

LAW OF GEORGIA

ON THE RIGHTS OF PERSONS WITH DISABILITIES

The State shall promote the realisation of the human rights and fundamental freedoms of persons with disabilities and ensure the protection of their inherent dignity, for which it shall act in accordance with the Constitution of Georgia, the UN Convention on the Rights of Persons with Disabilities ('the 'Convention on the Rights of Persons with Disabilities'), universally recognised human rights, the norms provided for by international law, and the legislative and subordinate normative acts of Georgia.

Chapter I – General Provisions

Article 1 – Scope of the Law

1. This Law defines the basic principles and mechanisms of accessibility for persons with disabilities to living independently and participating fully in all aspects of life without discrimination and on an equal basis with others, in order to:

- a) ensure the realisation of the right to individual autonomy and independence, including to the freedom to make their own choices, the liberty of movement, and the respect for privacy, the home and the family, including the freedom to choose a place of residence;
- b) promote opportunities to live independently and fully participate in public life;
- c) combat and prevent stereotypes in society relating to persons with disabilities;
- d) protect persons with disabilities from all forms of exploitation, violence, abuse and discrimination;
- e) ensure access to services in any area.

2. This Law determines the rights and duties of administrative bodies and entities under private law in the process of implementing the principles and mechanisms provided for by this Law.

Article 2 – Definition of terms

The terms used in this Law shall have the following meanings:

- a) person with disabilities – a person with substantial physical, mental, intellectual or sensory impairments which, when combined with various barriers, may hinder his/her full and effective participation in society on an equal basis with others;
- b) disability – the lack of capacity for the personal development and self-actualisation of a person with physical, mental, intellectual or sensory impairments on an equal basis with others, and that is conditioned by a combination of environmental, attitudinal and other factors;
- c) reasonable accommodation – a principle which involves necessary and appropriate modification and adjustments without imposing a disproportionate or undue burden or obligation, and where needed in a particular case, ensures that persons with disabilities exercise all human rights and fundamental freedoms on an equal basis with others;
- d) universal design – the design of products, environments, trainings, programmes and services to be usable by people without the need for special adaptation and a specialised design. Universal design shall not exclude assistive devices and/or other support for particular groups of persons with disabilities where needed;



b) sign language – a non-verbal, visual language, where information is coded by manual means and mimicry;

f) accessible environment – a combination of physical, institutional and social conditions, which provides a person with disabilities with an equal opportunity to benefit from all public goods, including participation in cultural, sports, political or other activities in a public gathering place, as well as from transport, information and communication facilities on an equal basis with others;

g) direct discrimination on the grounds of disability – such treatment or the creation of conditions due to disability that puts a person exercising rights established by the legislation of Georgia in an unfavourable position compared to other persons exercising similar rights, or that puts persons in substantially unequal conditions in equal conditions, except for cases where such a treatment or the creation of such conditions serve a purpose determined by law for protecting public order and morals, has an objective and reasonable justification, and is required in a democratic society, and the means used are proportionate to the achievement of such purpose;

h) indirect discrimination on the grounds of disability – a situation where a provision, criterion or practice that is neutral in its form, but discriminatory in its essence, puts a person with disabilities in an unfavourable position compared to other persons, or puts persons in substantially unequal conditions in equal conditions, except for cases where such provision, criterion or practice serves a purpose determined by law for protecting public order and morals, has an objective and reasonable justification, and is required in a democratic society, and the means used are proportionate to the achievement of such purpose;

i) independent life – the autonomy of a person with disabilities, the freedom to choose, to make decisions and control his/her own life, and the realisation thereof, if necessary, and where possible, with the help of others, including by means of providing various services;

j) personal assistant service – a service that provides adequate assistance to a person with disabilities in order to help improve the quality of independent life and increase control over his/her own life, including in education, at the workplace, when using public services, and when carrying out daily activities;

k) biopsychosocial model – a model for determining and measuring a person's health status and disability and forming a policy which is focused on psychological, biological and social factors, and that considers the relationship between the human body/organic system, behavioural style, cognitive processes, and environmental factors in combination.

Chapter II – Rights of Persons with Disabilities and Guarantees for the Exercise thereof

Article 3 – Equality before the law

1. The State shall ensure the equality of a person with disabilities before the law, and guarantees the exercise of his/her rights on an equal basis with others in all areas of public life.

2. For the purpose of the exercise of the rights of persons with disabilities, the State shall take appropriate measures. The State shall support the development of such mechanisms which are oriented towards the rights of persons with disabilities and are adjusted to their needs.

