



Recommendation 1533 (2001)¹

Honouring of obligations and commitments by Georgia

Parliamentary Assembly

1. The Assembly refers to its [Resolution 1257 \(2001\)](#) on the honouring of obligations and commitments by Georgia, in which:

1.1. it welcomes the efforts made by Georgia to honour some of its obligations and commitments entered into upon its accession to the Council of Europe on 27 April 1999, in particular the ratification of some conventions, the adoption of several legislative texts, reforms of the penitentiary system and administration of justice, and initiatives to combat corruption;

1.2. it calls on Georgia to accelerate reforms under way and to implement them properly and according to Council of Europe standards, in particular as regards the functioning of the judiciary and conditions of detention;

1.3. it urges Georgia to strengthen co-operation with the Council of Europe in order to ensure full compatibility of Georgian legislation with the Organisation's principles and standards;

1.4. it expresses its deep concern as regards respect for human rights and the behaviour of the police and other law enforcement bodies, and urges the Georgian authorities to adopt radical measures to bring definitively the country into line with the principles and standards of the Council of Europe;

1.5. it welcomes progress made in granting autonomous status to Adjara in April 2000, but regrets that no substantial progress has been made on a political settlement of the South Ossetian and Abkhaz conflicts and on the return of all displaced persons who wish to do so, to Abkhazia;

1.6. it concludes that Georgia is far from honouring its obligations and commitments as a member state of the Council of Europe, and resolves to pursue the monitoring procedure in respect of this country, in close co-operation with the Georgian delegation.

2. The Assembly recommends that the Committee of Ministers pursue co-operation with the Georgian authorities, in particular on the following subjects:

2.1. legal expertise on a number of bills which have been prepared recently, including a new draft law on the police, a draft law amending the law on the prosecutor's office and a draft law on development of alternative punishment;

2.2. legal expertise on relevant new legislation, including the amended Code of Criminal Procedure;

2.3. implementation of the recommendations made by Council of Europe experts on criminal procedures, the role of the prosecutor's office, police arrest, pre-trial investigation and pre-trial detention;

2.4. implementation of the recommendations made by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment following its visit to Georgia in May 2001;

2.5. continuation of legal expertise of the draft law "on repatriation of persons deported from Georgia in the 1940s by the Soviet regime".

1. Assembly debate on 25 September 2001 (26th Sitting) (see [Doc. 9191](#), report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe, rapporteurs: Mr Diana and Mr Eörsi). Text adopted by the Assembly on 25 September 2001 (26th Sitting).



3. The Assembly also invites the Committee of Ministers to consider strengthening co-operation with the Georgian authorities:

3.1. as regards expertise by the European Commission for Democracy through Law (Venice Commission) of the newly adopted Election Code, in order to assess that the current electoral legislation takes full account of the recommendations made in 1999 by the Parliamentary Assembly Ad hoc Committee on the Observation of Elections and by the OSCE Office for Democratic Institutions and Human Rights (ODIHR);

3.2. as regards implementation of the recommendations made in 1999 by the Congress of Local and Regional Authorities of Europe (CLRAE) to enhance local and regional self-government in Georgia, and legal expertise on the law amending the Law on Local Self-Government;

3.3. as regards assistance in the preparation and observation of the forthcoming local elections;

3.4. as regards expertise on the expected draft law on the electronic media.