



Convention on the Rights of Persons with Disabilities

Distr.: General
18 April 2023

Original: English

Committee on the Rights of Persons with Disabilities

Concluding observations on the initial report of Georgia*

I. Introduction

1. The Committee considered the initial report of Georgia¹ at its 628th and 629th meetings,² held on 9 and 10 March 2023. It adopted the present concluding observations at its 644th meeting, held on 21 March 2023.
2. The Committee welcomes the initial report of Georgia, which was prepared in accordance with the Committee's reporting guidelines, and thanks the State party for its written replies³ to the list of issues prepared by the Committee.⁴
3. The Committee expresses its appreciation for the constructive dialogue held with the delegation of the State party, which covered a wide array of issues and included representatives of relevant government ministries, members of Parliament and of the judiciary. The Committee also appreciates the active participation of the Office of the Public Defender of Georgia, in its capacity as the national human rights institution and independent monitoring mechanism, pursuant to article 33 (2) of the Convention.

II. Positive aspects

4. The Committee welcomes the measures taken by the State party to implement the Convention since its ratification thereof, in 2014.
5. The Committee welcomes in particular the legislative and policy measures taken to promote the rights of persons with disabilities, namely:
 - (a) The Law on the Rights of Persons with Disabilities, adopted in 2020, and its unified strategy covering the period 2021–2035;
 - (b) The Law on the Elimination of All Forms of Discrimination;
 - (c) The Law on Social Protection of Persons with Disabilities;
 - (d) The Law on Gender Equality;
 - (e) The Resolution on the creation of areas for persons with disabilities and technical regulation of architectural and planning elements, providing for the incorporation of standards for an accessible physical environment for persons with disabilities in the process of planning and construction.

* Adopted by the Committee at its twenty-eighth session (6–24 March 2023).

¹ CRPD/C/GEO/1.

² See CRPD/C/SR.628 and CRPD/C/SR.629.

³ CRPD/C/GEO/RQ/1.

⁴ CRPD/C/GEO/Q/1.



6. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at implementing the Convention, in particular the establishment of an interagency coordination committee that is responsible for the implementation of the Convention.

III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1–4)

7. The Committee observes the following with concern:

(a) The lack of implementation of the Convention in the occupied territories of Abkhazia, Georgia, and Tskhinvali region/South Ossetia, Georgia, and the risk faced by persons with disabilities therein to internal displacement and other infringements on their human rights;

(b) The prevalence of the medical approach to disability in the State party's disability assessment system, which persists in the reform process;

(c) That legislation and practices in areas such as mental health, participation in social and political affairs and family matters reinforce negative stereotypes of persons with disabilities, including of a dependence on third parties and a lack of autonomy, and retain the use of derogatory language;

(d) The absence of a national strategy and action plan on disability at the national and local levels to implement the Convention and the limited scope of disability rights in the national human rights strategy, 2022–2030, and its action plan.

8. **The Committee recommends that the State party:**

(a) **Include internally displaced persons with disabilities from the territories of Abkhazia, Georgia, and Tskhinvali region/South Ossetia, Georgia, in long term-housing initiatives for internally displaced persons and take into consideration the recommendations made in the context of the universal periodic review in relation to Georgia, in 2021,⁵ aimed at enhancing cooperation with international partners to ensure unrestricted access for humanitarian and development organizations and international human rights monitoring bodies to address the situation of persons with disabilities within these regions;**

(b) **Complete the process to establish a disability assessment system and ensure that: (i) organizations of persons with disabilities are involved in its design; (ii) multiple assessments do not create an undue burden for applicants; (iii) policies and programmes shift from care, treatment and protection towards the removal of environmental and attitudinal barriers, which prevent equality and inclusion; and (iv) the disability assessment system ensures that disability entitlements are tailored to the requirements of each individual;**

(c) **Expedite the review process to bring legislation and public policies, including the Law of Georgia on Medical and Social Expertise and Mental Health Development and the action plan, into line with the human rights model of disability, as elaborated in the Committee's general comment No. 6 (2018) on equality and non-discrimination;**

(d) **Enact a comprehensive strategy and a national action plan to implement the Convention that contains appropriate human, technical and financial resources, benchmarks and time frames, in consultation with representative organizations of persons with disabilities across the territory of the State party.**

⁵ See [A/HRC/47/15](#).

9. The Committee observes the following with concern:

(a) The lack of provisions to ensure access to national public funds by organizations of persons with disabilities, which rely mainly on international cooperation to function and to carry out their advocacy work;

(b) The unsystematic involvement of organizations of persons with disabilities in measures to implement the Convention and other matters related to persons with disabilities, across State entities and at the municipal level, and information received by the Committee about recommendations from organizations of persons with disabilities being overlooked during consultations;

(c) That organizations of service providers prevail in the Government's consultative mechanisms, in which they regularly hold the majority of votes, to the detriment of grass-roots organizations of persons with disabilities, organizations of women with disabilities and organizations of children and young people with disabilities;

(d) The absence of accessible information, disability-inclusive methodologies and the human, technical and financial resources for conducting periodic consultations, including with organizations of persons with intellectual disabilities.

