

Information by the Prosecution Service of Georgia regarding the implementation of the UNGASS political declaration: “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”

Preventive measures

Corresponding paragraph of the UNGASS political declaration: §6

On 26 August 2020, the Prosecutor General of Georgia adopted the Ethics Code for the Employees of the Prosecution Service (*Order #038*), entering into force on 27 August 2020. It replaced the previously existing 2017 Ethics Code. The aim of adopting the new Code was streamlining it with the provisions of the Organic Law of Georgia on Prosecution Service, including removing certain provisions on disciplinary violations, which duplicated or contradicted the Organic Law provisions.

On 22 September 2020, the Office of the Prosecutor General of Georgia issued the Commentary to the Ethics Code and the Disciplinary Proceedings for the Employees of the Prosecution Service of Georgia, which was circulated among all PSG staff electronically on the same day.

In view of the carried out measures, in March 2021, GRECO concluded that Georgia had implemented its recommendation xiii satisfactorily. *The recommendation stipulated that the “Code of Ethics for Employees of the Prosecution Service of Georgia” continues to be updated, is communicated to all prosecutors and made easily accessible to the public; (ii) that it be complemented by practical measures for the implementation of the rules, such as further written guidance and explanations, further training and confidential counselling”.*

Criminalization and law enforcement

Corresponding paragraphs of the UNGASS political declaration: §23, 24

Criminalization of passive corruption

Article 338 of the Criminal Code of Georgia (CCG) criminalizes passive bribery. It covers both requests and acceptance of money or other benefits to perform or not perform a particular act. These Article extends¹ to foreign public officials and officials of foreign public international organizations.

¹ CCG Article 332 note

The core CCG Article 338 offence is punishable by imprisonment for a term of 6 to 9 years. The Passive bribery in aggravating circumstances, when it is committed (a) by a public political official, (b) in a large quantities and/or (c) by a group of persons with preliminary agreement, is punishable by imprisonment for a term of 7 to 11 years. The Passive bribery in aggravating circumstances, when it is committed (a) by a person convicted for passive bribery, (b) repeatedly, (c) by extortion, (d) by an organised group or/and (e) in particularly large quantity, is punishable by imprisonment for a term of 11 to 15 years.

Confiscation of property (instrumentalities of crime, proceeds of crime and equivalent property) under the CCG Article 52 can be also imposed as an additional sanction.

Criminalization of active corruption

The CCG Article 339 addresses active bribery of public officials, which makes it an offence to promise, offer or give, directly or indirectly, money, securities, other property, material benefit or any other unlawful advantage to an official or third party beneficiary.

The core CCG Article 339 offence is punishable by a fine or corrective labour for up to 2 years, or by house arrest for a term of 6 months to 2 years, or by imprisonment for up to 3 years. The active bribery committed for the purpose of committing an unlawful act as aggravating factor, is punishable by a fine or imprisonment for a term of 4 to 7 years. The active bribery committed by an organized group as aggravating factor is punishable by imprisonment for a term of 5 to 8 years.

A legal person is punishable with a fine for the active bribery. Confiscation of property (instrumentalities of crime, proceeds of crime and equivalent property) under the CCG Article 52 can be also imposed as an additional sanction both against natural and legal persons.

Criminalization of money laundering

The Criminal Code of Georgia (CCG) provides for the broad criminalization of money laundering. It covers all the physical and material elements envisaged by Article 3 §1 (b), (c) of the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna Convention) and by Article 6 §1 of the 2000 UN Convention against Transnational Organized Crime (Palermo Convention).

The CCG Article 194 criminalizes money laundering as giving the legal form to illicit or/and undocumented property (use, acquisition, possession, conversion, transfer or any other action) for the purpose of concealing its illicit origin or helping other person to avoid the responsibility. It also criminalizes the concealment or disguise of the true nature, source, location, disposition or movement of this property or respective ownership rights. The criminalization of money laundering covers both self-laundering and third party laundering.

The CCG Article 194 note §2 stipulates that for the purpose of money laundering criminalization, a property, as well as income, or shares (interest) gained from this property shall be considered undocumented if the person, his/her family member, close relative or associated person does not have the documents confirming that it has been acquired by legal means. Notably, applying money laundering offence not only to the proceeds of crime, but also to the undocumented property goes beyond the requirements of the Vienna and Palermo Conventions.

The CCG Articles 186 and 194¹ provide for the criminalization of the knowing use, acquisition, possession or realization of proceeds derived from criminal activity.

The ML offences apply on an “all crimes” basis. Therefore, all offences within the CCG are predicate offences for ML, including the crimes in the FATF designated categories.

The Civil Code of Georgia provides for the definition of the term property, which is used in the criminalisation of money laundering. It includes all things and intangible property which may be possessed, used and administered by natural and legal persons. A thing may be moveable or immovable. An intangible property includes claims and rights that may be transferred to another person or that are intended either for bringing a material benefit to their possessor or for entitling the latter to claim something from another person. The language of the Civil Code is wide enough to cover all of the required forms of property.

The CCG Article 194 concept of undocumented property does not require to prove that a person has been convicted of underlying criminal activity. Therefore, the legal framework captures potential predicate offences that are not the subject of a criminal conviction.

The ML offences do not distinguish between domestic and foreign predicate offences. The legal framework is wide enough to cover predicate offences that have been committed in another country.

There are comprehensive ancillary offences at the CCG Articles 18, 19, 23, 24 and 25 that are applicable to the ML offences. All forms of ancillary offending are covered, including preparation, attempts, and other forms of complicity such as organising, instigating and aiding a criminal offence.

The mental elements of a money laundering offence may be inferred from objective factual circumstances of the case.

The range of sanctions is applicable to natural persons who carry out money laundering offences. It is possible to impose a term of imprisonment and a fine at the same time. The CCG Article 194 offence is punishable by a fine or term of imprisonment of 3 to 6 years for the core offence, a term of imprisonment of 6 to 9 years in aggravating circumstances and a term of imprisonment of 9 to 12 years in aggravating circumstances, where an organised group or the misuse of an official position are involved.

The core ML offence under Article 194¹ is punishable by a fine, community service of 180 to 200 hours, corrective labour for up to 1 year or imprisonment of up to 2 years. Where there are aggravating circumstances, the offence is subject to a fine and a term of imprisonment of 2 to 5 years, and where there are aggravating circumstances involving an organised group or the misuse of an official position, this is subject to a term of imprisonment of 4 to 7 years. Similar sanctions apply for the ML offence at the CCG Article 186, except for the core offence, for which in addition, house arrest of 6 months to 2 years applies.

According to the CCG Article 42, the minimum amount of a fine shall be GEL 2 000 (EUR 620). If the relevant article of the special part of the CCG prescribes imprisonment for up to 3 years, the minimum amount of the fine shall be at least GEL 500 (EUR 155). While this amount does not suggest the punishment to be dissuasive itself, in line with the CCG provisions the court shall determine the amount of a fine according to the gravity of the crime committed and the material status of the convicted person. The material status shall be determined based on the person's property, income and other circumstances. Hence, the fine can be applied in a proportionate manner. A fine shall be imposed as an additional punishment also when it is not prescribed as a supplementary punishment under the relevant CCG article.

In view of the above-mentioned, sanctions for money laundering under the CCG Articles 194, 194¹ and 186 are proportionate and dissuasive.

The criminal liability of legal persons is expressly provided for in respect of all ML offences. According to the CCG Article 107³, the applicable sanctions are liquidation, prohibition to carry out certain activity, a fine, or confiscation of property. The latter can be imposed only as a supplementary punishment. These sanctions are sufficiently proportionate and dissuasive. The CCG Article 107¹ §6 provides that the criminal liability of legal persons does not preclude the liability of natural persons. The CCG also does not preclude parallel civil or administrative proceedings against a legal person.

Criminalization of Embezzlement

CCG Article 182 as it punishes the unlawful appropriation or embezzlement of another person's property or property right provided this property or property right was lawfully held or managed by the perpetrator.

The core CCG Article 182 offence is punishable by a fine or house arrest for a term of 6 months to 2 years, or by imprisonment for a term of 3 to 5 years. The same act (a) with a prior agreement by a group, (b) repeatedly, (c) that has resulted in substantial damage or/and (d) using the official position (aggravating circumstances), is punishable by a fine or imprisonment for a term of 4 to 7 years, with deprivation of the right to hold an office or to carry out activities for up to 3 years. Either of these acts committed (a) by an organized group, (b) in large quantity or (c) by a person who has two or more convictions for unlawful appropriation or extortion of another person's property (aggravating circumstances), is punishable by imprisonment for a

term of 7 to 11 years, with deprivation of the right to hold an office or to carry out activities for up to 3 years.

According to the CCG Article 177 note, large quantity means property worth more than GEL 10 000 (EUR 3 137), while substantial damage means the value of a property exceeding GEL 150 (EUR 47).

Confiscation of property (instrumentalities of crime, proceeds of crime and equivalent property) under the CCG Article 52 can be also imposed as an additional sanction.

Criminalization of Obstruction of justice

Several articles of the CCG correspond to the Convention article criminalizing obstruction of justice.

CCG Article 364 criminalizes interference with legal proceedings, investigation, or conduct of defence. This article punishes any form of unlawful interference with the activities of a prosecutor or an investigator, as well as with the activities of a lawyer to conduct defence in order to disrupt the comprehensive, complete and objective investigation of a case.

The core CCG Article 364 is punishable by a fine or community service from one hundred and eighty to two hundred and forty hours and/or by imprisonment for up to one year.

Gross interference with judicial activities, or activities of a jury (prospective juror) influencing the legal proceedings is punishable by a fine or imprisonment for a term of up to two years. Interference with the activities of a jury (prospective juror) is punishable. If a public official grossly interferes with judicial activities, this act shall be punishable by a fine or imprisonment for a term of one to three years, with or without deprivation of the right to hold an office or to carry out activities for up three years. If the act is committed using the official position, it shall be punished by a fine or imprisonment for a term of two to four years, with or without deprivation of the right to hold an office or to carry out activities for up to three years. This article prescribes the possibility of punishing a legal entity. The respective sanctions are fine or deprivation of the right to carry out activities.

CCG Article 365 criminalizes threat or violence with respect to legal proceedings, investigation, or conduct of defence. According to this article, any threat to kill or to damage the health or destroy the property of a member of the Constitutional Court, a judge, a juror or their close relatives in connection with the court hearing of a case or case material is punishable by a fine or imprisonment for up to three years. If threat or violence is committed against a prosecutor, investigator, lawyer, expert, enforcement officer, another participant in the legal proceedings or their close relatives is punished by a fine or imprisonment for up to two years. If the above-mentioned act is committed using violence that is not dangerous for life or health it may be punished by imprisonment for a term of two to five years. The act, endangering life or health is punished by imprisonment for a term of four to seven years. The

above-mentioned act committed (a) jointly by more than one person, (b) repeatedly, is punishable by imprisonment for a term of seven to ten years.

CCG Article 370 criminalizes obstruction of justice, which was expressed in the provision of false information or a false testimony by an interviewee, witness or victim, the provision of a false conclusion or a false testimony by an expert, the failure by an expert to protect the object of an expert examination intentionally or by negligence, and/or the intentional incorrect translation by an interpreter during the investigation or in court. The core article is punishable by imprisonment for a term of four years. This act, if committed for mercenary purposes or other personal motive, is punishable by imprisonment for a term of two to six years. If the above-mentioned act is committed in connection with the criminal case, in which an accused is charged for a serious or particularly serious crime, a court may impose punished by imprisonment for a term of three to seven years. Obstruction of justice, committed repeatedly, is punishable by imprisonment for a term of four to eight years.

CCG Article 372 criminalizes exertion of influence on an interviewee, a witness, victim, expert or interpreter. According to this article, asking or persuading an interviewee, witness, victim, expert or interpreter to provide, respectively, false information or false testimony, or a false conclusion, or to refuse to provide information or a testimony, and/or to provide incorrect translation, or to change the information or testimony or conclusion he/she has provided, is punishable by a fine or community service for one hundred and eighty to two hundred and forty hours, or by corrective labour for up to two years or imprisonment for a term of one to three years.

This act, accompanied by an offer of any kind of material benefit to this person or his/her close relative, or by a threat to kill, exert violence, or to damage, destroy property of this person or his/her close relative and/or by other threats, is punishable by imprisonment for a term of three to six years. This act, committed using violence, is punishable by imprisonment for a term of five to eight years. The same act, endangering life or health, is punishable by imprisonment for a term of six to nine years.

Criminalization of Trading in influence

CCG Article 339¹ criminalizes trading in influence. According to this article, whoever in his own interests or in those of another person promises, offers or grants money, securities, other assets, material benefit or any other unlawful advantage, directly or indirectly, to a person claiming or confirming that he can exert an unlawful influence, for his own or another person's benefit, on the decisions of an official or a person equal thereto, regardless of whether or not such influence has been exerted and/or the desirable outcome of such influence has been obtained, is punishable by a fine or corrective labor for up to two years, or by house arrest for a term of six months to two years or imprisonment for up to two years. Criminal liability shall not apply to a person who has voluntarily notified this fact to the authorities conducting

criminal proceeding. A decision to discharge a person from criminal liability shall be taken by the authorities conducting criminal proceedings.

If a person who claims or confirms that he can exert unlawful influence on the decision of an official or of a person equal to the official demands or accepts, directly or indirectly, for his own benefit or for the benefit of another person, money, securities, other assets, material benefit or any other unlawful advantage from a person who acts in his own or another person's interests, regardless of whether or not such influence has been exerted and/or the desirable outcome of such influence has been obtained, is punishable by imprisonment for a term of three to five years. This act, committed by an organized group, is punishable by imprisonment for a term of four to seven years.

A fine may be imposed on a legal person for committing the act provided for by this article.

Corresponding paragraph of the UNGASS political declaration: §25

Establishing liability for legal persons and principles

Georgia established the corporate liability in 2006. The corporate liability provisions and related procedures are provided for by Chapter XVIII¹ of the CCG and Chapter XXIX of the Criminal Procedure Code of Georgia (CPCG).

According to the criminal legislation, the following rules and standards apply regarding legal persons:

- Legal entity (entrepreneurial (commercial) or non-entrepreneurial (non-commercial) legal entity (its legal successor)) bears criminal liability for the designated crimes under CCG, committed by a responsible person in the name of the legal entity or through (by using) it or/and in its favour.
- CCG defines a responsible person as a person having the right of management and representation of the entity, also a person authorized to make decision on behalf of the legal entity or/and the member of the supervisory, controlling, revision (audit) board of the legal entity.
- Legal entity bears criminal liability in case when a crime is committed on behalf of the legal entity or through (by using) it or/and in its favour, irrespective of the fact whether an individual committing a crime is identified or not.

Notably, the Prosecution Service of Georgia prepared Manual on Liability of Legal Persons in Georgia of legal persons as a guide and reference for the use of practitioners in Georgia to facilitate an effective enforcement of the legislative framework. It contains commentary on pertinent provisions of the CPCG.

Offences

According to §1 Article 7 of the CCG, criminal liability may be imposed on the legal entity if it is prescribed by the relevant article of the CCG.

Legal person may be held criminally liable, among others, for money-laundering (Article 194 of the CCG), use, purchase, possession or sale of property acquired through the legalization of illegal income (Article 194¹ of the CCG), commercial bribery (Article 221 of the CCG), bribe-giving (Article 339 of the CCG), trading in influence (Article 339¹ of the CCG).

Dissuasive and proportionate Sanctions

The applicable sanctions for the corporate liability are: liquidation (type of principal sentence only), deprivation of the right to pursue an activity, fine and confiscation.

The above-mentioned sanctions, inter alia the absence of a maximum threshold of fine that can be imposed against a legal entity, provide sufficient basis to be used in a proportionate and dissuasive manner.

The nature and graveness of a criminal conduct, amount of inflicted damages, previous criminal records, main activity and capacity of a legal entity, level of internal control and compliance as well the quality of cooperation with LEAs are the factors taken into account during the sanctioning of legal entities.

Corresponding paragraph of the UNGASS political declaration: §27

Independence of the Prosecution Service of Georgia

The Prosecution Service of Georgia (PSG) is an independent institution outside of the executive, legislative and judicial branches. The guarantee for its independence is provided for at the highest level of legislation, the Constitution of Georgia.²

Throughout the years, the PSG was subject to significant reforms aiming at guaranteeing the independence of the institution.

The reforms included separation of the PSG from the Ministry of Justice, guaranteeing its independence by the Constitution³, creation of the Conference of Prosecutors, improving the rules for appointment of the Prosecutor General, establishing the Prosecutorial Council and other collegial bodies in charge of the selection of the Prosecutor General and appointment,

² §1 Article 65 of the Constitution

³ *Ibid.*

promotion and discipline of prosecutors, the introduction of the performance appraisal system of prosecutors and improvement of the rules for the career management, ethics and discipline of prosecutors.

Access to all relevant information

Please see the list of databases to which the investigative bodies have a direct access to in order to obtain the information:

- credit records database, which contains credit records of natural and legal persons;
- asset declarations of public officials and their family members, which contains information about their assets and annual income;
- National Agency of Public Registry (NAPR), registry of legal persons, which contains information on legal entities;
- NAPR real estate database, which contains information concerning owners, estimated value and types of real estate, date of registration and mortgages;
- criminal records database (*maintained by the MIA*), which contains information on detained, prosecuted and convicted persons, and the data about firearms registration, missing individuals and vehicles;
- police database (*maintained by the MIA*), which contains the identification data of Georgian citizens including passports and photos, and the data about vehicle registration and border crossing;
- tax database (*maintained by the MOF*), which includes the financial records of legal persons and individual entrepreneurs, declared revenues and paid taxes, and the import/export data;
- Electronic criminal case managements system, which keeps information about criminal cases.

In terms of having access to current legislation or its archive, all prosecutors can obtain information through the [website](#) of the Legislative Herald of Georgia, the legal entity of the public law under the Ministry of Justice of Georgia.

Equal access to justice

Access to court is guaranteed by the Constitution of Georgia. Article 31 of the Constitution stipulates that every act of administrative authorities can be appealed in a court. Similarly, individuals can lodge claims against other individuals or non-state entities in courts of ordinary

jurisdiction. Fair trial rights under Article 31 of the Constitution can be restricted only if it pursues certain legitimate aims and is proportionate to the aims pursued.

Ensuring fair trial rights

Criminal Procedure Code of Georgia (CPCG) affords defendant (where applicable convict or an acquitted person) with a wide range of fair trial rights.⁴

The right to a fair trial consists of different aspects, and one of them is the right of the defendant to participate effectively in proceedings. The CPCG prescribes that a defendant is entitled to take part in the investigation of the charges, also in a court hearing in person.⁵

Equality of arms and adversarial proceedings constitute the fundamental features of criminal proceedings in Georgia.⁶ Court is obliged to provide the parties with equal opportunities to defend their rights and legitimate interests without giving them an advantage.⁷ This principle is broken down in different provisions. For instance, the responsibility for gathering the evidence is upon parties, and the court is prohibited from doing so.⁸ Evidence obtained by the defence and prosecution carry equal legal effect.⁹ Moreover, if both of the parties participate in a court hearing, the court must hear the opinion of the opposing party regarding a motion or complaint of one of the parties.¹⁰ One of the expressions of equality of arms in the proceedings is the right of the defence to enjoy equal rights and obligations when carrying out investigative actions. The defendant may, independently or through a defence counsel, carry out an investigation, obtain evidence, and to request the conduct of investigative actions. The defence is authorized, among others, to obtain production orders and search/seizure warrants. Covert investigation is the exception in this regard.