3. The measures related to the exercise of his/her rights by a person with disabilities shall envisage relevant and effective guarantees for the prevention and preclusion of any abuse of those rights and potential conflicts of interest. Such guarantees shall ensure that the measures directed towards the exercise of the said rights are immediately oriented to the needs of a person with disabilities, are relevant and adjusted to his/her condition, and are protected against undesirable impacts. In addition, the above guarantees shall be proportional to the goal of the prevention of abusing the said rights and the preclusion of potential conflicts of interest.

4. The State shall protect women and girls with disabilities against discrimination in all areas of public life, and shall provide them with appropriate conditions for exercising rights, freedoms and opportunities which are equal for both women and men. Any action taken in respect of said category of persons shall be based upon principles of gender equality, taking into account the specific needs of women and girls.

Article 4 – Independent life



1. The State shall promote the independent life of a person with disabilities and his/her full participation in all areas of public life on an equal basis with others, as well as provide access to a range of supporting services and public facilities, and the means of communication required for his/her full participation in public life. Means of communication shall include: language, displayed text, Braille, tactile communication, large font, available multimedia, as well as writing and audio devices, simplified language, readers, enhanced and alternative communication methods, means and formats, including available information and communication technologies.
2. In order to ensure the achievement of the goals provided for by paragraph 1 of this article, personal data shall be processed in accordance with the requirements of the Law of Georgia on Personal Data Protection. When performing the duties prescribed by the legislation of Georgia, the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall have the right to process the personal data of a person with disabilities, and if necessary, transfer those data to another person/organisation in order to allow a person with disabilities to obtain a relevant benefit.
3. The State shall recognise the right of a person with disabilities to independently choose a place of residence. The coercion of a person with disabilities to reside at a specially designated place shall be prohibited, unless it is based upon a necessity provided for by the legislation of Georgia, and/or by the requirements of the penitentiary system.
4. The State shall guarantee the inviolability of the private life and family life of a person with disabilities, and shall prohibit arbitrary or unlawful interference in his/her private and family life, correspondence and other types of communication.
5. The State shall promote the development and introduction, by authorised entities within their competence, of services, standards and regulations which are required for the independent life of a person with disabilities, in order to ensure:
 - a) the elimination of practical barriers, obstacles and stereotypes which prevent a person with disabilities from leading an independent life;
 - b) the use of personal assistant services;
 - c) the use of facilities necessary for leading an independent life;
 - d) the use of information, support and consultation related to leading an independent life;
 - e) the opportunity to participate in the social, cultural, sports, economic and political life of the country on an equal basis with others;
 - f) access, on an equal basis with others, to the physical environment, buildings, roads, transport, information, housing, medical facilities, workplaces, communication technologies and systems, open public facilities, and emergency and other services;
 - g) adherence to the standards and guidelines for access to public facilities, public institutions, and other services for a person with disabilities;
 - h) the participation of persons with disabilities in the development of the action plans and programmes provided for by this Law, as well as of persons whose activities are related to the protection of the rights of persons with disabilities and to the improvement of their conditions.

Article 5 – Inadmissibility of discrimination

1. Any type of discrimination defined by the Law of Georgia on the Elimination of All Forms of Discrimination on the grounds of disabilities shall be prohibited. Discrimination shall also include the refusal to make reasonable accommodation in accordance with this Law.
2. The State shall take all appropriate measures to promote the equality of persons with disabilities, including reasonable accommodation, and shall ensure the elimination of discrimination.
3. All persons with disabilities shall have the right to the protection of their physical and mental inviolability on an equal basis with others.



Article 6 – Women with disabilities

1. The State shall ensure the exercise of the basic rights and freedoms of women and girls with disabilities on an equal basis with other women.
2. The State shall protect women and girls with disabilities against discrimination in all areas of public life, and shall ensure the creation of adequate conditions for them to exercise rights, freedoms and opportunities which are equal for both women and men. Any action taken with respect to persons of this category shall be based upon principles of gender equality, taking into account the specific needs of women and girls.
3. The State shall promote the access of women with disabilities to the right to reproductive health care on an equal basis with others.