10. **With reference to its general comment No. 7 (2018) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention, the Committee recommends that the State party:**

(a) **Ensure the right of persons with disabilities to freedom of association, including by making national funds available to all organizations of persons with disabilities, including organizations of women with disabilities and self-advocacy organizations, and guaranteeing their right to seek and gain access to legitimate foreign funding;**

(b) **Introduce mandatory and regular consultations with organizations of persons with disabilities, across all levels and sectors of the administration, based on transparency, mutual respect, meaningful dialogue and a sincere aim to reach collective agreements on procedures that respond to the diversity of organizations led by persons with disabilities, allowing for reasonable and realistic timelines and giving due weight to the views of persons with disabilities throughout the public decision-making process;**

(c) **Prioritize the involvement of, and consultations with, representative organizations of persons with disabilities in consultative bodies and mechanisms, providing due weight to their opinions and ensuring the participation of organizations of women and girls with disabilities and organizations of persons with intellectual disabilities;**

(d) **Allot human, technical and financial resources to conduct public consultations with representative organizations of persons with disabilities, develop accessible methodologies for consultation and information tools, including in Easy Read, provide sufficient time for informed decision-making and establish capacity-building programmes for public officers and persons with disabilities participating in consultative procedures.**

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

11. The Committee is concerned about the following:

(a) The lack of legislative and executive measures to give effect to the guarantees of equality and the prohibition of discrimination for persons with disabilities contained in the Law on the Rights of Persons with Disabilities and the insufficient enforcement mechanisms, including the coordination of enforcement;

(b) The absence of provisions in the Law on the Rights of Persons with Disabilities accounting for the specific requirements of older persons with disabilities and the information before the Committee indicating that older persons with disabilities have had to choose between social benefits for older persons or for persons with disabilities during the coronavirus disease (COVID-19) pandemic;

(c) De facto discrimination against persons with disabilities living in rural areas, mainly due to insufficient access to services in the community, and intersectional discrimination affecting lesbian, gay, bisexual, transgender, queer and intersex persons with disabilities, including the absence of a normative framework recognizing intersectional discrimination;

(d) The limited, and often ad hoc, provision of reasonable accommodation in a broad range of areas, including health, education, employment and access to services in the community.

12. The Committee, recalling its general comment No. 6 (2018) on equality and non-discrimination, recommends that the State party:

(a) Include the right to equality and protection against discrimination for persons with disabilities in all legislative and executive measures and establish enforcement mechanisms for all legislation protecting persons with disabilities against unequal treatment and discrimination and endow those mechanisms with sufficient financial resources and personnel to fulfil their mandates;

(b) Amend the Law on the Rights of Persons with Disabilities to take into account the specific requirements of older persons with disabilities therein;

(c) Institute legislative and policy measures at the national and municipal levels aimed at addressing the situation of persons with disabilities living in rural areas, including timebound targets and indicators of progress, and measures to combat discrimination against lesbian, gay, bisexual, transgender, queer and intersex persons with disabilities;

(d) Adopt guidelines and training, in close consultation with organizations of persons with disabilities, for State and non-State actors on their obligations to provide reasonable accommodation, in particular on the application of the concept of “a disproportionate or undue burden”, as contained in article 2 of the Convention.

Women with disabilities (art. 6)

13. The Committee is concerned about the following:

(a) The absence of disability perspectives in the Gender Equality Law and of gender-based perspectives in the Law on Rights of Persons with Disabilities;

(b) The lack of comprehensive data collection mechanisms aimed at identifying areas of discrimination against and disadvantage among women and girls with disabilities and measures to address all forms of discrimination affecting them;

(c) The absence of programmes and budgetary allocations at the municipal level for measures to protect women and girls with disabilities from discrimination and for fostering their participation in the community and in society.

14. The Committee, recalling its general comment No. 3 (2016) on women and girls with disabilities, and targets 5.1, 5.2 and 5.5 of the Sustainable Development Goals, recommends that the State party:

(a) Mainstream the rights of women and girls with disabilities into the implementation of the Law on Rights of Persons with Disabilities and the Gender Equality Law and in their respective strategies, policies and programmes, to ensure that women and girls with disabilities can in fact participate in decision-making processes at all levels;

(b) Promote research on the situation of women and girls with disabilities, include their concerns in the collection of data on persons with disabilities, and on

women in general, and actively involve representative organizations of women and girls with disabilities in the design, implementation, monitoring and evaluation of such measures;

(c) **Adopt a strategy, in consultation with representative organizations of women with disabilities, to promote the advancement of women and girls with disabilities in all areas of life, including by providing sexual and reproductive health care and awareness-raising programmes.**

Children with disabilities (art. 7)

15. The Committee observes the following with concern:

(a) That current disability assessments are based on the medical model and prevent children with disabilities from acquiring access to individualized support and equal access to services in the community;

(b) That public programmes for children with disabilities are limited in their coverage, disadvantaging in particular children with disabilities in situations of poverty, children belonging to ethnic minority groups and autistic children;

(c) That programmes designed for children by social workers are not accessible to children with disabilities, bringing about further barriers for the development of children with disabilities, including children requiring higher levels of support.

16. **With reference to the joint statement of the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities, of 2022, the Committee recommends that the State party:**

(a) **Ensure that children with disabilities have access to social programmes aimed at the inclusion of children in the community, regardless of impairment, and that programmes recognize their individual requirements and respond to them appropriately, in both urban and rural areas;**

(b) **Expand coverage of programmes at the national and municipal levels to foster the inclusion of children with disabilities, including by: (i) addressing the situation of poverty among children with disabilities; (ii) ensuring that all children with disabilities have a standard of living adequate for their physical, mental, spiritual and moral development; and (iii) prioritizing safe living conditions and the provision of food and free and accessible medical care and education;**

(c) **Develop disability-related quality standards and requirements applicable in all programmes designed for children, including in early childhood development programmes, in health care and education, ensuring that such programmes are age-appropriate and address barriers to the inclusion of all children with disabilities, regardless of type of impairment, and that information about such programmes is available in accessible formats, such as Easy Read, augmentative means and other forms of communication.**

Awareness-raising (art. 8)

17. The Committee expresses its concern about reports of widely held negative attitudes, stereotypes and prejudices targeted at persons with disabilities, in particular persons with intellectual or psychosocial disabilities, in all aspects of life. Such attitudes prevail among the general population, including the parents and families of children with disabilities, and contribute to the isolation of persons with disabilities from the community and a lack of participation in support programmes available to them.

