions and their functions. One challenge commonly faced by governments which have adopted HRNAPs is to effectively involve and mobilize regional and local governments and municipalities in implementing the plan, particularly those parts of the plan which do have a local component. The challenge goes even deeper, considering that local authorities may be expected to apply a human rights-based approach in implementing, monitoring, and reporting on a wide range of education, health, and other human rights-related issues. The connection of a HRNAP to effective local implementation is key and steps should be taken to build in the involvement of local officials and reflect their perspective in the plan. Various means have been employed in other countries to that end.

56. One way to enhance the role of regional and local officials is to involve them or their representatives in the drafting process. This can be accomplished by ensuring local government representation in the actual drafting process and /or by holding regional consultations during the process of reviewing the draft HRNAP before its adoption. Another possibility is to create local HRNAP implementation and coordination committees at the regional and municipal levels, comprised of officials responsible for gender, health, education, and social services as well as officials responsible for criminal justice. In Georgia, membership could also be extended to representatives of the PDO regional offices, the head of the local bar association, and representatives of the media and leading local CSOs. In Nepal, the District-level Implementation and Coordination Committee is chaired by Chief District Officer and its functions include: providing direction to [human rights] Focal Points of district-level government agencies; maintaining coordination among different programmes in the implementation of the Action Plan and providing a progress report to the centre on the human rights situation in the district.<sup>22</sup>

---

<sup>22</sup> See section 4.1.7.2 of Nepal's "Fourth National Plan of Actions on Human Rights (Fiscal year 2014/2015 – 2018/2019", available from the author.

**57. An effort should be made to integrate the perspective and input of local authorities in the drafting of future HRNAPs. Consideration should also be given to establishing local committees and focal points on implementing, monitoring and reporting on the plan. Basic human rights training, including training on the human rights-based approach will be essential for the effective implementation of the HRNAP at the local level and should be included in the plan.** It is suggested that these and similar initiatives could be included in the proposed HRNAP chapter on “Other human rights-related issues” under “Strengthening human rights and governance institutions and processes” (see Table 3).

#### *Overlap with other action plans*

58. The issue of how to reconcile or avoid overlap of the HRNAP with other actions (including agency action plans and multi-sectoral plans) was discussed extensively with agency representatives at the HRNAP trainings held on 12-14 and 18-20 July in Stepantsminda. Participants acknowledged that some duplication would be inevitable, although some revision might be necessary to adapt the language and focus to the requirements of the HRNAP. There was general agreement that the HRNAP should be the primary source for priority human rights concerns, based on international commitments. In this sense, drafting the HRNAP should be a top-down process rather than one that is bottom-up, merely repeating what may appear in agency action plans. In that connection, there should be more focus in the HRNAP on what needs to be done – taking into account international recommendations -- than what is already being done. It was felt that more "routine" support activities should be covered in greater detail in agency action plans rather than in the HRNAP.

59. As regards other related multi-sectoral plans, participants underlined that the HRNAP should be an umbrella for other plans on more specific themes. Whenever possible, related thematic plans should be integrated into the HRNAP, given the added value of the HRNAP's public profile, its high-level monitoring mechanisms, and its annual consideration by Parliament. Ultimately, the HRNAP should decrease the need for separate thematic plans and the burden of reporting under multiple plans. In the meantime, **it will be important for reporting officers to cross-reference entries in the HRNAP that are related or duplicated in other action plans. In that connection, agencies should consider establishing a special unit tasked with policy planning and reporting under multiple action plans, as some agencies have already done.**

60. It was noted that the question of overlapping action plans would be the focus of a major international study led by SIGMA<sup>23</sup> that is scheduled to begin soon. The study will be the latest step in an effort to improve mechanisms for policy development, monitoring and evaluation in Georgia. The study is expected to make recommendations on a range of issues, including possibly combining some interagency action plans. **The Human Rights Secretariat should prioritize engagement with the SIGMA experts to ensure that the value and scope of the HRNAP is maintained and enhanced. The Secretariat should also study the experience of the PSDA and other interagency action plan secretariats as well as agency reporting /planning units where they exist, with a view to improving the impact and efficiency of the HRNAP drafting, monitoring, and reporting process.**

---

<sup>23</sup> "Support for Improvement in Governance and Management", a joint initiative of OECD and the European Union. See <http://www.sigmaweb.org/>.

#### IV. IMPROVING HRNAP MONITORING, REPORTING AND EVALUATION

##### a. REPORTS

61. The main report on the HRNAP is the annual report, which is produced in the beginning of the year and covers the progress in implementing the Plan during the previous year. It serves as the main evaluation tool for the effectiveness of the HRNAP. Additionally, the Human Rights Secretariat should produce one or more progress reports during the year for the Human Rights Council and its thematic working groups /commissions. If those working groups /commissions meet quarterly, then three quarterly reports of a largely internal nature should be produced. If the working groups /commissions meet only every six months, then the Human Rights Secretariat will need to produce only one six-month progress report in addition to its annual report. The annual report will be considered first, given that it will be the most important report, being a public report that is considered by Parliament. The structure and approach of the annual report will determine the structure and approach of the periodic reports produced during the year.

##### i. Aim of the annual report on HRNAP implementation

62. Based on international experience, it is suggested that the HRNAP annual report should:

- a. Provide a descriptive and analytical overview of key government initiatives in the field of human rights, including follow-up to recommendations from its national human rights institution, from international human rights bodies and experts as well as a response to concerns expressed by civil society;
- b. Contain an acknowledgement of implementation challenges, thereby demonstrating a commitment to transparency and accountability;
- c. Provide a link to further, more detailed information available to the public on government human rights-related activities (especially through sectoral NAPs and their reports);
- d. Identify and report on relevant complaints mechanisms as implementation indicators;
- e. Serve as the focal point for consultations, deliberation and decision-making for Government (including Parliament and the Judiciary) as well as the human rights community; and
- f. Serve as a tool to facilitate greater human rights awareness among public servants at all levels of national and regional government as well as civil society organizations and the general public.