Timely and effective disclosure of evidence between the parties is an essential safeguard in criminal proceedings. CPCG guarantees the right of the defendant and their defence lawyer to familiarise themselves with the evidence in the possession of the prosecution, and obtain copies of case-files.¹¹ CPCG provides for (1) disclosure of evidence upon the request of one of the parties,¹² (2) mandatory disclosure of evidence no later than five days prior to the pre-trial hearing,¹³ and (3) disclosure of evidence before the first appearance hearing.¹⁴

⁴ §1 Article 8 of the Criminal Procedure Code of Georgia

⁵ §14 Article 38 of the CPCG

⁶ §5 Article 62 of the Constitution, §1 Article 9 of the CPCG

⁷ §1 Article 25 of the CPCG

⁸ §2 Article 25 of the CPCG

⁹ §1 Article 39 of the CPCG

¹⁰ §4 Article 25 of the CPCG

¹¹ §13 Article 38 of the CPCG

¹² §1 Article 83 of the CPCG

¹³ §6 Article 83 of the CPCG

¹⁴ §8 Article 83 of the CPCG

One of the essential elements of the right to a fair trial is the reasoning of judicial decisions. According to the CPCG, a judgment of a court must be lawful, substantiated, and fair,¹⁵ based on relevant, admissible and incontrovertible evidence.¹⁶ A judgment is considered reasoned, if guilt is proven beyond reasonable doubt based on the tried evidence. All findings and decisions provided in a judgment must be reasoned as well.¹⁷

Notably, the CPCG provides for strict rules for the exclusion of evidence. During pre-trial conference, parties argue about the admissibility of evidence before pre-trial judge. Burden of proof of the admissibility of prosecution evidence and inadmissibility of defence evidence lies with prosecutor.¹⁸ Any piece of evidence obtained in substantial violation of law and the evidence obtained legally based on such evidence is considered inadmissible and have no legal effect if it deteriorates a defendant's legal status. Moreover, evidence is inadmissible if it is obtained in accordance with the rules established by law but the reasonable doubt about its possible replacement, essential change to its characteristic, or disappearance of the trace remaining on it has not been cleared (chain of custody).¹⁹

Immediacy, as one of the important elements of a fair trial is guaranteed. According to the CPCG, cases should be heard with the same composition of judges. If a judge cannot participate in the proceedings, the latter may be replaced with another judge. This provision contains a safeguard, to protect observations and opinions of the judges arisen during the examination of evidence. If a judge is replaced, the hearings shall start anew.²⁰ The only exception from this rule is when the substitute judge, appointed by the president of the relevant court, is assigned to the case.²¹

The principle of publicity to ensure the public scrutiny in the administration of justice is enshrined in the Georgian legislation as part of a fair trial. As a general rule, court hearings are open to the public, held orally and the judgments/decisions are publicly pronounced.²² The CPCG provides the exceptions to this rule. A judge may fully or partially close the hearing upon motion of any of the parties or on its own initiative. In case of closing a hearing, a judge is obliged to announce the respective ground publicly.²³ Notably, victims are not deprived of the right to attend the hearing or a part of it, upon the decision of a judge.²⁴ Furthermore, a coordinator of a witness and a victim from the Prosecution Service of Georgia has the right to

¹⁵ §1 Article 19, §1 Article 259 of the CPCG

¹⁶ §1 Article 82 of the CPCG

¹⁷ §2 Article 194 of the CPCG

¹⁸ §3 Article 72 of the CPCG

¹⁹ §1,2 Article 72 of the CPCG

²⁰ Article 183 of the CPCG

²¹ §1 Article 184 of the CPCG

²² §3 Article 62 of the Constitution; §1 Article 10, §1 Article 182, §4 Article 192 of the CPCG

²³ §6 Article 182 of the CPCG

²⁴ §4¹ Article 182 of the CPCG

be present at a closed court hearing during the examination of evidence involving a witness and a victim if so desired by the witness/victim.²⁵

Regarding the reasonable time. The promptness of justice is a constitutional principle, according to which a defendant has the right to a speedy trial.²⁶ The CPCG reflects the requirement as well.²⁷ Every stage of the proceedings, from arrest/indictment to appeal procedures in court are strictly time-limited by the provisions of the legislation.

Ensuring equality

The legislation guarantees the right of an accused to examine all the evidence against him in his presence at a public hearing, with a view to an adversarial argument. As the testimony of a witness is considered evidence, rules governing examination and admissibility of the latter are applicable.

As prescribed by the Constitution, the defendant has the right to request that witnesses for the defence be summoned and examined under the same conditions as the witnesses of the prosecution.²⁸ According to the CPCG, the evidence of defence and prosecution should be examined along the same lines.²⁹ The parties have the right to participate in the examination of each other's evidence.³⁰ Direct and cross-examination of the witnesses are guaranteed.³¹

The breach of rules for adversarial proceedings and equality of arms may lead to the inadmissibility of the evidence, in this case, testimonies of witnesses. Pursuant to the CPCG, for instance, the court shall not be provided with evidence if the parties were not given the equal possibility of a direct and oral examination. Furthermore, in their closing arguments parties cannot refer to evidence not examined in court during trials.³² Moreover, a judge should only rely on the evidence examined during trial.³³

Corresponding paragraph of the UNGASS political declaration: §28

Capacity building of its prosecutors and the PSG investigators is one of the priority areas of the PSG. To this aim, it actively carries out learning activities.

For instance, in order to maximize the efficiency, in 2021 the PSG continued conducting the capacity building of PSG investigators and prosecutors, including in the framework of the

²⁵ §4² Article 182 of the CPCG

²⁶ §1 Article 31 of the Constitution

²⁷ §1 Article 8 of the CPCG

²⁸ §4 Article 31 of the Constitution

²⁹ §14 Article 38 of the CPCG

³⁰ §3 Article 242 of the CPCG

³¹ Articles 244 and 245 of the CPCG

³² §1 Article 251 of the CPCG

³³ §3 Article 259 of the CPCG

CoE/EU Partnership for Good Governance (PGG II) Project on “Enhancing the Systems of Prevention and Combating Corruption, Money Laundering and Terrorist Financing in Georgia” and the EU-ACT Project.

In 2021, through 8 training events, including 4 joint trainings, the PSG carried out the training of 102 prosecutors and PSG investigators in investigation and prosecution of money laundering. The joint trainings included the representatives of the State Security Service, the Ministry of Interior, the Investigation Service of the Ministry of Finance and the Monitoring Service of Georgia.

In addition, during 2021, through 6 training events, including 5 joint trainings, the PSG conducted the training of 66 Prosecutors and PSG investigators in parallel financial investigations, asset freezing and confiscation, including the virtual assets. The representatives of the State Security Service, the Ministry of Interior, the Investigation Service of the Ministry of Finance and the Monitoring Service of Georgia were among the joint training participants.

It is worth mentioning that the PSG actively cooperates with the United Nations on Drugs and Crime (UNODC). With the aim to develop the Roadmap of Cooperation between Georgia and the UNODC for the period of 2022-2025, the PSG shared identified needs and priorities to the UNODC. The activities mostly include capacity-building of the PSG employees. In particular, learning activities regarding investigation and prosecution of money laundering, cybercrime, transnational organized crime and terrorism financing with the accent on special investigative technics, parallel financial investigations, electronic evidence, evidentiary standards and international cooperation.

Corresponding paragraph of the UNGASS political declaration: §30

In Georgia, there are legislative as well as institutional mechanisms for reporting corruption.

Chapter V¹ of the Law on Conflict of Interest and Corruption in Public Service establishes legal guarantees for the protection of whistleblowers.

The Prosecution Service of Georgia (PSG) and the Anti-corruption Agency of the State Security Service are the competent authorities for investigation of corruption. The prosecution belongs to the PSG competence. The report to the competent agencies can be made with all possible forms of communication, including a written statement, call, e-mail, a hotline, even anonymously, etc.

Furthermore, the Civil Service Bureau manages a whistleblowing website www.mkhileba.gov.ge. The latter is the channel for whistleblowing, and anyone can make a statement via this website.

Corresponding paragraph of the UNGASS political declaration: §31

The PSG pursues a strict criminal policy on the acts committed against journalists. In order to effectively investigate and prosecute these offences, the PSG has specific measures in place.

Firstly, the PSG keeps special statistics on unlawful interference with the activities of journalists (CCG Article) and crimes committed against journalists.

According to the statistics, throughout 2015-2021, 44 persons were prosecuted for unlawful interference with the activities of journalists.

Throughout 2016-2021, 29 persons were prosecuted for other crimes committed against journalists.

International cooperation

Corresponding paragraph of the UNGASS political declaration: §32

Introduction

The Office of the Prosecutor General (OPG) is the central authority of Georgia for mutual legal assistance in criminal matters, extradition, transfer of criminal proceedings and international criminal asset recovery.

International Cooperation in Criminal Matters Act 2010 (ICCMA) serves as the major domestic legal framework for mutual assistance in criminal matters. The law regulates both incoming and outgoing processes. As a general rule, Georgia provides mutual assistance based on an international treaty. However, in the absence of relevant treaty, cooperation is also possible based on an *ad hoc* agreement concluded between the Office of the Prosecutor General of Georgia and the competent authority of a foreign state, or based on the principle of reciprocity. Georgia may provide widest possible assistance, including the investigations and procedures, that may not be directly prescribed by Georgian law but do not come in conflict with the fundamental principles of Georgian law.

Extraditions

Georgia usually carries out extraditions based on an international treaty. In the absence of treaty containing extradition obligation, Georgia may extradite a fugitive based on an *ad hoc* agreement signed between the Office of the Prosecutor General of Georgia and the competent authority of a foreign country.

In 2021, the foreign countries have granted fourteen extradition requests submitted by the OPG.

As for the extradition of persons from Georgia to foreign countries, in recent years the efficiency of extradition proceedings in the courts has been steadily increasing. This tendency was sustained in 2021 and moreover, there was an increase in efficiency compared to the same

period in previous years. In particular, a total of ninety-two extraditions were declared admissible during the reporting period, with a 32.2% increase compared to 2020 (62 cases) and a 30.2% increase compared to 2019 (63 cases).

It is important to note that in 2021 the rate of granting of motions for extradition was 100%. Notably, in practice, the OPG has never extradited an individual based on the UNCAC.

Mutual legal assistance

The number of mutual legal assistance requests is increasing. In 2019, Georgian authorities addressed foreign countries for international legal assistance regarding cases where one of the offenses was money laundering in 14 instances. Georgia received MLA requests concerning money laundering in 4 cases. In 2020, Georgia sent 9 MLA requests and received 12, while in 2021, 34 MLA requests were sent, and 13 were received regarding cases involving money laundering.

Georgia is a party to twenty-four multilateral treaties that contain obligation of mutual legal assistance in criminal matters. Two of the documents are general mutual legal assistance treaties, while others are crime specific treaties that include mutual assistance clauses.

Relations with different organizations

Cooperation with international organizations is one of the priority areas of the PSG. The PSG is actively cooperating with competent international organizations, including the EU, the Council of Europe, the UN and OECD. The PSG always pays great attention to recommendations of the aforesaid organizations and ensures their implementation in practice within the scope of its competence.

Corresponding paragraph of the UNGASS political declaration: §37

For further strengthening the inter-agency cooperation between the competent agencies, on 21 September 2015, the Prosecution Service, the State Security Service, the Ministry of Interior, the Ministry of Justice, the Ministry of Finance and the Financial Monitoring Service of Georgia signed the Memorandum of Understanding.

Notably, the PSG has a mandate to supervise criminal investigations and coordinate law enforcement actions for fight against crime. Prosecutors and investigators have communication on a daily basis.

Asset Recovery

Corresponding paragraph of the UNGASS political declaration: §42

The PSG pays particular attention to tracing and confiscating criminal assets effectively, using the existing international cooperation mechanism, including the CARIN network. In 2019, Georgia sent 6 requests to CARIN. All of them concerned money laundering.

In 2020, Georgia sent 14 requests to CARIN and received 3 requests. In the outgoing as well as in incoming requests, at least one of the crimes was money laundering. In 2021, Georgia sent 16 CARIN requests and received 2. Out of these requests, 6 outgoing and 2 incoming requests concerned money laundering. As of September 2022, out of 11 incoming CARIN requests, 5 cases concerned money laundering.

The PSG engages in the effective, timely and constrictive international cooperation with counterparts, including through Eurojust and CARIN network.

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	
Implementing authority/authorities	Financial Monitoring Service of Georgia – Financial Intelligence Unit of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	17,18,19,26,29,33,37
Title of initiative	Strengthening legal framework, ensuring international standards of Financial Action Task force recommendations are implemented in country.
Keywords of initiative	N/A
Short summary of initiative (please indicate the start date/duration if relevant)	N/A
Detailed description of initiative	<p>Georgia is a member of Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL). Therefore, the country is subject to a mutual evaluation by a committee, where compliance of the jurisdiction’s legal/institutional framework is checked against Financial Action Task Force (FATF) recommendations in order to define technical and effectiveness aspects of Georgia’s framework in force.</p> <p>Georgia recently underwent mutual evaluation process and 5th round mutual evaluation report was adopted in 2020, which was overall positive, but country also received recommendations that are to be adopted in the future for further alignment jurisdiction’s system towards international standards of FATF. The progress made in the last two years’</p>

¹ Please use one form per initiative described

	<p>time will be discussed at the end of the year on the plenary meeting of MONEYVAL where follow-up report for Georgia will be adopted.</p> <p>The positive developments that Georgia initiated during the last year is amendments to its anti-money laundering and countering terrorism financing law – Law of Georgia “Facilitating the Suppression of Money Laundering and Terrorism Financing” (AML/CFT law). In May parliament adopted amendments to the law that concerned the strengthening of the cooperation between law enforcement authorities and financial intelligence unit of Georgia, namely, law enforcement authority – investigative unit of Ministry of finance of Georgia was added to the list of authorities that is authorized to request information/documents from financial monitoring service of Georgia, hence improving the cooperation and addressing the recommendation that Georgia received in MONEYVAL’s mutual evaluation report. Furthermore, the list of offences on which the information could be shared was also expanded addressing the recommendation Georgia received by MONEYVAL.</p> <p>In May 2022, the government of Georgia approved a decision on creating standing interagency commission that will work on AML/CFT issues by adopting national strategy and action plan and updating National Risk Assessment Report.</p> <p>Financial Monitoring Service of Georgia is working on the draft AML/CFT law that will further align national framework to FATF standards by taking into account all the recommendations that were given in the MONEYVAL mutual evaluation report of Georgia.</p> <p>Financial Monitoring Service of Georgia is a member of Egmont group, therefore has a power to exchange information with foreign counterparts via secure channel.</p> <p>Financial institutions, together with entities carrying out non-financial activities are subject to AML/CFT regulations and the conduct customer due diligence measures, send suspicious transaction reports and threshold based reports to Financial Monitoring Service of Georgia. Their performance is assessed by supervisory authorities and if any misconduct is found, dissuasive sanctions are applied.</p>
<p>Lessons learned in implementing the initiative</p>	<p>N/A</p>

Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	Investigation Service of Ministry of Finance of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	17, 24, 27, 28, 37, 39, 54, 59.
Title of initiative	International Cooperation
Keywords of initiative	Cooperation, raising awareness, asset tracing, tax crime investigation
Short summary of initiative (please indicate the start date/duration if relevant)	<p>1) Investigation Service of the Ministry of Finance of Georgia hosted the representatives of the United Nations Office of Drugs and Crime, Regional Office of Central Asia (UNODC ROCA) and the representatives of Administration of the Government of Georgia.</p> <p>2) Within the framework of the EU-funded project - "Support to the Public Administration Reform in Georgia", working meeting was held between the representatives of the Investigation Service of the Ministry of Finance of Georgia, Senior Expert on Transparency and Accountability - Hendrikus van Boxmeer and experts of the United Nations Office on Drugs and Crime (UNODC) - Oleksiy Feshchenko and Vitaliy Galeta.</p>
Detailed description of initiative	1) Representatives of the Investigation Service introduced the main directions of the activities of the Service to the guests. Crimes detected in 2018-2021 and available statistical data were discussed at the meeting, emphasis has been made on such important issues as anticorruption legislation of Georgia, criminal jurisdiction of law enforcement authorities and

¹ Please use one form per initiative described

	<p>peculiarities of corruption crime. At the meeting, the parties discussed the specific perspectives of future cooperation and agreed on the implementation of particular measures in the direction of the fighting against the crimes committed in the financial and economic field.</p> <p>2) The parties discussed issues such as: using open source analytical tools to investigate tax crimes; using blockchain tools in the investigation process; risk criteria for physical and legal persons, detection of irregularities and tax evasion schemes and other topics. Taking into account the relevant areas of action, Investigation Service continues its cooperation within the project.</p>
<p>Lessons learned in implementing the initiative</p>	<p>N/A</p>
<p>Challenges encountered in implementing the initiative</p>	<p>N/A</p>
<p>Link to more information</p>	<p>N/A</p>

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	Parliament of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	United Nations Convention Against Corruption. Article 9 (2). Public procurement and management of public finances. Resolution adopted by the General Assembly on 2 June 2021. Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation. Preventive measures, § 5, 9, 10.
Title of initiative	Open Parliament Georgia Action Plan for 2021-2022 Commitment 2.1. Strengthening the Capacity and Improving the Awareness of the Parliament Regarding State Debt
Keywords of initiative	Transparency, accountability, openness, access to information, improving citizen engagement.
Short summary of initiative (please indicate the start date/duration if relevant)	The aim of the commitment on the <i>Strengthening the Capacity and Improving the Awareness of the Parliament Regarding State Debt</i> is to take appropriate measures to promote transparency and accountability in the management of public finances as well as the effective use of parliamentary oversight mechanisms, increasing the availability and transparency of public debt information.
Detailed description of initiative	Governments around the world have responded to the COVID-19 pandemic with important financial and emergency measures designed to prevent economic disasters. It is obvious that the transparency in the allocation of resources is crucial for the efficiency of response to crisis and supports to reduce the risks of corruption. During this period, the volume of state debt of Georgia, especially foreign debt, increased significantly. According to the state budget for 2021, the ratio of government debt to GDP was 60.1 percent, which exceeds the threshold allowed by the Organic Law of Georgia on Economic Freedom.

¹ Please use one form per initiative described

	<p>As a comparison, the debt-to-GDP ratio before the pandemic was 41-42 percent. As of 2021, the total debt of the government is 32.1 billion GEL, of which 79 percent is foreign debt. In the 2021 state budget, the debt for 2021 alone is 5.3 billion GEL (the budget was set at 18 billion 400 million GEL).</p> <p>Given this situation, Permanent Parliamentary Council on Open Governance considered it necessary to take measures to strengthen the role and capacity of the Parliament in the process of state debt management, improve the access to debt-related information, and increase the transparency of the indicated data. In this process, first of all, the Council identified the need to raise the awareness of the members of the Parliament of the tenth convocation and to build their capacities in relation to the process of debt collection and control; Increase access to and transparency of the information related to the debt.</p> <p>For this purpose, there was developed a Guide on State Debt-Related Processes, which reviews the rules prescribed by various normative acts of Georgia in relation to state debt, the powers of the various actors involved in this process, including the Parliament, and the international standards on transparency and access to information on debt. The purpose of the Guide is to explain the budgetary process, namely, the stages of preparation, review and approval of the state budget, oversight mechanisms of budget execution as well as to identify risks related to the external and internal debt and its economic opportunities.</p> <p>In the framework of the commitment there was held a public webinar on the topic of the state budget. In the webinar, which was moderated by the Chairperson of the Finance and Budget Committee of the Parliament, participated First Deputy Minister of Finance of Georgia and Deputy Auditor General of Georgia as well as local and international organizations, agencies and experts working on financial and budgetary issues.</p>
<p>Lessons learned in implementing the initiative</p>	<p>The Permanent Parliamentary Council on Open Governance, along with its Consultative Group, which consists of member local and international organizations, works actively to adopt and implement commitments to improve access to information, accountability and citizen engagement with respect to the procedures for the adoption of the national budget, timely reporting on revenue and expenditure, enhance oversight mechanisms.</p>
<p>Challenges encountered in implementing the initiative</p>	<p>In order to increase the degree of engagement of MPs on the one hand and, civil society on the other hand, the Council with the support of its Consultative Group member organizations arranges to develop a training module on state debt in</p>

	cooperation with the Parliament Training Center in order to conduct trainings for members of the Parliament and parliamentary staff as well as to hold information meetings for civil society, media, and other target groups.
Link to more information	Open Parliament Georgia Action Plan for 2021-2022 https://web-api.parliament.ge/storage/files/shares/OGP/samoqmedo-gegmebi/OGP-AP-2021-2022-en.pdf Interim Report on Implementation of the Open Parliament Georgia Action Plan for 2021-2022 https://web-api.parliament.ge/storage/files/shares/OGP/ogp-angarishebi/OGP%202021_angarishi.pdf

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	Parliament of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	United Nations Convention Against Corruption. Article 8. Codes of conduct for public officials. Resolution adopted by the General Assembly on 2 June 2021. Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation, Preventive measures, § 6, 7, 9.
Title of initiative	Open Parliament Georgia Action Plan for 2017-2018 Commitment 4.3. Elaboration of a Code of Ethics for Members of Parliament.
Keywords of initiative	Transparency, accountability, openness.
Short summary of initiative (please indicate the start date/duration if relevant)	The Code of Ethics of the Member of Parliament of Georgia was adopted on February 2, 2019. The initiative envisaged adoption of the mandatory ethical norms for the Members of Parliament, determination of the rules of conduct for MPs, the mechanisms for monitoring and enforcement of norms, measures for raising awareness of the Code among MPs.
Detailed description of initiative	Permanent Parliamentary Council on Open Governance as the body responsible to ensure the openness, transparency, accountability and systemic and coordinated work of the Parliament of Georgia in this regard, implements the measures to contribute to the institutional development of the Parliament. Since its inception, the Council has adopted and implemented number of commitments to improve openness and transparency of the supreme legislative body as well as to promote integrity, honesty and responsibility among the Members of Parliament according to the international

¹ Please use one form per initiative described

conventions, agreements, international standards and norms of the democratic Parliament.