18. **The Committee recommends that the State party:**

(a) **Strengthen awareness-raising activities, such as public campaigns, with various target audience groups, aimed at eliminating negative stereotypes and prejudice towards persons with disabilities, in particular persons with intellectual or psychosocial disabilities and children with disabilities;**

(b) **Ensure the active involvement of organizations of persons with disabilities, including organizations of persons with intellectual disabilities and organizations of women with disabilities, in the design, implementation and periodic monitoring of such programmes.**

Accessibility (art. 9)

19. The Committee notes the following with concern:

(a) The absence of comprehensive national legislation about accessibility and of a national accessibility plan encompassing all areas of life;

(b) The accessibility barriers to the physical environment, including to kindergartens, health-care premises, court buildings, bank offices, notary bureaus and public transport, including inter-municipality transport;

(c) The lack of monitoring of accessibility regulations, in particular concerning the technical regulations on national accessibility standards;

(d) The absence of strategies and public investments to address accessibility barriers concerning information and communication, including communications technologies and systems.

20. **With reference to its general comment No. 2 (2014) on accessibility, the Committee recommends that the State party, in consultation with organizations of persons with disabilities:**

(a) **Draft and enact legislation on accessibility, including the draft law on web and mobile application accessibility, and a national strategy and accessibility plan to implement accessibility requirements in all areas of life, with time frames and benchmarks based on best international practices, and provide for sufficient funding for their implementation;**

(b) **Increase annual funding for accessibility projects to improve accessibility of public spaces, including outdoor areas, and new and existing buildings, especially those used for educational, health, administrative and cultural purposes;**

(c) **Conduct a national assessment of all areas of accessibility encompassed by the Convention, providing for short- and long-term measures to be taken by public and private stakeholders;**

(d) **Establish a monitoring, reporting and evaluation system that comprehensively evaluates the implementation of the national accessibility standards and its related projects, ensuring redress and sanctions in cases of non-compliance;**

(e) **Ensure the human, technical and financial resources necessary to provide for sign language interpretation, subtitling, captioning, audio description, Braille and Easy Read in all spheres of life.**

Right to life (art. 10)

21. The Committee is concerned that:

(a) According to article 148 (2) of the Law on Healthcare, if a person with a terminal illness is unconscious, a relative or a legitimate representative has the right to decline the services of resuscitation, end-of-life care and palliative care and/or palliative treatment for the patient, as referred to by the State party in its replies to the list of issues and questions;⁶

(b) Substitute decision-making curtails the right of persons with disabilities under guardianship to take decisions concerning their health care and treatment, in particular life-ending measures, and decisions made by legal representatives and health-care practitioners prevail.⁷

⁶ CPRD/C/GEO/RQ/1, para. 54.

⁷ Ibid., para. 56.

22. **The Committee recommends that the State party, in consultation with organizations of persons with disabilities and the Office of the Public Defender:**

(a) **Repeal provisions that allow for denial of end-of-life care and palliative care on the basis of third-party assessments and reaffirm the value of the lives of persons with disabilities on an equal basis with others, including by taking legislative measures and adopting protocols to ensure that all decisions about medical treatment in life-threatening situations are made on the basis of the will and preference of the person concerned and that the latter is provided with appropriate support;**

(b) **Review its legislation and amend provisions that restrict the autonomy of persons with disabilities in health care contexts.**

Situations of risk and humanitarian emergencies (art. 11)

23. The Committee is concerned about the following:

(a) The lack of a disability-inclusive perspective in plans to manage situations of crisis, including the accessibility for persons with disabilities of crisis communication, risk information, critical infrastructure and services;

(b) The lack of mechanisms to facilitate the participation of organizations of persons with disabilities in disaster risk reduction policies and strategies and in the recovery phase;

(c) The impact of the COVID-19 pandemic and the measures taken to alleviate its consequences, in particular the restrictions on use of public transport, the non-accessibility of remote learning technology and medical services, and the suspension of rehabilitation programmes;

(d) The lack of information about the situation and the rights of persons with disabilities in the occupied territories of Abkhazia, Georgia, and Tskhinvali region/South Ossetia, Georgia, including measures related to the possibility for persons with disabilities to access humanitarian aid and to essential services in the community.

24. **The Committee recommends that the State party:**

(a) **Adopt a gender- and disability-responsive strategy to ensure that critical infrastructure as well as risk information and crisis communication are fully accessible, covering all types of impairment, that it is available in local languages and accessible formats including Easy Read and sign language, and that takes into account the Sendai Disaster Risk reduction Framework;**

(b) **Establish mechanisms to closely consult with and actively involve persons with disabilities in preparedness, management and recovery policies, and adopt measures to raise the capacity of organizations of persons with disabilities, including organizations of women with disabilities to enable them to interact effectively with government, administrative entities, the military, rescue and emergency organizations and other stakeholders during emergencies;**

(c) **Mainstream disability into its COVID-19 response and recovery plans, including with regard to ensuring equal access to vaccines, health services and other economic and social programmes to tackle the negative impact of the pandemic, and adopt measures for deinstitutionalization for persons with disabilities in times of emergency and to provide them with appropriate support to live in the community;**

(d) **Take measures, in cooperation with humanitarian actors and ensuring participations of organizations of persons with disabilities, to ensure access by persons with disabilities in the regions of Abkhazia, Georgia, and Tskhinvali region/South Ossetia, Georgia, to humanitarian aid, evacuation programmes and community-based services.**

Equal recognition before the law (art. 12)

25. The Committee is concerned about the following:

(a) Legislation and practices that continue to deny legal capacity for persons with intellectual disabilities and persons with psychosocial disabilities who are considered to have “antisocial personality disorder”, coma patients and persons with advanced Alzheimer’s disease and legislation limiting the exercise of the legal capacity of persons with disabilities, including in the areas of family life, parental rights, the right to work and the right to participate in political and public life;

(b) The insufficient progress made in ensuring that persons with intellectual disabilities and persons with psychosocial disabilities living in institutions regain their legal capacity;

(c) The fact that the appointment of support personnel still relies solely on the medical assessment and evidence provided by the Forensic Bureau, the delay in implementing a range of supported-decision mechanisms and the limited awareness in government and society about the right of persons with disabilities to equal recognition before the law and supported decision-making;

(d) The limited scope of mechanisms to address conflicts of interest between persons with disabilities, on the one side, and social workers and family members appointed as support persons, on the other side.