63. Although the HRNAP annual report could never be considered as independent evaluation of Government initiatives in the field of human rights -- which is properly the role of the Public Defender, civil society and international human rights mechanisms -- it should nonetheless include a (somewhat) critical assessment of progress achieved, in line with the Government's own reporting guidelines on multi-sectoral action plans, which is discussed more fully in the next section.

##### ii. Structure of the annual report

64. The first step in developing reporting guidelines is to determine the nature, content and structure of the final report, which in this case is the annual report.

The present HRNAP annual report to Parliament is essentially a compilation of detailed information focused mainly on the individual activities carried out under the plan. As the activities numbered in the current HRNAP are around 500, the latest annual report on the implementation of the plan is

also very long, running over 300 pages in length. The structure of the report mirrors that of the plan, containing over 20 chapters. Additionally, there is a brief, half-page introduction.

65. Representatives of the Human Rights Committee in Parliament, which receives the report, pointed out that there is only a short session to consider the report and that a shorter, more analytical report would be more useful for them. Representatives of civil society voiced similar concerns over the report. Additionally, the effort to translate such a long report into English, for the benefit of international donors, is both costly and time-consuming.

66. To best determine what the HRNAP annual report should contain, it is both necessary and instructive to refer to the requirements for such reports as are laid down by Government Administration. To that end, a meeting was undertaken with the relevant department of the Government Administration<sup>24</sup>, which kindly provided information on the content and format required for reports on Government action plans, including specifically multi-sectoral action plans such as the HRNAP. In this connection, the authoritative guidelines are contained in the publication of the Government Administration titled, "Policy Planning Handbook". Before considering the requirements laid down in the handbook, it is important to note that it is a relatively recent publication that was produced two years *after* the first HRNAP was adopted. It is, therefore, understandable that HRNAP annual reports have not yet conformed to those requirements, although it is necessary and strongly recommended that future annual reports do so.

67. It is instructive to refer to the Government requirements for monitoring and reporting on multi-sectoral strategies and action plans, which are explained in section 4.3 and shown in annex 3 of the handbook.<sup>25</sup> The suggested elements in the basic structure of the annual report can be summarized as follows:

- A. An **Executive summary** on the achievements of the goals, based on performance indicators<sup>26</sup> as well as information on key reforms, aimed at informing decision makers, the public at large and stakeholders.
- B. Brief overview of the **achievement of the objectives**, grouped by chapter and goals in the action plan.
  - B1. **Sub-chapters** on progress on achieving **each objective**, based on performance indicators, describing the most important activities (emphasis added, as descriptions of all activities are not required) of the reform. Each sub-chapter should provide an overview of the status of the associated activities and may also contain information on: a) assessment of key achievements; b) success stories; c) assessment of problems /failures; and d) conclusions and further steps.
- C. **Action plan** – "The Report should contain information on the implementation of each activity" (i.e., the **status** of each activity)

68. As can be seen from the suggested elements, **the level of analysis in the annual report should be focused at the level of goals and objectives, not activities**. This would constitute a relatively short analytical report showcasing the progress against the goals and objectives based on the

---

<sup>24</sup> Government Plans and Innovations Unit, Department of Policy Analysis, Strategic Planning and Coordination, which functions as the Government's main quality-control mechanism tasked with evaluating the form and content of government action plans and other policy documents.

<sup>25</sup> See annex II of this report.

<sup>26</sup> For the purposes of this Recommendations Report and the accompanying Guidelines, "performance indicators" is understood as including both target /impact indicators and activity /output indicators.

indicators. The use of tables, graphs and pictures in the analytical is strongly encouraged. The lengthier requirement of the guidelines concerning the status of each activity, should be annexed to the analytical report. This should simply be the HRNAP log frames, minus those elements (such as “risk”) which are for internal use only.

69. If the approach of focusing reporting on goals and their objectives rather than on activities were applied to the present HRNAP, that would mean that next annual report would focus primarily on the 53 goals and associated objectives listed in the plan rather than on the plan’s 500 activities. Although that would already significantly lessen the burden of reporting and level of extraneous detail in the report, **lead agencies should aim at identifying a more limited number of priority goals and strategic objectives in the next HRNAP. This could be achieved by applying a more disciplined situation analysis to the drafting process and by ensuring a more consistent approach across the lead agencies in their formulations.** It would be up to the Human Rights Secretariat to take the lead in implementing and facilitating the approach and the lead agencies implicated in the HRNAP should acknowledge and accept the need for “quality control” including a uniform editing of the final document by the Secretariat.

70. In addition to shifting the main focus of the annual report from a description of each activity implemented to an overview of progress achieved toward each goal and its objective, **it is recommended that consideration be given to adding other relevant and useful information to the report, including:**

- a. A brief overview of the main HRNAP supporting structures:
  - i. activities /decisions of the Human Rights Council and its working groups /commissions during the period covered by the report; and
  - ii. activities undertaken by the HR Secretariat.
- b. Concluding observations and recommendations:
  - i. About the HRNAP;
  - ii. The implementation process and associated structures (HR Council, WGs and HR Secretariat); and
  - iii. Next steps and possible priorities for next stage.
- c. In addition to an annex containing the HRNAP log frames, other pertinent information may be annexed to the report, such as the organization membership in the Human Rights Council and its thematic Working Groups /Commissions, a list of legislation or policy documents adopted, etc.)

