



# International Covenant on Civil and Political Rights

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## Human Rights Committee Seventy-fourth session

### Summary record of the 1987th meeting

Held at Headquarters, New York, on Tuesday, 19 March 2002, at 10 a.m.

*Chairperson:* Mr. Bhagwati

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 40 of the Covenant** *(continued)*

*Second periodic report of Georgia (continued)  
(CCPR/C/GEO/2000/2, CCPR/C/74/L/GEO and  
HRI/CORE/1/Add.90)*

*At the invitation of the Chairperson, the delegation of Georgia took places at the Committee table.*

1. **Ms. Beridze** (Georgia), replying to questions put by Committee members at the previous meeting, said that the Constitution granted the President the absolute power to pardon prisoners, which he exercised annually. The transition to a democratic society had been accompanied by civil war, poverty and crime; reconciliation efforts had included the release of prisoners who, although they had indeed committed crimes, were also political opponents of the current Government. The President had also pardoned many other prisoners, including 500 young people who had fought for the territorial integrity of Georgia. Anyone who had received a pardon could apply to the Supreme Court for rehabilitation and compensation.

2. The Government recognized its obligations towards the Meshketians deported by Josef Stalin in 1944 and their right of return to their homeland. Once the necessary legislation had been passed, that process would take about 12 years. The situation was complicated by the fact that many Meshketians were denied citizenship in the countries where they currently resided. Once repatriated, the Meshketians would become citizens of Georgia.

3. Georgia's long tradition of respect for women was reflected in its literature and language. While it was true that the high unemployment rate had caused many men to become more aggressive, especially in the cities, the suggestion that 50 per cent of Georgian women were victims of domestic violence was ridiculous. It was difficult to determine the actual prevalence of the problem because women were unwilling to admit that they were victims.

4. The Procurator's Office was currently investigating 71 complaints against members of the police.

5. The introduction of qualifying examinations for candidates for judgeships had led to the replacement of

70 per cent of the nation's judges because many judges had left their posts rather than take the exam.

6. Internally displaced persons were entitled to vote under the new Electoral Code.

7. Women over 60 and men over 65 could not be remanded in custody; that distinction reflected the difference in men's and women's pensionable ages. The lawmakers had introduced a proposal to eliminate that form of positive discrimination, but there was little public support for such a change.

8. There had been two instances of lawyers being detained; while both had been released immediately, the fact that it had occurred was alarming.

9. Judges' salaries, while low, were as much as 60 times the average Georgian's wage; salary payments had been delayed on one occasion. She believed that corruption was a moral rather than an economic issue. For that reason, character was one of the factors taken into account in the selection of judges. While there might be cases of corruption in the judiciary, the State had no evidence to support such an allegation; nevertheless, it was committed to combating the problem.

10. In the past, tuberculosis had been a major problem in the prisons. In 1996, a Red Cross programme had helped ensure that all prisoners were examined and, where necessary, treated; some cases, however, could not be cured. At present, 380 prisoners were being treated in a special facility for tuberculosis patients and another 120 in the prison hospitals. Medical care was available to prisoners on request.

11. Georgia had not become a member of the United Nations until after it gained its independence in 1992. In 1994, when it had ratified the Convention and a number of other human rights instruments, it had done so essentially as an act of political will since it was not in a position to implement those instruments in full. The Constitution had subsequently been amended; Chapter II granted a wide range of human rights. The Government had made great progress in the implementation of human rights instruments.

12. While prostitution was not punishable by law, there had been strong public opposition to proposals to legalize it; in particular, various non-governmental organizations (NGOs) had argued that it constituted a form of slavery. The problem existed only in the cities. The media had reported instances of police violence

against prostitutes, but no complaints had been lodged by the alleged victims. It was to be hoped that improvement in the nation's economic situation would help eradicate prostitution.

13. While the State recognized the special role of the Georgian Orthodox Church, it also proclaimed the complete freedom of religion and belief and the separation of church and State. Instances of religious intolerance were a recent development and focused on non-traditional religions which were unacceptable to much of Georgian society, such as Jehovah's Witnesses. The Government was considering urgent measures to guarantee equality before the law, and the Ministry of Justice had been instructed to prepare draft legislation regulating the activities of religious groups. At the request of nine NGOs, the President had instructed the Public Prosecutor to meet with senior law enforcement officials to discuss religious intolerance; the meeting had been held on 9 March 2002. There had been a number of convictions for obstruction of the exercise of freedom of religion; however, it had been impossible to prosecute an Orthodox bishop who had made statements constituting incitement to religious hatred on a privately owned television channel because the relevant provisions had been removed from the Criminal Code; the Government would seek to restore them in the future.

