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enaze

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oTxmocdameTerTmete sxdoma
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samoqal aqo da pol i tikuri ufl ebebi s paqtis me-40 muxl is
Sesabami sad monawil e saxel mwifoebi s mier war modgenil i
angari Sebi s ganxil va

adamianis ufl ebaTa komitetis daskvniTi SeniSvnebi

saqarTvel o

1. 2007 wl is 15 da 16 oqtomers komitetma 2483-e da 2484-e sxdomebis mimdinareobisas (CCPR/C/SR.2483 da 2484) ganxil a saqarTvel os mier warmodgenil i mesame periodul i angariSi (CCPR/C/GEO/3) da 2007 wl is 26 oqtombri s 2500-e sxdomis msvl el obisas daamtka Semdegi daskvniTi SeniSvnebi (CCPR/C/SR.2500):

Sesaval i

2. komiteti miesal meba monawil e saxel mwifos mier mesame periodul i angariSi droul ad warmodgenas. am angariSi mocemulia sayuradRebo da detal uri informacia meore periodul i angariSi ganxil vis Semdgom periodSi movl enaTa ganvitarebis Taobaze, komitetis zogierTi wina daskvniTi SeniSvnis gaTval iswinebiT. komiteti miesal meba monawil e saxel mwifos del egacias, romelic Sedgeba paqtTan dakavSirebul i sxvadasxva sferos kompetenturi eqspertebisagan, aseve miesal meba maT zepir da weril obiT pasuxebis monawil e saxel mwifos angariSi ganxil vis procesSi komitetis mier dasmul SekiTxvebsa da gamoTqmul SeSfoTebaze.

b. pozitiuri aspektebi

3. komiteti miesal meba saangariSo wl ebSi monawile saxel mwifos mier kanonis uznaesobis ganmtkicebis mizniT da komitetis 2002 wl is rekomendaciebze dayrdnobiT ganxorciel ebul mniSvel ovan da farTo speqtris sakanonmdebl o da instituciur cvl il ebebs.

4. komiteti miesal meba 2006 wels saqarTvel os mierTebas wamebisa da sxvasastiki, araadamianuri an Rirsebis Seml axavi mopyrobisa da dasjis winaaRmdeg konvenciis fakul tatur oqmTan, ramac unda uzrunvel yos paqtis me-7 muxl is Sesrul ebis gaumj obeseba

5. komiteti miesal meba 2006 wl is 29 dekembers gonebis restituciis Sesaxeb kanonis miRebas da mouwodebs monawile saxel mwifos, gaataros yvel a aucil ebel i zoma misi dauyovnebl iv Sesrul ebisaTvis.

probl emuri sakiTxebi da Sesabamisi rekomendaciebi

6. komiteti iTval iswinebs ra monawile saxel mwifos mier afxazeTsa da cxinval is regionSi/samxreT oseTSi paqtis ganxorciel ebasTan dakavSirebul sirTul eebis, amasTanave aRiarebs monawile saxel mwifos mier Tavis mier arakontrol irebad teritoriaze mcxovrebi adamianTa ufl ebebis dasacavad gadadgmul pozitiur nabijebis, maT Soris saqarTvel oSi mowweul gaero-s special ur proceduraTa meqanizmebis waxal isebas moanaxulon aRniSnuli ukontrol o teritoriebi da awarmoon dial ogi de faqto xel isufl ebebTan, komiteti SeSfoTebas gamoTqvams imaszed, rom am teritoriebze mcxovrebi mosaxleoba srul ad ver sargebl obs paqtiT gaTval iswinebul i ufl ebebiT (1-ლი და მე-2 მუხლი).

monawile saxel mwifom kvl avac unda miRos yvel a Sesazl o zoma, raTa xeli Seuwyos de faqto xel isufl ebebis mxridan afxazeTisa da cxinval is regionis/samxreT oseTis teritoriaze mcxovrebi mosaxleobis paqtiT gaTval iswinebul ufl ebaTa dacvas yovel gvari diskriminaciis gareSe. monawile saxel mwifom unda uzrunvel yos am teritoriebze saerTasoris organizaciebis daubrkol ebel i muSaoba.