71. The possible new structure of the HRNAP annual report, based on the model proposed by Government Administration, is shown in Table 5. **A well-organized analytical annual report on the HRNAP should become the “flagship” publication of the Human Rights Council and the Human Rights Secretariat, anticipated each year by Parliament, civil society and the donor community. It could also serve as a more effective tool to facilitate reporting to treaty bodies and other international human rights mechanisms. The HRNAP annual report should be made accessible to the human rights community and the general public by posting it on the internet before it is to be discussed in Parliament.**

- iii. Quarterly and mid-year reports

72. As for other multi-sectoral action plans, **responsible agencies should update information on the HRNAP's implementation on a quarterly basis and submit it to the Human Rights Secretariat.** The information will need to be compiled by HRNAP chapter and made available to meetings of the relevant thematic working groups /commissions. **A mid-year overview of implementation, based on agency submissions, should be developed and presented to the Human Rights Council at its mid-year meeting.** A main focus of that mid-year review, as well as the quarterly updates, will be the status of implementation for the activities contained in HRNAP. A monitoring and reporting system that functions effectively throughout the year will alleviate the pressure at year's end to collect the necessary information for the annual report. Based on the experience of other Government secretariats supporting a multi-sectoral action plan, it is possible to develop an effective, smoothly operating online reporting platform without major costs in infrastructure or human resources, while easing the burden on implementing agencies as well as the secretariat. This is discussed more fully in the following section.

**Table 5: A POSSIBLE NEW STRUCTURE FOR THE ANNUAL REPORT**

**Based on the requirements contained in the "Policy Planning Handbook"**

- a. Table of Contents
- b. Executive Summary
- c. Descriptive /analytical overview for each HRNAP chapter heading
  - a. Brief introductory overview of main partners and relevant sectoral NAPs
    - i. Identify and reference relevant implementation structures and plans (e.g., interagency commission and action plans)
  - b. Brief assessment of progress achieved against each goal and its objectives
    - i. Highlight main achievements referencing performance indicators; [include a reference to work carried out by each agency in the relevant Working Group]
    - ii. Refer to any success stories;
    - iii. Assess any challenges, problems or failures (including funding);
    - iv. Conclusions and next steps
      1. May contain references to relevant recommendations made by expert bodies, INGOs and NGOs
- d. Overview of the main NAP supporting structures
  - i. activities /decisions of the HR Council and its working groups during the period covered by the report
  - ii. activities undertaken by the HR Secretariat
- e. Concluding observations and recommendations:
  - i. About the plan
  - ii. The implementation process and associated structures (HR Council, WGs and HR Secretariat) and
  - iii. Next steps and possible priorities for next stage
- f. **Annexes:**
  - a. HRNAP log frames, containing only selected public information and including the status of each activity.
  - b. Any other pertinent information referenced in the report (e.g., Membership in the thematic Working Groups /Commissions, list of legislation or policy documents adopted, etc.)

## b. THE MONITORING AND REPORTING SYSTEM

73. Presently, there are no detailed reporting guidelines for HRNAP implementing agencies. As a result, submissions may come in different types of document formats (e.g., Word or Excel), which represent an additional and unnecessary challenge for the Human Rights Secretariat in assembling the final product. The length and quality of the information submitted may also vary widely, including – in worse case scenarios – the submission of too much information in which the necessary /sufficient information is buried somewhere. **A well-designed online monitoring and reporting platform should be implemented by the Human Rights Secretariat as soon as possible** to minimize these and other problems. Ideally, the system should be simple yet efficient, entail a minimum of start-up expense, facilitate timely and effective reporting by implementing agencies and require a minimum of human resources for the Human Rights Secretariat to manage and maintain.

### i. An online platform for monitoring and reporting

74. Various initiatives in Georgia by different action plan secretariats to create an online reporting platform were studied during the consultancy. Of those, the approach of the LEPL Public Service Development Agency (PSDA), operating under the Ministry of Justice, presented the most promising best practice. Among its numerous functions, the PSDA serves as the secretariat for the implementation of the Georgian Migration Strategy 2016-2020 and its Migration Action Plan 2016-2017 both of which are multi-sectoral policy documents like the HRNAP. Almost all the implementing agencies for the Migration NAP are also implementing agencies under the HRNAP.

75. Faced with the usual challenges of monitoring and reporting under an action plan, the PSDA decided to implement a “no-cost” online reporting platform, based on SharePoint, a Microsoft application. SharePoint is a web-based programme for sharing secure documents among a specified network of partners and it is bundled with subscriptions to Microsoft Office 365, at no extra cost. PSDA adapted SharePoint to the content of the Migration Action Plan (MAP) and created a network of users from among the focal points from the MAP implementing agencies and the PSDA secretariat. Formats, which serve as reporting guidelines, are contained in the application they determine the type and amount of information to be entered by the reporting agencies. This helps to standardize submissions, thereby lessening the need for Secretariat editing. The system of secure document-sharing is protected by passwords and agency users see only the information that is related to their own inputs. Inputs are made directly into the action plan, which is downloadable as a Word or Excel document. Monitoring and reporting is carried out on a quarterly basis.

76. The system has also been designed to minimize the burden on the secretariat. For example, update alerts are sent out automatically to all agency focal points (there are always two designated focal points in case of absence or re-assignment) each quarter at the beginning of the 15-day window for submitting updates. In case no information has been forthcoming after some days, another alert is sent automatically as a reminder of the approaching deadline. In the absence of any submission, a final message is sent automatically informing that the reporting deadline has passed and a formal “official” explanation is required in addition to the missing information. In the PSDA, there is only one person who manages the system, in addition to having other duties. She is supported by a single IT officer, who also has many other duties. One informant, who is the focal point in her agency for reporting on the Migration Action Plan and several other NAPs, characterized the PSDA online platform as “the best”.