The Parliament of Georgia, guided by the Declaration on Parliamentary Openness, integrates appropriate commitments into the Open Parliament Action Plan. Namely, the commitment to elaborate the Code of Ethics for Members of Parliament was introduced by the Open Parliament Georgia Action Plan for 2017-2018.

According to the Code, the Ethics Council, Art. 4 (5), has two co-chairs (one from the majority and the other from a parliamentary opposition). The composition of the Council of Ethics shall be determined in proportion to the number of MPs from factions and non-faction MPs. In addition, the representation of the parliamentary majority in the Council of Ethics shall not exceed half of the number of its members (Rules of Procedure of the Parliament of Georgia, Art. 227 (3)).

According to the *Code of Ethics of the Member of Parliament of Georgia, Art.3*, in executing parliamentary powers, the Member of Parliament must follow the following rules of conduct:

A) The Member of Parliament shall not use the status of the Member of Parliament in favor of personal, family members' or close relatives' interests; for the purposes of this Code, the family member and close relative implies persons defined by article 4th of the Law of Georgia on Conflict of Interest and Corruption in Public Service.

B) The Member of Parliament shall be obliged prior to the completion of the discussion procedure of the issue inform the Procedural Issues and Rules Committee in written form about his/her or his/her family members' special interest in entrepreneurial activity, which will publish this information on the Parliament website.

C) The Member of Parliament is prohibited to receive any gift, which may influence on his/her performance of official duties; issues related to the reception of the gift are determined by the Law of Georgia on Conflict of Interest and Corruption in Public Service.

D) The Member of Parliament is obliged to declare that gift, prescribed by the Georgian legislation within a month's time in the register of gifts, that's market value exceeds 300 GEL. In the registry of the gift must be indicated: the name and surname of the Recipient Member of Parliament, the name and surname of the presenter (in case of legal person - name of legal person), the date of gift receipt, the description of the gift and market

value. The gift registry is public and is conducted by the Secretariat of the Council of Ethics.²

E) Combining entrepreneurial activity or any position in public service with the status of a Member of Parliament shall be inadmissible. Incompatibility cases are determined by Georgian legislative acts.

F) By the Law of Georgia on Lobbying, the Member of Parliament does not have the right to carry out lobbying activities within the term of his/her authority.

G) The Member of Parliament shall not receive a gift/award presented by lobbyists registered by the Law of Georgia on Lobbying activities.

H) With the purpose of transparency of business meeting with lobbyist registered according to the rule established by the Georgian legislation the Member of Parliament shall provide to publish information on the web site of the Parliament on holding the meeting.

I) The Member of Parliament should not conclude such type of agreement, which limits its independence in the process of conducting the activities of the deputy.

J) The Member of Parliament is obliged, according to the rules established by the Law of Georgia on Conflict of Interest and Corruption in Public Service to complete the declaration of property.

L) The Member of Parliament should not use administrative resource for personal interests, including in favor of one particular group or political party. The issues related to the use of administrative resources are determined by the Organic Law of Georgia "Election Code of Georgia

Sanctions envisaged according to *the Code of Ethics, Art. 4 (17, 18)* are the following:

After making decision by the Council of Ethics the name of the member of Parliament who violated the Code of Ethics, with a small description of the violation, will be posted on the website of the Parliament of Georgia. In case of violation of the rules of conduct established by this Code, the Council of Ethics is entitled to appeal to the Member of Parliament with the recommendation card.

If the Council of Ethics finds that the Code has not been violated, the name and surname of the Member of Parliament and the brief description of the case will be published on the Parliament website in case of the consent of the Member of

² The Parliament of Georgia adopted the Registry of Gifts for the Members of the Parliament of Georgia on November 2019.

	<p>Parliament, and the applicant shall be informed of the decision of the Council.</p> <p>According to <i>the Code of Ethics of the Member of the Parliament of Georgia, Art.5</i>, the Parliament of Georgia is responsible to provide training for the MPs of each new convocation in order to introduce the Code of Ethics. The Training Centre of the Parliament of Georgia provides training modules for newly elected Members of the Parliament in order to raise awareness of the Code of Ethics. The training on the issues of conflicts of interest and parliamentary ethics was held for MPs of the 10th Convocation on February 9-10, 2021.</p>
<p>Lessons learned in implementing the initiative</p>	<p>The Permanent Parliamentary Council on Open Governance, along with its Consultative Group, which consists of member local and international organizations, worked actively to adopt the Code of Ethics during the 9th Convocation of the Parliament. The Code of Ethics of the Member of the parliament of Georgia is the first one which is effective for all convocations of the parliament. The adoption and implementation of the Code of Ethics will contribute to the improvement of the measures and systems requiring Members of Parliaments to make declarations regarding their outside activities, employment, investments, assets and substantial gifts or benefits from which a conflict of interest may result with respect to their functions as public officials as well as establishment of measures against violation of the Code and standards in accordance with the fundamental principles of the legal system of Georgia.</p>
<p>Challenges encountered in implementing the initiative</p>	<p>The Ethics Council of the 10th Convocation is in the process of being recruited.</p>
<p>Link to more information</p>	<p>Open Parliament Georgia Action Plan for 2017-2018 https://web-api.parliament.ge/storage/files/shares/OGP/samoqmedo-gegmebi/ogp-2017-2018-samushao-gegma.pdf Report on Implementation of the Open Parliament Georgia Action Plan for 2017-2018 https://web-api.parliament.ge/storage/files/shares/OGP/ogp-angarishebi/2018-ogp-CLIURI-sabchos-saqmianobis-angarishi.pdf The Code of Ethics of the Member of Parliament of Georgia</p>

	<p>https://web-api.parliament.ge/storage/files/shares/komisia/etikis-sabcho/ENG-etikis-kodeqsi.pdf</p> <p>Form of Gifts Register</p> <p>Application for the Conflict of Interests</p> <p>Form of Complaint</p> <p>https://parliament.ge/parliament/councils/54140/documents</p>
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Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	Assets management and development company ltd (state-owned enterprise)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	General Assembly resolution 58/4 of 31 October 2003 United Nations Convention against Corruption Article 1. Statement of purpose Article 9. Public procurement and management of public finances Article 12. Private sector Article 57. Return and disposal of assets
Title of initiative	Transparency in return and disposal of assets Transparency in state procurement Transparency of document circulation
Keywords of initiative	Transparency, integrity, effectiveness of prevention, competition, management flexibility, full electronic document circulation, electronic signature
Short summary of initiative (please indicate the start date/duration if relevant)	Taking into account the fundamental requirements of the UNGASS Convention, the company carries out its activities with maximum transparency, which in turn includes the transparency of real estate disposal, state procurement and enterprise document turnover procedures.
Detailed description of initiative	In order to use the obligations calculated by the political declaration, as well as the mechanisms of international cooperation stipulated by the convention, the company disposes the property in the manner of an online electronic platform – “E-auction”, where the conditions of competition are respected as much as possible. This principle is clearly reflected in the results of auctions, most of which are completed as a result of several bids. The company's procurement procedures are also transparent, which is reflected in the fact that there are at least 2 participants in all electronic tenders published by the

	<p>company, and no tender has been appealed to the State Procurement Disputes Board to date.</p> <p>The electronic document circulation program and electronic signature implemented in the company makes the business processes as transparent as possible.</p>
Lessons learned in implementing the initiative	<p>Every year, with the efforts of the company, employees are retrained in various training courses, which has a positive effect on the above-mentioned processes.</p>
Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	State Audit Office of Georgia (hereafter referred to as the SAO)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	5 th paragraph of the UNGASS political declaration
Title of initiative	Preventive measures
Keywords of initiative	Independence; Organic Law; Mandate; Audit; Public finance; Public procurement; ISSAIs
Short summary of initiative (please indicate the start date/duration if relevant)	<ul style="list-style-type: none"> • The competences, structure, procedure for the activity, mandate and guarantees for the independence of the SAO is determined by the organic law; • SAO conducts audits of all central government entities, local self-governing entities, spending agencies in two autonomous republics of Georgia, legal entities of public law, state-owned enterprises and other public bodies; • The SAO is accountable to the Parliament and is authorized to send information about the audit results to the President of Georgia, the Parliament of Georgia and the Government of Georgia; • The SAO conducts financial, compliance and performance audits. All three types of audits are conducted according to the International Standards of Supreme Audit Institutions (ISSAIs) set by the International Organizations of Supreme Audit Institutions (INTOSAI); • The SAO monitors recommendations implementation process continuously with dedicated electronic system – ARIS.
Detailed description of initiative	The State Audit Office of Georgia is the supreme audit institution, which is guaranteed to be independent in its activities by <i>the Constitution of Georgia</i> and <i>the Organic Law of Georgia on State Audit</i>

¹ Please use one form per initiative described

Office. According to the Article 4 of the Organic Law of Georgia on the SAO: „*The main objectives of the State Audit Office are to promote legal, efficient and effective spending of public funds and other assets of material value, as well as to contribute to the protection of the national wealth and the property of the autonomous republics and local self-governing units, and to the improvement of the management of public funds*”. The Article 5 of the organic law states that the SAO shall conduct its activities in compliance with the Constitution of Georgia, international agreements, treaties of Georgia and other legislative and subordinate normative acts of Georgia; The SAO shall be guided by the main principles laid down by the International Organisation of Supreme Audit Institutions; The main principles of the SAO are: a) objectivity; b) independence; c) publicity; d) professionalism.

The main functions of the office are:

- Public audit;
- Control of budget execution and spending;
- Monitoring of financial activities of political unions of citizens.

With its work the SAO supports the Parliament in overseeing the activities of the government, as well as strengthens accountability and transparency of the public sector and ensures efficient and effective management of public finances. The purpose of public audit is to provide an independent and objective assessment of public resources management, as well as to determine how effectively the stated goal is being achieved.

The Organic Law guarantees the independence of the SAO according to the International Standards of Supreme Audit Institutions (ISSAIs) set by the International Organizations of Supreme Audit Institutions (INTOSAI). The SAO is independent operationally, financially, functionally and organizationally.

According to the Article 3 of the Organic Law: “*The State Audit Office shall be independent in its activities and bound only by the law. It shall be impermissible to interference with and/or control its activities, or request the SAO to present a report on its activities unless expressly provided for by law. It shall be prohibited to exert any political pressure on the State Audit Office or take any other actions that may infringe upon its independence; The State Audit Office shall have operational, financial, functional and organisational independence*”.

According to the Article 34 of the Organic Law: “*The State Audit Office shall be financed from the state budget of Georgia. The budget of the State Audit Office, within the amount envisaged in the line item of the economic classification of expenditures, shall not be less than the corresponding amount of the previous year; the submission of the budget of the State Audit Office for the upcoming year to the Government of Georgia shall be ensured by the Parliament of Georgia*”.

The SAO’s budget is submitted directly to the Parliament no later than 1st of May and discussed by the Finance and Budget Committee

of the Parliament independently from the government. The agreed version of the budget is submitted to the government by the Parliament. The Auditor General is independent in the allocation of the approved budget.

According to the Article 9 of the Organic Law: *“1. The Auditor General shall be elected for a term of 5 years by a majority of the Members of Parliament on the current nominal list upon his/her nomination by the Chairperson of the Parliament. 4. The independence of the exercise of the powers of the Auditor General shall be ensured. No one may interfere with or influence his/her decisions.”*

The constitutional amendments also provided the SAO direct access to the Constitutional Court of Georgia, guaranteeing a legal protection by a supreme court against any interference with the SAO's independence. The SAO is audited by the independent auditors from Big Four accounting/audit firm, selected through competitive and transparent process, which also embodies important guarantee of independence.

According to the World Bank research on the independence of Supreme audit institutions, the degree of independence of SAO was assessed 9.5 points out of the maximum 10 points.

The mandate of the SAO is defined by the Organic Law. The SAO examines (See Organic Law on the State Audit Office, Article 17, Paragraph 2):

- a) the spending and execution of the budgets of the state, autonomous republics and local self-government units;
- b) the soundness and legality of the expenditures and revenues of the draft state budget and the draft budget of the autonomous republics;
- c) the formation and management of the public debt and issuance of state credits;
- d) the activities of the National Bank of Georgia, within the scope of powers determined by the Constitution of Georgia;
- e) the legality of the flow of public funds in the National Bank of Georgia and the credit and financial institutions registered in Georgia;
- f) the financial and economic activities of the diplomatic service of Georgia;
- g) the spending and use of funds, including public procurement and assets of legal entities of public law;
- h) the management and use of the property of the State, autonomous republics and local self-government units, including privatization and construction;
- i) the financial and economic activities of legal entities under private law in which the State, the autonomous republics and/or local self-government bodies own 50 per cent or more of shares/equity (includes state owned enterprises);
- j) the legality of use of the funds allocated for elections under the Organic Law of Georgia on the Election Code of Georgia;
- k) the spending of the State Pension Agency.

	<p>The SAO conducts financial, compliance and performance audits. All three types of audits are conducted according to the International Standards of Public Sector Auditing (ISSAIs) set by the International Organizations of Supreme Audit Institutions (INTOSAI) (See Organic Law on the State Audit Office, Article 2, Article 26):</p> <ul style="list-style-type: none"> • Financial audit involves examining and evaluating reports and financial statements of an auditee, and issuing relevant audit reports; examining and evaluating reports and financial statements of the Government of Georgia, and issuing relevant audit reports; examining the compliance of relevant activities and financial systems with the legislation of Georgia; checking internal control and internal audit functions; checking whether an auditee is managed properly and in good faith; • Compliance audit involves checking, evaluating and reporting on the legality and reasonability of the activities of an auditee. In practice, compliance audit mainly concentrate on public procurement, remuneration, asset management and capital project management; • Performance audit involves examining, evaluating and reporting on the economy, efficiency and effectiveness of the activities and/or programs/projects carried out by an auditee. <p>The Supreme Audit Institutions Performance Measurement Framework (SAI PMF) is an INTOSAI tool that provides Supreme Audit Institutions (SAIs) with a framework for voluntary assessments of their performance against the INTOSAI Framework of Professional Pronouncements (IFPP) and other established international good practices for external public auditing. Professional and organizational development of the SAO (2018-2022) was assessed with 3.4 points out of the maximum 4 points with the SAI-PMF indicators.</p> <p>The SAO is authorized to issue recommendations based on the audit results, where relevant and monitor their implementation. Audit recommendation monitoring procedures are defined by the SAO's Handbook on Formulating and Monitoring the Implementation of Recommendations. Auditees prepare and submit to the SAO action plans on the implementation of recommendations with corresponding activities and timeline within the 30 days after the audit report is approved. The SAO monitors recommendations implementation process continuously with dedicated electronic system – ARIS (www.aris.sao.ge). The system contains all the necessary information and documents related to the process of implementation of recommendations: audit reports, findings, recommendations, action plans, implementation statuses and corresponding evidences. For better oversight, the top management of the SAO and auditees as well as the Parliament are engaged in the system.</p>
<p>Lessons learned in implementing the initiative</p>	<p>-</p>

Challenges encountered in implementing the initiative	The Organic Law doesn't explicitly defines SAO's mandate on tax revenue audit.
Link to more information	https://matsne.gov.ge/ka/document/view/17506?publication=18

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	CIDA/Global Compact – provider, LEPL - Enterprise Georgia (Ministry of Economy and Sustainable Development of Georgia) – receiver
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Paragraph 6
Title of initiative	Training about business and human rights
Keywords of initiative	Human rights; Business; Ethics; Sustainability
Short summary of initiative (please indicate the start date/duration if relevant)	In 2021, CIDA/Global Compact provided training to the employees of Enterprise Georgia concerning business and human rights.
Detailed description of initiative	<p>In 2020 CIDA/Global Compact in partnership with IFC and with support of Swedish Government established Academy of Corporate Sustainability in order to raise awareness about business and human rights.</p> <p>In 2021 CIDA/Global Compact provided training to 9 employees of Enterprise Georgia concerning business and human rights. Course covered the following topics:</p> <ol style="list-style-type: none"> 1. Business and human rights in Georgia 2. Ethics and Ethical decision-making 3. Leadership and sustainable human resource management 4. Social and environmental aspects of sustainability 5. State incentives to support corporate governance 6. Fight against corruption

¹ Please use one form per initiative described

	7. Reporting, internal and external communication as effective elements of sustainability
Lessons learned in implementing the initiative	Enterprise Georgia gained new expertise on sustainability, ethics and reporting.
Challenges encountered in implementing the initiative	N/A
Link to more information	https://globalcompact.ge/en/corporate-sustainability-academy-course/

Country	Georgia
Implementing authority/authorities	LEPL - Enterprise Georgia (Ministry of Economy and Sustainable Development of Georgia)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Paragraph 69
Title of initiative	Encouraging women's participation in state entrepreneurship support programs
Keywords of initiative	Prioritization of women entrepreneurs in entrepreneurship support program
Short summary of initiative (please indicate the start date/duration if relevant)	<p>“Enterprise Georgia” implements several state programs to support MSMEs. Micro and Small Entrepreneurship support program is noteworthy for prioritising women. The program aims to improve business environment in the regions of Georgia through development of micro and small entrepreneurship, financing of new businesses and/or expansion of existing ones.</p> <p>Start Date – 2015 year.</p>
Detailed description of initiative	The program provides micro grants with maximum amount of GEL 30,000 per beneficiary. One of the defined priorities of the

	<p>program is women entrepreneurship, which implies an automatic additional score in the assessment process to the applications of women entrepreneurs.</p> <p>In 2015, when the program was launched, women entrepreneurs presented only 32% of the awarded beneficiaries. The number reached 45% in 2018. In 2021 50% of the beneficiaries were women.</p> <p>Technical assistance provided in scopes of the program is also to be noted, as it includes providing regular consultations and trainings to the applicants in relevant business-related topics.</p>
<p>Lessons learned in implementing the initiative</p>	<p>Application of targeted support mechanism for women is an important measure to foster women entrepreneurship and reduce inequality. The economic empowerment of women leads to strengthening women's untapped potential by overcoming gender imbalance and consequently, boosting women's contribution to the development of Georgia's economy.</p>
<p>Challenges encountered in implementing the initiative</p>	<p>The challenges encountered in implementing the support mechanism are lack of business and technological skills in rural regions of Georgia, as well as restricted access to real estate among the women.</p>
<p>Link to more information</p>	<p>https://www.enterprisegeorgia.gov.ge/en/business-development/microgrants</p>

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	State Audit office of Georgia (hereafter referred to as the SAO); Parliament of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	9 th paragraph of the UNGASS political declaration
Title of initiative	Preventive measures
Keywords of initiative	State Audit Office; SAO
Short summary of initiative (please indicate the start date/duration if relevant)	<ul style="list-style-type: none"> • Collaboration between the SAO and the Parliament is regulated by the organic law of Georgia on the SAO; • The Parliament of Georgia scrutinized audit reports; • By the decision of the Finance and Budget Committee, audit recommendations become mandatory for budget organizations for implementation.
Detailed description of initiative	<p>The SAO of Georgia is structured as the Westminster model and is accountable to the parliament. According to the Organic Law the SAO annually submits to the Parliament <i>the annual performance report</i> as well as the statutory reports:</p> <ul style="list-style-type: none"> • The report on the annual State Budget Execution; • The opinion on the draft law of the State Budget; • The report on the current execution of the State Budget. <p>The SAO submits all audit reports and recommendations to the parliament. In addition, according to the Rules and Procedures of the parliament (<i>See Rules and Procedures of the Parliament, Article 165, Paragraph 9</i>), twice a year the SAO sends to the Parliament the list of the most significant audit reports. Audit reports are scrutinized by the permanent Audit Group, which is established specifically for reviewing audit reports under the Finance and Budget Committee. Audit Group is obliged to convene a session, at least, once a month.</p>

¹ Please use one form per initiative described

	<p>All sessions are broadcasted publicly. In addition, once a year Auditor General presents to the Parliament the SAO's annual performance report which includes the analysis of individual audit reports, systemic and common findings/recommendations, trends, etc.</p> <p>Based on the discussions, the Audit Group develops a draft decision of the Financial and Budgetary Committee of the Parliament in line with appropriate recommendations, and submits them to the Committee. By the decision of the Committee, audit recommendations become mandatory for budget organizations for implementation.</p> <p>It is noteworthy that during the last years, the number of audit reports scrutinized by the Audit Group has significantly increased. In 2021 Audit Group has reviewed 22 audit reports.</p> <p>The SAO ensures openness and transparency of the information via publishing audit reports on the SAO's official website (www.sao.ge).</p> <p>The parliament uses SAO's reports to oversee government activities and hold the government accountable for the use of public funds. The public have access to the audit findings, which contains information about revealed deficiencies within the audits and recommendations issued for resolving those shortcomings.</p>
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	https://www.sao.ge/ka/about-us/Annual-Reports