14. One of the two suspects who had died as a result of police brutality, had received medical treatment prior to his death. Criminal proceedings had been instituted against three police officers and should be completed in the near future. The investigation into the case of the other had resulted in conviction and a 10-year prison sentence.

15. Three robberies of NGO offices were under investigation; the authorities welcomed the activities of NGOs.

16. **Mr. Tskrialashvili** (Georgia) said that although, as stated in the report (para. 113), the definition of torture in the Criminal Code did not correspond exactly to that of the Convention against Torture, commission of torture by an official constituted an aggravating circumstance. The Government was instituting reforms, including the training of law enforcement officials and the institution of supervisory mechanisms to abolish torture. Offenders could be prosecuted under various articles of the Criminal Code; there had been a significant increase in the number of such

prosecutions. In April 2002, the State would institute medical examinations in the prisons. A special inter-departmental commission, whose members included legal experts and representatives of NGOs, had been created to consider structural reform of the law enforcement system.

17. Article 198 of the Code of Civil Procedure, which allowed the courts to prevent debtors from travelling away from their homes, was not incompatible with article 11 of the Covenant. In practice however, the courts had never issued such an order. Under recent amendments to the Business and Bankruptcy Proceedings Act, the courts could no longer order anyone to be held in custody on the grounds of inability to fulfil a contractual obligation.

18. Legal aid lawyers were appointed by the courts and paid by the State at a fixed rate if the defendant could produce written proof of insolvency; where such proof was not available, the court in which the defendant was being tried would determine whether legal assistance should be provided.

19. A new statute was being drawn up, which would regulate state-financed legal aid and provide for the creation of a bar association, which would take over the function of providing legal aid. Further efforts would be needed to resolve practical problems relating to the financing of the legal aid system and the quality of the aid provided by public defence counsel.

20. The number of deaths in police custody had fallen from 92 in 1997 to 31 in 2001. Tuberculosis was the main cause of death in prisons; programmes had been put in place to address the problem. In all cases of deaths of prisoners and pre-trial detainees, the Prosecutor-General's Office was required to institute criminal proceedings or, if he did not, to explain his reasons for that decision. Relatives of the deceased could challenge the decision in court within 10 days of the decision being taken. All investigations of such deaths had shown that the deaths were due to natural causes; therefore, no member of staff of the prison system had been prosecuted in connection with such a death.

21. A special working group made up of academics and representatives of law enforcement agencies, the judiciary, Parliament and the non-governmental sector had begun work on drafting a new Code of Criminal Procedure; at the same time, plans for reform of law enforcement and security agencies were being drawn

up. The reform programme would be presented to the President of Georgia within the coming months. Many outside entities, including the Council of Europe and the United States Department of Justice, and experts from other countries were contributing to the work on the Code and the reform programme.

22. With regard to the period of 12 hours for which a person could be detained after being arrested and before being formally confirmed as a suspect, the Code of Criminal Procedure stipulated that such a person could be detained if, for example, he or she had been caught in the act of committing the crime or had been identified by eyewitnesses. Once arrested, the person had to be taken immediately to a police station or an office of another law enforcement agency; failure to do so on the part of the arresting officer constituted a breach of the law. A report on the arrest then had to be drawn up within 12 hours, incorporating the relevant evidence and statements from witnesses and the arrested person. Georgian law gave no clear definition of the status of arrested persons within that 12-hour period; nor did it indicate whether such persons were entitled to the same rights as a formal suspect, including the right to a lawyer. Regrettably, some police and law enforcement officers had taken advantage of the lack of clarity; that situation needed to be addressed.

23. With regard to the status of the Covenant in national law, article 6 of the Georgian Constitution stated that the Constitution was the supreme law of the State and that all other legal acts must correspond to it. International agreements took precedence over domestic normative acts, provided that they did not contradict the Constitution; they were directly applicable provided they needed no clarification. The Constitutional Court was competent to consider whether international agreements complied with the Georgian Constitution; however, it did not consider whether other normative acts complied with the international agreements to which Georgia was party. The new Constitutional Agreement currently being drafted would take second place after the Constitution in the country's legal hierarchy, moving international agreements to third place. However, that did not impede the fulfilment of Georgia's international obligations, as the Constitution stated that the Constitutional Agreement had to conform to the principles and norms of international law.