77. The system has a further advantage insofar it employs a cloud-based service – again, free of charge for Microsoft Office subscribers -- that can be accessed from anywhere, including at the office, at home or while on mission, including from a mobile device.

**78. An online platform for tracking and updating HRNAP implementation should be established as soon as possible. Consideration should be given to employing SharePoint software, which is available at no extra cost. The Human Rights Secretariat should invite the PSDA to share their experience in adapting the SharePoint software to reporting on the implementation of the Migration Action Plan.** If cooperation between the two secretariats were established, the PSDA's SharePoint application may be readily adapted to the HRNAP by appropriate changes in secretariat logos and other displays; uploading the content of the new action plan; and identifying new focal points. As most of the implementing agencies and some of the reporting focal points may be the same for both the HRNAP and the MAP, the learning curve for the users of the new HRNAP online platform could be relatively flat, thanks to the work already carried by the PSDA.

79. Another software for monitoring human rights obligations is SIMORE (a Spanish acronym for System for Monitoring Recommendations), which is an application developed by the Government of Paraguay.<sup>27</sup> SIMORE provides a user-friendly, publicly available search engine for information on recommendations made to Paraguay by treaty bodies and other international human rights mechanisms. The database also contains information on follow-up by Government to those recommendations. OHCHR intends to provide English versions of the software to Member States free of charge. Although the application, when available, will not be as easy to install and adapt as SharePoint (which has already been installed and adapted in Georgia), **SIMORE should be considered as a tool to facilitate greater public awareness and CSO involvement in human rights issues and follow-up by the Georgian Government to international recommendations. The Public Defender's Office should also consider adapting SIMORE to highlight its recommendations and facilitate Government follow-up, including through the HRNAP.**

ii. Reporting guidelines for the online platform

80. The reporting guidelines for using the online platform should be kept simple and information should be restricted to the requirements set out for the annual and periodic reports. Those requirements are summarized in Table 6.

**81. Given the large number of activities and objectives being reporting on, the space allocated in the reporting format must be limited in order to avoid overly long or detailed entries. Aside from the basic information on the status of an activity, a brief assessment of the expected impact on the objectives should be included. The output and target group /impact indicators should be referenced as well as a brief assessment of any problems or failures. Finally, any conclusions, recommendations and /or next steps should be briefly stated.** It should be recalled that each Focal Point will see only those parts of the HRNAP which are attributed to his or her agency.

---

<sup>27</sup> See "System for Monitoring Recommendations, SIMORE, the Paraguay Experience", available at <http://www.hchr.org.py/docs/publicaciones/045%20Sistematizacion%20SIMORE%20English%20version.pdf> (accessed 21 April 2017). See also the SIMORE tutorial available at <https://www.youtube.com/watch?v=5R-spwu0YXc> (accessed 21 April 2017).

### PROPOSED GUIDELINE FOR AGENCY INPUT INTO THE ONLINE REPORTING PLATFORM

1. Under “status”, indicate whether each of your agency’s activities were:
  - a. Completed
  - b. Partially completed
  - c. Ongoing
  - d. Delayed
  
2. Assessment of progress achieved against each objective of your agency’s activities;  
 In the space provided:
  - a. Briefly describe main achievements referencing target group /impact and activity /output indicators;
  - b. Identify and briefly explain any success stories;
  - c. Briefly describe any challenges, problems (including funding) or failures.
  - d. Briefly describe any conclusions, recommendations and /or next steps

**Table 6.**

82. There should be only five fields in the reporting format: one for the status of the activity and four for the assessment of progress achieved against each objective. The assessment should be stated as succinctly as possible in 100 words or less<sup>28</sup> for each objective. The assessment of related, mutually- reinforcing objectives for the same goal should be combined in a single assessment. The proposed word limit for four related objectives, for example, would be 400 words.<sup>29</sup> **The restrictions on length imposed by the online platform should lighten the burden of reporting by the agency focal points, reduce the time required for inputs, and facilitate both information management and analysis by the Secretariat.** The quarterly reporting will be cumulative so that by the end of the fourth quarter, sufficient information will have been entered for the annual report.

**83. The online platform should provide the Secretariat with a compilation of all agency inputs that will serve as the basis for the annual report.** The compilation should be divided by chapter and a brief introductory overview inserted by the Secretariat referencing the main partners, any relevant sectoral or multi-sectoral NAPs, commissions or councils. In the conclusion to each chapter, the Secretariat should insert references to any recommendations from international or national human rights bodies that may have been addressed in the chapter. Finally, the Secretariat should ensure a consistent use of wording, format and writing style throughout the document. Each chapter should be circulated to the relevant thematic working groups for final comment.

84. Once each chapter has been vetted and approved, the Secretariat should complete the annual report by adding:

- a. A table of contents;
- b. An executive summary;
- c. A brief overview of the main HRNAP supporting structures, including the activities /decisions of the Human Rights Council and its thematic working groups during the reporting period and an overview of the activities of the Secretariat:

---

<sup>28</sup> This number should be reviewed in light of the number of objectives contained in the 2018-2019 HRNAP. The higher the number of objectives, the lower the number of words in each assessment should be, with a view to restricting the size of the analytic section of the Annual Report to no more than 35 to 40 pages.

<sup>29</sup> Four hundred words would correspond to approximately a half-page of text in the report.

- d. Concluding observations and recommendations, if any, about the HRNAP, its implementation process and next steps or priorities for the next stage;
- e. An annex containing the HRNAP log frames, containing only information for public use and including the status of each activity;
- f. Additional annexes listing: membership in the Council and its working groups; and any legislation, policy documents or regulations adopted as a result of the HRNAP.