Article 7 – Children with disabilities

1. The State shall ensure the exercise of the basic rights and freedoms of children with disabilities on an equal basis with other children.
2. In any action related to children with disabilities, the best interests of a child shall be taken into account as a first priority.
3. The State shall allow children with disabilities to freely express their opinion about all issues important to them, on an equal basis with other children, taking into account their age and level of development. When exercising this right, they shall be provided with disability and age-specific assistance.
4. The State shall ensure for children with disabilities, and in their best interests, the establishment of mechanisms necessary for obtaining continuing education, and full participation in public life, and living in a biological family, as well as for protection against discrimination and violence.
5. The State shall provide a child with disabilities with the right to live in a family on an equal basis with others. In order to ensure the smooth exercise of this right, as well as to prevent the concealment, abandonment, neglect or segregation of a child with disabilities, the State shall take all necessary administrative, social and educational measures, including the preliminary provision of a child with disabilities and his/her family with comprehensive information, relevant services and assistance.
6. If the family is unable to care for a child with disabilities, the State shall be obliged to take all measures to organise alternative care within a wider family circle, and if this is not possible, the State shall be obliged to provide for the child such an environment that is close to a family environment, taking into account the upbringing, birthright, ethnicity, religious and cultural affiliation, and mother tongue of the child. For the purpose of alternative care, a child with disabilities shall be accommodated in accordance with the Code on the Rights of the Child, unless otherwise provided for by this Law.

Article 8 – Education

1. By introducing appropriate and effective mechanisms and using technologies, techniques and educational resources relevant to the needs of persons with disabilities, the State shall ensure the introduction of an accessible and qualitatively inclusive education system that will allow persons with disabilities to obtain continuing education, develop their personality and creative skills, and realise their mental and physical abilities.
2. The State shall provide access to technical and vocational orientation programmes, and vocational and continuing education, for persons with disabilities.

Article 9 – Healthcare

Taking into account the individual needs of persons with disabilities, the State shall, in accordance with the legislation of Georgia, provide them with equal access to healthcare services, which means:



- a) access to a healthcare institution;
- b) the implementation of various healthcare programmes;
- c) supporting the introduction of relevant standards and methods which allow persons with disabilities to have access to specific services;
- d) the provision of preventive and early diagnosis, and treatment and rehabilitation services, that ensure the identification of the general causes of limitations and the minimisation of disabilities.

Article 10 – Habilitation and rehabilitation

1. The State shall promote the creation of such services and programmes, and the development of mechanisms by relevant public agencies, which ensure the maximum independence of persons with disabilities, and the use and enhancement of their physical, sensory, mental and professional abilities, taking into account age, gender, and the degree and type of disability.
2. In order to fulfil the obligations provided for by paragraph 1 of this article, the State shall promote the development of habilitation and rehabilitation services, and programmes in the field of healthcare, employment, education and social services, in a manner that ensures that the said services and programmes:
 - a) are carried out at the earliest possible stage and are based on the evaluation of the needs of an individual;
 - b) allow the participation and integration of a person with disabilities in all areas of public life.
3. The State shall promote the professional training and retraining of specialists and personnel employed in habilitation and rehabilitation services.

Article 11 – Labour and employment

1. The State shall provide persons with disabilities with employment opportunities in the open market on an equal basis with others, including by the use of interim measures in order to achieve this goal.
2. The State shall protect and promote the exercise of the right to work for persons with disabilities, including employment in contractual/pre-contractual relations, and ensure that persons with disabilities have, on an equal basis with others, a right to fair and favourable labour conditions, a safe and healthy working environment, and a right to protection from forced labour and discrimination.
3. The State shall promote the development of employment programmes which ensure the self-employment of persons with disabilities and the organisation of their own entrepreneurial activities.
4. The State shall promote the employment of persons with disabilities in the public and private sectors by developing appropriate action plans and programmes, which, together with other activities, may involve introducing preferential mechanisms for employers, conducting special training and retraining of a person with disabilities, adapting the environment, and providing financial support to a programme initiated by an employer, as well as other benefits.
5. In order to promote the employment of persons with disabilities in the public sector, the Legal Entity under Public Law called the Civil Service Bureau shall, within its competence, provide access to the services it administers.

Article 12 – Protection from exploitation, violence and degrading treatment

1. The State shall ensure the protection of persons with disabilities, including women and children, from exploitation, violence and degrading treatment.
2. The State shall take measures to prevent all forms of exploitation, violence and degrading treatment of persons with disabilities, and shall provide assistance and support to persons with disabilities, and their family members and carers, in preventing



exploitation, violence and degrading treatment, taking into account age and gender.

3. The State shall ensure that the persons with disabilities exposed to exploitation, violence or abuse have access to physical and psychological rehabilitation and social reintegration programmes.