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	JSC Georgia Energy Development Fund (hereinafter “Fund”)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Resolution adopted by the General Assembly on 2 June 2021 <i>Preventive measures paragraph(s) 5; 11; 68.</i>
Title of initiative	State Procurement Policy of JSC Georgian Energy Development Fund
Keywords of initiative	Public procurements
Short summary of initiative (please indicate the start date/duration if relevant)	Since 2021 the Fund conducts public procurements according to the procurement policy, which indicates the internal and general legislative structure of the procedures.
Detailed description of initiative	Procurement policy indicates steps and means for conducting public procurements, authorised bodies and principles, terms of avoidance of conflict of interest in order to maintain non-discriminatory and anti-corruption environment.
Lessons learned in implementing the initiative	Improving procurement planning in order to ensure the proper management of finances and developing competitive anti-corruption environment inside and outside of the fund.
Challenges encountered in implementing the initiative	Establishment of the flexible internal policy to simplify the procedural obstacles and at the same time hold appropriate standards.
Link to more information	N/A

¹ Please use one form per initiative described

Country	Georgia
Implementing authority/authorities	JSC Georgia Energy Development Fund (hereinafter “Fund”)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Resolution adopted by the General Assembly on 2 June 2021 <i>Preventive measures paragraph(s) 7; 68.</i>
Title of initiative	Conflicts of Interest Avoidance Policy
Keywords of initiative	Conflicts of interest
Short summary of initiative (please indicate the start date/duration if relevant)	Ensuring the avoidance of conflicts of interests in funds activities.
Detailed description of initiative	Framework for the Fund employees to avoid the conflicts between their and Funds interests. Specific activities that constitutes conflict of interest, for example receiving inappropriate presents or benefits, etc.
Lessons learned in implementing the initiative	Expanding approaches while identifying relevant interests.
Challenges encountered in implementing the initiative	Draw an adequate line between the personal and Funds interests.
Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention²

Country	Georgia
Implementing authority/authorities	Georgian Energy Development Fund JSC
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Resolution adopted by the General Assembly on 2 June 2021 <i>Preventive measures paragraph(s) 7; 69.</i>
Title of initiative	Code of Ethics
Keywords of initiative	Code of ethics, ethics committee
Short summary of initiative (please indicate the start date/duration if relevant)	The Code of Ethics aims to encourage and support the employees of the Georgian Energy Development Fund JSC to be committed with and adhered to the best practices of professional integrity and ethical conduct.
Detailed description of initiative	The Code of Ethics provides basic principles and answers as to how to act in different situations. Therefore, the Code includes specific provisions such as Conflicts of Interest, Nepotism, Elimination of All forms of Discrimination and etc.
Lessons learned in implementing the initiative	Establishing flexible environment to make reports regarding the inappropriate conduct.
Challenges encountered in implementing the initiative	Developing the appropriate standards without implementing over-strict regulations making difficult for employees to communicate with each other and the third parties.
Link to more information	N/A

² Please use one form per initiative described

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention³

Country	Georgia
Implementing authority/authorities	Georgian Energy Development Fund JSC
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Resolution adopted by the General Assembly on 2 June 2021 <i>Preventive measures paragraph(s) 7; 13.</i>
Title of initiative	The Anti-Bribery and Anti-Corruption Policy
Keywords of initiative	Recording payments, due diligence of prospective third parties, trainings, Audit Committee
Short summary of initiative (please indicate the start date/duration if relevant)	The Anti-Bribery and Anti-Corruption Policy sets out main procedures for preventing corruption practices in the Company and provides with guidance on how to detect and prevent corruption and bribery.
Detailed description of initiative	In order to prevent corruption practices in Georgian Energy Development Fund JSC, The Anti-Bribery and Anti-Corruption Policy provides certain procedures/rules on receiving gifts and hospitality, travel and accommodation, political and charitable contributions, sponsorship and etc.
Lessons learned in implementing the initiative	Modern approaches in risk assessment and monitoring procedures.
Challenges encountered in implementing the initiative	Establishment of the flexible internal policy.
Link to more information	N/A

³ Please use one form per initiative described

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	State Audit office of Georgia (hereafter referred to as the SAO)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	10 th paragraph of the UNGASS political declaration
Title of initiative	Preventive measures
Keywords of initiative	Public procurement; State Audit Office; SAO
Short summary of initiative (please indicate the start date/duration if relevant)	<ul style="list-style-type: none"> • The SAO conducts audits on public procurement at all levels of government; • In 2021 the SAO conducted 2 interagency compliance audits on the public procurement; • The "Fight corruption" module of the Budget Monitor lets citizens share the information about corruption risks in public finances.
Detailed description of initiative	<p>The SAO's mandate covers public procurement. In order to deliver its mandate, the SAO is authorized to receive information related to public procurement in accordance with the Law of Georgia "On the State Procurement".</p> <p>To promote efficient, productive and effective disposal of budget resources, the SAO implemented the new direction in auditing - interagency compliance audits, which covers government-wide, thematic areas, identifying systemic problems across the public sector.</p> <p>In 2021 the SAO conducted 2 interagency compliance audits on public procurement:</p> <ul style="list-style-type: none"> • Compliance audit on systemic issues of public procurement management at the central level of Government – the audit

¹ Please use one form per initiative described

	<p>scope covered procurements made by 10 ministries during the 2017-2019;</p> <ul style="list-style-type: none"> • Compliance audit on the public procurement made by the Ministries of the Autonomous Republic of Adjara – the audit scope covered procurements made by 4 ministries of the Autonomous Republic of Adjara in 2020. <p>Within the scope of the audits, the SAO studied the complete cycle of procurement from the planning phase to the contraction. Based on the results of these audits 33 recommendations were issued.</p> <p>In addition, the SAO covers all municipalities based on a rotation principle with compliance audits every three years, which includes the public procurement.</p> <p>In 2022 the SAO is conducting audit on public procurement issues due to the pandemic:</p> <ul style="list-style-type: none"> • Compliance audit on Public Procurement of the Health System in Response to the COVID-19 Pandemic. <p>Embarking on a path of demonstrating its value, benefits and relevance to citizens according to the International Standards of Supreme Audit Institutions (ISSAI 12), the SAO highly supports and practices citizen engagement in the audit planning process. The SAO permanently receives citizens' requests from different sources, including official letters, emails and analytical web-platform - Budget Monitor (BM). BM is a unique tool developed by the SAO, which provides comprehensive information about the public finances, designed from auditor's perspective via different data visualization tools, such as interactive and user-friendly diagrams, info-graphics and tables. The web-platform enables citizens to filter, choose, compare, sort and export consolidated information about the state and municipal budgets (administrative costs, public debt, state purchases, budget deficit, capital projects, reserve funds, etc.), audit findings and corresponding recommendations in easy-to-interpret way. Namely, BM gives visitors opportunity to examine over hundreds of SAOG audit reports annually, expenditures around 60 spending entities, 69 municipal budgets and over 400 state programs. BM has the citizen's page, where the module of "Plan with us" enables citizens to suggest opinions about deficiencies in the management of public resources, suggest the priority spheres for future audit(s) and participate in setting up of annual audit plan. The module "Fight corruption" of the citizen's page let citizens share the information about corruption risks in public finances and support its elimination. Via sending audit requests, suggestions, proposals and informing SAO about the deficiencies in the public finance management (PFM) system, citizens can contribute to the reduction of corruption risks.</p>
<p>Lessons learned in implementing the initiative</p>	<p>N/A</p>
<p>Challenges encountered in implementing the initiative</p>	<p>N/A</p>

Link to more information	https://www.sao.ge/ka http://budgetmonitor.ge/en

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	LEPL The Unified National Body of Accreditation – Georgian Accreditation Center
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	7; 68.
Title of initiative	Digitalization of the Services of Georgian Accreditation Center (GAC)
Keywords of initiative	Digitalization
Short summary of initiative (please indicate the start date/duration if relevant)	Digitalization project has started in December 2021 and is planned to be finalized by the end of 2022.
Detailed description of initiative	The program provides digitization of the entire process of accreditation, which includes receiving an application for accreditation, assigning the Team Leader, reviewing the application, planning a site visit, activities of the accreditation committee, making a decision on accreditation, and within the framework of the full four-year cycle of accreditation, the electronic implementation of the procedures provided by the relevant international standard, including the sending relevant notifications to accredited CABs in case of necessity, etc. Program ensures great transparency and reliability of the accreditation center's activities.
Lessons learned in implementing the initiative	To ensure the involvement of all interested parties in the program design process.
Challenges encountered in implementing the initiative	The process of implementation is still ongoing and will be finalized by the end of 2022. Up to day only challenge that

¹ Please use one form per initiative described

	GAC has faced was related to the technical skills and abilities of representatives of accredited bodies.
Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	State Audit office of Georgia (hereafter referred to as the SAO); Parliament of Georgia Prosecutor's Office of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	29 th paragraph of the UNGASS political declaration
Title of initiative	Relationship and cooperation with police, investigative, prosecutorial and judicial authorities
Keywords of initiative	State Audit Office; SAO
Short summary of initiative (please indicate the start date/duration if relevant)	The SAO cooperates with law enforcement agencies on the issue of corruption and the signs of a criminal offence within the framework of the organic law on the SAO.
Detailed description of initiative	<p>The SAO's cooperation with the law enforcement agencies is regulated by the organic law on the SAO. According to the Law (Article 24¹): <i>Audit materials with the signs of a criminal offences shall immediately be forwarded to the law enforcement agencies. Only the audit materials (or its part) that particularly contains the information about the signs of criminal offences is sent to the enforcement agencies. The enforcements agencies shall inform the State Audit Office about the information of decisions and its action plans on submitted audit materials.</i>"</p> <p>The SAO has submitted 114 audit reports or specific information to the law enforcement agencies during 2018-2021. 19 cases were sent in 2021.</p>

¹ Please use one form per initiative described

	<p>The Prosecutors Office reports in its annual performance report about the results and action taken on the received cases. The report is submitted to the Parliament and is public accessible. It is notable, that according to the SAI-PMF assessment, the relationship of the SAO with the law enforcement agencies is assessed by highest score 4.</p>
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	LEPL – Georgian Civil Aviation Agency (GCAA) (Ministry of Economy and Sustainable Development)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 7. Public sector Article 10. Public reporting (CONVENTION AGAINST CORRUPTION)
Title of initiative	Achieving openness, transparency, and accountability of the Civil Aviation Authority and increasing involvement of the aviation sector in the rulemaking and decision-making process of Agency
Keywords of initiative	openness, access to public information, involvement
Short summary of initiative (please indicate the start date/duration if relevant)	GCAA develops regulations and procedures for civil aviation sector of Georgia. In the process of developing this regulations/amendments, an important factor is consultations with aviation industry and their involvement in the process. In 2013, the agency has introduced a mechanism of Public/Stakeholder Consultations. In addition, to promote transparency of the rulemaking and regulatory process as well as awareness of the industry, starting from 2021, the Agency also started to publish a short and medium-term Rulemaking Program on the website.
Detailed description of initiative	Public/Stakeholder Consultation is an integral part of the rulemaking process of the GCAA, the purpose of which is to hold an open and transparent consultations with aviation companies, to seek their views and involvement on the issues that affect the aviation industry, the passengers and other interested parties. The draft of the regulation/amendment is published on the website of the Agency: www.gcaa.ge . The industry has the opportunity to submit suggestions, comments and recommendations within the established period. The consultation process envisages the study of the comments and suggestions provided by the industry and to meet their considerations within the scope that aviation safety standards and public interests are fully respected. In cases, when the

¹ Please use one form per initiative described

	<p>regulation/amendments affects the wide range of stakeholders or aviation personnel, the information on the initiated consultations is also published on the agency's social media (Facebook page). Within the scope of increasing the openness and accountability of the aviation authority the civil aviation agency's Rulemaking Program (adapted version) is also published on the website.</p>
<p>Lessons learned in implementing the initiative</p>	<p>Under the “Common Aviation Area Agreement between the European Union and its Member States and Georgia” Georgia is transposing EU legislation in areas such as aviation safety, security, air traffic management, passenger rights, social aspects and market access. Fulfilling the CAA-A Agreement obligations is a complex process and requires not only the efforts and involvement of the regulatory body, but also the readiness of the industry, their involvement, enforcement at the operational level and constant improvements. The GCAA is committed to listen to the opinion of industry, study their capabilities and give them an acceptable and reasonable preparation period for adapting to the new requirements. Public/Stakeholder Consultation mechanism developed by GCAA contributes to the deepening of partnership relations between the public and private sector.</p>
<p>Challenges encountered in implementing the initiative</p>	<p>Achieving wider participation and involvement of the aviation industry</p>
<p>Link to more information</p>	<p>https://gcaa.ge/draft-regulations/ https://gcaa.ge/guidance-materials/ GCAA Facebook: https://www.facebook.com/GeorgianAviation</p>

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	State Audit office of Georgia (hereafter referred to as the SAO) Government of Georgia Anti-Corruption council
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	37 th paragraph of the UNGASS political declaration
Title of initiative	Participation in the implementation of the national anti-corruption policy
Keywords of initiative	Anti-corruption policy; Anti-Corruption council
Short summary of initiative (please indicate the start date/duration if relevant)	The SAO is the member of the anti-corruption council and participates in the implementation of the national anti-corruption policy and strategy.
Detailed description of initiative	The SAO contributes to the creation of a state system free of corruption with participation in the implementation of the national anti-corruption policy. The SAO is participating in achieving the objectives set out in the anti-corruption strategy of Georgia by successfully fulfilling the commitments made under the annual action plans over the years. Moreover, SAO is the member of the anti-corruption council that coordinates anti-corruption activities in the country, updating and controlling implementation of anti-corruption strategy and action plans, reporting to international organizations, initiating corresponding legislative actions and preparing recommendations.

¹ Please use one form per initiative described

	In addition, the SAO conducted performance audit of <i>Developing Anti-Corruption Environment in the Country</i> ² in 2020. The audit scope covered 2 key institutions: anti-corruption council (planning policy, entities coordination and monitoring) and Civil Service Bureau (issues related to the ethics of the public servant and declarations).
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

² https://www.sao.ge/Uploads/2020/5/Performance_Audit_of_Developing_Anti-Corruption_Environment_in_the_Country.pdf

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	JSC “Georgian Railway” (hereinafter referred to as the “Company”)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 8. Codes of conduct for public officials
Title of initiative	(i) Code of Conduct & Ethics of Employees; (ii) Code of Corporate Ethics of Directors of the Company and Directors of the Subsidiaries.
Keywords of initiative	Code of Conduct; Code of Corporate Ethics; Avoiding Conflict of Interest; Avoiding Corruption; Rules; Standards; Transparency; Accountability
Short summary of initiative (please indicate the start date/duration if relevant)	The Company has two Codes, namely: (i) Code of Conduct & Ethics of Employees; and (ii) Code of Corporate Ethics, in order to establish best corporate culture and prevent corruption, conflict of interest and other malicious conducts from its employees and Directors. The 1 st one is regarding all employees of the Company and the second, per Directors of the Company and its Subsidiaries.
Detailed description of initiative	Both Codes were introduced for the purposes of implementing the highest standards of ethical and professional conduct of employees and Directors, to ensure that everyone in the company is clear on the mission, values and guiding principles of the Company. Both Codes express the Company’s vision and values, establish ethical principles for professional and personal conduct that Company expects from all employees and Directors. Codes do have specific articles regarding political and religious neutrality; relationship between/towards clients/colleagues/third parties/employees/partners/competitors/civil servants; confidentiality; bribery; conflict of interest; discrimination of

¹ Please use one form per initiative described

	all forms; protecting of the Company's property/assets; ecology and safety; obligations of the medium and high level managers etc.
Lessons learned in implementing the initiative	<p>Due to the existing grievance mechanism and ensuring information transparency, as well as, sharing it broadly and thoroughly across all employees made it possible to better understand concrete needs of the staff and therefore plan business affairs more effectively.</p> <p>Strong and trusted employee grievance mechanism helped to address problems proactively as they arise, before they erode the company's trust or become intractable. The Employee Grievance Mechanism became an effective way for Company to identify potential problems, as it can offer valuable information on how to improve Company's operations.</p>
Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	State Audit office of Georgia (hereafter referred to as the SAO)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	73 th paragraph of the UNGASS political declaration
Title of initiative	Preventive measures responding to corruption in time of national crises and emergencies, including natural disasters.
Keywords of initiative	National crises, emergencies, pandemic,
Short summary of initiative (please indicate the start date/duration if relevant)	The SAO has conducted audits on pandemic and natural disaster issues.
Detailed description of initiative	<p>In 2021 the SAO has conducted 3 audits on the management of pandemic in the country:</p> <ol style="list-style-type: none"> 1. Continuity of medical services during the COVID-19 pandemic 2. Distance learning in public schools 3. Support measures for Small and Medium Enterprises <p>The following Covid-related audits are being conducted in 2022:²</p>

¹ Please use one form per initiative described

² <https://www.sao.ge/Uploads/2022/7/2022%20%E1%83%AC%E1%83%9A%E1%83%98%E1%83%A1%20%E1%83%90%E1%83%A3%E1%83%93%E1%83%98%E1%83%A2%E1%83%9D%E1%83%A0%E1%83%A3%E1%83%9A%E1%83%98%20%E1%83%A1%E1%83%90%E1%83%A5%E1%83%9B%E1%83%98%E1%83%90%E1%83%9C%E1%83%9D%E1%83%91%E1%83%98%E1%83%A1%20%E1%83%92%E1%83%94%E1%83%92%E1%83%9B%E1%83%98%E1%83%A1%20%E1%83%AA%E1%83%95%E1%83%9A%E1%83%98%E1%83%9A%E1%83%94%E1%83%91%E1%83%90.pdf>

	<ol style="list-style-type: none"> 1. Provision of effective remote-work environment in the public sector 2. Public procurement in the healthcare system related to the COVID-19 3. Management of quarantine zones during the pandemic <p>Prevention, detection and effective management of the risks of natural disasters is one of the significant issues. The SAO has conducted several audits in this filed, including:</p> <ol style="list-style-type: none"> 1. A parallel audit with other EUROSAI member Supreme Audit Institutions - Performance Audit of Management (prevention, preparedness) of Flood Emergency; 2. The management (prevention, preparedness) of emergency situations caused by forest fires.
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	LEPL Land Transport Agency (Ministry of Economy and Sustainable Development)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 9. Paragraph 2(d)
Title of initiative	Reorganisation in the LEPL Land Transport Agency
Keywords of initiative	Reorganisation; Internal Control Department.
Short summary of initiative (please indicate the start date/duration if relevant)	From January 11, 2022, the reorganization of the Agency began, as a result of which several new structures were created - including the Internal Control Department.
Detailed description of initiative	<p>From January 11, 2022, the reorganization of the Agency began, as a result of which several new structures were created - including the Internal Control Department.</p> <p>The main functions of the Departments are the following:</p> <ul style="list-style-type: none"> a) implementation of control over compliance with the requirements of the internal regulations; b) conducting an inspection in order to detect the fact of violation of law, official misconduct and/or action inconsistent with the goals of the agency, preparing the relevant report and submitting it to the director; c) preparing a recommendation regarding the disciplinary responsibility of the agency's employees; d) To provide appropriate recommendations to the director in order to establish and prevent the causes contributing to the violations of the legislation by the employees of the agency, to eliminate the deficiencies found in the agency and their causes.

¹ Please use one form per initiative described

	<p>e) disclosure of facts of conflict of interest stipulated by employee legislation;</p> <p>f) preparation of appropriate recommendations for the promotion of the process of fulfilling the norms of service ethics by the employees of the Agency;</p> <p>g) within the scope of competence, consideration of correspondence of customers or other interested persons;</p> <p>h) execution of separate tasks and instructions of the agency's leadership.</p>
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	https://matsne.gov.ge/ka/document/view/5392974?publication=0

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	State Audit office of Georgia (hereafter referred to as the SAO)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Paragraph 12 of the UNGASS political declaration
Title of initiative	
Keywords of initiative	Uniformity of legal framework
Short summary of initiative (please indicate the start date/duration if relevant)	Amendments to the Electoral Code and the Law on Political Unions have been aligned with each other. The SAO established a standardized format for the annual financial declarations to be submitted by political parties. (2020-2022)
Detailed description of initiative	<p>As a result of the amendments, only the regulations directly related to elections are covered by the Electoral Code, while the regulations related to non-election period are covered by the Law on Political Unions. The scope of the Law on Political Unions was also extended to include individuals and legal entities with a declared election goal.</p> <p>In order to unify the legislation regulating the political financing monitoring system, relevant changes have been made in the Law on Political Unions and the Election Code of Georgia. As a result, all norms that establish common rules of conduct for parties, persons with stated election goals and electoral subjects were consolidated in the Law on Political Unions, and those norms that apply only to electoral subjects were transferred to the Electoral Code. With this in mind, the provisions defining the scope of these laws have been refined.</p> <p>The SAO revised and approved the new forms for party's annual financial declaration and new forms for the election campaign funding report. These forms have been approved by the Order of the Auditor General of Georgia on 5 August 2021. According to the revision of the Law on Political Unions, the forms have become obligatory for independent candidates and other persons with declared election purposes.</p>

¹ Please use one form per initiative described

Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	Organic Law on Political Unions, Chapter 3, Order of the Auditor General of Georgia on 5 August 2021.