85. The draft annual plan can then be circulated to the Human Rights Council members for approval at a meeting of the Council.

**86. It should be recalled that the HRNAP annual report will be the “flagship” publication for the Human Rights Council, its thematic working groups and the Human Rights Secretariat. It will be a primary reference for human rights practitioners in Georgia, a guide for policy-makers, and a tool assisting Government in meeting its international reporting obligations. Therefore, every effort must be made to make it as useful and accessible as possible.**

## V. STRENGTHENING HRNAP SUPPORTING MECHANISMS

87. The standing bodies created to support the implementation of a HRNAP comprise the most critical element for the success of the plan. International experience has shown that HRNAPs cannot succeed without an authoritative monitoring /coordination mechanism, an effective network of trained and accountable agency focal points, and an active, adequately staffed supporting secretariat. Georgia has all three of those components in place, although steps must be taken to strengthen them and to better publicize their work.

### a. THE INTERAGENCY COUNCIL ON HUMAN RIGHTS

88. The creation of the Human Rights Council as a high-level coordination mechanism overseeing the implementation of the HRNAP was a significant step taken by the Government of Georgia that signaled strong political support for advancing human rights. However, by the time this consultancy was undertaken, the Council had not met for two years. That has left the Human Rights Secretariat in the difficult position of convener of the inter-ministerial network responsible for implementing the past two HRNAPs. Although the work on the HRNAPs has continued in the absence of a functioning Human Rights Council, the ensuing vacuum of authority has, at the very least, hindered decision-making and slowed the process of adapting the HRNAP network to changing circumstances and publicizing the plan as well as the other Government human rights initiatives.

89. Government has sought to re-start the Human Rights Council through the adoption of Decree 551 on 13 December 2016, which formally establishes the Interagency Council on Human Rights, including its membership and functions. Those functions include coordinating and monitoring the implementation of the action plan (article 3.1(c)) and the submission of the annual report on the implementation of the action plan (article 3.2(d)). Very importantly, the decree specifies that the Council “normally should meet every six months” (article 6.3).

**90. It is imperative that the Interagency Council on Human Rights be convened as soon as possible to consider, among other things, lessons learned and recommendations for improving the drafting, monitoring, and reporting process. This should be done before drafting starts on the new HRNAP for 2018-2019 so that agency partners have a common understanding of the way forward.** Of course, the Council will have to meet again at the beginning of the new year to approve the annual report and the next HRNAP.

## b. THEMATIC WORKING GROUPS

91. The thematic working groups, which are established under and approved by the Interagency Council on Human Rights, should meet every three months (Decree 551, article 5.4) and they should be the key fora monitoring and reporting on the implementation of the HRNAP. Information on their deliberations and findings, especially where decisions are to be taken or further support is needed, should be submitted to the Council for consideration. In order to cover all 23 main chapters of the current HRNAP, nine thematic working groups were formed as follows:

1. The Principle of Justice of the Criminal Code, Independent, Accountable and Transparent Justice System, Prosecutor's Office, Activities of Law Enforcement Agencies
2. The Penitentiary System, Torture and Other Forms of Ill-treatment and Human Trafficking.
3. Right to Privacy, Freedom of Expression, Freedom of Assembly and Association
4. Protection of National and Ethnic Minorities, Freedom of Religion and the Protection of Religious Minorities
5. Gender Equality: Empowerment of Women and the Fight Against Domestic Violence
6. Protection of Child Rights
7. Rights of Internally Displaced Persons (IDPs), Rights of Refugees, Rights of Eco-Migrant, Human Rights and Repatriation, Protection of the Rights of Residents Living Near Borders of Occupied Territories
8. Rights of Persons with Disabilities
9. Labor rights, Right to Property, Environmental rights

92. However, in the absence of a functioning Council, it is not clear that the thematic working groups have been able to function regularly or effectively. During that time, a number of new thematic bodies have been formed, which are either convened or supported by the Human Rights Secretariat. These include:

1. An Interagency Council on implementation of the Convention on the Rights of Persons with Disabilities;
2. An Interagency Commission on the implementation of the Convention on the Rights of the Child; and
3. An Interagency Council to Combat Domestic Violence.

93. While the creation of high-level mechanisms to coordinate and monitor implementation of specific human rights conventions and important issues like domestic violence is generally to be welcomed, it is unclear how these mechanisms will relate to the implementation of the HRNAP. **In order to avoid overlap and the waste of resources, it is recommended that these and other new commissions or councils should be integrated into the HRNAP monitoring and reporting system, precluding the need for separate thematic working groups on children and on persons with disabilities. The relation of any further human rights-related councils or commissions to the HRNAP and the thematic working groups already established by the Human Rights Council should be carefully considered. Additional human and financial resources for the Human Rights Secretariat must be made available if it is to effectively carry out the additional work entailed in creating new high-level human rights bodies and mechanisms that it must service.**

94. **Given the significantly changed circumstances since the Human Rights Council last met, the list of thematic working groups needs to be reviewed and revised. Consideration should be given to**

organizing the thematic working groups to cover the proposed chapters for the next HRNAP (see Table 2) as follows:

1. Civil and political rights
2. Economic, social and cultural rights
3. Women's rights and gender equality (with the participation of the Interagency Council to Combat Domestic Violence)
4. Children's rights (to be covered by the Commission on the Rights of the Child)
5. Rights of minorities, persons with disabilities and other vulnerable groups (with the participation of the Interagency Council on Persons with Disabilities)
6. Rights of IDPs, migrants and persons in or near occupied territories

c. PROMOTING AND FACILITATING NGO /CSO PARTICIPATION

95. Meetings of the consultant with NGOs undertaken in April and July demonstrated a renewed interest in the HRNAP, particularly its drafting and monitoring. There will also be a growing interest in the HRNAP from regional and local CSOs as more field visits and regional events are organized by the HR Secretariat. At the same time, civil society partners are uncertain about the future of the HRNAP and its supporting mechanisms, given that the HR Council has not met since 2015 and that the Thematic Working Groups have not been convened since 2016. A number of new HRNAP-related commissions and councils have been recently established and each appears to be developing its own approach to facilitating and governing NGO participation. There is concern that differing sets of rules governing NGO participation in the human rights commissions and councils would further contribute to confusion and lack of transparency in the work of these bodies. **Although it is up to each of the commissions and councils to adopt their own rules of procedure, they should be urged to adopt a uniform approach to NGO participation, one that is based on clear and objective criteria for graduated levels of participation and privileges. These criteria should also be applied to the Thematic Working Groups, which should be reconstituted and should meet as soon as practicable.**

96. It is useful to consider the approach taken by the United Nations in promoting and regulating the participation of NGOs in the Human Rights Council, the Economic and Social Council and other decision-making bodies.<sup>30</sup> The basic elements of a framework governing NGO /CSO participation would include:

- a. A system of graduated privileges of participation for bonafide NGOs and CSOs, dependent upon their active involvement and advocacy in the issue areas covered in the HRNAP and the HR National Strategy;
- b. A standard application form and a transparent process with objective criteria for according the appropriate level of privileges to each organization (the level of status to be accorded should be decided by the Chairperson or bureau of the responsible body on the advice of the Human Rights Secretariat);
- c. An open application process and periodic review<sup>31</sup> (re-application by organizations with consultative status) of the level of privileges accorded, taking into account the past levels of participation and relevant activity of each organization;

---

<sup>30</sup> See the rules governing ECOSOC status, contained in Economic and Social Council Resolution 1996/31 and summarized at <http://www.un.org/esa/coordination/ngo/about.htm>.

<sup>31</sup> Every three years is suggested.

- d. Priority consideration given to qualified applications submitted by NGO coalitions or sectoral umbrella groups, thereby encouraging civil organizations to establish cooperative networks, forge common positions on issues, and devise more effective approaches to advocacy;
- e. A clear restriction on civil society Observers as regards voting, thus promoting effective advocacy strategies and safeguarding the independence of NGOs and CSOs.

97. A possible framework for determining the level of consultative status and according the privileges commensurate with the status is given in table 7. **It is recommended that priority consideration be given as soon as possible to adopting a transparent and objective approach to facilitating the participation on civil society, including regional CSOs, in the work of the HRNAP. Once agreed upon provisionally by all TWGs, including the related commissions and councils, the criteria and procedures could be adopted and subsequently finalized in three years, following a review of evaluation of actual experience. It is also recommended that the Human Rights Secretariat consider setting up an informal working group of CSOs with its most active stakeholders to examine CSO issues, make recommendations, and develop a more effective outreach strategy, particularly as regards regional CSOs and NGOs focused on economic, social and cultural rights (both of which have been under-represented in the work of the HRNAP). Efforts should also be made to enhance partnerships with media by organizing training and information events.**

#### d. THE HUMAN RIGHTS SECRETARIAT

98. The effectiveness of the HRNAP rests largely on the ability of the Human Rights Secretariat to advise, support and coordinate several dozen lead and cooperating agencies, service a number of high-level councils and commissions, liaise with a broad spectrum of civil society partners, and conduct human rights research to inform government policy on a range of human rights issues. At the time of this consultancy, the Secretariat consisted of three persons: the Head of the Secretariat and two staff members. Two additional staff were expected to join in the near future to bring the Secretariat up to its assigned strength of five staff. Of course, training the new staff will take time and other vacancies will arise as staff leave for other positions as part of the normal career development process.

99. During the time that the Secretariat has experienced staff attrition, the number of tasks assigned to it has grown significantly. With each new assignment or mechanism put into place for which it is responsible, expectations and demands on Secretariat staff have risen without a commensurate increase in resources or capacity. International experience has shown that one of the most reliable ways to impede the effectiveness of a human rights body is to over-burden it with new mandates without allocating additional resources. Although this is clearly not the intention in Georgia, staff may eventually become stretched so thinly in trying to keep up that they can no longer perform their basic functions adequately. Staff may burn out from the effort or they may simply move on to another more manageable position elsewhere.

NGO /CSO CONSULTATIVE STATUS <sup>32</sup>	QUALIFYING CRITERIA	GRADUATED LEVELS OF NGO /CSO PRIVILEGES
Roster	The NGO or media outlet is legally constituted and registered according to the law.	Receive electronic updates, press releases and information on the HRNAP and the HR Council (general public information for CSOs and the media)
1	All criteria listed above and:  The NGO demonstrates its work in the relevant issue area, either as a service provider or as an advocacy organization	All privileges listed above and:  Receive electronic updates and information on the work of the Thematic Working Group(s) and the Human Rights Council (including participants, meeting agenda and meeting decisions)  Receive electronically formal written proposals to be considered by the Thematic Working Group(s) or the HR Council
2	All criteria listed above and:  The NGO demonstrates a high level of activity in the relevant issue area, as evidenced by its public reports, activities and position papers  Priority consideration to be accorded to NGO coalitions or sectoral "umbrella" NGOs  For renewal of consultative status, the level of participation in the work of the TWGs to be taken into consideration.	All privileges listed above and:  The right to participate as an Observer in the meetings of the Thematic Working Group(s) <sup>33</sup>  The right to submit relevant proposals and position papers <sup>34</sup> to the HR Secretariat for electronic circulation to members of the Thematic Working Group(s)  The right to take the floor at meetings of the Thematic Working Groups
3	All criteria listed above and:  Mention in the decree establishing the HR Council or in a special decision undertaken by the Bureau of the HR Council	All privileges listed above and:  The right to participate as an Observer in the meetings of the Human Rights Council

**Table 7: A possible framework for CSOs in consultative status with the HRNAP supporting mechanisms**

<sup>32</sup> All NGOs should apply for, and renew periodically, a request for consultative status. Applications should be vetted by the HR Secretariat according to standard criteria and the level of status should be assigned by the TWG Chairperson or bureau (Chairperson, Vice-chairperson(s) and Rapporteur) on the advice of the HR Secretariat.

