

Submission in follow-up to HRC resolution 21/32 “The Right to Development”

Georgia

The Ministry of Justice prepared suggestions on indicators of the draft Report on the Implementation of the Right to Development.

2 (a) In relation to indicators to the sub-criteria 2 (a) (iii) regarding establishment of national legal protection mechanisms of human rights, the Government of Georgia proposes to insert/add the Principles relating to the Status of National Institutions (Paris Principles) as one of the indicators estimating the protection of human rights at national level.

It is worth to be mentioned that the independent national human rights institution is authorized to monitor the protection and promotion of human rights by governmental institutions in accordance with Paris Principles.

2 (b) In relation to indicator to the sub-criteria 2 (b) (i) regarding the elaboration of human rights-based approach in national development strategies, the Government of Georgia proposes to formulate the second indicator as follows: responsibility for extraterritorial infringement of human rights by state organs as well as business enterprises. It should be underlined that States are obliged to protect the human rights on its own territory as well as on the territory controlled by that particular state or by its organs. It should be taken into account that, any acts committed by state organs are attributable to that state. Also, it should be taken into account that pursuant to the General comment 31 of International Covenant on Civil and Political Rights (ICCPR) all branches of government (executive, legislative and judicial), and other public or governmental authorities, at whatever level - national, regional or local - are in a position to engage the responsibility of the State. Accordingly, above-mentioned formulation of the indicator would be more precise to represent the responsibility of the state for its organs.

2 (c) The Government of Georgia proposes to insert the percentage of core human rights for which there are constitutional or legal protections ensuring equal rights for citizens regardless of race, color, sex, religion, language, national, ethnic or social belonging, political or other opinions as the indicator to fulfill the sub-criteria 2 (c) (iv) relating to the establishment of a legal framework supporting of non-discrimination.