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	Mountain Trails Agency (MTA) (state-owned enterprise)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Paragraph 5.; 6.; 10.; 11.; 15.; 68.; 73.
Title of initiative	State Procurement Training Courses
Keywords of initiative	Legal, organizational and economic principles for conducting public procurement Electronic System of State Procurement Electronic tender, simplified electronic tender Consolidated tender Preparation of tender documentation Accountability and transparency measures taken within the procurement State Procurement legislation
Short summary of initiative (please indicate the start date/duration if relevant)	State procurement training course is carried out annually for Procurement Department experts of MTA LLC
Detailed description of initiative	Within the initiative, the experts of Procurement Department of MTA participated in the training course of state procurement to improve knowledge and acquire best practices towards national and international guidelines of public procurement, procurement contracts, the transparency of decision-making processes etc.

¹ Please use one form per initiative described

Lessons learned in implementing the initiative	Increased the transparency of decision-making processes Improved public procurement process in line with the fundamental principles of domestic law of State Procurement Promoted transparency and accountability
Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

Country	Georgia
Implementing authority/authorities	Mountain Trails Agency (MTA) (state-owned enterprise)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Paragraph 38
Title of initiative	Implementation of qualified electronic signature/qualified electronic stamp
Keywords of initiative	Qualified electronic signature and qualified electronic stamp Electronic trust services
Short summary of initiative (please indicate the start date/duration if relevant)	MTA has implemented a qualified electronic signature/qualified electronic stamp in accordance with the law of the electronic documents and electronic trust services (2019).
Detailed description of initiative	Within the initiative, MTA implemented eligible electronic signature or electronic stamp to sign documents.
Lessons learned in implementing the initiative	Increased the transparency of decision-making processes; Ensured high standards of document protection

	Increased reliability and security High-quality, timely and effective communication and procedures
Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

Country	Georgia
Implementing authority/authorities	Mountain Trails Agency (MTA) (state-owned enterprise)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Paragraph 3.; 6.; 12.; 26.;
Title of initiative	Code of ethics for employees of "Mountain Resorts Development Company" LLC
Keywords of initiative	The principle of conscientious activity; Professional commitment; The principle of legality; The principle of equality; Incompatibility of interests Etc.
Short summary of initiative (please indicate the start date/duration if relevant)	The code of ethics is based on the legal and recognized moral rules. Its requirements correspond to internationally recognized principles in the field of human rights and freedoms, Georgian legislation and the agency's goals and functions.
Detailed description of initiative	The code of ethics is an integral part of the agreement signed between the company and the employee.
Lessons learned in implementing the initiative	Increased the transparency of decision-making processes Promoted transparency and accountability Fostered a culture of accountability, transparency and legality integrity and fairness in the public sector Implemented the codes of conduct and other ethical standards for all public officials
Challenges encountered in implementing the initiative	N/A

Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	State Audit office of Georgia (hereafter referred to as the SAO)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Paragraph 22 of the UNGASS political declaration
Title of initiative	
Keywords of initiative	
Short summary of initiative (please indicate the start date/duration if relevant)	<p>The SAO has strengthened the capacity of the staff and internet-based portals to increase the transparency and oversight function.</p> <p>The SAO was granted a right to accept documents with electronic signature. (2020)</p>
Detailed description of initiative	<p>The SAO works closely with International donor organizations such as the Council of Europe, IFES and others respective international organizations. With the assistance of the Council of Europe, the SAO established the Electronic Reporting System for political parties, through which they can submit and upload financial information electronically.</p> <p>Also, the dedicated web portal - monitoring.sao.ge was created, where users can see detailed information on donations made to political parties and their activity reports.</p> <p>The SAO was granted a right to accept documents with electronic signature from political entities thus simplifying the monitoring process and facilitating the early submission of monitoring reports. This also allows the users of information to receive timely data.</p>
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	www.monitoring.sao.ge ; Organic Law of Georgia on Political Unions, Article 34 ¹

¹ Please use one form per initiative described

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	Georgian Gas Transportation Company LLC
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 9 (United Nations Convention against Corruption) – 1 (a-e); 2 (b, c, d, e); 3 Article 10
Title of initiative	Public procurement and management of Company finances
Keywords of initiative	Transparency
Short summary of initiative (please indicate the start date/duration if relevant)	The Law of Georgia on State Procurement; On Approving the Rules of Reporting of Procuring Entities; On Approving the Rules for the Identification of the Procurement Objects and the Determination of Homogeneity Thereof – established by State Procurement Agency, Law on accounting, reporting and auditing; Ordinance of the head of Service for accounting, reporting and auditing supervision, Tax code of Georgia
Detailed description of initiative	<p>The company carries out the procurement procedures, polices and finance management according to the above mentioned laws, rules ordinance and code, which encompass indicated subarticles and paragraphs of the convention. The audited financial statement of the company, which is published annually on reporting portal (reportal.ge), includes the following topics:</p> <ul style="list-style-type: none"> • CRITICAL ACCOUNTING ESTIMATES AND JUDGMENTS • FINANCIAL INSTRUMENTS – RISK MANAGEMENT • PROPERTY AND EQUIPMENT AND INTANGIBLE

¹ Please use one form per initiative described

	<p>ASSETS</p> <ul style="list-style-type: none"> • LEASES • OTHER NON-CURRENT ASSETS • INVESTMENTS IN ASSOCIATES • INVENTORIES • TAX ASSETS • TRADE AND OTHER RECEIVABLES • CASH AND CASH EQUIVALENTS • EQUITY • TRADE AND OTHER PAYABLES • REVENUE • OTHER EXPENSES • FINANCE EXPENSE • CONTINGENCIES AND COMMITMENTS • TRANSACTIONS WITH RELATED PARTIES • EVENTS AFTER REPORTING PERIOD • SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES. <p>All appropriate staff is aware of the requirements of the above mentioned legislation.</p>
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	The company does not have its own internal document regulating risk management.
Link to more information	https://reportal.ge/en http://www.procurement.gov.ge/en/ ; https://saras.gov.ge . rs.gov.ge

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	State Audit office of Georgia (hereafter referred to as the SAO)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Paragraph 12 of the UNGASS political declaration
Title of initiative	
Keywords of initiative	Changes in legal framework
Short summary of initiative (please indicate the start date/duration if relevant)	Criteria for the donor legal entity has been revised. The vote buying below 100 GEL became the criminal offence. (2020)
Detailed description of initiative	<p>The donor can be a legal entity registered on the territory of Georgia whose partners/final beneficiaries are the Georgian citizens. According to the old version, the legal entity was allowed to donate even if its partner was registered abroad (offshore), given that this partner's final beneficiary was a citizen of Georgia</p> <p>Previously, vote buying below 100 GEL was in the Administrative Code of Offences, while vote buying above 100 GEL was part of the Criminal Code. Due to this record, the investigation of offences below 100 GEL was the responsibility of the State Audit Office.</p> <p>As a result of the legislative changes of 2 July 2020, the "vote buying" below 100 GEL included in the Criminal Code, thus leaving the mandate of the SAO</p>
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	Organic Law on Political Unions, Article 25; Criminal Code, Article 164 ¹

¹ Please use one form per initiative described

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	N(N)LE OPEN NET
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 6 of Convention
Title of initiative	Code of Ethic
Keywords of initiative	N(N)LE OPEN NET is working on Code of Ethic.
Short summary of initiative (please indicate the start date/duration if relevant)	July - End of 2022
Detailed description of initiative	The Code of Conduct and Ethics of N(N)LE OPEN NET is under development and will be finalized in the end of 2022. It will contain the requirements of best international practices and ethical standards in the field of telecommunications. The code will be mandatory for all employees.
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

¹ Please use one form per initiative described

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Country	Georgia
Implementing authority/authorities	N(N)LE OPEN NET
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 17 of Convention
Title of initiative	Prevention of Financial System from being abused to hide, move and launder assets stemming from corruption.
Keywords of initiative	The transfer of funds is carried out through the State Treasury, therefore, the funds are managed transparently and securely
Short summary of initiative (please indicate the start date/duration if relevant)	During the whole year
Detailed description of initiative	Financial Transactions of N(N)LE OPEN NET is carried out only through the State Treasury
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

Country	Georgia
Implementing authority/authorities	N(N)LE OPEN NET
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Articles 10 and 68 of Convention
Title of initiative	Public Procurment
Keywords of initiative	The state procurement process is managed in accordance with the Law of Georgia "On State Procurement".
Short summary of initiative (please indicate the start date/duration if relevant)	During the whole year
Detailed description of initiative	The state procurement process is managed in accordance with the Law of Georgia "On State Procurement". The electronic platform SPA.GE is used in the procurement process. Donor funded procurement process is managed in accordance WB regulations and requirements.
Lessons learned in implementing the initiative	The procurement process runs clearly and corruption risks are minimized
Challenges encountered in implementing the initiative	N/A
Link to more information	SPA.GE

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	LEPL - Maritime Transport Agency of Georgia (Ministry of Economy and Sustainable Development)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	A/RES/S-32/1, 68
Title of initiative	Maritime Single Window
Keywords of initiative	Digitalisation
Short summary of initiative (please indicate the start date/duration if relevant)	<p>International Maritime Organization's Facilitation Committee has adopted amendments to the Facilitation (FAL) Convention which will make the single window for data exchange mandatory in ports around the world, marking a significant step in the acceleration of digitalization in shipping.</p> <p>Other amendments adopted include lessons learnt from the COVID-19 pandemic and add new and amended Recommended Practices to prevent corruption and illicit activities in the maritime sector.</p> <p>Maritime Transport Agency of Georgia in 2019 with the support of the US government started National Maritime Single Window Development (NMSW) for Georgia ports, NMSW development feasibility study was</p>

¹ Please use one form per initiative described

	endorsed by the Government of Georgia and relevant public and private stakeholders. NMSW system development phase will start in October 2022
Detailed description of initiative	<p>The National Maritime Single Window (NMSW) is a technical platform for receiving, exchanging and forwarding electronically information to fulfil reporting obligations regarding ships that arrive at or depart from ports. The NMSW is linked to other information systems, such as the SafeSeaNet maritime information exchange system, and is the place where information is reported once by declarants and then made available electronically to the various national authorities.</p> <p>The legislative framework of the NMSW is set by the Regulation (EU) 2019/1239 of the European Parliament and of the Council of 20 June 2019 establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU, on reporting formalities for ships arriving in and/or departing from ports of the Member States. Within EU Georgia AA, Georgia is responsible for the implementation of the MSW directive.</p> <p>After Georgian NMSW development Users/declarants have to submit the following notifications on a case by case basis:</p> <ul style="list-style-type: none"> • 72h pre arrival notifications • 24h pre arrival notifications • Actual time of arrival notifications • Arrival/Depart DPG notifications • Waste notifications • Security notifications • Border notifications • Maritime Declaration of Health notifications • General Declaration (FAL form 1) • Cargo Declaration (FAL form 2) • Ship's Stores Declaration (FAL form 3) • Crew's Effects Declaration (FAL form 4) • Crew List (FAL form 5) • Passenger List (FAL form 6) • Dangerous Goods (FAL form 7)
Lessons learned in implementing the initiative	Strong political will and public and private sector full engagement is essential for MSW implementation
Challenges encountered in implementing the initiative	System is under development

Link to more information	<p>https://www.imo.org/en/MediaCentre/PressBriefings/pages/FAL-46-amendments.aspx</p> <p>https://eur-lex.europa.eu/EN/legal-content/summary/european-maritime-single-window-environment-emswe.html#:~:text=Maritime%20national%20single%20window%3A%20a,(GUI)%2C%20as%20well%20as</p>

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	LEPL - National Agency of State Property (Ministry of Economy and Sustainable Development)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Preventive Measures, Paragraphs 6; 20
Title of initiative	Transparency and accountability of state-owned enterprises under the management of the National Agency of State Property
Keywords of initiative	Information about state owned enterprises under the management of the National Agency of State Property is published annually on the website of the agency.
Short summary of initiative (please indicate the start date/duration if relevant)	From 2017 the information is annually published on the agency's website: nasp.gov.ge.
Detailed description of initiative	In 2017 a unified template has been developed to improve the reporting process of the state-owned enterprises and increase transparency, where the data of the enterprises are presented, including information on the name of the enterprise, the authorized capital, the field of activity, the annual financial statements, the operating expenses, the number of employees and a number of other issues. The information is annually published on the agency's website nasp.gov.ge.
Lessons learned in implementing the initiative	Importance of transparency and accountability of state-owned enterprises
Challenges encountered in implementing the initiative	To publicize relevant information of state-owned enterprises, including financial statements, so not to put the mentioned

¹ Please use one form per initiative described

	enterprises in an unequal position with other competitors due to the disclosure of information.
Link to more information	shorturl.at/hqsT4

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	SAKAERONAVIGATSIA LLC (state-owned enterprise)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Preventive measures 6; Article 8
Title of initiative	Code of Conduct
Keywords of initiative	Standards of Ethics and code of conduct
Short summary of initiative (please indicate the start date/duration if relevant)	A Code of Conduct has been created and implemented to set out the norms, responsibilities and proper practices of the employees at the work place.
Detailed description of initiative	Code of Conduct of Sakaeronavigatsia LLC consists of the following content: 1. Scope and Goals of the Code; 2. Principle of Acting in Good Faith; 3. Professionalism and Efficiency; 4. Employee Responsibility and Rules of Conduct; 5. Equality Principle; 6. Corporate Culture and Team Work; 7. Corporate Image; 8. Conflict of Interest; 9. Safety of Information and Confidentiality; 10. Inappropriate Condition; 11. Compliance.
Lessons learned in implementing the initiative	The Code of Conduct should be promoted in the company on a regular basis not only by punitive measures but by motivating the employees as well.
Challenges encountered in implementing the initiative	No major challenges were identified.

¹ Please use one form per initiative described

Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	LEPL “State Hydrographic Service of Georgia” (Ministry of Economy and Sustainable Development of Georgia)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Preventive measures, 6; Article 8.
Title of initiative	Code of Ethics and Integrity Policy
Keywords of initiative	A document which will ensure fair, healthy, ethical and professional environment for all working personnel (in addition to the relations with third parties).
Short summary of initiative (please indicate the start date/duration if relevant)	Code of Ethics and Integrity Policy was created to implement/apply it in daily practices in addition to anti-corruption obligations and measures, international and local codes of conduct and ethical standards for all working personnel in regard to daily jobs, each other and third parties (private, governmental, NGOs).
Detailed description of initiative	Code of Ethics and Integrity Policy includes following parts: 1. Personnel Obligations, 2. Principles, 3. Responsibility to society, 4. Competency, 5. Integrity, 6. Relevance with the Law, 7. Impartiality, 8. Justice to others, 9. Corruption, 10. Relations to third parties; 11. Relations to the public sector, 12. Gifts and Entertainment, 13. Relationships with independent contractors, 14. Relationship with customers and suppliers, 15. Relations with political, public and charitable organizations, 16. Relations with media, 17. Non-commercial initiatives, 18. Conflict of interests, 19. Our people, 20. Harassment in the workplace, 21. Confidentiality - Confidential Information and Privacy Protection, 22. Email processing, 23. Phone Conversations, 24. Compliance, evaluation and control.

¹ Please use one form per initiative described

Lessons learned in implementing the initiative	This documents may have a set of “too many rules and regulations”, but when each of the employees of the service familiarized with it, all understood that this document is very necessary, one more key elements which will ensure most professional, fair, competent and productive environment for everyone on site. Besides it showed all the employees the principle “treat others like you want to be treated” from the different angle and the importance of having such documents in the “arsenal”.
Challenges encountered in implementing the initiative	Consumed time, since some needed more time to comprehend all what was stated in the documents.
Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	LEPL – Technical and Construction Supervision Agency (TCSA) (Ministry of Economy and Sustainable Development)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Chapter II, Article 5 and 8
Title of initiative	Integrity raising in TCSA
Keywords of initiative	Establishing integrity raising strategy and action plan in TCSA
Short summary of initiative (please indicate the start date/duration if relevant)	Within the EU project of Public Administration Reform TCSA started to prepare integrity raising strategy and action plan. In order to formulate the strategy and action plan for raising the integrity of the agency, a working group was created on December 13, 2021.
Detailed description of initiative	<p>Within the framework of the project, in active cooperation with the working group, the project experts investigated and studied the activities of the agency and integrity topics. At the first stage, the project experts analyzed the structure and statute of the agency and evaluated all divisions that perform both sectoral and additional functions.</p> <p>During the evaluation process, 6 interviews were conducted with the heads of divisions performing both basic and additional functions and employees performing specific functions.</p> <p>Based on the analysis of the information provided by divisions and the conducted interviews, an integrity risk assessment document was prepared.</p> <p>Besides, project experts conducted trainings for the staff of TCSA in the field of integrity.</p>

¹ Please use one form per initiative described

	Drafts of integrity raising strategy and action plan were prepared with the support of project experts.
Lessons learned in implementing the initiative	<p>On the results of the research conducted within the project three directions were defined:</p> <ol style="list-style-type: none"> 1. Increasing the transparency of the agency; 2. Increasing the agency's accountability; 3. Raising integrity in the agency and creating an ethical environment.
Challenges encountered in implementing the initiative	Identify the gaps in the functions of TCSA, eliminate them and develop TCSA in accordance with International best practices in order to make the system more effective and transparent.
Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	LTD Georgian Teleradiocenter (state-owned enterprise)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	General Assembly resolution 58/4 of 31 October 2003 United Nations Convention against Corruption Article 1. Statement of purpose Article 9. Public procurement and management of public finances Article 10. Public reporting
Title of initiative	Transparency in procurement
Keywords of initiative	Transparency , Good faith , Legitimacy , Prevention , Efficiency, Competition ,
Short summary of initiative (please indicate the start date/duration if relevant)	Introducing and implementing the anti-corruption action plan in the organization's activities. Bringing internal regulations in the organization into compliance with the anti-corruption action plan. Delegation of employees to trainings in the field of anti-corruption action plan and state procurement.
Detailed description of initiative	The electronic procurement system was created in Georgia in 2010. The system is very good in its transparency and automation, which increases efficiency and reduces the risks of corruption. Public sector – By making public procurement information available in an open data format, we make it easy to evaluate

¹ Please use one form per initiative described

	<p>our procurement, identify problems and set targets based on numbers. Access to open procurement data also simplifies data processing for the state procurement agency itself.</p> <p>Private sector - using open data, the private sector has the opportunity to create new commercial services related to procurement, for example the so-called Business analytical services that stimulate business interest in public procurement.</p> <p>Civil Society – By using open procurement data, civil society representatives have the opportunity to easily obtain and analyze aggregated data to evaluate the performance of our organization. Also, using open data, civil society has the opportunity to monitor (for example, identifying problematic procurements based on risk factors) they can identify possible corruption or other types of violations. However, in the direction of our organization, there was no such precedent, because each state purchase is carried out transparently.</p> <p>To achieve this goal, the organization carries out employee retraining and sending them to relevant trainings every year</p>
<p>Lessons learned in implementing the initiative</p>	<p>Over the years, the qualifications of the employees of the procurement department of our organization have increased significantly, this is confirmed by the results and certificates they have shown in the tests conducted by the State Procurement Agency at different times</p>
<p>Challenges encountered in implementing the initiative</p>	<p>N/A</p>
<p>Link to more information</p>	<p>N/A</p>

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	LTD United Airports of Georgia (state-owned enterprise)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 8.
Title of initiative	Ethics Code of the company
Keywords of initiative	Ethics Code
Short summary of initiative (please indicate the start date/duration if relevant)	Ethics Code of the company is an internal by-law regulating code of conduct of company employees, which is integral part of labour agreement signed between the company and its employees.
Detailed description of initiative	Ethics Code lays out main principles and values to be followed by company employees, ensuring transparency, impartiality, compliance, integrity, relations with public sector and etc.
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

¹ Please use one form per initiative described

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Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	Ministry of Economy and Sustainable Development of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 7. Public sector
Title of initiative	Establishment of transparent, unbiased competition rules during recruitment of employees
Keywords of initiative	Established operating instructions and procedures of the Ministry during public competitions
Short summary of initiative (please indicate the start date/duration if relevant)	From June 1st 2022, the Ministry has established detailed rules for the competition, which excludes unconscientiousness
Detailed description of initiative	<p>One of the chapters of the handbook on handling Human Resources Management Processes completely covers detailed explanations and comments on the rules for conducting public competitions.</p> <p>It is important to determine the following selection steps:</p> <ol style="list-style-type: none"> 1) Competition in the Ministry is always conducted using a written assignment and an interview 2) The written assignment and the interview have a pre-determined cut-off scores 3) The writing assignment is delivered to the test scorer using a barcode, so that one does not know whose writing is being scoring 4) The interview has predetermined evaluation criteria and scores