24. The Council of Justice had been established in 1997 and had brought about judicial reform, notably by organizing examinations for judges on an unprecedented scale. He acknowledged the concern expressed by members of the Committee regarding the possibility of undue political influence on the Council, but said that in practice, the Council was not subjected to political pressure of any kind.

25. The Law on Courts of General Jurisdiction listed a number of grounds for the dismissal of judges. The Judges' Disciplinary Collegium along with the Council of Justice played a major role in the disciplining and dismissal of judges. However, the final decision on dismissals was taken by the President of Georgia.

26. Foreign citizens and stateless persons living in Georgia had the same rights and obligations as Georgian citizens though in certain areas, notably political activity and elections, their rights were limited; however, such provisions for the most part conformed to the standards set out in international instruments. Nonetheless, Georgian law contained some inconsistencies: for example, foreigners were prohibited from organizing meetings and demonstrations, an unjustifiable restriction on the right of assembly and association which the Ministry of Justice was currently working to change. Other laws restricting the rights of foreigners to engage in media-related activities — where those activities were of a non-political nature — also needed to be amended. The Government was working on a completely new law to regulate media activities.

27. The report submitted to the Committee by the Georgian Young Lawyers' Association had stated that the number of cases considered by the Constitutional Court was low. However, the Government's official data indicated that that was not the case. The Georgian Parliament had recently adopted amendments to the law on the Constitutional Court and the law on constitutional proceedings which would solve all the technical and procedural problems raised in the report, thereby facilitating the consideration of cases by the Constitutional Court.

28. With regard to freedom of movement, the right to leave the country of persons who were party to State secrets was no longer restricted, as it had been in the Soviet period and immediately afterwards. Minor discrepancies between domestic law and Georgia's international obligations remained, but they were being

ironed out. A new law on the status of foreigners was being drafted and would be finalized soon. Dual citizenship was not permitted under Georgian law. However, a child having one parent of Georgian nationality and the other of another nationality and entitled to the nationality of both parents could have dual citizenship until the age of 18.

29. Independent forensic experts were not permitted to work for the State authorities. Article 96 of the Code of Criminal Procedure stated that an expert could be any person who had specialist knowledge, worked in a forensic institution or had a licence. However, there was a practical problem in that the law did not specify a procedure for issuing licences to independent forensic experts other than those working in medical forensic services. The Government planned in 2002 to discuss a draft law which would set out comprehensive regulations on the matter.

30. **Mr. Nalbaudov** (Georgia) said that, pursuant to article 43 of the Constitution, the Ombudsperson — also known as the People's Advocate — was responsible for the protection of human rights and fundamental freedoms in Georgia. The organic law regulating the activities of the Ombudsperson authorized her to investigate alleged human rights violations both on the basis of complaints received and on her own initiative; for the purposes of investigation, she had unrestricted access to prisons and military units and had the right to demand all necessary information, including documents containing classified data. She was also empowered to review court cases after the final judgement had been delivered, in order to determine whether human rights violations had taken place during the proceedings. If she found that a violation had occurred, she had the power to recommend to the court that it should reconsider the case; however, there was a conflict between that power and the provisions of the new Code of Criminal Procedure, which stated that a case could be reconsidered only if new facts had come to light. Discussions were taking place on ways to eliminate that discrepancy.

31. The Ombudsperson had to submit reports to Parliament twice a year on the human rights situation in Georgia, naming any officials who had refused to follow her recommendations. Parliament was obliged to discipline such officials. In situations where urgent measures appeared necessary, the Ombudsperson could submit special reports to the President, who usually

took action to ensure that her recommendations were implemented. The office of the Ombudsperson was therefore an effective mechanism for the protection of human rights in Georgia.

32. The office had some 40 staff and also had regional representatives. Recently, special centres had been set up in the office to deal with women's rights and children's rights. The office had recently established the Rapid Reaction Group, which was currently operating in one district of Tbilisi; if it proved successful, it was hoped that it would be extended throughout Tbilisi and the rest of Georgia.