7. komiteti miesal meba: a) 2007 wl is april Si ltolvilTa Sesaxeb- kanonSi Setanil Sesworebebs, rac saqarTvel oSi registrirebul ltolvil ebs aZl evs droebiT TavSesafars; da b) general uri prokuroris mier deportaciasTan dakavSirebiT miRebul i gadawyvetil ebebis gasacivrebis axal proceduras. AmasTanave, komiteti kvl av gamoxatavs SeSfoTebas imis gamo, rom moqmedi kanonmdebl oba srul ad ar uzrunvel yofs warmosobis qveyanaSi daubruneblobis pricipis mimarT pativiscemas (me-2, me-6 და მე-7 მუხლი).

monawil e saxel mwifom:

a) unda miRoS qmediTi kanonmdebl oba da procedurul ad uzrunvel yos, rom aravin iqnes dabrunebul i qveyanaSi, sadac arsebobs safuZvl iani eWvi imisa, rom am adamians emuqreba sicocxl is TviTneburad warTmevis an wamebisa Tu sxva sastiki, araadamianuri an Rirsebis Seml axavi mopyrobisa Tu dasj is safrTxე;

b) unda Cautaros momzadeba mesazRvreebs TavSesafris maZiebel Ta ufl ebebTan dakavSirebiT da SemoiRos meqanizmi, romelic daaCqarebs TavSesafris maZiebel Ta saqmebis gadacemas sazRvris dacvis samsaxuris mxridan im uwyebisTvis, romelic TavSesafarTan dakavSirebul sakiTxebze muSaobs.

8. komiteti miesal meba ra 2006 wl is maisSi `oj axSi Zal adobis aRkveTis, oj axSi Zal adobis msxverpl Ta dacvisa da daxmarebis Sesaxeb- kanonis miRebas, gamoTqvams SeSfoTebas saqarTvel oSi Zal adobis da, kerZod, oj axSi Zal adobis msxverpl qal Ta mniSvnel ovani raodenobis arsebobs gamo, aseve imis gamo, rom msxverpl Ta dasacavad dReisaTvis gankuTvnili zomebi da samsaxurebi ar aris sakmarisi. komiteti sinanul iT aRniSnavs, rom monawil e saxel mwifos miaCnia, rom pasuxismgebl oba oj axSi Zal adobis msxverpl TaTvis TavSesafrebis mowyobaze ZiriTadad arasamTavrobo organizaciebs akisriaT da amasTanave ar gamoyofs maTTvis saTanado dafinansebas (me-3, 23-e da 26-e muxl ebi).

monawil e saxel mwifom unda ganaxorciel os gadaudebel i RonisZiebi 2006 wl is kanonis Sesasrul ebl ad, maT Soris:

a) SemoiRos meqanizmi oj axSi Zal adobis SemTxvevaTa Sesaxeb kl asificirebul i (dezagregirebul i) monacemebis Sesagrovebl ad; es unda iyos monacemebi msxverpl Ta da moZal adeTa sqesis, asakisa da oj axuri urTierTobis Sesaxeb, aseve Catarebul i gamoZiebebisa da samarTI ebrivi devnis Sesaxeb. es informacia sajaro unda gaxdes;

b) saswrafod gamoizios oj axSi Zal adobasTan da qal ebis mimarT Zal adobis sxva aqtebTan (rogoric aris sacol is motaceba da gaupatiureba) dakavSirebul i saCivrebi da ganxorciel des sisxl issamarTI ebrivi devna moZal adeTa winaaRmdeg; da

g) ganaxorciel os yvel a aucil ebel i RonisZieba, raTa daicvas oj axSi Zal adobis msxverpl ni, maT Soris, daarsos saWiro raodenobiT saTanado TavSesafrebi mTel qveyanaSi.

9. komiteti SeSfoTebas gamoTqvams im bral debebis gamo, roml ebic exeba policiisa da sasjel aRsrul ebis dawesebul ebaTa TanamSroml ebis mier Zal is gadametebul ad gamoyenebiT gamowveul sikvdil is SemTxvevebs. komiteti gansakuTrebiT SeSfoTebul ia Tbil isis #5 sapyrobileSi 2006 wl is martSi momxdari areul obiT, roml is drosac savaraudod sul mcire Svidi patimari gardaicval a (me-6 muxl i).

monawil e saxel mwifom unda gaataros mkacri zomebi, raTa aRmofxvras samarTal damcavi organoebis TanamSromel Ta mier Zal is gadametebiT gamoyenebis yvel a forma. kerZod, monawil e saxel mwifom:

a) unda uzrunvel yos samarTal damcavi organoebis TanamSromel Ta qmedebTan dakavSirebuli saCivrebis swrafi da miukerZoebeli gamoZieba da gamoaqveynos am gamoZiebaTa Sedegebi; es exeba Tbilisis #5 sapyrobileSi 2006 wl is martSi momxdar areul obasac;

b) aRZras sisxl issamarTI ebrivi devna savaraudo damnaSaveTa winaaRmdeg;

g) uzrunvel yos samarTal damcavi organoebis TanamSromel Ta treningi Zal is gadametebiT gamoyenebis kriminalur xasiaTTan, aseve Zal is gamoyenebisas proporciulobis principis dacvasTan dakavSirebiT. am mxriv komiteti monawile saxel mwifos yuradRebas miapyrobs gaero-s 1990 wl is dokumentze: `samarTal damcavi organoebis TanamSromel Ta mier Zal isa da iaraRis gamoyenebis ZiriTadi principebi-;

d) uzrunvel yos msxverpl TaTvis da/an maTi oj axebisaTvis kompensaciis gacema.