¹ Please use one form per initiative described

	<p>5) The commission for each competition is different and made up according to the following principle - the team (professional civil servants of the Ministry) chooses a member of the team (professional civil servant)</p> <p>6) In order to eliminate the risks, it is forbidden to have the majority of the members of the commission from the same subdivision that the vacancy is being filled.</p> <p>7) A guidance document has been prepared for the members of the commission</p> <p>8) It is not allowed to include members of any political party in the competition commission</p> <p>9) Candidates complete the written task transparently in one space, semi-structured questions are asked during the interview</p> <p>10) The results are calculated through the scoring system</p>
Lessons learned in implementing the initiative	We have been observing the course of competitions for two years and refined our approaches in such a way that could eliminate any doubt of bias
Challenges encountered in implementing the initiative	During the observation and implementation process, we had great support from the Ministry management and colleagues. In very rare cases was a gap found that gave the probability of a risk, which is ultimately envisaged in the new handbook.
Link to more information	N/A

Country	Georgia
Implementing authority/authorities	Ministry of Economy and Sustainable Development of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 7 and Article 8
Title of initiative	Employee Handbook on Conflict of Interest
Keywords of initiative	Informing newly appointed employees on issues of conflict of interest

Short summary of initiative (please indicate the start date/duration if relevant)	<p>From August 8 2022, newly appointed employees of the Ministry will have a detailed and explanatory handbook on conflict of interest</p>
Detailed description of initiative	<p>The handbook includes detailed explanations and comments on the concept and content of conflict of interest, as well as on the following directions: a) Conflict of interest due to having two job at the same time b) Conflict of interest due to additional remuneration c) Conflict of interest due to entrepreneurial activity d) Conflict of interest related to family members e) revolving door principle f) Mechanisms for fighting against the conflict of interest.</p> <p>In addition, the explanations and instructions are given for the employees of all levels of the Ministry - state and political officials, persons employed under administrative contract, professional civil servants.</p>
Lessons learned in implementing the initiative	<p>A well-informed civil servant and a state and political official are less likely to commit an infringement. The handbook explains why the restriction exists and what risks each type of conflict of interest involves. The detailed set rules will answer lots of questions and also end interpretation of the legislation.</p>
Challenges encountered in implementing the initiative	<p>Different definitions and interpretations of legislation</p>
Link to more information	<p>N/A</p>

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	JSC Georgian Oil and Gas Corporation (hereinafter “Corporation”)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 8. Codes of conduct for public officials
Title of initiative	Code of Ethics and Conduct (hereinafter referred to as the “Code”)
Keywords of initiative	Code of ethics
Short summary of initiative (please indicate the start date/duration if relevant)	The Code aims to encourage and support the employees of GOGC to be committed with and adhered to the best practices of professional conduct and integrity including rules elated to avoidance of conflicts of interests.
Detailed description of initiative	<p>The Code documents include various rules intended to minimize and prevent the risks associated with corruption and conflict of interests. The Code defines and provides corporate values, which shall be followed and adhered by all persons holding position in GOGC, including adherence to human rights, equality and equal opportunities. The Code sets forth specific rules of conduct including <i>inter alia</i> (i) performance of the specific duties imposed on the employees legitimately, in good faith and in the best economic interests of the company, prevention and declaration of conflict of interests, non-disclosure of confidential information etc.</p> <p>The Code requires compliance with the Georgian laws and internal corporate regulations thus incorporating requirements embodied in the said regulations, which includes:</p>

¹ Please use one form per initiative described

	<ul style="list-style-type: none"> • <i>The Law of Georgia on Conflict of Interest and Corruption in Public Service, which is applicable to General Director of GOGC</i> The Law of Georgia on Conflict of Interest and Corruption in Public Service is <i>inter alia</i> applicable to heads of enterprises, 100 % of stocks or share of which is owned by the State or a local self-government body, as well as the heads of subsidiaries of such enterprises. Therefore, General Director of GOGC has to comply with the requirements of the Law, which sets forth practices and rules of conduct aimed at avoiding conflict of interests and corruption as well as submission of declaration of assets to the Civil Service Bureau within two months after appointment and regularly, on an annual basis. • <i>The new Law of Georgia on Entrepreneurs provides specific standard of conduct for managers and members of the Supervisory Board of a company</i> The Law imposes specific duty of care for managers of any enterprise incorporated in Georgia including state-affiliated companies. Particularly, the Law requires that a manager shall conduct the company’s business legitimately and with the diligence of a manager in good faith and in the best economic interests of the company. The managers are also be liable to the company for any damage incurred as a result of his/her culpable failure to fulfil the duty of good faith. The manager’s liability for intentional failure to fulfil the duty of good faith may not be limited by the statute or the partners’ decision. • <i>The Labour Code of Georgia and Internal Regulations adopted by GOGC’s Board of Directors, which set forth general guidance and specific rules that have to be followed by GOGC’s employees</i> The above-mentioned documents include various regulations intended to minimize and prevent the risks associated with corruption and conflict of interests, which includes corporate values, prevention and declaration of conflict of interests, non-disclosure of confidential information etc.
Lessons learned in implementing the initiative	Implementation of the Code requires communication with the employees in order to provide interpretation and in-depth

	insight on the implementation of the specific standards and rules.
Challenges encountered in implementing the initiative	Please see above.
Link to more information	N/A

Country	Georgia
Implementing authority/authorities	JSC Georgian Oil and Gas Corporation (hereinafter “Corporation”)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 9. Public procurement and management of public finances
Title of initiative	Internal audit
Keywords of initiative	Efficient systems of risk management and internal control
Short summary of initiative (please indicate the start date/duration if relevant)	Internal Audit Unit is created within the Control Department of GOGC according to the resolution of the Board of Directors of GOGC for ensuring compliance with the laws and corporate regulations including prevention and avoidance of conflict of interests and corruption.
Detailed description of initiative	The scope of the internal control includes compliance with the laws and corporate regulations. Internal control is conducted in accordance with annual plans, which are prepared based on the risk analysis and identification of most vulnerable and critical areas. Internal audit department acts in close cooperation with the Supervisory Board of GOGC.

Lessons learned in implementing the initiative	Clarification and improvement of certain procedures are required. GOGC is considering subordination of the Internal Audit Unit to the Supervisory Board.
Challenges encountered in implementing the initiative	Developing internal control approach and mechanisms mainly aimed at early prevention but not dealing with results.
Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	JSC UES SAKRUSENERGO (HRM and Legal support Department)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 8. Codes of conduct for public officials Article 9. Public procurement and management of public finances
Title of initiative	Internal rules of SAKRUSENERGO The order of General Director of Sakrusenergo on procurement procedures N179-07 from 2013, 18 November.
Keywords of initiative	Article 1. general provisions; Article 31. Employee's Responsibilities in Protecting Ethical and Moral Standards (Internal rules of SAKRUSENERGO) Order N179-07 – 2013, 18 nov. The document describes in details the whole procedures of procurement from the very beginning up to the final stage.
Short summary of initiative (please indicate the start date/duration if relevant)	Internal rules of the employees of JSC UES SAKRUSENERGO is a manual for the internal regulation of professional activities of the Employees of the Company; determines The employee's adherence to ethical and moral standards
Detailed description of initiative	<ol style="list-style-type: none"> 1. Employees must respect universally recognized human rights, freedoms and dignity. 2. Employees are not allowed to engage in unworthy behavior aimed at discrediting society. 3. Employees are prohibited from accepting gifts of any value from individuals and legal entities with whom they have official relations. <p>When interacting with citizens and employees must comply with ethical and moral standards.</p>

¹ Please use one form per initiative described

	According to the document procurement procedures communication takes place in a virtual mode according to the electronic system and the parties do not have physical contact, which in turn significantly reduces the risks of corruption, document circulation among them is also done electronically.
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	www.sakrusenergo.ge

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention²

Country	Georgia
Implementing authority/authorities	JSC UES SAKRUSENERGO (Internal Audit Service)
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 9. Public procurement and management of public finances
Title of initiative	Statute of Service of JSC UES SAKRUSENERGO

² Please use one form per initiative described

Keywords of initiative	Article 16. Tasks and functions of the internal audit service of JSC UES SAKRUSENERGO
Short summary of initiative (please indicate the start date/duration if relevant)	Control the legality of distribution and spending of funds by employees, target disposal of tangible assets and other means of rational use of funds stipulated in the company's business plan; prevention of expected violations and (or) misconduct and expected shortcomings in the activities of the company's employees and (or) identification and analysis of their risk factors; assessment of the adequacy and effectiveness of financial management and control systems; Control over employee compliance with labor rules and labor discipline, official control over the observance of public discipline and compliance with the rule of law, Detecting misconduct and other unlawful acts, investigating allegations and complaints about these facts, and responding appropriately
Detailed description of initiative	Tasks and functions of the internal audit service of JSC UES SAKRUSENERGO has been implemented in the company, which, along with other operational and strategic risks, also covers corruption risks.
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	Central Election Commission of Georgia/ Election Administration of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	12
Title of initiative	Ensuring inclusive elections environment
Keywords of initiative	Increasing the level of inclusiveness of election procedures is one of the main pillars in the strategic plan of the Election Administration. In this regard the CEC implements various procedures which promotes the fairness of election environment and ensures that the interest off all electoral stakeholders are represented at every level of election management.
Short summary of initiative (please indicate the start date/duration if relevant)	Following the electoral reform initiated by the political elite in 2021 the CEC initiated various novelties and new approaches that aimed at increasing inclusiveness and accessibility of election procedures.
Detailed description of initiative	<i><u>Increased number of election commission members and the shared responsibilities</u></i> The amendments in election law introduced in 2021 increased the number of election commission at all levels of election commission. Number of commission members were increase from 12 to 17 members. More political parties represented at election commission increased the inclusiveness of the process. Furthermore, the CEC initiated a new approach, which implied

¹ Please use one form per initiative described

	<p>the shared responsibilities between the commission members. Representatives of the opposition party were assigned to monitor and manage a newly initiated video fixations of the vote counting and recounting procedure at the polling stations. This initiative increases the trust towards the process and ensured the improved engagement of electoral stakeholders in election procedure.</p> <p>Furthermore, the Deputy Chairperson of the CEC, representing the opposition party, was assigned to implement the pilot project for engaging election technologies in voting procedure. The project implied piloting the vote counting machines for the counting procedures. Pilot aimed at learning and researching the pros and cons as well as the challenges related to the engagement of voting machines in elections. Engagement of the CEC deputy chairperson in the project ensured further accountability of commission members in the project.</p> <p><u>Promoting inclusiveness of vulnerable groups in election</u></p> <p>Considering the importance of accessible voting precincts for the wheel chair users the CEC applied the legislative body with the recommendation to amend the election law and ensure that the wheelchair users my vote at any election present. prior to the initiative wheelchair users could vote only in election district they were registered. Following the approval of the proposed amendments the wheel-chair-users were allowed to vote in any adapted polling stations upon their choice.</p>
<p>Lessons learned in implementing the initiative</p>	<p>Promoting the inclusiveness in the election process leads to the increased fairness, which itself is essential for ensuring accessible election environment.</p>
<p>Challenges encountered in implementing the initiative</p>	<p>At the initial stage, every innovative project and its implementation requires the joint commencements and the consensuses achieved among the CEC members which is a collegial body represented by political parties.</p>
<p>Link to more information</p>	<p>https://cesko.ge/en/ http://www.electionreforms.ge/eng https://cesko.ge/en/archevnebi/2022</p>

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	Central Election Commission of Georgia/ Election Administration of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	12
Title of initiative	Ensuring transparent, credible and fair elections
Keywords of initiative	Increasing the level of transparency of election procedures, which will result in increased credibility towards elections and fairness of election environment
Short summary of initiative (please indicate the start date/duration if relevant)	<p>After 2020 Parliamentary Elections the trust towards the election results become an issue for some electoral stakeholders. Prior to 2021 Municipal election a reform of election legislation was implemented which led to the changes in multiple election procedures. Following the legislative reform, the Election Administration of Georgia also initiated and implemented various innovative projects aiming to promote the transparency of electoral procedures.</p> <p>Following the past two general elections conducted in 2020 and 2021, the Election Administration of Georgia put main emphases of its activities on advancing the transparency of each and every electoral procedure. In this regard the CEC initiated additional recounts of the election results along with the recounts envisaged by the legislative amendment. Large-scale process of examining the preliminary elections results led to the improved transparency of the process and increased trust</p>

¹ Please use one form per initiative described

<p>Detailed description of initiative</p>	<p><u>Recounts of the Election Results</u></p> <p>Not only, on the bases of the legislative requirement, but also by the initiative of the CEC chairperson during the 2021 municipal elections the lower-level election commissions recounted the results of 812 election precincts during the first-round elections and the results of 274 election precincts during the II-round elections. The recounts did not result in any changes to the final results of the elections tabulated by the lower-level commissions.</p> <p>This process aimed at increasing the credibility and trust of electoral stakeholders in the overall counting process and it successfully served its purpose.</p> <p><u>Video fixation of the counting and recounting process of election results</u></p> <p>In terms of ensuring transparency, recounts were not the only novelty, the CEC initiated and implemented the project, which ensured video-fixation of the results' counting process at polling stations. The video recordings of the counting process at the election precincts were uploaded on Google drive and were available and accessible for any interested person. This also tangibly increased the trust in the election process. The video fixation at election precincts was managed and controlled by the representatives of opposition parties, who were revealed by casting the lots at the precincts.</p> <p><u>Live-stream of the CEC sessions</u></p> <p>In addition to all this, the CEC sessions were live-streamed and were accessible for everyone through social networks. The CEC also initiated an interviewing process for the selection of commission members at DEC's. Interviewing process was also live-streamed and it ensured the process of composing lower-level election commissions even more transparent.</p> <p><u>New Design of Polling Booths</u></p> <p>During the past two general election the Election Administration used a redesigned polling booth which aimed at ensuring the transparency of the voting process. It is worth noting that the modified voting booth effectively ensured the secrecy of ballot while it was designed to prevent some of the malpractices of voting procedure. Successful piloting in a small scale during 2022 municipal elections (only in Election precincts in Tbilisi) led the Election administration to use the new modified voting booths throughout the whole country during the second-round elections.</p>
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	<p><i>Electronic EDR process</i></p> <p>Another important novelty was related to the creation of electronic software, which allowed election stakeholders to electronically submit an election-related complaint to the relevant commissions. This online service significantly simplified EDR process in Georgia.</p>
Lessons learned in implementing the initiative	Promoting the transparency in the election process leads to the increased trust from the electoral stakeholders which itself is essential for ensuring fair and free election environment.
Challenges encountered in implementing the initiative	At the initial stage, every innovative project and its implementation requires the joint commencements and the consensuses achieved among the CEC members which is a collegial body represented by political parties.
Link to more information	<p>https://cesko.ge/en/</p> <p>http://www.electionreforms.ge/eng</p> <p>https://cesko.ge/en/archevnebi/2022</p>

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	State Security Service of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 1; Article 6; Article 20; Article 30; Article 67;
Title of initiative	Awareness Raising Meetings on Fight against Corruption
Keywords of initiative	Awareness-raising meetings with the representatives of state authorities and local self-governments
Short summary of initiative (please indicate the start date/duration if relevant)	One of the key priorities of the State Security Service of Georgia in terms of prevention of corruption in public sector is raising awareness on corruption offences and organizing awareness-raising meetings with the representatives of state authorities and local self-governments. Two cascade meetings were already held in December 2021 and in April 2022 with the assistance of EU/CoE Partnership for Good Governance (PGG II) Project on “Enhancing the systems of prevention and combating corruption, money laundering and terrorist financing in Georgia”.
Detailed description of initiative	In 2021-2022, the project of so-called awareness-raising meetings on matters of combating corruption intended for state and local self-governing bodies was implemented. This project was prepared with cooperation between the State Security Service and the Council of Europe (CoE) within the framework of EU-funded program. The meetings were preceded by a training of trainers on “Corruption Prevention in the Public Sector” for the staff of the Anti-Corruption Agency within the State Security Service organized by the Council of Europe. A special, intra-agency working group composed of specialists of

¹ Please use one form per initiative described

	<p>various fields (lawyers, analysts, investigators and specialists of international relations) from the State Security Service of Georgia were actively engaged in terms of defining both the project thematic, as well as the target groups.</p> <p>80 representatives of public and local self-governing authorities were retrained as a result of Awareness-raising meetings which are permanent and the Service plans to organize them in the future (September and October 2022) to cover other regions of the country.</p> <p>Together with the general anti-corruption concepts, the meetings also addressed the specificity of investigation of corruption and official misconduct. Important part of the discussions were dedicated to the prevention of conflict of interest and the protection of whistle-blowers. The participants were encouraged to support the state in its efforts to defeat corruption using the whistle-blower instrument. The meetings have been also enriched by presenting an overview of the ACA's activities, reforms implemented over the years and explaining in detail the reasons for those changes. The events also offered an opportunity to discuss real cases investigated by the ACA within its competence. Furthermore, Council of Europe international expert, shed light on the international approaches and best practices in the fight against corruption. The high level of interaction during the events demonstrated the value of these meetings and incited closer cooperation between state institutions and local municipalities in this area.</p>
<p>Lessons learned in implementing the initiative</p>	<p>As a result of the conducted meetings, additional fields of interest have been identified and included in the agendas of the future meetings.</p>
<p>Challenges encountered in implementing the initiative</p>	<p>Some challenges were encountered in terms of COVID-19 pandemic, due to restrictions.</p>
<p>Link to more information</p>	<p>https://ssg.gov.ge/en/news/731/korufciul-danashaulebze-cnobierebis-amaghlebis-temaze-trenerta-treiningi-gaimarta</p> <p>https://www.coe.int/en/web/tbilisi/-/georgian-anti-corruption-agency-staff-trained-to-train-other-public-servants-on-corruption-prevention</p> <p>https://ssg.gov.ge/news/735/sajaro-moxeelebistvis-sainformacio-shexvedra-korufciis-tsinaaghmddeg-brdzola%E2%80%9C-gaimarta</p>

<https://www.coe.int/en/web/tbilisi/-/awareness-raised-of-representatives-of-the-state-institutions-and-local-municipalities-on-importance-of-fighting-against-corruption>

<https://www.coe.int/en/web/tbilisi/-/awareness-raised-of-representatives-of-local-municipalities-in-kakheti-region-on-importance-of-fighting-against-corruption>

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	State Security Service of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 28;
Title of initiative	Capacity building of the employees
Keywords of initiative	Trainings, capacity building, education and training programs;
Short summary of initiative (please indicate the start date/duration if relevant)	Professional development and technical capacity building of the officers of the SSSG Anti-corruption Agency, that includes advance qualification courses in the fight against corruption for investigators, retraining of operational officers within the scope of special programs and courses, as well as providing trainings to the officers working in analytical and preventive directions is underway on permanent basis.
Detailed description of initiative	SSSG pays particular attention to the professional capacity-building of its personnel, including those working in the direction of combatting corruption. Since the establishment of the SSSG (on 1 August 2015), approximately 140 ACA staff members have been trained within the framework of Basic Field Training. Moreover, the ACA employees have access to a wide selection of continuing education and training programs periodically offered by SSSG Training Center or its partner institutions. Moreover, a number of Agency personnel have been trained/retrained on corruption issues, organized by the USA, CoE, EU, NATO, UN, OSCE and other international organizations and agencies of partner countries. Besides,

¹ Please use one form per initiative described

	employees of the Agency participated in a number of meetings with foreign partners with the aim of strengthening international cooperation and sharing the best practices.
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	Please see the Annual Reports of the State Security Service of Georgia on the official web-page of the Service – www.ssg.gov.ge

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	State Security Service of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Article 3;
Title of initiative	Establishing of the Corruption Prevention Unit within the Anti-Corruption Agency of the State Security Service of Georgia.
Keywords of initiative	Corruption Prevention Unit, implementation of preventive measures, corruption risk analysis, elaboration of relevant recommendations, identifying of vulnerable fields and groups;
Short summary of initiative (please indicate the start date/duration if relevant)	In order to promote prevention of corruption, the State Security Service of Georgia is focused on enhancing the capacity of the Anti-Corruption Agency in terms of developing preventive and proactive anti-corruption law enforcement mechanisms, including effective ways to detect and prevent corruption in public sector, as well as developing of executive system.
Detailed description of initiative	In 2020 the Corruption Prevention Unit was created as part of the Anti-corruption Agency, which provides for implementation of preventive measures in order to prevent / detect corruption, carry out corruption risk analysis and elaborate relevant recommendations in public sector, conduct analyses and processing of investigative statistic data, on the basis of which, groups and fields vulnerable to corruption are identified and relevant preventive measures are planned / conducted. The Corruption Prevention Unit carries out an assessment of possible risks related to the target use of budget funds and takes relevant measures to reduce / eliminate these risks. Corruption Prevention Unit studies international experience

¹ Please use one form per initiative described

	on corruption prevention matters, carries out analysis of drafts of normative acts in an anti-corruption perspective and develops relevant proposals.
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	Please see the Annual Reports of the State Security Service of Georgia on the official web-page of the Service – www.ssg.gov.ge

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	Judiciary of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Paragraphs 6 and 28 of the UNGASS political declaration
Title of initiative	Ethical standards for judges of common courts of Georgia / Capacity building of judges
Keywords of initiative	N/A
Short summary of initiative (please indicate the start date/duration if relevant)	N/A
Detailed description of initiative	<p>a. Rules on Judicial Ethics</p> <p>It has been two decades since the Rules on Judicial Ethics was first elaborated for common courts of Georgia.</p> <p>As regards the recent developments, the legislative amendments elaborated within the framework of the judicial reform of 2019 setting forth the precise grounds for disciplinary liability of judges of common courts, distinguished the standards of professional conduct from the disciplinary rules.² Therefore, the breach of the Rules on Judicial Ethics as</p>

¹ Please use one form per initiative described

² Opinion no. 3 of the Consultative Council of European Judges (CCJE) to the attention of the Committee of Ministers of the Council of Europe on the principles and rules governing judges' professional conduct, in particular ethics, incompatible behaviour and impartiality, adopted on 19 November 2002, Strasbourg, paras 45 and 48.

a ground for imposing a disciplinary liability/sanction has been abolished. In this light, there was an urgent need for the development of the updated version of the Rules on Judicial Ethics, in line with international standards.