Article 13 – Inviolability of private and family life

The State shall ensure the elimination of discrimination against persons with disabilities in respect to all matters of private and family life, including, *inter alia*:

- a) the exercise of the right of persons with disabilities of marriageable age to marry and create a family, based on a free choice of spouses, and on informed consent;
- b) the exercise of the right of persons with disabilities to make free and responsible decisions with regard to the number of children and the interval between their births, and to obtain information and education on reproductive health and family planning, relevant to their age.

Article 14 – Participation in political and public life

1. The State shall ensure the equal and full participation of persons with disabilities in the political and public life of the country, directly or through a representative selected on the basis of the expression of free will, as well as the right of persons with disabilities to vote and be elected without discrimination on an equal basis with others.

2. A person with disabilities shall be able to have access to the public information required to exercise a voting right. Issues relating to the provision of proper conditions required for the unhindered exercise of a voting right by a person with disabilities shall be regulated by electoral legislation.

3. The State shall recognise Georgian sign language. Georgian sign language is a means of communication with deaf and hearing-impaired persons residing in Georgia, based on a visual-manual modality. The State recognises Georgian sign language as a means of communication between people, as well as one of the means of education of deaf and hearing-impaired persons, and shall ensure the creation of the conditions necessary for the use and development of Georgian sign language.

4. The State shall promote the operation of representative organisations, the main goal of which is to exercise and protect the rights of persons with disabilities, as well as such organisations whose management processes involve persons who are mainly persons with disabilities and/or their legal representatives.

Article 15 – Social protection

1. Guarantees for the social protection of persons with disabilities shall be determined by this Law, the international treaties of Georgia, and other legislative and subordinate normative acts of Georgia.

2. The State shall provide adequate living conditions for persons with disabilities, which, among other measures, shall include the development and implementation of programmes aimed at social protection and the eradication of poverty.

Article 16 – Participation in cultural, sport, entertainment and other public activities

1. The State shall promote the creation of opportunities for persons with disabilities to participate in recreational, leisure, cultural, sport, entertainment and other public activities on an equal basis with others, and the development of mechanisms which provide them with:

- a) access to relevant information and materials;



b) the availability of services;

c) full inclusion.

2. The State shall promote the development of appropriate mechanisms for the use and development by persons with disabilities of their creative, sport or other potential.

Article 17 – Awareness raising

1. In order to raise public awareness, the State shall ensure:

a) the promotion of the potential and contribution of persons with disabilities to a public life;

b) the development and implementation of educational programmes relating to the rights of persons with disabilities, as well as the provision of the families of such persons and various interested groups of society with relevant information on the rights of persons with disabilities;

c) the implementation of long-term programmes which help to counter stereotypes which cause discrimination on the grounds of disability;

d) that adequate modern and international standards and requirements focused on the rights of persons with disabilities are reflected in educational and informational materials, which shall be mandatory for all institutions regardless of their organisational legal form.

2. The State shall, together with other organisations, carry out the measures specified by paragraph 1 of this article by means of public broadcasting as well.

Article 18 – Access to legal proceedings

1. The State shall provide access to legal proceedings for persons with disabilities, including the establishment of appropriate procedural mechanisms, as well as any reasonable accommodation, to allow persons with disabilities to fully participate in all types of administrative proceedings, notarial actions, and in investigations, trials, the alternative resolution of disputes, and/or the process of enforcement.

2. The State shall support the provision to persons with disabilities of territorial services and divisions by law enforcement authorities, and by the Legal Entity under Public Law called the Legal Aid Service that provides access to both infrastructure and services.

Article 19 – Special plaintiff

1. An organisation holding the status of a special plaintiff is an interested party in administrative bodies and courts, in matters regarding the protection of the rights of persons with disabilities, without being authorised to conduct legal representation in administrative and civil cases.

2. Organisations holding the status of a special plaintiff shall be authorised to conduct administrative and civil disputes, and apply to relevant agencies in respect of complaints and lawsuits, in cases concerning the elimination of discrimination against persons with disabilities, and/or in the interest of developing legal practice in this area.

3. Organisations holding the status of a special plaintiff shall exercise the powers referred to in this article even if there is a collective or alleged violation of the rights of a person with disabilities.

4. A special plaintiff shall be a non-entrepreneurial (non-commercial) legal entity that, in accordance with this Law, is registered as a special plaintiff in the Registry of Entrepreneurs and Non-Entrepreneurial (Non-Commercial) Legal Entities.