10. komiteti aRiarebs im pozitiur sakanonmdebl o, sasamarTI o da monitoringis RonisZiebs, roml ebic wevrma saxel mwifom ganaxorciel a wamebisa da sxva saxis sastikad mopyrobis winaaRmdeg, aseve aRiarebs, Tavisufi ebaaRkveTil pirTa mimarT msgavsi mopyrobis faqtTa mniSvnel ovan kl ebas. amasTanave, komiteti sinanul iT aRniSnavs policiis TanamSromel Ta mxridan cudad mopyrobis SemTxvevaTa da gansakuTrebiT eWvmitanil Ta dapatimrebisas momxdari msgavsi faqtebis arsebobas (me-2, me-7 da me-9 muxl ebi).

monawile saxel mwifom:

a) unda uzrunvel yos samarTal damcavi organoebis TanamSromel Ta mxridan wamebisa da sxva saxis sastikad mopyrobis faqtebTan dakavSirebuli saCivrebis swrafi da miukerZoebeli gamoZieba da aRZras sisxl issamarTI ebrivi devna savaraudo damnaSaveTa winaaRmdeg;

b) unda uzrunvel yos saTanado kompensacia msxverpl TaTvis;

g) unda daarsos wamebis prevenciaze gamiznuli damoukidebeli da kompetenturi erovnuli meqanizmebi wamebisa da sxva sastiki, araadamanuri an Rirsebis Seml axavi mopyrobisa da dasjis winaaRmdeg konvenciis fakul taturi oqmis Sesabamisad, rogoric aris saxal xo damcvel is arsebuli samsaxuri;

d) unda uzrunvel yos momdevno wlebbe gaTvlili wamebisa da sxva sastiki mopyrobis winaaRmdeg mimarTuli yovl ismomcveli samoqmedo gegmis arseboba da misi SemuSavebis procesSi gaiTvaliswinos sxva sastiki, araadamanuri an Rirsebis Seml axavi mopyrobisa da dasjis sakiTxebze gaero-s sagangebo momxseneblis rekomendaciebi, roml ebic man Camoayaliba 2005 wels saqarTvel oSi vizitis Sedegad.

11. komiteti miesal mebara monawile saxel mwifos mier gatarebul zomebs patimarTa mimarT mopyrobis gasaumj obeseblad, rogoric aris, magal iTad, gl danis raionSi (Tbilisi) axali sapatimros aSeneba, komiteti SeSfoTebas gamoTqvams rig sapatimroebSi arsebuli cudi pirobebis gamo, kerZod, didi gadatvirTulobis, kvebis uxarixso da mwiri racionis, bunebrivi ganaTebisa da sufta haeris ukmarisobis,

piradi higienis cudi pirobebis, aseve patimarTa gardacval ebis xSiri SemTxvevebis gamo, rac, savarudod, Sedegia sapatimroSi arsebul i pirobebisa, roml ebic zogierT sasjel aRsrul ebis dawesebul ebaSi sastik mopyrobas uTanabrdeba (me-10 muxl i).

monawil e saxel mwifom unda gaataros dauyovnebel i, mkacri, pozitiuri da koordinirebul i zomebi, raTa gaaumj obesos yvel a Tavisufl ebaaRkveTil i piris (winaswar patimrobaSi da msjavrdebis Semdeg myofTa) pirobebi, da Seasrul os gaero-s `patimarTa mimarT mopyrobis standartul minimal ur wesebSi- gaTval iswinebul i yvel a moTxovna. kerZod, saswrafod bol o unda moeros sapatimroebis mniSvel ovan gadatvirTul obas. garda amisa, monawil e saxel mwifom unda uzrunvel yos patimrobis al ternatiul i sasjel is arseboba.