26. The Committee, recalling its general comment No. 1 (2014) on equal recognition before the law, and with reference to the assessment of the legal capacity reform conducted by the Office of the Public Defender of Georgia, in 2022, recommends that the State party:

(a) Repeal all provisions allowing substitute decision-making in any situation and end situations of de facto guardianship, inter alia, with respect to the many persons with disabilities who have been classified as “support recipients”;

(b) Ensure that supported decision-making is provided on the basis of the will and preferences of the person concerned and that persons with disabilities have the right to accept or refuse support and participate themselves, with appropriate information in accessible formats, in all procedures concerning the appointment of support persons and introduce a range of supported decision-making alternatives tailored to all types of impairment;

(c) Introduce safeguards to prevent and address conflicts of interest between persons with disabilities and support personnel and ensure that the right of persons with disabilities to choose and acquire access to support prevails;

(d) Prioritize and establish accessible and expeditious mechanisms to ensure that persons with intellectual disabilities and persons with psychosocial disabilities in institutions regain their legal capacity and have access to genuine support measures compatible with the Convention.

Access to justice (art. 13)

27. The Committee notes the following with concern:

(a) That the Criminal Procedure Code excludes persons with disabilities “not able to adequately comprehend, memorize and recollect the circumstances that are essential to the case, and to give information or testimony,” from being interrogated as a witnesses, including in cases of alleged abuse, and denies persons with disabilities undergoing compulsory psychiatric treatment the right to request a review of the treatment by a judicial authority;

(b) The lack of accessibility and effective procedural accommodation in judicial and administrative procedures;

(c) The lack of information about legal aid and remedies, including access to a lawyer, for persons with disabilities;

(d) Reports of impunity for abuses by law enforcement officials;

(e) Reports of online harassment of persons with disabilities not being prosecuted, despite the existence of criminal provisions against online harassment.

28. **The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities, of 2020, and target 16.3 of the Sustainable Development Goals, and recommends that the State party:**

(a) **Repeal all legal provisions that restrict the right of persons with disabilities to participate in administrative and judicial proceedings and recognize their right to participate in administrative and judicial proceedings in all roles, on an equal basis with others;**

(b) **Provide gender-sensitive and age-appropriate procedural accommodation for persons with disabilities, ensuring the accessibility of the physical, information and communication aspects of administrative and judicial procedures, including the provision of professional sign language interpreters and the use of Braille;**

(c) **Guarantee persons with disabilities access to legal aid services, in particular to competent lawyers, and actively inform persons with disabilities about their rights;**

(d) **Expand independent monitoring of the implementation of access to justice for persons with disabilities and ensure that reports of abuse of persons with disabilities are investigated effectively;**

(e) **Strengthen training for law enforcement officials and members of the legal profession about the equal rights of persons with disabilities to access to justice and to ensure that provisions of the Convention are invoked in conducting judicial proceedings and in judicial decisions;**

(f) **Establish effective mechanisms to enforce existing laws against hate crimes, in particular online harassment, against persons with disabilities and introduce accessible tools and information, including in Easy Read, to provide persons with disabilities with information about the status of their complaints.**

Liberty and security of person (art. 14)

29. The Committee observes the following with concern:

(a) Involuntary psychiatric inpatient and specialist care in designated facilities on the basis of disability, as envisaged by the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine (Oviedo Convention), affects in particular adults and children with intellectual disabilities and persons with psychosocial disabilities;

(b) The lack of accessibility of the physical environment of penitentiary institutions, including the absence of accessible meeting rooms for persons with disabilities to meet with their lawyers and for hosting meetings with visitors, including family members;

(c) That the process to draft an additional protocol to the Oviedo Convention may include repressive measures against persons with disabilities on the basis of their perceived dangerousness and not in accordance with their will and preferences.

30. **The Committee recommends that the State party;**

(a) **Withdraw provisions that allow for the involuntary deprivation of liberty and treatment on the basis of disability and adopt measures to ensure the availability of community-based and human rights-based mental health services and support, across the country, respecting the right to liberty of persons with disabilities and guaranteeing their right to decide on their health care, including in situations of individual crisis;**

(b) **Ensure that places of deprivation of liberty are accessible and that reasonable accommodation is provided and allocate the respective human, technical and financial resources;**

(c) **In fulfilment of its obligations under the Oviedo Convention, follow the human rights model of disability and the Committee's guidelines on the right to liberty**

and security of persons with disabilities⁸ and reform its mental health services accordingly, including by providing voluntary support measures;

(d) Recognize the Committee's joint open letter with the Special Rapporteur on the rights of persons with disabilities, of June 2021, and in its future participation in any process for an additional protocol or recommendations to the Oviedo Convention, aim to move away from coercive measures and build up a non-coercive framework on mental health, as required under the Convention on the Rights of Persons with Disabilities.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

31. The Committee is deeply concerned about the following:

(a) Domestic legislation allowing for forced psychiatric treatment and restrictive measures on the basis of doctors' decisions;

(b) Information before the Committee about inhuman or degrading treatment, in particular of persons with psychosocial and persons with intellectual disabilities, including the use of mechanical and chemical restraints, isolation, seclusion, forced medication, neglect, physical abuse and sexual violence, in psychiatric interventions and in institutions.

32. **The Committee recommends that the State party:**

(a) **Repeal all legislation permitting forced treatment, in particular provisions in the Law on Mental Health, prohibit forced treatment and establish measures to enable persons with disabilities to oppose medical, including mental health, treatment;**

(b) **Adopt measures to prevent and prohibit the torture or cruel, inhuman or degrading treatment of persons with disabilities, including involuntary medical treatment, establish a complaint mechanism accessible to persons with disabilities in all institutional settings and provide legal remedies and redress;**

(c) **Adopt measures to ensure that acts of torture or cruel, inhuman or degrading treatment, including involuntary medical treatment, perpetrated against persons with disabilities are investigated and, where appropriate, that perpetrators are prosecuted.**

Freedom from exploitation, violence and abuse (art. 16)

33. The Committee is concerned about the following:

(a) The absence of specific frameworks to prevent and address gender-based violence against women with disabilities, including various forms of abuse and harassment;

(b) The limited scope of actions to detect cases of gender-based violence against women, in particular sexual violence and that which affects women with intellectual disabilities and women with psychosocial disabilities;

(c) The insufficient referral programmes and measures to provide persons with disabilities who have been exposed to violence with access to physical and psychosocial rehabilitation;

(d) The reports of corporal punishment, abuse and domestic violence, affecting in particular children with disabilities in rural areas and autistic children.