<sup>33</sup> NGOs accorded Observer status should be required to furnish the Secretariat with the names of their representatives prior to the TWG meetings. The number of designated representatives should be limited according to the capacity of the relevant body to physically accommodate all participants.

<sup>34</sup> Such submissions should conform to minimum requirements as regards length and relevance to the work of the Thematic Working Groups, as decided by the TWG Chairperson or bureau (Chairperson, Vice-chairperson(s) and Rapporteur) on the advice of the HR Secretariat.

100. Fortunately, this is not yet the case in Georgia but, in order to avoid this from happening, **staffing levels in the Human Rights Secretariat must rise significantly to meet the growing demands. Consideration should be given to increasing the number of staff allotted to the Secretariat, supplemented by secondments from other departments and possible university internships. Planning must include a training capacity to train new staff as they arrive as well as to train new Human Rights Focal Points due to expected turnover. In recognition of the Secretariat's key role as a bridge to civil society, consideration should be given to establishing a civil society liaison desk focused on exclusively on public outreach and securing greater CSO participation in the HRNAP process as well as the other work of the Secretariat.**

e. OUTREACH TO LOCAL GOVERNMENT, LOCAL ACTIVISTS, AND THE PUBLIC

101. The issue of outreach to broaden the base of HRNAP stakeholders and to further human rights awareness was discussed extensively with agency representatives at the HRNAP trainings held on 12-14 and 18-20 July in Stepantsminda. Some participants suggested that the Human Rights Secretariat, in cooperation with the Ministry for Regional Development and Infrastructure, should develop a local government and local community outreach strategy and programme, building on existing and past initiatives (such as field visits and trainings) as a starting point. The initiative could begin by sending out a questionnaire to gauge HR awareness and identify priority human rights concerns. This could accompany an information package on the HRNAP and its supporting mechanisms. Follow-up field visits, human rights /HRBA training, and public discussion events could energize local actors, including government officials.

102. It was noted that there was no legal requirement or mechanism that could be used to compel local officials to cooperate with national authorities on the HRNAP. However, local government could be invited to designate a local human rights focal point, who might be included in subsequent training initiatives. Similarly, local governments could be encouraged to draft and adopt their own human rights action plan, with the input of local community activists and leaders. Such plans could provide a platform and a framework for local involvement in identifying and addressing priority human rights concerns. The regional offices of the PDO should be encouraged to participate in identifying and monitoring priority human rights concerns. Training on HRBA and the HRNAP could serve as an entry point for such encouragement. A human rights pilot programme for local government could be supported in a best practice region to explore the possibilities. If successful, a national conference could be organized there later to create more human rights awareness and publicize local efforts.

103. **The Human Rights Secretariat should consider developing a more formal strategy and programme for outreach to local officials and community leaders. Supplementary donor funding should be sought and cooperation with CSOs should be institutionalized in agreements and memoranda of understanding to support more field visits, trainings, and events to deepen human rights awareness and address local concerns. The recent EU-UNDP-supported study on public human rights awareness<sup>35</sup> should be used as a baseline for further research and taken into consideration in developing the strategy and designing activities.**

---

<sup>35</sup> "Human Rights and Justice in Georgia: Public Perceptions and Awareness", ACT, 2017.



## VI. CONCLUSIONS

104. In many ways, the Georgian HRNAP and its supporting process and mechanisms are already a best practice internationally. The Government's short but intense experience with the HRNAP since 2014 -- combined with its extensive experience with other national action plans -- has shown how a HRNAP should be supported and institutionalized. The Georgian experience serves as an example that may potentially transform international HRNAP practice from ad-hoc, often once-off measures into a standing National Mechanisms for Reporting and Follow-up. In the case of Georgia, the follow-up is not only to authoritative recommendations from international human rights bodies but also to recommendations from Government bodies and panels, recommendations from the Public Defender's Office and from concerned CSOs participating in the process.

**105. The challenge in Georgia is to adapt the HRNAP to the evolving situation in the country, apply the lessons-learned and integrate the extensive, sometimes competing human rights initiatives of Government into a coherent and workable whole so that the HRNAP process can function more smoothly and reach its full potential.** Having studied many HRNAPs in different parts of the world, I am convinced that it will be to Georgia where future HRNAP practitioners turn for inspiration. For myself, I am honored and grateful for having an opportunity to contribute to the review process.