5. A non-entrepreneurial (non-commercial) legal entity with at least 3 years experience defending persons with disabilities in the



field of civil and/or administrative proceedings may be registered as a special plaintiff. The period of registration of the status of a special plaintiff shall be 3 years, after the expiry of which such registration shall no longer be invalid, unless the entity submits a request for the extension of the registration period, accompanied by documentation confirming the activity of the previous 3 years in the field of civil and/or administrative proceedings to protect the rights of persons with disabilities. The form of such documentation and the procedure for its submittal shall be determined by an order of the Minister of Justice of Georgia.

Article 20 – Personal assistant

1. The standards and procedures for the management of personal assistant services, including the criteria for the selection of a personal assistant, shall be approved by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.
2. A personal assistant shall be an adult and a legally competent person, who expresses his/her consent to provide to a person with disabilities the services he/she requires, in order to improve the quality of his/her independent life, and to increase control over his/her life when obtaining education, and using public services, and carrying out daily activities, and/or at a workplace.
3. A personal assistant service shall be provided by a municipality, which shall determine the scope of such service, and develop the procedure for its delivery in a manner prescribed by the legislation of Georgia.

Chapter III – Obligations of an Administrative Body and a Legal Entity under Private Law

Article 21 – Obligations of an administrative body

An administrative body shall be obliged to:

- a) ensure the introduction of the universal design of existing buildings and buildings under construction, and other types of infrastructure, and/or the adaptation thereof in accordance with universal design for persons with disabilities, in order to ensure full access to all institutions under its governance;
- b) ensure full access to all relevant services in its system for persons with disabilities, including offering programmes and materials customised and adapted to relevant needs (such as audio books, books printed in Braille, sign language interpretation, subtitles);
- c) develop and approve an action plan to ensure adaptation and universal design, for the fulfilment of the obligations determined by sub-paragraphs (a) and (b) of this paragraph, with an indication of measures to be taken and relevant deadlines, as well as provide supervision over their implementation;
- d) promote, within its competence, the implementation of a unified strategy and action plan approved by the Government of Georgia;
- e) ensure the continuous retraining of corresponding personnel for the development of the skills which are required for communicating with persons with disabilities;
- f) participate, within its competence, in the development of normative acts, strategies, action plans and instructions provided for by this Law, and facilitate the implementation thereof;
- g) exercise other powers provided for by this Chapter.

Article 22 – Legislative government

1. The Parliament of Georgia shall, in accordance with the Constitution of Georgia, international treaties, and other legislative and subordinate normative acts of Georgia, determine the main directions of state policy in the field of the protection of the rights of persons with disabilities, ensure the creation and development of a legislative framework, and control the activities of bodies



which are accountable to the Parliament of Georgia on issues of equality.

2. Once a year, the Government of Georgia shall present to the Parliament of Georgia a written report on the exercise of the basic rights and freedoms of persons with disabilities, including measures for the exercise of their social rights.

3. Based on the report submitted by the Government of Georgia, the Parliament of Georgia shall have the right to develop recommendations for the improvement of the activities of the Government of Georgia in the areas referred to in paragraph 1 of this article.

4. The Parliament of Georgia shall provide parliamentary control over the implementation of the Convention on the Rights of Persons with Disabilities.

Article 23 – Judicial authority

To ensure the fulfilment of the obligations provided for by this Law, the High Council of Justice of Georgia shall develop and approve standards and methods for working with persons with disabilities who are participating in a trial, taking into account the specifics of court reviews of relevant cases.

Article 24 – Executive authority

1. The Government of Georgia shall, within its competence, ensure:

a) the approval of and supervision over the execution of the Convention on the Rights of Persons with Disabilities, the unified strategy supporting the implementation of this Law, and the relevant action plan;

b) the establishment of an Interagency Coordination Committee responsible for the implementation of the Convention on the Rights of Persons with Disabilities, that shall be composed of the heads of relevant ministries, other relevant agencies, the Legal Entities under Public Law called Legal Aid Service and National Statistics Office ('the Geostat'), as well as of representatives of the legislative, judicial and local authorities of Georgia, and relevant organisations with the status of invited members.

2. Organisational and legal support for the operation of the Interagency Coordination Committee shall be provided by the Administration of the Government of Georgia.

3. The representatives of organisations whose activities are related to the protection of the rights of persons with disabilities and/or to the improvement of their conditions may be invited to the Interagency Coordination Committee.

Article 25 – Ministry of Justice of Georgia

1. For the purpose of the full implementation of the Convention on the Rights of Persons with Disabilities, the Ministry of Justice of Georgia shall ensure the examination of the available legislative framework, and if necessary the organisation of drafting legislative amendments in coordination with relevant institutions.