34. **With reference to the Committee's statement of 24 November 2021, in which it called for action to be taken to eliminate gender-based violence against women and girls with disabilities, and recalling targets 5.1, 5.2 and 5.5 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Adopt a strategy for guaranteeing women and girls with disabilities protection against all forms of gender-based violence, exploitation and abuse, in**

⁸ [A/72/55](#), annex.

consultation with organizations of persons with disabilities, in particular organizations of women and girls with disabilities;

(b) **Disseminate accessible information among women with disabilities, including women with intellectual disabilities and women with psychosocial disabilities, about the various forms of gender-based violence, including sexual violence, their right to be free from these forms of violence and the complaint procedures for reporting cases of gender-based violence;**

(c) **Ensure that referral programmes and psychosocial support are available and accessible for women with disabilities who are victims of gender-based violence;**

(d) **Address the situation of women and girls with disabilities by implementing the recommendations of the Committee on the Elimination of Discrimination against Women contained in its concluding observations on the sixth periodic report of the State party concerning gender-based violence against women;⁹**

(e) **Enact legislation to ban all corporal punishment, abuse and domestic violence, in particular regarding children with disabilities living in poverty and autistic children.**

Protecting the integrity of the person (art. 17)

35. The Committee observes with concern the information before it about forced or involuntary abortion, sterilization, contraception and the use of sexuality suppression medication against persons with disabilities in the State party.

36. **The Committee recommends that the State party explicitly prohibit the use, on the basis of the authorization of a third party, of abortion, sterilization, contraception and sexuality suppression medication on persons with disabilities and that it develop public programmes to raise awareness and inform persons with disabilities, targeting young persons with disabilities and women and girls with disabilities, about their sexual and reproductive rights.**

Liberty of movement and nationality (art. 18)

37. The Committee is concerned about the following:

(a) The lack of appropriate support measures and reasonable accommodation for asylum-seekers with disabilities, in particular the scarcity of qualified sign language interpreters in immigration procedures and the limited accessibility for wheelchair users and other persons with disabilities to premises such as the Migrant Accommodation Centre of the Ministry of Internal Affairs and the Integration Centre of the Internally Displaced Persons, Eco-Migrants and Livelihood Agency of the Ministry of Health;

(b) Information before the Committee indicating that there are insufficient health-care services for migrant persons with disabilities, in particular in the Adjara district;

(c) Information before the Committee indicating that disability benefits are not available for refugees with disabilities.

38. **The Committee recommends that the State party:**

(a) **Provide appropriate support measures and reasonable accommodation for asylum-seekers with disabilities, establish procedural accommodation for persons with disabilities in asylum proceedings and provide such mechanisms with sufficient financial means and personnel, in particular qualified sign language interpreters;**

(b) **Ensure that building premises dedicated to migrant and asylum-seeking procedures are accessible for asylum-seekers and refugees with disabilities regardless of type of impairment;**

⁹ See CEDAW/C/GEO/6.

(c) **Ensure that health care is provided to asylum-seekers and refugees with disabilities, including accessible psychosocial support services in the community;**

(d) **Adopt measures, including protocols, to recognize persons with disabilities in refugee-like situations in the social security schemes in the State party and ensure that such persons have access to disability-related benefits.**

Living independently and being included in the community (art. 19)

39. The Committee observes the following with concern:

(a) That sub-programmes of “community organizations” and “small family-type homes” referred to by the State party in its initial report¹⁰ reproduce institutionalization, discrimination and marginalization of persons with disabilities;

(b) That the deinstitutionalization programme is implemented in a fragmented manner, leaving some large institutions operating, and the absence of measures to support persons with disabilities in developing their skills to live independently and in the community;

(c) The insufficient range of support measures to live in the community, including home care services and personal assistance;

(d) The lack of measures to develop accessible and affordable housing in the community, providing persons with disabilities with a choice of where and with whom they live, on an equal basis with others.

40. **The Committee recommends that the State party, in line with its general comment No. 5 (2017) on living independently and being included in the community, and with the support of the guidelines on deinstitutionalization, including in emergencies,¹¹ issued in 2022:**

(a) **Ensure the right of persons with disabilities to live independently and their freedom to choose where and with whom to live, preventing any type of congregated living arrangements, including “family-like environments”, which reproduce isolation and institutionalization, and redirect resources from institutions, including small-sized institutions, towards support for living in the community;**

(b) **Develop and implement a deinstitutionalization strategy, with the active involvement of organizations of persons with disabilities, with clear time frames and budgetary allocations, extending to all persons with disabilities, regardless of age, gender or type of impairment, containing measures to develop independent living skills and to facilitate the transition between institutional settings and life in the community;**

(c) **Strengthen measures to develop community-based services and individualized forms of support, ensuring even geographical coverage of all support measures, such as peer support groups, cash transfers or personal budgets;**

(d) **Establish an accessible and affordable housing strategy for living in the community, including the allocation of resources for the adaptation of housing infrastructure in rural and urban areas that allows adults with disabilities to choose where and with whom they live, on an equal basis with others and avoiding small-congregated settings, and adopt a monitoring strategy with benchmarks to assess the achievements of housing programmes;**

(e) **Ensure the availability, accessibility, affordability and adaptability of services in the community, including with regard to education, health care, participation in political and public life and rehabilitation, and remove segregated services.**

¹⁰ CRPD/C/GEO/1, para. 126.

¹¹ CRPD/C/5.