12. komiteti miesal meba ra monawil e saxel mwifos mier strategiis miRebas, romel ic miznad isaxavs izul ebit gadaadgil ebul i pirebisTvis normal uri cxovrebis Sesazl ebl obis Seqmnas da, amave dros, maTTvis dabrunebis ufl ebis Senarcunebas, aseve miesal meba monawil e saxel mwifos Zal isxmevas aRniSnul sferoSi SeimuSaos samoqmedo gegma da mis mier gatarebul RonisZiebebs, romel Ta mizani iyo izul ebit gadaadgil ebul i pirebisTvis maT mudmiv sacxovrebel adgil ebSi nebayofl obiT dabrunebis uzrunvel sayofad pirobebis Seqmna, komiteti sinanul iT aRniSnavs TbilisSi, quTaissa da aWaris regionSi kol eqtiuri centrebidan izul ebit gadaadgil ebul pirTa aranebayofl obiT gamosaxl ebis faqtebs, sasamarTl os gadawyvetil ebisa Tu am pirebis Tanxmobis gareSe, aseve saTanado kompensaciisa da samTavrobo uwyebebis mxridan daxmarebis gareSe (me-12 da 26-e muxl ebi).

monawil e saxel mwifom unda uzrunvel yos, rom kol eqtiuri centrebis privatizeba saTanadod iqnes regul irebul i da unda gaataros yvel a aucil ebel i zoma, raTa monawal Si Tavidan aicil os izul ebit gadaadgil ebul pirTa aranebayofl obiT gasaxl ebis SemTxvevebi. monawil e saxel mwifom aseve unda uzrunvel yos izul ebit gadaadgil ebul pirebTan dakavSirebul i samoqmedo gegmis sruli Sesabamisoba paqtTan, kerZod, dabrunebis nebayofl obiT xasiaTisa da diskriminaciis akrZal vis principebTan.

13. komiteti aRniSnavs ra monawil e saxel mwifos bol odroindel Zal isxmevas sasamarTl o sistemis reformirebisa da misi efeqtianobis gazrdis Tval sazrisiT, gamoTqvams SeSfoTebas sasamarTl o sistemis damoukidebl obaSi Carevis faqtebisa da am sistemaSi arsebul i korufciis gamo (me-14 muxl i).

monawil e saxel mwifom unda ganaxorciel os RonisZiebebi, raTa uzrunvel yos sasamarTl o sistemis damoukidebl oba. kerZod, man unda gaataros zomebi, raTa aRmofxvras sasamarTl o sistemaSi Carevis yvel a forma da uzrunvel yos Carevis, maT Soris korufciis gziT Carevis faqtebis swrafi, safuZvl iani, damoukidebel i da miukerZoebel i gamoZieba, aseve unda aRZras

sisxl issamarTI ebrivi devna damnaSaveTa winaaRmdag da saTanadod dasaj os isini. es exeba mosamarTI ebsac, roml ebic SesaZI oa aRmoCndnen damnaSaveebi.

14. komiteti sinanul iT aRniSnavs mosamarTI eTaTvis saTanado ganaTI ebis xel miuwvdoml obas da im faqts, rom ar xdeba zogadad mosamarTI eTa momzadeba adamanis ufl ebaTa saerTaSoriso samarTal Si, ris Sedegadac praqtikaSi iSviaTia paqtiT gaTval iswinebul i ufl ebebis pirdapiri dacva.

monawil e saxel mwifom unda gaaqtiuros mosamarTI eTa ganaTI ebisken mimarTul i Zal isxmeva marTI msaj ul ebis saTanado aRsrul ebis uzrunvel sayofad. kerZod, monawil e saxel mwifom unda uzrunvel yos treningi paqtis da mis Sesasrul ebl ad qveynis konstituciisa da Sida kanonmdebl obis Sesabamisi interpretirebis Sesaxeb, raTa sasamarTI o sistemis warmomadgenel Ta yvel a qmedeba Seesabamebodes monawil e saxel mwifos mier paqtis safuZvel ze nakisr val debul ebebs.

15. komiteti aRniSnavs, rom monawil e saxel mwifos ganmartebiT, istoriul i da social uri faqtorebis gamo mxol od saqarTvel os marTI madidebel ekl esias mieniWa sajaro iuridiul i piris statusi. amasTanave, komiteti gamoTqvams SeSfoTebas, rom sxva religiuri jgufebis gansxvavebul ma statusma SesaZI oa gamoiwvios maTi diskriminacia. komiteti sinanul iT aRniSnavs, rom komunistur epogaSi religiuri umciresobebisaTvis CamorTmeul i sakul to ceremoniebis adgil ebisa da Sesabamisi qonebis restituciasTan dakavSirebul i probl emebi ar iqna gadawyvetili (me-18 muxl i).

monawil e saxel mwifom unda ganaxorciel os RonisZiebebi, raTa uzrunvel yos religiis an rwmenis Tavisufl ebis ufl ebiT Tanaswori sargebl oba da qveynis kanonmdebl obisa da praqtikis srul i Sesabamisoba paqtis me-18 muxl Tan. monawil e saxel mwifom unda moagvaros religiur umciresobaTa sakul to ceremoniebis adgil ebisa da qonebis CamorTmevasTan dakavSirebul i probl emebi.