2. The state sub-agency under the governance of the Ministry of Justice of Georgia called the Special Penitential Service shall ensure the protection of the rights of a person with disabilities placed in a penitential institution, taking into account his/her specific needs.

Article 26 – Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia

1. The establishment of the status of disability for a person shall be based on a biopsychosocial model. The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall develop a biopsychosocial model of mechanism used to establish the status of disability, and shall regularly promote its introduction. The status of disability within the biopsychosocial model shall be determined on the basis of the assessment of the functional abilities and health status of a status seeker, as well as on the circumstances indicated in Article 2(k) of this Law.



2. State programmes in the field of healthcare and social protection, as well as the services delivered within the said programmes, shall be based on the following principles:

- a) the provision of access to healthcare, including mental health care, as well as social services for all persons with disabilities, regardless of the degree of disability, in a manner established by the legislation of Georgia;
- b) the promotion of the diversity and geographical availability of healthcare, habilitation or rehabilitation, and social services.

3. The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall develop social services adjusted to the needs of persons with disabilities, which promote the provision of social services on an equal basis with others.

4. The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall:

- a) promote the delivery of services to women, girls and children with disabilities in the framework of healthcare and social programmes, taking into account their individual needs;
- b) develop the professional standards of medical personnel who provide services/assistance to persons with disabilities;
- c) within its competence, promote the development of healthcare and social community services for persons with disabilities;
- d) for the promotion of the employment and career growth of persons with disabilities in the labour market, develop and implement appropriate programmes, and deliver to persons with disabilities:
 - d.a) professional consulting, and definitions of relevant profiles and services relating to career planning;
 - d.b) participation in professional training and retraining programmes;
 - d.c) the opportunity to find and/or retain a job independently, or with assistance;
 - d.d) integration into the open labour market, taking into account their qualifications.

5. Programmes for persons with disabilities shall be developed on the basis of a consideration of their needs.

6. The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, together with the Ministry of Education, Science, Culture and Sport of Georgia, shall provide persons with disabilities with access to vocational orientation programmes, employment services, and vocational and continuing education.

7. The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs and the Ministry of Economy and Sustainable Development of Georgia, as well as other administrative bodies, shall, within their competence, ensure the development of employment policies and programmes which aim to promote the self-employment and entrepreneurial activities of persons with disabilities.

Article 27 – Ministry of Education, Science, Culture and Sport of Georgia

1. The Ministry of Education, Science, Culture and Sport of Georgia, within its competence, shall provide for persons with disabilities access to all stages of education and areas of culture, including art education, arts, creativity, cultural activities, and cultural tourism, and all areas of sports, as well as participation in cultural and sport life that considers:

- a) developing and approving an action plan for the development of inclusive education, and supervising its implementation at all stages of education in public and private educational institutions, for persons with disabilities, as well as providing access to cultural and sport infrastructure and developing action plans for the provision of adapted programmes and materials, and developing adaptation standards and methodologies;
- b) drafting work standards/instructions for personnel employed in public and private educational institutions of all stages, and cultural and sport facilities and organisations, as well as in youth organisations, and retraining said personnel in order to obtain the skills required for working with persons with disabilities, within their competences.



2. In order to achieve the goals set forth by paragraph 1 of this article, the Ministry of Education, Science, Culture and Sport of Georgia shall, on the basis of international experience and with the participation of persons with disabilities working in the relevant field, and of experts with adequate qualification, develop for all stages of education:

- a) standards and methodology for research and evaluation of specific approaches towards the needs of persons with disabilities;
- b) the qualification requirements for practising specialists required for working with youth with disabilities, including school children/students/vocational students, and which are mandatory for both public and private educational institutions;
- c) relevant training modules for raising the qualifications of working specialists, which are mandatory for both public and private educational institutions.

3. The Ministry of Education, Science, Culture and Sport of Georgia shall examine the need for the adaptation of educational and material resources at all stages of education, on the basis of which:

- a) necessary training and material resources shall be made available;
- b) training methodologies shall be developed.

4. In order to achieve the goals determined by paragraph 1 of this article, the Ministry of Education, Science, Culture and Sport of Georgia shall develop recommendations for the development of a paralympic movement on the basis of international experience, and with the participation of persons with disabilities, and experts holding relevant qualifications who work in the relevant field.

5. The Ministry of Education, Science, Culture and Sport of Georgia, together with the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, shall, in cooperation with persons working in this field, develop and approve a programme for the certification of sign language interpreters.