Importantly, the new Rules on Judicial Ethics were drafted with the involvement of judges from all three court instances and with assistance of international experts by means of comprehensive consultation process. Notably, with the support of international donor organizations three international experts have been involved in the working process. The international experts contributed to drafting process by analyzing the existing Rules on Judicial Ethics and providing relevant recommendations in line with the Basic Principles on the Independence of the Judiciary and the Bangalore Principles on Judicial Conduct. At first, the Rules on Judicial Ethics were approved by the High Council of Justice (the HCJ) and submitted to the Conference of Judges for final approval. The Conference of judges adopted the revised Rules on Judicial Ethics on 31st of October 2021. The Rules on Judicial Ethics have been uploaded on the webpages of the Supreme Court of Georgia ([LINK](#)) and the HCJ ([LINK](#)) and are easily accessible to the public.

Hence, the new Rules on Judicial Ethics are in line with the recommendations of international experts and aim at promoting the public confidence in the independence, integrity, and impartiality of the judiciary. Importantly, the principles embodied in the Rules on Judicial Ethics serve as guidelines on the essential ethical standards required of judges in the performance of their duties and deals with the following basic principles: independence, impartiality, integrity, propriety, equality, competence and diligence. Furthermore, the Rules on Judicial Ethics oblige a judge to refrain from all types of activities which violate the Articles of the Law of Georgia “on Conflict of Interest and Corruption in Public Service”.

The Rules on Judicial Ethics apply to all judges and are mandatory for any judge of common courts during the whole period of his/her office.

It is noteworthy, that the adoption and publication of updated

	<p>Rules of Judicial Ethics was welcomed by GRECO in its recent Report of 17 June 2022 and considered that this part of recommendation has been implemented satisfactorily.³</p> <p>b. Capacity building of judges</p> <p>The High School of Justice (the HSJ) provided permanent trainings on revised Rules on Judicial Ethics. Notably, the HSJ is committed to train both the judicial candidates and the judges (including the newly appointed judges) in the field of judicial ethics on an annual basis. The training course includes both a “basic course on judicial ethics” and an “in-depth course on judicial ethics” and addresses all the deontological values such as independence, impartiality, integrity, equality, competence etc. Thus, the participants deepen the systematic knowledge about the essential aspects of the professional ethics, the moral standards of in work and out of work activities, ability to implement the ethical standards in practice, identify the risk of breach of ethical standards and are able to observe accurately the deontological values. In the course of 2021-2022, 3 trainings have been held for judges in the field of Judicial Ethics in the form of “in-depth course on judicial ethics”.</p> <p>Furthermore, the HSJ delivers trainings on corruption related topics. In particular, in 2020, under the auspices of DoJ, the HSJ delivered 2 trainings on the following topics: Financial crime and corruption and Dynamics of corruption cases. In 2021, the HSJ conducted training on effective consideration of cases related to corruption. In addition, within the framework of cooperation between CoE and the HSJ, online seminar was held on the following topic “Confiscation, seizure, and return of property obtained from corruption, money laundering, and other economic crimes”.</p>
<p>Lessons learned in implementing the initiative</p>	<p>N/A</p>
<p>Challenges encountered in</p>	<p>N/A</p>

³ Group of States Against Corruption (GRECO), Fourth Evaluation Round, Corruption prevention in respect of members of parliament, judges and prosecutors, Addendum to the Second Compliance Report, Strasbourg, 17 June 2022, para. 35.

implementing the initiative	
Link to more information	N/A

Annex - Questionnaire

Measures taken to implement the Convention and the commitments contained in the UNGASS political declaration, as well as good practices and progress made in the use of international cooperation mechanisms under the Convention¹

Country	Georgia
Implementing authority/authorities	Judiciary of Georgia
Corresponding paragraph(s) of the UNGASS political declaration and/or article(s) of the Convention	Paragraphs 8, 23 and 27 of the UNGASS political declaration
Title of initiative	Judicial Reform
Keywords of initiative	N/A
Short summary of initiative (please indicate the start date/duration if relevant)	N/A
Detailed description of initiative	<p>During the recent years tremendous positive developments had taken place in the Judiciary of Georgia that had greatly contributed to enhancement of independence, transparency, accountability and efficiency of the judiciary.</p> <p>The constitutional reform of 2017 along with the four waves of judicial reform (2013-2019), has significantly enhanced both the individual independence of judges and the independence of the judiciary as a whole. In particular, as a result of four waves of the judicial reform various legislative amendments had been adopted and became the basis for introducing new institutions and innovative mechanisms to guarantee the independence, transparency, accountability and efficiency of the judiciary of Georgia as well as to ensure the protection of the judicial system from undue influence and</p>

¹ Please use one form per initiative described

interference, in particular, enhancement of political neutrality and transparency of the activities of the High Council of Justice of Georgia (the HCJ), introduction of the system of lifetime appointment of judges; improvement of selection/appointment procedure of judges of the first/second instance courts and the Supreme Court; introduction of the institute of Independent Inspector; enhancement of disciplinary proceedings against judges in line with international standards; development of electronic system of random distribution of cases at the judiciary, etc.

a. Independence and transparency of the HCJ

✓ Political neutrality of the HCJ

One of the significant outcomes of the judicial reform has been the transformation of the HCJ into a politically neutral body. The representatives of other branches of the government cannot anymore be members of the HCJ.

Furthermore, the constitutional reform of 2017 created stronger guarantees for the independence of the HCJ by setting forth in the Constitution of Georgia the rule on the authority and the composition of the HCJ.² Furthermore, in 2017, it was set forth in the Constitution of Georgia that the HCJ shall be accountable before the self-government body – the Conference of Judges – which consists of all judges of common courts.³

Pursuant to Article 64(1) of the Constitution of Georgia, “the High Council of Justice of Georgia – a body of the common courts system – shall be established to ensure the independence and efficiency of the common courts, to appoint and dismiss judges and to perform other tasks.”

According to the constitutional provision, “The High Council of Justice shall consist of 14 members appointed for a term of 4 years, and the Chairperson of the Supreme Court. More than half of the members of the High Council of Justice shall be members elected from among the judges by the self-governing body of judges of the common courts. In addition to the members elected by the self-governing body of judges of the common courts, and the Chairperson of the Supreme Court, the High Council of Justice shall have one member appointed by the President of Georgia and members elected by a

² Article 64 of the Constitution of Georgia.

³ Article 64.3 of the Constitution of Georgia.

majority of at least three fifths of the full composition of the Members of Parliament.”⁴ Furthermore, different procedure has been introduced for the election of the Chairperson of the HCJ. In particular, she/he will be elected by the HCJ from the judge members of the HCJ for the term of four years.⁵

In accordance with Article 47(2) of the Organic Law of Georgia “On Common Courts” (the LCC) eight judge members of the HCJ, of whom at least one member represents a court of every instance, shall be elected by a self-governing body of judges of the common courts of Georgia (the Conference of Judges) according to the procedure determined by the LCC. As regards the election of non-judge members of the HCJ “the Parliament of Georgia shall elect five members of the High Council of Justice of Georgia on a competition basis, by secret ballot, by a majority of less than three-fifths of full composition, under the procedure established by the Rules of Procedure of the Parliament of Georgia. Candidates for membership of the High Council of Justice of Georgia shall be selected from among the professors and scholars working at higher education institutions of Georgia, members of the Bar Association of Georgia and/or the persons nominated by non-entrepreneurial (non-commercial) legal entities of Georgia, upon recommendation of a collegial management body of the organisation concerned. One of the fields of activity of the above non-entrepreneurial (non-commercial) legal entities shall be, for at least the last two years before the announcement of the competition, participation with representative authority in court proceedings. Each of the organisations mentioned above may present a maximum of three candidates for membership of the High Council of Justice of Georgia to the Parliament of Georgia. A member of the Parliament of Georgia, a judge or a prosecutor may not be nominated as candidates for membership of the High Council of Justice of Georgia.”⁶ The same requirements shall be met by the member of the HCJ appointed by the President of Georgia.⁷

✓ Transparency

The legislative amendments of 2019 elaborated within the framework of the fourth wave of the judicial reform further enhanced the transparency of the activities of the HCJ, *inter*

⁴ Article 64(2) of the Constitution of Georgia.

⁵ Article 64(2) of the Constitution of Georgia.

⁶ Article 47(5) of the LCC.

⁷ Article 47(11)¹ of the LCC.

alia, it became mandatory for the HCJ to reason all its decisions, to publish the date and the agenda of the session of the HCJ on the webpage three days before the session takes place. The draft normative act of the HCJ to be discussed during the session shall also be published on the webpage not later than seven days prior to the session.

In addition, according to Article 65.1(c) of the LCC, the Secretary of the HCJ is obliged to deliver an annual report before the Conference of Judges. Moreover, the Conference of Judges shall also hear the annual report of the Independent Inspector of the HCJ, which is published on the web-page of the Independent Inspector.

Article 49 (4) of the LCC sets forth the regulations to ensure the transparency of the work and procedures of the HCJ. In line with the law, the following information shall be published on the official webpage of the HCJ:

- Decisions of the HCJ (no later than 5 days after adoption);⁸
- information on changes in the composition of the HCJ;
- verbatim record of the HCJ's sessions;
- statistical data on the disciplinary proceedings against judges;
- information on selection of judges, including final reasoned decisions;
- information about the promotion of judges;
- date and the agenda of a session of the HCJ no later than three working days before the date of the session;
- draft of a normative act to be discussed by the HCJ at a session of the HCJ at least seven days before the date of the session;
- annual report of the HCJ submitted by the chairperson of the HCJ to the Conference of Judges, within the frame of accountability of the HCJ before the Conference.⁹

In order to ensure quick access to all the necessary information/activities of the HCJ, a new official web-page of the HCJ had been created with the support of the USAID. The new webpage has been launched since 5 February 2021 ([link](#)).

⁸ Article 18.1 of the Rules of Procedure of the HCJ.

⁹ Article 47.1¹ of the LCC.

The new webpage meets the modern standards and gives the opportunity to the interested persons to promptly obtain the information concerning the activities of the HCJ, including the sessions of the HCJ, the decisions adopted by the HCJ. Furthermore, the webpage with different sub-pages covers the information about the courts/judges, career development both at the HCJ and the courts, the public information, judicial reform, quality management, Independent Inspector's Office, etc. All the decisions of the HCJ adopted since 2008 are published on the web-page of the HCJ. The statistical data on disciplinary proceedings can also be found on the webpage of the HCJ ([link](#)).

In accordance with Article 11^{1.1} of the Rules of Procedure of the HCJ, the sessions of the HCJ shall be open, except for the exceptional cases, when there is the need the sessions to be held in camera. Any interested person(s) is/ are able to attend the sessions. Audio recordings of the sessions are uploaded on the web-page of the HCJ and are easily accessible to the interested persons. The mass media is entitled to take photos and perform audio and video recording of the opening of the sessions of the HCJ.¹⁰ Furthermore, media representatives are entitled to make video recordings of the sessions of the HCJ via a monitor installed specifically for that purpose at the premises of the HCJ.

Furthermore, the HCJ and the judiciary as a whole are required to publish pro-actively the following information:

- general information on administrative body (structure, functions, annual reports, strategies, action plans, etc);
- information about the human resources employed at the administrative body;
- information with regard to the procurement and privatization of state property;
- information with regard to financing and expenses of the administrative body;
- legal acts of public interest or related to the functions/activities of the HCJ.

The period of updating the proactively published information varies for different types of information, for example, while information on procurement should be updated and published quarterly, the information in terms of vacant positions should

¹⁰ Article 11^{1.3} of the Rules of Procedure of the HCJ.

be updated as soon as the relevant changes are made.

However, proactive publication of the above information does not exempt the HCJ from obligation to issue public information upon request. A staff member of the HCJ is officially tasked by the Secretary of the HCJ to deal with issuance of public information upon request. The contact information of the relevant responsible staff member is accessible through the official web-page of the HCJ.

b. Selection/ Appointment of Judges

The introduction of the system of lifetime appointment of judges has been a crowning achievement of the judicial reform. In particular, Article 63 (6) of the Constitution of Georgia prescribes the rule for appointment of judges of common courts for life tenure - “judges of the common courts shall be appointed for life until they reach the age established by the organic law.” In accordance with the legislation, appointment for 3-year period may be applied only in cases of initial appointment and until 31 December 2024. In particular “before lifetime appointment of a judge, in case of the first appointment, the judge may be appointed for three-year term until 31 December 2024.”¹¹

- ✓ Selection and appointment of judges of the first and the second instance courts

The HCJ is the only responsible body for the selection and appointment of judges of the first and the second instance courts. The executive or parliamentary interference is wholly excluded in the process.

In accordance with Article 63.6 of the Constitution, judges of the common courts shall be selected based on their integrity and competence and the decision to appoint a judge shall be made by a majority of at least two thirds of the full composition of the members of the HCJ.

The detailed procedure for selection and appointment of judges is set forth in articles 34-36⁸ of the LCC. The basic stages include: announcement of the competition, registration of candidates, background checks, interviews, evaluation of candidates, final voting for appointment, publishing the reasoning for appointment, appealing the decision of the HCJ.

In accordance with Article 35 of the LCC, “if there is a vacant position of a judge at a district (city) court and a court of

¹¹ Art. 2. para. 3 of the Constitutional law of Georgia “On movement of the amendment to the Constitution of Georgia”, (adopted on 13/10/2017). <https://matsne.gov.ge/ka/document/view/3811818?publication=2>.

appeals, the HCJ shall announce a competition through the official gazette of Georgia.” The information about announcement of a competition shall be published on the official website of the HCJ as well. The period for submission of applications for registration as candidates for judge shall not be less than 15 calendar days.

The competition must be conducted in full compliance with the principles of objectivity and equality. During the competition, equality of candidates for judge must be guaranteed regardless of race, gender, religion, political and other opinions, their status within the society, national, ethnic and social affiliation and other circumstances.¹²

The HCJ shall review the applications and the attached documents within five working days. Immediately after the review process is over, brief background information of those candidates whose documents comply with the requirements established under the legislation of Georgia shall be published on the website of the HCJ.¹³ As a next step, the relevant structural unit of the HCJ conducts the background check about candidates prior to their interviewing. Thus, the professional reputation and professional activities of the candidates are thoroughly studied.

Each candidate shall be evaluated by the HCJ on the basis of two criteria – integrity and competence. In accordance with Article 35¹ of the LCC, there are two different procedures for evaluation of a candidate for judge: evaluation of a candidate for judge without judicial experience and a candidate for judge with at least 3 years of judicial experience. Although each and every candidate is subject to background check, interview and evaluation on the basis of integrity and competence criteria, in case of candidates with at least 3 years of experience, the HCJ additionally conducts the examination of 5 cases adjudicated by them.

In particular, candidates for judge *without judicial experience* shall be evaluated by the HCJ according to the criteria of integrity (personal good faith and professional conscience; independence, impartiality and fairness; personal and professional behaviour; personal and professional reputation and financial obligations) and competence (knowledge of legal norms; ability of legal substantiation and competence; writing and verbal communication skills; professional skills including

¹² Article 35.7 of the LCC.

¹³ Article 35.8 of the LCC.

	<p>conduct in a courtroom; academic achievements and professional training; professional activity), based on <u>interviews</u> conducted with them, and the <u>background check</u>.¹⁴</p> <p>Candidates for <i>judge with at least 3 years' of judicial experience</i> (both current and former judges) shall be evaluated by members of the HCJ independently according to the criteria of <u>integrity and competence</u>,¹⁵ following the interviews with them and examination of cases.¹⁶</p> <p>In particular, while assessing a candidate for judge with judicial experience (except for a current or former member of the Constitutional Court or Supreme Court of Georgia), the members of the HCJ (the evaluators) shall study/examine 5 cases on which the decisions had been made by a judge concerned. These should be the cases on which summary/final decisions are already entered into force, including, at least, two cases on which the summary/final decisions had been overturned/partially overturned (if any) by a higher instance court. The 5 cases shall be selected randomly.¹⁷ The purpose of the examination of a case/decision is to assess the level of knowledge of legislation, human rights law, including case law of the European Court of Human Rights, the proper application of appropriate legal norms with respect to the decisions made by the judge, the substantiation of court decisions, analytical skills of the judge, ability to communicate his/her ideas clearly and lucidly, ability of logical reasoning and analysis.</p> <p>When evaluating a candidate, with or without previous judicial experience, by the integrity criterion, consideration shall be given to the characteristics of the integrity. On the basis of analysis of these characteristics, the HCJ shall make one of the following conclusions: a candidate fails to meet integrity criterion; a candidate meets integrity criterion; candidate fully meets integrity criterion.¹⁸ Whereas, the evaluation of a candidate by the competence criterion shall be</p>
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¹⁴ In line with Article 35.9 of the LCC, integrity and competence of a candidate for judge without judicial experience shall be evaluated according to paragraphs 3-16 of Article 35¹.

¹⁵ Integrity and competence of a candidate for judge with judicial experience shall be evaluated according to Articles 36³ and 36⁴(7-8 paras): integrity (personal good faith and professional conscience; independence, impartiality and fairness; personal and professional behaviour; personal and professional reputation and financial obligations) and competence (knowledge of legal norms; ability and competence of legal substantiation; writing and verbal communication skills; professional skills including conduct in a courtroom; academic achievements and professional training; professional activity).

¹⁶ Article 35 (9) of the LCC.

¹⁷ Article 35¹.2 of the LCC, "including at least two cases (if any) with summary/final judgments delivered on which have been revoked/partially revoked by a superior court."

¹⁸ Articles 35¹.15 and 36⁴.7 of the LCC.

performed by use of points, according to the characteristics of the competence criterion. The maximum amount of points for each characteristic is prescribed under Articles 35^{1.16} and 36^{4.8} of the LCC.

Within a period of five working days after the interview with the candidates is finished, each member of the HCJ shall complete the evaluation sheet of each candidate, that will include the results of the evaluation of a candidate concerned according to the criteria.¹⁹ The information included in the evaluation sheets shall be summarised by a respective unit of the HCJ and subsequently the evaluation results shall be submitted to the HCJ. Within a period of two days after the evaluation results are submitted, the HCJ shall vote for assigning a judge to the vacant position²⁰

It is noteworthy that the HCJ votes only for those candidates who are considered by more than a half of the full composition of the HCJ to be complying or fully complying with integrity criterion and when evaluating according to the competence criterion, the sum of points obtained by a candidate shall not be less than 70 % of the maximum number of points.²¹ The decision to appoint a judge to the vacant position shall be made by a majority of at least two thirds of the full composition of the HCJ. After voting the justification shall be compiled by the Secretary of the HCJ. The reasoning for the decision shall be published.²² A member of the HCJ shall be authorized to deliver a dissenting opinion, which shall be published as well.

The decision of the HCJ can be appealed to the Qualification Chamber of the Supreme Court of Georgia.²³

✓ Selection and appointment of judges of the Supreme Court

The constitutional reform of 2017 entitled the HCJ (instead of the President of Georgia) to select and nominate candidates of judges of the Supreme Court before the Parliament. Whereas, the Parliament makes the final decision on appointing the candidate to the position of a judge of the Supreme Court.

Based on the legislative amendments of 2019, 2020 and 2021 years, the detailed procedure and the criteria for the selection

¹⁹ Article 35.10 of the LCC.

²⁰ Article 35.11 of the LCC.