16. komiteti SeSfoTebas gamoTqvams imis gamo, rom monawil e saxel mwifos saTanadod ar gamouZiebia saqarTvel oSi Jurnal istebis devnis faqtebi (me-19 muxl i).

monawil e saxel mwifom unda uzrunvel yos sityvis, presisa da masobrivi informaciis sxva saSual ebebis Tavisufl eba; uzrunvel yos, rom am Tval sazrisiT warmodgenil i saCivrebi droul ad iqnes gamoZiebul i, damnaSaveebi gasamarTI dnen da daisaj on.

17. komiteti kvl av SeSfoTebul ia im dabrkol ebebis gamo, roml ebic eqmnebaT umciresobebs Tavianti kul turul i ufl ebebiT sargebl obisas, SeSfoTebul ia, agreTve umciresobaTa politikuri warmomadgenl obis dabal i maCvenebl iT. aRiarebs

ra, rom kerZo sferoSi ar ikrZal eba umciresobaTa enebis gamoyeneba da umciresobaTa enebi iswavl eba skol ebSi, komiteti gamoTqvams SeSfoTebas imis gamo, rom qarTul i enis ucodinrobam SeiZl eba gamoiwvios umciresobaTa marginal izacia da sxvadasxa sajaro da kerZo sferoebSi maTi warmomadgenl obis dabal i maCvenebel i (25-e da 26-e muxl ebi).

monawile saxel mwifom:

a) unda ganxil os imis Sesazl ebl oba, rom umciresobebs miecet neba, gamoiyenon sakuTari ena adgil obriv mmarTvel obebsa da administraciebSi;

b) unda ganxorciel os yvel a zoma, raTa uzrunvel yos umciresobaTa, kerZod, somxuri da azerbaijanuli Temebis saTanado politikuri warmodgenil oba da monawile eba da gaumj obesos maT mier qarTul i enis codna. monawile saxel mwifom unda miRos zomebi enis ucodinrobis niSnit diskriminaciis aRmofxvrisaTvis;

g) xeli unda Seuwyos umciresobaTa integrirebas qarTul sazogadoebaSi. am miznit monawile saxel mwifo unda Caebas dial ogSi aRniSnul jgufebTan da samoqal aqo sazogadoebis im nawil Tan, romelic umciresobaTa sakiTxebze muSaobs;

d) unda SemoiRos indikatorebi da saetapo maCvenebel ebi imis dasadgenad, miRweulia Tu ara Sesabamisi miznebi diskriminaciis aRmofxvris Tval sazrisiT.

18. saqarTvel os meoTxe periodul i angariSis warmodgenis TariRad komiteti 2011 wl is 1 noembers adgens. komiteti iTxovs, rom monawile saxel mwifos mesame periodul i angariSi da winamdebare daskvniTi Senisvnebi farTod iqnas gavrcel ebul i sazogadoebaSi da sasamarTlo, sakanomdebl o da administraciul xel isufl ebaSi. aRniSnul i dokumentebi nabeWdi saxiT unda daurigdes umaRles saswavl ebl ebs, sajaro bibliotekebs, parlamentis bibliotekas da yvel a sxva Sesabamisi dawesebul ebas. komiteti aseve iTxovs, rom meoTxe periodul i angariSi da winamdebare daskvniTi Senisvnebi gavrcel des samoqal aqo sazogadoebas da qveyanaSi moqmed arasamTavrobo organizaciebSi. sasurveli iqneboda angariSisa da daskvniTi Senisvnebis mokle anotaciis gavrcel eba umciresobebs Soris maT enebze.

19. komitetis saproceduro wesebis 71-e wesis me-5 punktis Sesabamisad wevrma saxel mwifom erTi wl is vadaSi unda warmoadginos informacia komitetis zemomdebare me-8, me-9 da me-11 punkt ebSi mocemul i rekomendaciebis Sesrul ebasTan dakavSirebit. komiteti sTxovs monawile saxel mwifos, rom mis Semdeg periodul angariSis Cartos informacia komitetis danarCeni rekomendaciebis Sesrul ebasTan da mTlianad paqtis ganxorciel ebasTan dakavSirebit.