Article 28 – Ministry of Economy and Sustainable Development of Georgia

1. The Ministry of Economy and Sustainable Development of Georgia, together with the relevant agencies, shall, within the scope of powers granted by the legislation of Georgia, provide support to the participation of persons with disabilities in state programmes promoting entrepreneurship, and shall, within its competence, participate in the development of mandatory mechanisms for the reasonable accommodation and adaptation of universal design standards to the needs of persons with disabilities in relevant construction standards/regulations.

2. When elaborating and implementing state policy for tourism development, the Legal Entity under Public Law called the National Tourism Administration of Georgia, under the state control of the Ministry of Economy and Sustainable Development of Georgia, shall ensure that the needs of persons with disabilities are taken into consideration.

3. In order to achieve the goals determined by paragraph 2 of this article, the National Tourism Administration of Georgia, on the basis of international experience, and with the participation of persons with disabilities, and experts holding the appropriate qualifications who work in the relevant area, shall ensure that:

- a) in the framework of the legislation of Georgia, the needs of persons with disabilities are taken into account in the development of the tourist infrastructure it has created and/or designed;
- b) its official website and the audio-visual material developed thereon are adapted to the needs of persons with disabilities.

Article 29 – Ministry of Finance of Georgia

The Ministry of Finance of Georgia shall, within its competence, participate in the development of the normative acts, strategies, action plans and instructions provided for by this Law, and shall promote the implementation thereof.

Article 30 – Ministry of Regional Development and Infrastructure of Georgia



1. The Ministry of Regional Development and Infrastructure of Georgia shall, within its competence, participate in the development of mandatory mechanisms for the reasonable accommodation and adaptation of universal design standards in the relevant construction standards/regulations to the needs of persons with disabilities.
2. The Ministry of Regional Development and Infrastructure of Georgia shall, within its competence, promote the implementation of the principles defined by this Law in its relations with municipal bodies.

Article 31 – Investigative authorities

1. Investigative authorities shall, within their competence, allow persons with disabilities to have access to legal proceedings that will facilitate the effective performance of their role in a relevant process, including as a witness, at the stage of investigation.
2. To allow persons with disabilities effective access to legal proceedings, investigative authorities shall develop the following instructions:
 - a) standards and methods for working with a witness, a victim or an accused with disabilities;
 - b) standards and methods for working with a minor witness, a victim or an accused with disabilities.
3. The standards and methods referred to in paragraph 2 of this article shall include consideration of relevant specifics in the process of questioning and examining persons with disabilities, as well as in the preparation of a case for court hearing.
4. Investigative bodies shall ensure the protection of the rights of a person with a disability placed in a temporary detention facility, taking into account his/her specific needs.

Article 32 – Emergency Management Service

The state sub-agency within the governance of the Ministry of Internal Affairs of Georgia called the Emergency Management Service shall provide supervision over and support for the implementation of measures oriented towards the needs of persons with disabilities in emergency management plans, for the purpose of the protection of persons with disabilities during potential emergency situations.

Article 33 – Legal Aid Service

The Legal Entity under Public Law called the Legal Aid Service shall ensure that a public attorney provides advocacy services to a person with disabilities in court for civil, administrative and criminal cases, as well as representation during administrative proceedings, and legal consultation.

Article 34 – Geostat

1. All establishments and organisations defined by this Law shall, in respect of issues falling within their competence, be obliged to provide the Geostat with necessary data/information, in accordance with the list and periodicity provided for by a statistical work programme approved by the Government of Georgia for the respective year.
2. The form of processing/providing statistical data shall be approved by the Geostat.
3. The Geostat shall, in accordance with established procedure, provide access to summarised statistical data.
4. When processing statistical information on persons with disabilities, the provisions of the Law of Georgia on Personal Data Protection shall apply.



Article 35 – Municipal bodies/agencies

1. Municipal bodies/agencies shall, within their competence, be obliged to develop and implement programmes supporting the independent life, and social inclusion programmes with the involvement, of persons with disabilities, and to take into account their individual needs, in order to ensure:

- a) the full participation of persons with disabilities in social, political, social, economic, cultural and sporting life at a local level, the delivery of services supporting an independent life, including personal assistant services, and the implementation of habilitation/rehabilitation programmes;
- b) the participation of persons with disabilities in the process of the development of programmes/projects for relevant activities for the exercise of powers granted by law at all stages of the elaboration and making of decisions;
- c) mandatory access to both infrastructure and educational programmes of early and pre-school educational institutions for children with disabilities under their control.