²¹ Article 35.12 of the LCC.

²² Article 36.4² of the LCC.

²³ Articles 35⁴ of the LCC.

of candidates of judges of the Supreme Court have been prescribed by the LCC.

According to the amendments, the decisions of the HCJ throughout the selection process shall be based on the two main criteria of Integrity and Competence.

The amendments have determined the obligation of the HCJ to conduct an open recruitment, determine applicants' eligibility, conduct background checks, and interview with each candidate individually at a public hearing, in accordance with the principle of equal treatment towards all candidates.

After completion of public interviews with the candidates, the members of the HCJ shall evaluate the candidates without judicial experience and the candidates with judicial experience.²⁴ When evaluating a candidate for the competence criteria, consideration should be given to the characteristics of competence and the relevant scores should be assigned for each characteristic.²⁵ When evaluating a candidate for judge by the integrity criterion, consideration shall be given to the characteristics of the integrity criterion and the HCJ shall make one of the following decisions: a) the candidate for judge fails to meet the criterion of integrity; b) the candidate for judge meets the criterion of integrity; c) the candidate for judge fully meets the criterion of integrity. Each member of the HCJ shall provide written justification for each score and for each characteristic of integrity. The scores obtained by the candidates, reasoning of these scores, evaluations of each characteristic of integrity and reasoning of these evaluations shall be published on the webpage of the HCJ together with the identities of the members of the HCJ.

The legislative framework allows the candidates with the best results to be presented to the Parliament. In particular, the shortlist of candidates is determined by the HCJ according to their rating, *i.e.* candidates who have gained the highest scores in competence criterion move to the next stage of selection. Noteworthy, only those candidates are put on the shortlist who gain at least 70% of the total scores available under the competence criterion and at least 10 members of the HCJ consider the candidate to be complying with the integrity criterion. The candidates on the list are then voted individually. The candidate having the best result in competence criterion shall be voted in the first place, while

²⁴ Article 34¹.11 of the LCC.

²⁵ The candidates without judicial experience will be evaluated with the scores according to Article 35¹.16 and the candidates with judicial experience will be evaluated with the scores according to Article 36⁴.8.

other candidates are voted in sequence based on the same principle. The candidates with at least two-thirds of the members' votes gained via an open ballot are nominated to the Parliament of Georgia. If any of the candidates fails to receive the mentioned majority of votes, the remaining candidates shall not be voted.

The nomination, the voting results, the decisions made by the members of the HCJ while voting and reasoning for these decisions shall be published on the webpage of the HCJ.

Importantly, a member of the HCJ may render a dissenting opinion in a written form which shall be submitted to the Parliament and shall also be published on the webpage of the HCJ.

Noteworthy, the candidates have the possibility to challenge the decision of the HCJ at any stage of the selection process to the Qualification Chamber of the Supreme Court. Moreover, the recent amendments have introduced the possibility of a second and final appeal to the Qualification Chamber against the second decision of the HCJ.

The nomination is followed by the interviews at a parliamentary committee. Those who receive a majority of votes of the full composition of the Parliament are finally appointed to the Supreme Court.

c. Random electronic allocation of cases

Introduction of the system of random electronic allocation of cases has been one of the pivotal outcomes of the third wave of judicial reform that enormously contributed to the enhancement of the effectiveness and independence of judges. As an outcome of the reform, on 8 February 2017, Article 58¹ was added to the LCC, which states that “cases shall be distributed between judges of a district (city) court, a court of appeals and the supreme court automatically, with an electronic system, by adhering to the principle of random distribution.”

On 1 May 2017, the HCJ adopted a rule for automatic distribution of cases in common courts by means of an electronic system. The system of electronic assignment of cases has been applied in common courts of Georgia since 31 December 2017. Therefore, since then the cases are assigned to judges according to the principle of random distribution, on the basis of a number generating algorithm.

It is noteworthy that the system has wholly detached the chairpersons from the process of assignment of cases to judges

and ensured protection of the process from any kind of interference as well as fair division of labour among judges.

Introduction of the system of allocation of cases was welcomed by the Venice Commission and later assessed as satisfactorily implemented by the GRECO.²⁶ It should be also emphasized that Georgia has improved its position from 9th to 6th place in the 2019 Doing Business Report of the World Bank and introduction of random electronic assignment of cases was one of the key factors contributing to this positive development.²⁷

d. Legislative guarantees against undue influence

Article 63 of the Constitution of Georgia sets forth the stronger guarantees for judicial independence. In particular “a judge shall be independent in his/her activity and shall only comply with the Constitution and law and any pressure upon a judge or any interference in his/her activity in order to influence his/her decision-making shall be prohibited and punishable by law.”²⁸ The office of a judge shall be incompatible with any other office and remunerative activities, except for academic and pedagogical activities, as well as a judge is not allowed to be a member of a political party or participate in a political activity.²⁹

Independence of a judge is also guaranteed by the LCC, by stating that a judge shall be independent in his/her activity and he/she may not be requested to report, or instructed as to which decision to make on a particular case.³⁰ Furthermore, “a government or local self-government body, agency, public or political association, official, legal or natural person shall be prohibited from encroaching upon the independence of the judiciary and any pressure upon a judge or any interference in his/her activity to influence the decision shall be prohibited and punished by law.”³¹

Interference in decision-making process of a judge or a member of the HCJ may be subject to disciplinary or criminal liability. In particular, according to Article 75¹ of the LCC,

²⁶ European commission for democracy through law (Venice commission), joint opinion on the draft law on amendments to the organic law on general courts, CDL-AD(2014)031, Strasbourg, 14 October 2014, p. 78; Group of States Against Corruption (GRECO), Fourth Evaluation Round, Corruption prevention in respect of members of parliament, judges and prosecutors, Compliance Report, Strasbourg, 18-22 March 2019, pp 35-36.

²⁷ The World Bank, Doing Business 2019, Training for Reform, p. 139, [LINK](#) [14.04.2022].

²⁸ Article 63 of the Constitution of Georgia, no one shall have the right to demand an account concerning a particular case from a judge and all acts restricting the independence of a judge shall be null and void.

²⁹ Article 63(4) of the Constitution of Georgia.

³⁰ Article 7 of the LCC.

³¹ Article 8 of the LCC.

interference in the work of a judge by another judge, with the aim to influence the outcome of the case shall constitute the ground for disciplinary misconduct. In addition, the Criminal Code of Georgia provides for the liability for gross interference with judicial activities in any manner in order to influence the legal proceedings.³² Moreover, any threat or violence with regard to a judge (or his/her close relatives or property) in connection with the court hearing of a case or material shall be punished.³³ As well as, unlawful interference with the activities of the members of the HCJ shall be also punishable.³⁴

e. Disciplinary proceedings against judges

The legislative amendments adopted in 2017-2019 within the framework of the third and fourth waves of the judicial reform have introduced a number of novelties enhancing the accountability of the judiciary and due and fair disciplinary proceedings against judges.

One of the significant outcomes of the reform was the introduction of the institute of Independent Inspector in 2017. The Independent Inspector operates independently from the HCJ and ensures an objective and unbiased examination of alleged disciplinary misconducts of judges. Pursuant to the current legislation, only the Independent Inspector is entitled to initiate the disciplinary proceedings and conduct the preliminary examination and investigation of an alleged disciplinary misconduct. The inspector has his own apparatus and his financial independence is ensured by the LCC.³⁵

Noteworthy, the precise grounds for disciplinary liability have been set forth in the LCC, which conform to international standards and distinguish the standards of professional conduct from the disciplinary rules. Pursuant to the new regulations, only intentional or negligent behaviours of a judge that are listed in the law may constitute a disciplinary misconduct. According to the amendments, disciplinary liability for the misconduct of minor significance can no more be imposed. Noteworthy, the LCC has specified the corruption offenses that may serve as a basis for disciplinary liability.³⁶

Furthermore, in order to ensure that the rules relating to judicial accountability and the review of court decisions fully

³² Article 364 of the Criminal Code of Georgia.

³³ Article 365 of the Criminal Code of Georgia.

³⁴ Article 365¹ of the Criminal Code of Georgia.

³⁵ Article 51¹ of the LCC.

³⁶ Article 75¹ of the LCC.

respect the principles of judicial independence and impartiality, the LCC sets forth the following provisions: “an incorrect interpretation of a law, which is based on judge's inner conviction, shall not constitute disciplinary misconduct, and disciplinary liability shall not be imposed on a judge for such conduct.”³⁷ “During disciplinary proceedings, supervision over legality of the acts issued by a judge shall not be permitted”.³⁸ Therefore, the court decisions may only be reviewed by the upper instance court.

All stages of the disciplinary proceedings are set forth in details in the law. Currently, four different bodies are involved in disciplinary proceedings against judges: the Independent Inspector, the HCJ, the Disciplinary Panel of Judges of Common Courts, and the Disciplinary Chamber of the Supreme Court. Noteworthy is the fact, that the separation of powers between the different bodies involved in disciplinary proceedings and the composition of these bodies ensure the exclusion of any possibilities of undue influence or interference in the decision-making process.

The LCC, correspondingly separates the disciplinary proceeding and disciplinary prosecution from each other: the Independent Inspector is entitled to initiate disciplinary proceedings against a judge, whereas, the HCJ has an authority to initiate the disciplinary prosecution. More precisely, as a result of the examination of the conclusion submitted by the Independent Inspector, made after the preliminary examination of an alleged disciplinary misconduct of a judge, the HCJ shall adopt a reasoned decision to terminate the disciplinary proceedings or to initiate disciplinary prosecution against the judge and to take explanations from the judge concerned.³⁹

In case the HCJ adopts a decision on initiation of disciplinary prosecution against a judge, the disciplinary case shall be forwarded to the Disciplinary Panel of Judges of Common Courts of Georgia. The Disciplinary Panel shall adopt a decision on acquittal or impose a disciplinary penalty/a disciplinary measure against a judge.⁴⁰ A decision of the Disciplinary Panel may be appealed to the Disciplinary Chamber of the Supreme Court.⁴¹

³⁷ Article 75¹.6 of the LCC.

³⁸ Article 75¹⁰.5 of the LCC.

³⁹ Article 75⁸.1 of the LCC.

⁴⁰ Article 75⁴¹ of the LCC.

⁴¹ Article 75⁵⁴ of the LCC.

Additionally, the new legislative amendments elaborated in the course of the judicial reforms introduced a number of novelties guaranteeing the due and fair disciplinary proceedings:⁴²

- The relevant judge shall be immediately notified of the complaint against him/her. More precisely, apart from notifying the relevant judge of receiving a complaint, application or any other information on committing disciplinary misconduct by a judge, shall be forwarded to the author of an appeal (application) and the judge concerned;
- Involvement of a judge in the disciplinary proceedings against him/her is ensured at every stage of the proceedings;
- The judge has the right to file a motion for recusal of the Independent Inspector, as well as the members of the Disciplinary Panel and the Disciplinary Chamber;
- The judge is entitled to request the public hearing of his/her case;
- The decisions of the Independent Inspector and the HCJ on termination of the disciplinary proceedings against a judge shall be communicated to the respective judge and shall be published on the webpage of the HCJ without identifying information of the judge concerned and the parties to the disciplinary proceedings. In case the judge requests that the disciplinary proceedings be public, the decision of the HCJ to terminate disciplinary proceedings against the judge concerned shall be published with identifying information of the judge;
- The judge is able to benefit from the services of an advocate/lawyer;
- The standards of proof have been introduced in disciplinary proceedings. In particular, when making a conclusion the Independent Inspector shall apply the reasonable supposition standard. And while making a decision on imposing a disciplinary liability the HCJ shall apply the prima facie standard.

Taking into account the dismissal of a judge is a measure of last resort, the Disciplinary Panel shall make a decision on

⁴² The procedural guarantees of the due process for a judge in the disciplinary proceedings are set forth in Articles 75⁴, 75⁵, 75¹⁰, 75¹⁵, 75¹⁶, 75¹⁹, 75²⁸, 75³², 75³³, 75³⁴, 75³⁵, 75⁴¹, 75⁴⁷, 75⁵⁴ and 75⁶⁰ of the LCC.

dismissing a judge from the post if, based on the gravity and number of a specific disciplinary misconduct, and considering a previously committed disciplinary misconduct, it deems it inappropriate that this judge continue to exercise his/her judicial powers.⁴³

✓ Corruption related offences

The Law “on Conflict of Interest and Corruption in Public Service” applies to judges of common courts as well as to the members of the HCJ.⁴⁴ The aforementioned law establishes, *inter alia*, basic principles for prevention, discovery and elimination of conflict of interest and corruption in public institutions, and related liability of perpetrators.⁴⁵ Namely, paragraph 5 of Article 20 of the Law stipulates that intentional or negligent violation of the law by a public servant (unless this violation constitutes a crime or an administrative offence), shall result in disciplinary liability. In case of judges, breach of Articles 5, 5², 7, 8, 10, 11, 13, 13⁴, 13⁵, 20⁴ of the Law “on Conflict of Interest and Corruption in Public Service” shall constitute disciplinary misconduct. Specifically, the acts covered by the aforementioned articles are the following:

- ✓ Receiving gifts the total value of which, during a reporting year, shall not exceed 15% of the amount of one year’s salary, whereas the total value of a single gift received shall not exceed 5%, unless these gifts are received from the same source. The gifts found to exceed the above limits shall be reported by the public servant (Article 5 and 5²);
- ✓ Using official powers or related capacities to the prejudice of the interests of public institutions or for the solution of issues outside their official powers (Article 7);
- ✓ Disclosure or use (for unofficial purposes) of classified/information or any other confidential information , the public availability of which is restricted under the legislation of Georgia and of which they have become aware in the course of performing official duties (Article 8);
- ✓ Based on personal interests: a) purchase property of a public institution entrusted to him/her to enter into a

⁴³ Article 75⁵⁰.1 of the LCC.

⁴⁴ The Law “on Conflict of Interest and Corruption in Public Service”, Article 2, paragraph 1, subparagraphs “w” and “q”.

⁴⁵ Article 1 of the Law “on Conflict of Interest and Corruption in Public Service”.

transaction; b) enter into a transaction with a public institution in which he/she works, except for the exceptions determined by the legislation of Georgia; c) enter into a transaction, as a public servant, with his/her business entity, political party or other public institution; d) enter into a property transaction with his/her family member or close relative as a public servant (Article 10);

- ✓ The office of a judge shall be incompatible with any other office and remunerative activities, except for academic and pedagogical activities;
- ✓ Public servant may not offer or receive any benefit related to the position that he/she holds in state service and/or public service, except as provided for by the legislation of Georgia. Moreover, a public servant shall:
 - a) pay attention to any existing or possible conflict of interest;
 - b) take measures to prevent any conflict of interest;
 - c) declare any conflict of interest before being appointed or elected to the respective position or after being appointed or elected as soon as he/she becomes aware of that fact (Article 13⁴);
- ✓ A public servant may not accept any gift or service that may affect the performance of his/her official duties. A public servant must take certain measures if not sure whether to accept the gift (Article 13⁵).

Upon violation of any of the aforementioned provisions, disciplinary proceedings will be conducted in accordance with Chapter XIII¹ of the LCC, which, consequently, may result in sanction determined by the LCC. The sanctions are as follows: warning; reprimand; severe reprimand; withholding 5% to 20% of salary for no longer than 6 months' period; dismissal of the chairperson, the first deputy or a deputy chairperson of a court, the chairperson of a judicial panel or chamber from a position; enrollment of a judge in a capacity building program; dismissal of a judge.

While imposing a disciplinary penalty, the Disciplinary Panel shall follow the principle of independence of a judge and non-interference in the activities of a judge. Whereas, when selecting a disciplinary sanction, the Disciplinary Panel shall consider the nature and gravity of a disciplinary misconduct,

	<p>consequences it entailed or may have entailed, and degree of the guilt.⁴⁶</p> <p>In case the Independent Inspector, during preliminary examination of a case, finds out that the case file expressly indicate at commission of a crime by a judge, he/she shall submit reasoned submission before the HCJ to forward the case to the Prosecutor's office.⁴⁷ Noteworthy, there have not been any cases forwarded by the HCJ to the Prosecutor's office on the ground of alleged acts of corruption committed by a judge in the last 5 years.</p> <p>In addition, according to the LCC, the Disciplinary Panel of judges of common courts of Georgia is also entitled to suspend a case due to existence of the elements of a crime. More precisely, upon receipt of a disciplinary case, the Disciplinary Panel shall, before starting the case hearing, verify whether an action that served as a basis for imposing disciplinary liability on a judge contains elements of a crime. If, based on the disciplinary case materials, the existence of elements of crime is evident, the Disciplinary Board shall not start hearing the case, but it shall suspend the disciplinary proceedings, forward the case materials to an appropriate body and inform the judge against whom disciplinary prosecution is in progress, and the HCJ.⁴⁸ Noteworthy, there have not been any cases forwarded by the Disciplinary Panel to the Prosecutors office on the ground of alleged acts of corruption by a judge during recent 5 years.</p>
Lessons learned in implementing the initiative	N/A
Challenges encountered in implementing the initiative	N/A
Link to more information	N/A

⁴⁶ Article 75⁴⁷.1 of the LCC.

⁴⁷ Article 75⁷.1² of the LCC.

⁴⁸ Article 75³¹ of the LCC.

Anti-corruption activities
Ministry of Internal Affairs of Georgia

In order to fulfill the obligations deriving from the Resolution adopted by the Conference of the Parties to the United Nations Convention against Corruption, adopted on June 2, 2021, as well as to exercise the functions and powers prescribed by the legislative framework of Georgia, the representatives of the General Inspection of the Ministry of Internal Affairs of Georgia (MIA) work intensively to detect/prevent the cases of corruption and bribery among the employees of the MIA. In particular, the representatives of the Main division of Operational Support of the General Inspection of the MIA take measures to prevent crime, as well as, in some cases, carry out activities to detect and arrest the perpetrators of such crimes. Above-mentioned activities are carried out on the basis of processing and studying the received information, analyzing the data obtained as a result of the operational search measures and other investigative activities.

In order to build capacities of the employees of the MIA in the field of fight against corruption/bribery, representatives of the General Inspection periodically undergo thematic trainings. In particular, during 2021-2022, representatives of the General Inspection of the MIA participated in: the annual meeting of the regional anti-corruption platform of the internal control units of the border and law enforcement agencies of the Western Balkans, Ukraine and Moldova, organized by the Border Security and Management Unit of the OSCE; the training on "Building integrity and reducing the risks of corruption", organized by the LEPL Defence Institution Building School and conducted in accordance with the distance learning program on November 16-17, 2021; anti-corruption certification program.

It is noteworthy, that in 2021-2022, the representatives of the General Inspection of the MIA identified the cases of corruption against several police officers, including 1 case of acceptance of bribe by the employee of the MIA.

Rules of Procedure of the Parliament of Georgia adopted on December 6, 2018 provides detailed regulations about incompatibility of MPs status with his/her entrepreneurial or other activities. Furthermore, the law of Georgia “on Conflict of Interests and Corruption in Civil Service” also establishes basic principles and mechanisms of prevention, discovery and elimination of conflict of interest and corruption in public institutions.

According to the Rules of Procedure of the Parliament of Georgia, MP shall quit incompatible work or activity from the moment his/her powers are recognized. An MP shall not have the right to hold an incompatible position or be engaged in entrepreneurial activities. The powers of an MP shall be terminated early if he/she holds a position incompatible with his/her status or is engaged in an incompatible activity.

The Code of Ethics of the Member of Parliament of Georgia defines that the Member of Parliament shall be obliged, prior to the completion of the discussion procedure of the issue, inform the Procedural Issues and Rules Committee in written form about his/her or his/her family members’ special interest in entrepreneurial activity, which will publish this information on the Parliament website.

The law of Georgia “on Conflict of Interests and Corruption in Civil Service” regulates the conditions and mechanisms for the submission of asset declarations by officials and for the monitoring of submitted declarations. An MP is obliged to complete an asset declaration and submit in the manner and time limits prescribed by the law. It is necessary to enter full and correct data into the declaration. The law also defines the rules for conducting monitoring of asset declaration and prescribes forms of responsibility in the cases where the requirements of this law are violated.

Besides, according to the Rules of Procedure of the Parliament of Georgia, when necessary, the Procedural Issues and Rules Committee of the Parliament shall analyse the information provided by the relevant authorities on the MP’s asset declaration and if needed, bring up the issue for discussion at the plenary sitting of the Parliament.

Issues regulated by the law of Georgia “on Conflict of Interest and Corruption in Public Service”, includes the cases concerning the reception of the gift by an official. Besides the rules prescribed in the law, the Code of Ethics of the Member of Parliament of Georgia also defines, that the Member of Parliament is prohibited to receive any gift, which may influence his/her performance of official duties. Moreover, he/she is obliged to declare the gift in the register of gifts accordingly to the rules prescribed by this Code. The gift registry is public and is conducted by the Secretariat of the Council of Ethics.