

Statement of the Minister of Justice of Georgia, H.E. Ms. Tea Tsulukiani

Thirteenth UN Congress on Crime Prevention and Criminal Justice

Doha, Qatar

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Excellences, distinguished participants,

- It is an honor and privilege to address such a distinguished and representative forum as we mark 60th anniversary of the Crime Congress;
- On this occasion, I am bound to extend my sincere gratitude to the hosts and organizers of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice - United Nations, H.E. the Emir and the Government of the State of Qatar for this wonderful opportunity to visit Doha and share with others experiences and practices, have candid and engaging discussion on taking effective and concerted action in preventing, prosecuting and punishing crime and seeking justice;

Excellences,

- The Doha declaration ~~that we are going to adopt~~ sets a global agenda for upholding the rule of law, strengthening our commitment in accountable, fair and humane criminal justice system;
- This basic idea underpins the crosscutting reforms in justice sector that we undertake to build a functional democracy in Georgia; *have been a real*
- Down this path, we take best efforts to use transformative power with which we are now equipped by the EU-Georgia Association Agreement and EU Visa Liberalization Action Plan to move forward our reforms;

Let me offer some brief highlights;

- We are through the fourth wave of reform - the code of juvenile justice that provides for a separate framework for the protection, treatment and rehabilitation of children in the purview of the juvenile justice system is being discussed at hearings of the Parliament of Georgia and will be passed soon; *if the judiciary now coming*
- This code, a joint undertaking together with UNICEF and EU, is based on the UNODC Model Law on Juvenile, Convention on the Rights of the Child and other international standards; *on Drugs & Crime*
- The preceding waves focused on enhancing independence of the judiciary, reforming the High Council of Justice, increasing transparency of court proceedings, establishing a structured, transparent and objective mechanism for the appraisal and appointment of judges lifetime, enhancing internal independence of individual judges through his/her involvement in the activities of the court management. These steps have translated into the increased confidence in the court system; *giving media in the court system*

- Prosecutor's office*
- Starting by steps to enhance independence and depoliticize the ~~Prosecution Service~~ of Georgia whereby me, Justice Minister of Georgia and a political appointee relinquished all prosecutorial powers in 2013, we have moved to the next phase of deeper institutional reforms at the end of 2014 to establish proper place of the prosecution service within the legal system of Georgia;
 - It would ensure independence and accountability on one hand and bring the ~~prosecution service~~ within the reach of institutionalized public scrutiny on the other;
 - In a systemic approach to the criminal justice reform, the principle of equality of arms between prosecution and defense in criminal proceedings was strengthened by overhauling the rights of victim and enacting the corresponding procedural law amendments in 2013;
 - This process of overhaul included access to legal aid. In implementation of the UN Principles and Guidelines on Access to legal Aid in Criminal Justice Systems adoption of which was led by Georgia and South Africa at the UN General Assembly in 2012, our Legal Aid Service ~~was~~ separated from the Ministry of Corrections in 2013 to ensure its independence, accountability and transparency;
 - Notably, we are concurrently pursuing reforms in many different tracks;
 - Substantive changes cutting across civil service, public procurement, freedom of information, whistleblower protection, ultimately aimed at ensuring open and good governance, has transformed Georgia from a corrupt into one of the least corrupt states of the world;
 - These efforts, important in addressing challenges of transnational organized crimes, are complemented by the effective policy in combating trafficking in human beings and illicit drug-related activities;
 - National anti-drug strategy adopted in 2013 introduced a balanced drug policy, which puts an equal emphasis on law enforcement and social/healthcare aspects. Stringent measures against drug traffickers and distributors manifested in particular in seizing 2.7 tons of liquid heroine last year are accompanied by the intensive efforts in demand reduction, prevention, treatment and rehabilitation as well as combating stigma and discrimination;
 - Our policy against trafficking in human beings based on so called 4 Ps - prevention, protection, prosecution and partnership has led to complex changes that span from legislative amendments, adoption of guidelines and special operative procedures for the law enforcement to establishing special mobile groups and anti-THB task force, training staff members;
 - Given the cross-border nature of these challenges we are relentless in forging cooperative international frameworks and have already successes in drug seizures and combating THB, including child online abuse;
 - Furthermore, we remain committed to further strengthen international cooperation, coordination and information-sharing against transnational organized crimes;

Excellences

- I will expand more on human rights as they serve a constitutive element for building humane and fair criminal justice system; *Georgia's*
 - In a broader context, ~~the~~ Human Rights Strategy and National Action Plan is an important point of departure. On April 30, 2014 for the first time the Parliament of Georgia adopted the National Human Rights Strategy through an inclusive process where all state agencies, international and non-governmental organizations participated;
 - The main goal of the Strategy is to consolidate "institutional democracy" and ensure that human rights obligations are implemented in everyday life through a multi-sector, unified, and consistent government policy;
 - Adoption of anti-discrimination law is another remarkable step towards elimination of all forms of discrimination in public and private sector and ensuring for every person equal enjoyment of rights prescribed by law irrespective of any ground. Any form of discrimination, being direct, indirect or multiple, is prohibited under this law;
 - In respect of deprivation of liberty, we share the view that imprisonment should be used as a last resort, when other non-custodial sentences are not effective and cannot guarantee effective implementation of justice. However, when such measures are needed, it is important to make sure that this period is used for inmates' rehabilitation purposes; *that's why we are right now strengthening habeas corpus*
 - Overcrowding affecting on prisoners' living conditions as well as the quality of healthcare service received, was one of the main challenges faced by the penitentiary system until 2012;
 - Owing to the sweeping reforms, Georgia is down from the highest rate of prison population to below of the European average (from 24 thousand to 10); *putting on our judges an obligation by law to sentence*
 - The radical improvement of penitentiary healthcare as well as eradication of systematic ~~torture~~ and inhuman treatment of inmates has been widely recognized by many international organizations and experts and most recently by Mr. Juan E. MENDEZ, UN Special Rapporteur on the questions of torture and other cruel, inhuman or degrading treatment or punishment;
 - As regards the crime prevention and awareness raising activities the Center for Crime Prevention under the Ministry of Justice merits particular mention. Its mission is to implement programs and projects with risk groups related to primary crime prevention;
 - However, ^{also} we pay due attention to secondary prevention. The main beneficiaries of the Center - former prisoners are offered different rehabilitation services to facilitate their reintegration into the society, among others: 1. Health care and psychological assistance; 2. Communication, personal and social skills development trainings and seminars; 3. Supporting and facilitating employment of beneficiaries.
- The Center also manages Diversion and Mediation Program for juveniles and promotes development of the field of Mediation as a key instrument of the restorative justice;

offering from 200 HE healed in prison

over dozens of children, especially girls become beneficiaries of these programs

- Min of Justice in Georgia*
- Remarkably, 65 juvenile prisoners used special program administered by the Center to have body tattoos removed thus overcoming the social stigma that once detained, they will never be able to become full-fledged members of the society;
 - As to the scope of the assistance, suffice to say that in 2013-2014 1342 former prisoners applied to the Center for Crime Prevention for participation in the Rehabilitation and Re-Socialization Program out of which 917 got actively involved, 268 received various healthcare services free of charge, 185 received free legal advice, 148 a psychologist's help;
 - The comprehensive approach to reintegration of former inmates into the society as embodied in the Georgian model of probation services has become the best lessons learned experience that is widely shared and explored by many East European countries;

Distinguished participants,

- I have every confidence that at the next Crime Congress we can report that we met the ambitious commitments set out in the Doha Declaration;
- And we have to work jointly to make this happen.....

Thank you!