2. Municipal bodies/agencies shall be obliged to:

- a) promote the activities of local organisations for persons with disabilities, in which persons with disabilities and/or their legal representatives constitute the majority of both the members of the organisation and the governing/decision-making bodies thereof, who work to improve the quality of the independent life of persons with disabilities;
- b) promote the introduction and development of information, consulting and supporting services for the independent life of persons with disabilities, together with other establishments/organisations with relevant functions, who work in the territory of the respective municipality.

3. The powers of municipal bodies/agencies provided for by this Law (which are not powers granted under the Organic Law of Georgia, Local Self-Government Code) shall be powers delegated by the State to the municipality, the implementation of which shall be supervised by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, in accordance with procedures established by the Organic Law of Georgia, Local Self-Government Code.

Article 36 – Competence of an entity under private law

1. An entity under private law, regardless of its organisational legal form and ownership, shall, taking into account reasonable accommodation, be obliged to ensure compliance with and the performance of the mandatory standards/norms established by this Law and by administrative bodies on the basis of this Law.

2. The standards/norms provided for by this article shall be established with the maximum participation of an entity under private law.

Chapter IV – Transitional and Final Provisions

Article 37 – Transitional provisions

1. Before 1 January 2021:

- a) the Government of Georgia shall ensure the development and approval of the Unified Strategy and Annual Action Plan for 2021-2035, with an indication of activities to be carried out by the relevant bodies/institutions, and deadlines for the implementation thereof;
- b) the Government of Georgia shall ensure the establishment of an Interagency Coordinating Committee responsible for the implementation of the UN Convention on the Rights of Persons with Disabilities;
- c) the Ministry of Justice of Georgia shall ensure the approval of a form and procedures for the submission of documents certifying



the activity in the field of civil and/or administrative proceedings for obtaining/extending the status of a special plaintiff in order to protect the rights of persons with disabilities;

d) the Ministry of Education, Science, Culture and Sport of Georgia shall ensure the development and approval of a programme for the certification of sign language interpreters.

2. The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall:

a) before 1 January 2023, ensure the approval of the plan of activities to be implemented with respect to the introduction of a biopsychosocial model mechanism for establishing disability status;

b) before 1 January 2024, ensure the approval of standards and procedures for the management of personal assistant services, including the criteria for the selection of personal assistants.

3. The bodies/institutions defined by Chapter III of this Law shall:

a) before 1 April 2021, ensure the development and approval of annual action plans, as provided for by the relevant articles of, and in order to fulfil obligations under, the Unified Strategy for 2021-2035 provided for by this Law and paragraph 1(a) of this article, with an indication of mandatory measures, and the time limits for their performance;

b) in accordance with the Unified Strategy for 2021-2035 provided for by paragraph 1(a) of this article, take all necessary measures to ensure the fulfilment of relevant obligations and the full entry into force of this Law in the period from 1 January 2021 to 31 December 2035;

c) before 31 December 2035, gradually adapt buildings and other types of infrastructure existing before the entry into force of this Law, as well as existing services, to universal design in order to ensure full access thereto for persons with disabilities; if a building may not be adapted for objective technical reasons (confirmed by an appropriate expert opinion), the bodies/institutions shall additionally consider alternative means for action in the plan determined by sub-paragraph (a) of this paragraph in order to ensure full access for persons with disabilities.

4. The obligation provided for by Article 3(c) shall not apply to buildings and other types of infrastructure owned/used by an entity under private law determined by Article 36 of this Law, and to the other types of infrastructure which do not deliver services.

5. Municipal bodies shall:

a) before 1 January 2025, provide a draft programme of personal assistant services, determine the scope of the services, and develop procedures for the delivery thereof to persons with disabilities;

b) ensure the provision of personal assistant services from 1 January 2025.

6. From the moment of the promulgation of this Law, buildings shall be designed and constructed in compliance with the requirements of the Code of Spatial Planning, Architectural and Construction Activity, and legal acts approved on the basis thereof.

Article 38 – Acts to be declared null and void

From 1 January 2021, the Law of Georgia on the Social Protection of Persons with Disabilities of 14 June 1995 shall be declared invalid (Parliamentary Gazette of Georgia, 1994-1995, NN 27-30, Art. 633).

Article 39 – Entry into force of this Law

1. This Law, except for Chapters I-III, shall enter into force upon promulgation.

2. Chapters I-III of this Law shall enter into force from 1 January 2021.



President of Georgia

Salome Zourabichvili

Tbilisi

14 July 2020

No 6823-ტს