Personal mobility (art. 20)

41. The Committee is concerned about the lack of available and affordable assistive devices and related support services for all persons with disabilities. In particular, it observes the limited coverage of the wheelchair voucher scheme under the sub-programme on the “provision of supporting equipment”, which is restricted to one type of bus transport organization and accessible to only one type of wheelchair. It is also concerned that personal mobility on public transport is not ensured for persons with visual or hearing impairments.

42. **The Committee recommends that the State party:**

(a) **Strengthen its measures to ensure that private entities providing transport services introduce a range of measures to facilitate personal mobility, such as guide dogs, mobility aids, devices and live assistance;**

(b) **Develop public policies at the national and municipal levels to ensure the availability, equal distribution and affordability of assistive devices for all persons with disabilities and support the development of mobility skills by children with disabilities.**

Freedom of expression and opinion, and access to information (art. 21)

43. The Committee observes the following with concern:

(a) The absence of a national standard for, and effective monitoring of, the accessibility of information, leading to a lack of accessible written, verbal and electronic communication, and information about the lack of resources for the translation of legal documents and public information in municipalities into native languages and accessible formats, creating barriers for persons with disabilities belonging to ethnic minority groups;

(b) The limited financial resources for the implementation of Georgian Sign Language and that the availability of training for sign language interpreters is very limited in all regions and fully absent in some of them, in mainstream schools and in free legal aid service institutions;

(c) The low wages and the absence of licensing standards for sign language interpreters;

(d) The slow progress in the promotion of accessibility of websites of public and private entities.

44. **The Committee recommends that the State party:**

(a) **Develop and implement a unified standard of accessibility, based on international standards, to provide information intended for the general public in accessible formats and technologies accessible to all persons with disabilities, in a timely manner and without additional costs;**

(b) **Create and implement a system of monitoring and evaluation of accessibility projects and provide persons with disabilities, including persons with disabilities belonging to ethnic minority groups, with free, professional interpretation services in administrative procedures before State agencies, as well as in interactions with social workers;**

(c) **Allocate sufficient funding for the training and employment of sign language interpreters, define licensing standards for them and establish an action plan to ensure sufficient coverage of sign language interpreters, in particular in schools and public services;**

(d) **Enact and implement the law on web and mobile applications accessibility obliging providers of information on the Internet to make their services accessible to persons with disabilities.**

Right to privacy (art. 22)

45. The Committee expresses its concern about the lack of comprehensive measures ensuring data protection and privacy practices in hospitals and institutions for persons with disabilities.

46. **The Committee recommends that the State party review and revise the Law on Personal Data Protection to include the data protection and privacy practices of hospitals and institutions and set up data protection protocols in both health-care facilities and institutions for persons with disabilities, guaranteeing the privacy of personal, health and rehabilitation information of persons with disabilities, on an equal basis with others.**

Respect for home and the family (art. 23)

47. The Committee notes the following with concern:

(a) The restriction of parental rights of persons with psychosocial disabilities, in particular women living in institutions, solely on the basis of medical assessments and entailing separation from their children;

(b) The limited coverage of programmes to support the inclusion of children with disabilities and their families in the community, resulting in heightened exposure to abandonment and institutionalization;

(c) That programmes and subprogrammes on the rehabilitation of children and on childcare lack measures to support parents with disabilities in their child-rearing responsibilities.

48. **The Committee recommends that the State party:**

(a) **Withdraw legislation and practices restricting the parental rights of persons with disabilities whose legal capacity has been restricted and enforce provisions in the Code of the Rights of the Child prohibiting separation of children from their parents on the basis of disability of the child or the parent, as indicated by the State party in its replies to the list of issues to the Committee;¹²**

(b) **Conduct consultations with organizations of persons with disabilities, including children with disabilities, at the national and municipal levels, to adopt strategies in the short- and long-term aimed at providing support and services for children with disabilities and their families in the community, including training on parental skills, information centres and tools to develop parental skills in Easy Read, the provision of appropriate levels of income, counselling, in-home care support and information about such services in accessible formats;**

(c) **Support parents with disabilities in their child-rearing responsibilities, monitor periodically programmes and subprogrammes on child rehabilitation and childcare and introduce the necessary adjustments.**

Education (art. 24)

49. The Committee observes the following with concern:

(a) That inclusive quality education has not been included in the unified national strategy for education and science of Georgia, 2022–2030, that special education is prevalent in executive provisions, such as the decree on the enrolment of students in the institutions of general education and termination of the status of a student, defining support to children with disabilities mainly on the basis of medical assessments, and the absence of monitoring, coordination and accountability mechanisms concerning the implementation of inclusive education in early and preschool education;

(b) That children with hearing impairments and children with autism continue to be enrolled in special education and the limited information about access to inclusive education for children with higher requirements of support;

(c) That girls with disabilities are promoted less in their educational endeavours than boys with disabilities and face stereotyping, as do children with disabilities belonging to ethnic minority groups and children with hearing impairments;

¹² CRPD/C/GEO/RQ/1, para. 115.

(d) That statistical data on students with disabilities in education is limited or missing, including drop-out rates, qualified staff, including teachers, are scarce, classrooms are often overcrowded, infrastructure is often not safe or accessible or properly equipped for children with disabilities and classroom material is frequently inaccessible or insufficient;

(e) The lack of participation of persons with disabilities and their representative organizations in designing, implementing and monitoring of the vocational education and training development strategy.