33. The office of the Ombudsperson dealt with an average of 5,000 cases a year, the majority of which related to social and economic rights. Most applicants merely required the free legal advice offered by the office. A large number of other cases involved police misconduct or abuse of authority. The office would soon be setting up a web site.

34. Regarding the activities of the human rights commissions created in the local self-governing bodies, he said that the commissions dealt with complaints by local people; they were usually forwarded to the Service on Human Rights Issues, which had then to take measures to restore the rights which had been infringed. As for the outpatient medical treatment of prisoners, the figures were accounted for by the poor conditions in prisons, resulting in diseases which required multiple treatments. Mr. Yalden had asked about the second periodic report of Georgia to the Committee on the Elimination of Discrimination against Women. It was not yet known when that report would be considered; however, the report due from Georgia to the Committee on Economic, Social and Cultural Rights would be considered in November 2002.

35. The reason the Covenant had never yet been invoked in the domestic courts in Georgia was lack of public awareness of the Covenant. However, the Universal Declaration of Human Rights had been invoked in several cases.

36. Replying to the questions about applications for bail, he said that in 2000 and 2001 there had been 15 and two petitions respectively for bail, all of which had been granted. As for the duration of preliminary detention in custody, that decision was made by a judge. The period of detention could be extended in

special circumstances if the public prosecutor requested a prolongation.

37. The legal age for marriage in Georgia was 18 for both sexes. In exceptional circumstances, marriage could take place at 16 with the consent of the parents, in the absence of which a decision would have to be made by a court. Such early marriages were however rare.

38. **Mr. Solari Yrigoyen** said that there were serious concerns relating to freedom of thought, conscience and religion in Georgia, and the delegation's answers to questions 15 and 16 of the list of issues had done nothing to dispel these concerns. The Committee had been told that the special role of the Orthodox Church in the Constitution did not imply any legal restriction on the practice of other faiths, even in a state of emergency. Did all faiths in practice receive the same treatment; for instance, what was the position of the Roman Catholic Church, and of the Apostolic Church of Armenia? Had the latter been restored, or was it subjugated to the Orthodox Church? It appeared that the Jehovah's Witnesses suffered harassment which was tacitly supported by the police, and that a member of the Orthodox clergy, Father Mkalavishvili, had condemned non-Orthodox sects as "satanic". What action, if any, had been taken by the judicial authorities against the political leader mentioned in paragraph 438 of the report, who had filed suit to have the publishing licence of the Jehovah's Witnesses revoked? Apparently, there had been 38 disputes involving Jehovah's Witnesses in 2000, and 40 in the first seven months of 2001. There were also reports emanating from the embassies of the United States and the United Kingdom concerning acts of violence against Baptists and followers of the Hare Krishna sect. The Roman Catholic Church had experienced difficulties in building places of worship in certain regions, some of its gatherings had been obstructed, and it had been accused by the Orthodox Church of being hostile to the State. Although the great majority of Georgians were Orthodox Christians, it should be borne in mind that Georgia was actually a multi-ethnic society with members of the Russian Orthodox, Armenian, Roman Catholic, Protestant and other faiths. There were also many Muslims, as well as small communities of Jews, and others.

39. According to paragraph 154 of the report, conscientious objectors could perform non-military service. Was the Non-Military (Alternative) Service

Act in force, and what requirements had to be met in order to obtain the right to perform non-military service? Apparently, some persons in Abkhazia who had sought to rely on it had been convicted of desertion.

40. According to paragraph 469 of the report, the new Criminal Code did not provide any penalties for incitement to national, racial or religious hatred. That being so, he wondered how the Georgian authorities were able to ensure observance of article 20 of the Covenant.

41. **Mr. Shearer**, referring to paragraph 25 of the list of issues, observed that on the delegation's own admission, entrenched attitudes and practices in Georgia, such as police brutality, had proved resistant to change, despite some welcome progress since 1997. In the report, the blame for those failings was pinned on socio-economic factors, especially high unemployment, crime, corruption and security concerns. However, the Committee and human rights commentators had often pointed out that human rights were not a luxury for rich countries to enjoy, but a responsibility incumbent on all national authorities, which by promoting them also contributed to their country's prosperity. The Committee had been told that the judiciary in Georgia had now to pass examinations in human rights, and that the office of the Ombudsman also provided courses. He wondered what provision was made for continuing education in human rights, both for judges and for others involved in the judicial and penal systems. In a country such as Georgia which was engaged in a process of democratic reform, human rights courses should form part of the curriculum in schools and in university faculties of law and political science. There were disturbing reports of non-governmental organizations in Georgia, such as the Young Lawyers Association, being prevented from carrying out practical programmes in human rights.