\* \* \* \* \*

## **ANNEX I:**

### **Analytical overview of agency participation in the 2016-2017 Human Rights National Action Plan**

#### **A. LEAD IMPLEMENTING AGENCIES (37) BY ACTIVITIES (499)**

1. Central Election Commission (CEC) – 9
2. CEC Electoral Systems Development, Reforms and Training Centre – 1
3. Georgian Public Broadcaster – 2
4. “Government of Georgia” – 32
5. (Government of Georgia) Human Rights Secretariat – 11
6. High Council of Justice – 18
7. High School of Justice – 2
8. Interagency Coordination Council for the Implementation of Criminal Justice System Reform -2
9. Interagency Coordination Council against Torture – 3
10. Interagency Coordination Council against Trafficking – 2
11. Ministry of Agriculture – 9
12. Ministry of Corrections – 75
13. Ministry of Culture and Monument Protection – 11
14. Ministry of Economy and Sustainable Development – 2
15. Ministry of Education and Science – 62
16. Ministry of Environment and Natural Resources Protection – 8
17. (Ministry of Environment) Environmental Information and Education Centre – 2
18. Ministry of Foreign Affairs – 4
19. Ministry of Internal Affairs – 21
20. Ministry of Internal Affairs Academy – 3
21. Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees – 46
22. Ministry of Justice – 18
23. MOJ Crime Prevention Centre – 4
24. MOJ Training Centre of Justice – 2
25. Ministry of Labour, Health and Social Affairs – 58
26. Ministry of Regional Development and Infrastructure – 4
27. Ministry of Sport and Youth Affairs – 3
28. National Probation Agency – 9
29. Office of the Personal Data Protection Inspector – 12
30. Office of the State Minister for Reconciliation and Civic Equality – 3
31. Public Defender – 2
32. Prosecutor’s Office – 41
33. State Agency for Religious Issues – 8
34. State Fund for the Protection and Assistance of (Statutory) Victims of Human Trafficking (under the Min. Labour, Health and Social Affairs) – 2
35. Supreme Court – 1
36. Temporary Governmental Commission for responding to the needs of the population of the villages near the dividing line – 1
37. Tripartite Commission on Social Partnership – 5

**TOTAL ACTIVITIES – 499 (plus two unreferenced activities: 1.3.1.7.1 and 1.3.8.1.)**

**Most committed agencies: Ministry of Corrections (75); Ministry of Education (61); Ministry of Labour, Health and Social Affairs (58); Ministry for IDPs (46); Prosecutor’s Office (41); “Government of Georgia” (32). The subtotal is 313, over 60%.**

**B. Additional entities listed in the 2016-2017 HRNAP as cooperating agencies (25)**

1. Agricultural Projects Management Agency (APMA)
2. Centre for International Education
3. Education Management Information System
4. Environmental Information and Education Centre
5. Georgian Amelioration, LTD
6. Georgian Civil Aviation Agency
7. IDP Livelihood Agency
8. Interagency governmental council on repatriation of forcefully displaced persons from Georgian SSR by former USSR in the 1940s, approved with Decree #111 of March 1, 2011 of the Government of Georgia
9. L. Sakvarelidze National Centre for Disease Control and Public Health
10. Land Transport Agency
11. Ministry of Energy
12. Ministry of Finance
13. National Agency for State Property Management
14. National Agency of Public Registry
15. National Center for Educational Quality Enhancement
16. National Examination Centre
17. National Food Agency
18. Office of the State Minister on European & Euro-Atlantic Integration
19. Office of the State Minister of Georgia for Diaspora Issues
20. Public Service Development Agency
21. Public Service Bureau
22. Scientific Research Center of Agriculture (SRCA)
23. State Coordination Council on the issues of Persons with Disabilities
24. State Security Agency
25. Zurab Zhvania Institute of Public Affairs

## **ANNEX II:**

# **GOVERNMENT OF GEORGIA GUIDELINES<sup>36</sup> FOR REPORTING ON A MULTI-SECTORAL NATIONAL ACTION PLAN**

## **4.3. Monitoring of and reporting on multisectoral/sectoral strategies and action plans**

### **Frequency of monitoring and reporting**

Monitoring of the implementation of multisectoral/sectoral strategy is carried out by developing **annual performance report**. The report focuses on the achievement of the goals and compares them with the performance indicators. The report should give the information on key achievements and implemented reforms. The document should also include the **report on the implementation of the action plan**.

The report on monitoring of the implementation of the strategy and action plan is developed once a year; however, monitoring report may be developed once in six months or once a quarter or more often on as needed basis.

### **Monitoring and reporting procedures**

Coordination of annual report should be carried out by the **leading Ministry** responsible for the development of multisectoral/sectoral strategy. Organizations responsible for achieving the goals and conducting activities should participate in monitoring and submit information to the leading Ministry. The leading Ministry may send instructions on the submission of information to the organizations responsible for achieving the goals and conducting activities.

The leading Ministry develops the report on monitoring the implementation of the strategy and action plan based on the information received from participating organizations and sends it to the interested parties. Suggested structure of the report is presented in **Annex 3**.

### **Annex №3: Structure of the annual report of multisectoral and sectoral strategy**

Final structure of the implementation report depends on the final structure of the strategy.

#### **1. Executive summary**

This part includes brief information on the achievement of each goal based on on performance indicators as well as the information on the process of key reforms. The importance of activities is defined by the limits of their impact, the role and place they have in the agenda, and the interest expressed by media and civil society. In order to better illustrate the achievement, diagrams, tables and figures can be used.

This part aims at informing the decision makers, public at large and stakeholders.

#### **2. Achievement of the objective**

This part describes the process of achieving each goal of National Development Strategy.

##### **2.1. Progress made to achieve the objective**

---

<sup>36</sup> Taken from the "Policy Planning Handbook", Administration of the Government of Georgia, 2016.

This sub-chapter gives the information on the processes related to the achievement of each goal and is described based on the performance indicator. The information should state whether the performance indicator was fulfilled. It should also describe the most important activities of the reform. For visual aid, figures, diagrams, and tables can be used. This will give us some idea about how close the strategy is to its targets.

Each sub-chapter may include the following information:

- 1) Assessment of key achievements using performance indicators (schemes should be applied);
- 2) Success stories;
- 3) Assessment of problems/failures;
- 4) Conclusions and further steps.

#### **Action plan**

Report should include the information on the implementation of each activity.