50. Recalling its general comment No. 4 (2016) on the right to inclusive education and target 4.5 and target 4.a of the Sustainable Development Goals, the Committee recommends that the State party:

(a) **Ensure that the implementation of the unified national strategy for education and science of Georgia, 2022–2030, leads to inclusive quality education for persons with disabilities, that organizations of persons with disabilities are involved in the periodic monitoring of its progress and that the experiences of students with disabilities of all ages inform the State party’s action plans;**

(b) **Implement inclusive quality education for all children with disabilities, including by developing accessible enrolment procedures and participatory assessments of students with disabilities’ requirements aimed at the provision of individualized support, including through reasonable accommodation, and periodically evaluate inclusion measures in early and preschool education;**

(c) **Adopt a strategy and allot appropriate human, technical and financial resources to ensure the availability of education in Georgian sign language, Easy Read, tactile sign language, tracking, tactile fingerspelling and speech reading;**

(d) **Review the national policies and administrative procedures concerning the admission and retention of students with disabilities in inclusive education with the aim of identifying and eliminating barriers and factors of drop-out and promote outreach strategies to facilitate the completion of studies by children with disabilities, including through distance learning;**

(e) **Take measures, including awareness-raising and specific measures to address intersecting forms of discrimination against girls with disabilities in education and students with disabilities belonging to ethnic and religious minority groups;**

(f) **Collect data on enrolment and completion, disaggregated by disability status, ensure that education policies set up measures to increase the number of qualified teachers with the appropriate skills and teaching methodologies in inclusive education, and have time frames for ensuring the accessibility of infrastructure and teaching materials in public and private regular schools;**

(g) **Promote access for students with disabilities to vocational programmes and provide students with disabilities with sufficient financial means to apply for and complete vocational education.**

Health (art. 25)

51. The Committee is concerned about the following:

(a) Domestic legislation infringing on the right to sexual and reproductive rights of women and girls with disabilities, including the right to retain fertility, on equal basis with others;

(b) That women with disabilities are significantly less likely to receive quality health care due to the lack of training of, and the discriminatory approach taken by, medical staff, as a result of which they are disproportionately affected by barriers, such as lack of information and accessibility, in particular concerning their sexual and reproductive health;

(c) Discriminatory language in healthcare laws, contributing to disability stigma;

(d) The absence of priority testing for persons with disabilities during the COVID-19 pandemic and the lack of information about ensuring access to health services in recovery plans.

52. **The Committee recommends that the State party:**

(a) **Give effect to all provisions in the Convention about the right to health, in domestic legislation and health-care policies, ensuring the recognition of the sexual and reproductive health and rights of women with disabilities, including their right to retain fertility, on an equal basis with others;**

(b) **Strengthen mechanisms for the regular training of medical personnel about human rights, dignity, autonomy and the requirements of persons with disabilities, in particular women with disabilities, and take measures to guarantee the availability of health services for women with disabilities, without discrimination, by identifying and removing barriers and providing accessible medical equipment, including adapted gynaecological chairs;**

(c) **Rid the legislative framework on health services of discriminatory language, enforce regulations on legal protection against discrimination in health-care services and define the meaning of informed consent in accordance with the Convention and the Committee's general comment No. 1 (2014);**

(d) **Ensure that recovery plans after the COVID-19 pandemic include measures to address barriers and prioritize health care, including testing, for persons with disabilities.**

Work and employment (art. 27)

53. The Committee notes the following with concern:

(a) The low participation of persons with disabilities, in particular women with disabilities, in employment, including in recruitment processes, partly due to attitudinal barriers and the lack of accessibility to information about job opportunities;

(b) The legal provisions restricting the employment of persons with disabilities requiring higher levels of support and of persons with disabilities who are "recipients of support" and the limited impact of anti-discrimination laws on discriminatory practices in employment;

(c) The wage gap of 25 per cent, affecting persons with disabilities as stated in the labour force survey;

(d) That capability assessments for job seekers with disabilities are mainly performed by specialists;

(e) The limited understanding and implementation of support, including through reasonable accommodation at the workplace.

54. **With reference to its general comment No. 8 (2022) on the right of persons with disabilities to work and employment, the Committee recommends that, in line with target 8.5 of the Sustainable Development Goals, the State party:**

(a) **Withdraw provisions in the Law on Public Service preventing the right of persons with disabilities from occupying positions as public servants and legislation declaring persons with disabilities requiring higher levels of support as not employable and introduce and disseminate information about complaint mechanisms and remedies concerning discrimination on the basis of disability in employment;**

(b) **Adopt measures to protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value;**

(c) **Adopt a strategy, in close consultation with organizations of persons with disabilities, to promote the employment of persons with disabilities in the open labour market, including by introducing positive measures facilitating access to employment**

for women with disabilities and mainstreaming disability into general employment programmes, ensuring that the strategy extends to:

- (i) **Measures concerning accessible information about job vacancies and recruitment procedures;**
- (ii) **Opportunities for promotion;**
- (iii) **Access to employment in all sectors of the economy and in the public and private sectors;**
- (iv) **Measures to address prejudice about the employability of persons with disabilities;**
- (v) **Measures reinforcing good practices, including the appointment of job coaches referred by the State party in its report;¹³**
- (d) **Ensure that work capability assessments are aimed at identifying and addressing barriers being faced by persons with disabilities at work;**
- (e) **Develop guidance for employers and employees about the legal duty to provide reasonable accommodation at the workplace, including individualized modifications, adjustments and support, and monitor its implementation.**

Adequate standard of living and social protection (art. 28)

55. The Committee is concerned about the following:

- (a) Legislation that excludes persons with disabilities receiving retirement pensions from disability benefits;
- (b) That social benefits are insufficient to secure an adequate standard of living for persons with disabilities;
- (c) The limited availability of accessible housing for persons with disabilities.

56. **The Committee recommends that the State party:**

- (a) **Eliminate discrimination on the basis of disability and age and reform the social protection framework in order to ensure that disability-related expenses are available to all persons with disabilities, regardless of age or socioeconomic status;**
- (b) **Assess whether the standard of living of persons with disabilities is adequate and adjust social disability allowances accordingly;**
- (c) **Adopt mechanisms in accordance with the Convention and the Committee's general comment No. 5 (2017) to improve the living conditions of persons with disabilities and realize their right to access to housing that is affordable and located in the community.**

Participation in political and public life (art. 29)

57. The Committee notes the following with concern:

- (a) The low voter turnout among persons with disabilities, which apparently continues to decline, and the low membership numbers of persons with disabilities in representative bodies at the national and municipal levels;
- (b) The particularly low number of women with disabilities in representative bodies and in organizations of persons with disabilities;
- (c) The insufficient accessibility of voting material and polling stations.