42. **Mr. Amor** commented on the frequency of manifestations of religious intolerance in Georgia, in spite of steps taken by the public authorities to stem it. Minority groups were labelled "sectarian", and the Jehovah's Witnesses in particular experienced almost daily harassment. The Orthodox cleric Father Mkalavishvili had gone as far as to threaten a pogrom against them and a group of extremists had broken up a press conference at the office of the Ombudsman, seizing 12 out of 14 volumes of petitions denouncing violence against minority groups and seeking

protection from the authorities. Legislative provisions against religious intolerance were scanty; local authorities showed a lack of zeal in dealing with incidents of intolerance, and the police seemed reluctant to intervene. The very small number of recent prosecutions for violations of the right to freedom of religion — only seven — seemed to be disproportionate. Since incitement to hatred was no longer punishable under the Criminal Code, it was difficult to see what legal avenues were open to the authorities, under articles 155 and 156 of the Code, to deal with religious intolerance. Prevention was as important as prosecution. Were children taught the lessons of tolerance in private and religious schools, as well as in the public education system? He would also welcome some explanation of the treatment of minorities, especially the Armenians in the eastern part of Georgia, who were experiencing difficulty in preserving their culture, language and religion. Apparently, an attempt had been made to bolster the claims of the Georgian Orthodox church by bringing gravestones to that region from other parts of the country.

43. Referring to paragraph 538 of the report, he queried the arrangements for registering political associations and individual candidates in elections, which relied on the collection of signatures. It was not clear how those rules could be reconciled with the secrecy of the ballot.

44. **Mr. Klein** said that he was pleased to learn that the impediments that had prevented the effective functioning of the Constitutional Court were being removed. Confidence in the rule of law could be rebuilt only if people had the impression that the Court dealt with their concerns seriously and protected their fundamental rights.

45. With regard to freedom of expression, he noted that the Press and Media Act, which granted freedom of the press to Georgian citizens, was not in harmony with the Georgian Constitution, which guaranteed the right to free speech to all, or with article 19 of the Covenant. He understood that the Act was to be amended and wished to know the status of the legal reform. The report mentioned that the activities of a media outlet might be legally suspended or terminated under certain circumstances; he would like to know how often that had happened. Under the Press Act journalists were obliged to respect the wish of persons providing information not to disclose their authorship,

but he understood that under some circumstances journalists were required to disclose sources to the State, and he would like to know what those circumstances were.

46. According to the report Georgia had many private television and radio broadcasting companies in addition to the State-run enterprises. He wondered whether there was a balance of political opinion represented and whether there was any way of providing for it under Georgian law. The report spoke of a media monitoring system that might be introduced in accordance with the State of Emergency Act and the Martial Law Act. Although article 19 rights were not in the category of non-derogable rights, the article did place limitations on derogations from them. He wished to know how it could be ensured that the principle of proportionality would be respected during states of emergency, and in particular whether there was judicial recourse against a media monitoring system.

47. Lastly, he would like the delegation to describe what procedures would be followed to distribute and publicize the report and the Committee's concluding observations.

48. **Mr. Yalden** said that he would like to have information about the Office of the Ombudsperson that went beyond statistics. He wished to know, for instance, not just how many but what kinds of complaints the Office was receiving and, most important, what results it had been able to obtain. In view of the alarming reports on violent manifestations of religious intolerance, he would like to hear what steps the Government might take. In future he would also appreciate more information on women's rights, particularly on measures to increase representation in senior positions.

49. **Mr. Ando** said that he would like further clarification on the voting rights of internally displaced persons. If he had understood correctly, internally displaced persons must register in order to vote, but in so doing they would lose their status as internally displaced persons, with the related rights to social assistance and eventual restitution of property.

50. With regard to the right to form and join trade unions under article 22 of the Covenant, he had learned that a building owned by the umbrella trade union organization, the Georgian Trade Unions Association, which provided it with an important source of income, had been confiscated, but that the Constitutional Court

had ruled the confiscation unconstitutional. He would appreciate information on what had happened since the ruling.

51. **Sir Nigel Rodley** said that, although he understood that there was some thought of restoring the article on the crime of incitement to religious intolerance that had been deleted from the Criminal Code, he wondered whether there was not a statute on incitement to murder on the books, under which some of the acts of religious intolerance that had been reported could be prosecuted.

52. There were allegations that when religious intolerance cases came to court, the supporters of the defendants were allowed to fill and surround the court and intimidate judges, lawyers and witnesses. He would like to know whether any measures of protection had been planned to ensure that justice rather than mob rule would prevail when a group of similar cases came up for trial in April.

53. He hoped that the proposed reform of the Code of Criminal Procedure would correct the present situation, in which a person detained could not seize a court with a complaint of procedural irregularities or mistreatment until the opening of the actual trial. He understood that such a remedy had existed in the past and he would be interested to know why it had been eliminated. There had been similar ups and downs in the legislation relating to access of witnesses to a lawyer. An impression was given that, when attention was drawn to the matter of the disproportionate powers of the police in relation to suspects, the situation was redressed temporarily and reversed when attention was withdrawn.

54. He would like a clearer explanation about the discontinuation of the “City Lawyer” project. As he understood it, the new bar association would gradually be assuming the responsibility of providing legal defenders for those who could not afford it, but with State funding; he wondered whether any provision had been made for providing adequate remuneration and why volunteers, like those in the Georgian Young Lawyers Association, who were willing to undertake the task when the State was not providing adequate legal aid were not allowed to do so. More broadly, he was concerned that the courts seemed to apply only the constantly shifting legislation on access to representation and did not apply the fixed principles of the Constitution. He also wished to know whether

independent forensic medical services were available to those who had need of them.

55. In relation to the issue of torture, the delegation had admitted that the definition of torture in Georgian law lacked the elements of purpose and instigation of a public official. However, he understood that it was held to be an aggravating circumstance if the torture was instigated or tolerated by a public official, and would like to know what law or what judicial practice provided the basis for invoking aggravation and whether there had been any such cases. Although statements extracted under torture were not admissible according to Georgian law, some non-governmental organizations had testified that persons had been convicted primarily on the basis of such confessions. He wondered to what extent the rule of non-admissibility was actually being applied.

56. **Mr. Lallah** wished to second the question raised by Mr. Ando about confiscation of trade union assets and those raised by Sir Nigel Rodley about the “City Lawyer” project. Access to lawyers and to the administration of justice were key rights. If poor people could not afford a lawyer it was the duty of the State to provide one. It seemed to him that a genuine effort by non-governmental organizations should have been encouraged, and he would like to have a clearer understanding of the State’s policy in that regard.

57. With regard to the independence of the judiciary, security of tenure was important in ensuring the impartiality of justice, especially since the machinery for appointment and dismissal of judges was partly political. He would like to know what guarantees of fair trial judges had in the disciplinary cases — some 500 to date — brought against them, and if they included assistance by counsel or colleagues. Limiting judges, even judges of the Constitutional Court, to a term of 10 years, and moreover, without the possibility of re-election or re-appointment might be destructive of their independence, and he would like clarification on that point.

58. **Mr. Henkin** stressed the need to protect non-governmental organizations, in light of their important role in Georgian society. In the area of religious tolerance, he was concerned about possible differential treatment of religious groups in terms of return of confiscated property and restoration of tax-exempt status. An even more pressing problem, of course, was the failure to protect some groups against violence. He



wondered whether there was discrimination in the treatment of refugees on religious grounds.

59. Regarding the problem of street children, he had read that the number of children in orphanages had doubled in one year. Although perhaps a good thing in that fewer children were on the street, the jump in orphanage population could bring its own problems, and he would appreciate an explanation of the shift and information about measures taken to institute safeguards. He would also appreciate information about restrictions on abortion, perhaps for religious reasons, and the rights of homosexuals.

60. **Mr. Kretzmer** said that there appeared to be a contradiction with regard to the powers of the Procurator-General. The Committee had been told that the Procurator-General must apply to a court in order to have a person remanded into custody, but paragraph 173 of the State party's report stated that an accused person's remand in custody could be extended to six months by order of a variety of officials, including city and district procurators. Remand by order of the procurator was the system under the Soviet regime. He would appreciate clarification.

*The meeting rose at 12.45 p.m.*