58. **The Committee recommends that the State party:**

- (a) **Appoint persons with disabilities, including women with disabilities and young persons with disabilities who represent organizations of persons with disabilities,**

¹³ CRPD/C/GEO/1, para. 188.

as full and equal members of the standing working group on persons with disabilities at the Central Election Commission;

(b) **Strengthen measures to establish representative local councils for issues relating to persons with disabilities in local self-governing units in all municipalities, providing them with the appropriate human, technical and financial resources to perform their duties;**

(c) **Promote the participation of persons with disabilities, in particular women with disabilities, in political life and in public administration and facilitate an environment for them to hold public office and perform all public functions at all levels of government by, inter alia, providing assistive devices and personal assistance;**

(d) **Ensure the accessibility of voting facilities and voting material, through, among other things, the provision of Easy Read, Braille and other accessible formats.**

Participation in cultural life, recreation, leisure and sport (art. 30)

59. The Committee is concerned about the following:

(a) That the State party has not yet ratified the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled;

(b) That persons with disabilities face barriers to access to tourism venues, including cultural monuments, taking part in cultural life and participating in sporting events, and that there is an absence of measures to facilitate persons with disabilities participating in cultural life, recreation, leisure and sport, in the long-term human rights strategy, 2022–2030.

60. **The Committee recommends that the State party:**

(a) **Ratify and implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled;**

(b) **Strengthen mechanisms to ensure that sporting, recreational, cultural and tourism venues are accessible for persons with disabilities, in particular outside of the capital Tbilisi, assess accessibility barriers and closely consult with organizations of persons with disabilities in the development of mechanisms to remedy accessibility barriers;**

(c) **Include the right of persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities in the long-term human rights strategy, 2022–2030, and its subsequent strategies, policies and programmes.**

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

61. The Committee expresses concern about the lack of:

(a) Disaggregated data on persons with disabilities, with existing data neither reflecting the actual number of persons with disabilities nor the barriers that they face in exercising their rights, and the Committee notes with particular concern the absence of data on older persons with disabilities;

(b) Awareness and use of international guidelines and protocols on data collection regarding disability, in particular the Washington Group on Disability Statistics and its short set of questions on disability.

62. **The Committee recommends that the State party:**

(a) **Establish a mechanism to ensure continuous data collection about persons with disabilities and the barriers that they face in exercising their rights, in order to devise and implement policies regarding the implementation of the Convention;**

(b) **Adopt internationally established norms and safeguards, including legislation on data protection, to ensure confidentiality, the implementation of ethical principles of data use and respect for the privacy of persons with disabilities;**

(c) **Ensure that the data generated by the National Statistics Office can be disaggregated by disability and include the short set of questions on disability of the Washington Group on Disability in future population censuses and in periodic household surveys.**

International cooperation (art. 32)

63. The Committee notes with concern the absence of information about the inclusion of a disability perspective and a human rights-based approach in international cooperation programmes, including in projects financed by the European Union development assistance for Georgia, and in programmes related to the 2030 Agenda for Sustainable Development and the Sustainable Development Goals. It is also concerned about the lack of information about consultation with organizations of persons with disabilities in the establishment of programmes and priorities for international cooperation.

64. **The Committee recommends that the State party mainstream the rights of persons with disabilities into the design, implementation and monitoring of its international cooperation programmes, including projects financed by the European Union, and into the implementation of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals, at all levels, in close consultation with and with the active involvement of organizations of persons with disabilities.**

National implementation and monitoring (art. 33)

65. The Committee observes the following with concern:

(a) The limited human, technical and financial resources of the inter-agency coordination committee for the implementation of the Convention;

(b) That permanent participation of organizations of persons with disabilities in the independent monitoring mechanism has yet to be developed;

(c) The lack of implementation of the recommendations issued by the Office of the Public Defender concerning the rights of persons with disabilities.

66. **The Committee recommends that the State party:**

(a) **Strengthen the human, technical and financial resources of the inter-agency coordination committee, build the capacity of focal points to mainstream the rights of persons with disabilities, across all sectors and levels of government, and strengthen their mandates with respect to the implementation of the Convention;**

(b) **Increase resources for the development of the monitoring mandate of the Office of the Public Defender, to provide for accessible information and methodologies in its work and to ensure that persons with disabilities and their representative organizations are effectively involved in monitoring the implementation of the Convention, including during situations of risk and emergencies and in the recovery period;**

(c) **Take into account the Committee's guidelines on independent monitoring frameworks and their participation in the work of the Committee¹⁴ and strengthen the mandate and the role of the Office of the Public Defender by enforcing its recommendations and facilitating unrestricted access to information in its monitoring obligations.**

¹⁴ CRPD/C/1/Rev.1, annex.

D. Follow-up

Dissemination of information

67. The Committee emphasizes the importance of all the recommendations contained in the present concluding observations. With regard to urgent measures that must be taken, the Committee would like to draw the State party's attention to the recommendations contained in paragraph 10 (article 4 (3)), paragraph 62 (article 31) and paragraph 66 (article 33) above.

68. The Committee requests the State party to implement the recommendations contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of the Government and Parliament, officials in relevant ministries, local authorities and members of relevant professional groups, such as education, medical and legal professionals, as well as to the media, using modern social communication strategies.

69. The Committee strongly encourages the State party to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic report.

70. The Committee requests the State party to disseminate the present concluding observations widely, including to non-governmental organizations, organizations of persons with disabilities and to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, including Easy Read, and to make them available on the government website on human rights.

Next periodic report

71. The Committee requests the State party to submit its combined second, third, fourth and fifth periodic reports by 19 July 2028 and to include therein information on the implementation of the recommendations made in the present concluding observations. The Committee also requests the State party to consider submitting the above-mentioned reports under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the due date set for the report of a State party. The replies of a State party to such a list of issues constitute its report.
