

Follow-up to UNGA Res 79/123

(“Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts”)

GEORGIA

I. Current status of the Geneva Conventions of 1949, their Additional Protocols and other relevant international humanitarian law (IHL) treaties:

CORE IHL TREATIES

1. Georgia, after obtaining independence acceded and consequently ratified all four Geneva Conventions and Additional Protocols I and II thereto together (Succession/Ratification: 20.07.1993, Entry into Force: 14.09.1993). In 2007, Georgia ratified Additional Protocol III to the Geneva Conventions (Succession/Ratification: 07.12.2006, Entry into Force: 19.03.2007). Up to date, Georgia is state party to all Geneva Conventions and all their Additional Protocols.

OTHER RELEVANT INTERNATIONAL HUMANITARIAN LAW TREATIES

2. Below is the list of International treaties relating to IHL, which Georgia is party to:

- Convention on the prohibition of the development, production and stockpiling of bacteriological (Biological) and toxin weapons and on their destruction, opened for signature at London, Moscow and Washington. 10 April 1972 (Accession: 06.03.1996);
- Convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction, Geneva, 3 September 1992 (Signature: 14.01.1993, Accession/Ratification: 09.03.1995);
- Convention on the prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects. Geneva, 10 October 1980 (Accession: 02.04.1996);
- Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects. Geneva, 10 October 1980, Amendment Article 1, 21 December 2001 (Accession: 24.03.2009);
- CCW protocol on non-detectable fragments (Protocol I), Geneva, 10 October 1980 (Accession/Ratification: 24.04.1996);
- CCW protocol (II) on prohibitions or restrictions on the use of mines, booby-traps and other devices, Geneva, 10 October 1980 (Accession/Ratification: 24.03.2009);
- Protocol on prohibitions or restrictions on the use of incendiary weapons (protocol III), Geneva, 10 October 1980 (Accession/Ratification: 29.04.1996);
- CCW protocol on blinding laser weapons (Protocol IV to the 1980 Convention), 13 October 1995 (Accession/Ratification: 13.10.2005);
- CCW protocol on explosive remnants of War (Protocol V to the 1980 CCW Convention), 28 November 2003 (Accession/Ratification: 21.10.2008);
- Convention for the protection of cultural property in the event of armed conflict, The Hague, 14 May 1954 (Notification of succession 04.11.1992);

- Protocol for the protection of cultural property in the event of armed conflict, The Hague, 14 May 1954 (Notification of succession : 04.11.1992);
- Second protocol to the Hague convention of 1954 for the protection of cultural property in the event of armed conflict, The Hague, 26 March 1999 (Accession: 21.10.2008);
- Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, 26 November 1968 (Accession: 09.03.1995);
- Rome Statute of the international criminal Court, 17 July 1998 (Ratification: 16.07.2003);
- Amendment to the Rome Statute of the international Criminal Court on War crimes. Amended Article 8, 10 June 2010 (Ratification:25.12.2014);
- Amendment to the Rome Statute of the International Criminal Court on the Crime of Aggression, Articles 8BIS, 15BIS and 15TER, 11 June 2010 (Ratification: 01.10.2014);
- Convention on the prevention and punishment of the crime of Genocide, 9 December 1948 (Accession: 18.05.1993);
- International Convention against the recruitment, use, financing and training of mercenaries, 4 December 1989 (Accession: 18.05.1993);
- Arms trade treaty (Ratification: 23.12.2015, Signature: 25.09.2014);
- Convention on the rights of the child, 20 November 1989 (Accession: 21.04.1994);
- Optional protocol to the Convention on the rights of the child on the involvement of children in armed conflict, 25 May 2000 (Accession: 03.08.2010).

II. Adoption of national legislation to implement the above-mentioned instruments:

HIERARCHY OF NORMATIVE ACTS

3. Article 4(5) of the Constitution of Georgia provides for the supremacy of international treaties over the national laws – “The legislation of Georgia shall comply with the universally recognised principles and norms of international law. An international treaty of Georgia shall take precedence over domestic normative acts unless it comes into conflict with the Constitution or the Constitutional Agreement of Georgia.” Law on Normative Acts (Article 7(1)) proclaims that international treaties of Georgia are also normative acts of Georgia. In the hierarchy of normative acts, the international treaty of Georgia stands above the Organic Law of Georgia, ordinary laws, decree of the President and Rules of Procedure of Parliament.

4. The Law on International Treaties of Georgia stipulates that treaties shall be an integral part of the legislation of Georgia. Moreover, provisions of the officially published treaties determining the specific rights and obligations and not requiring transposition in the domestic legislation by adopting specific acts, shall be directly applicable in Georgia. Meaning that the national institutions, especially national courts of Georgia are bound to apply the provisions of such treaties, and if they are in collision with the national legislation the treaty provisions will still prevail.

CRIMINAL CODE OF GEORGIA

5. XLVII chapter of the Criminal Code of Georgia covers: “Crime against the peace of humanity, security and International Humanitarian Law.” Aforementioned chapter criminalizes crimes such as: the planning, preparation or carrying out the aggression (Article 404); Call for planning, preparation, beginning or carrying out of the act of aggression”; Creation, purchase, sale, transportation or transit of the Mass- destruction weapons (Article 406); Genocide (Article 407); Creation, purchase, sale, transportation or Crime against humanity (Article 408); Ecocide (Article 409); Participation of mercenaries in an armed conflict or military operations (Article 410);

Intentional breach of the rules of International Humanitarian Law during an armed conflict (Article 411); Intentional breach of the rules of International Humanitarian Law during an international or non-international armed conflict that entails the threat to health or physical mutilation (Article 412); Other breaches of International Humanitarian Law (Article 413).

III. Adoption of Other Measures of Implementation and for the Dissemination of IHL:

PROMOTION AND DISSEMINATION OF INTERNATIONAL HUMANITARIAN LAW

6. The National IHL Commission of Georgia (IHL Commission) was established upon the Governmental Decree No. 408 on October 28, 2011.¹ IHL Commission is a permanent governmental body that coordinates the work of different governmental agencies in this field. Its aim is to effectively implement and ensure the respect of International Humanitarian Law. IHL Commission comprises of deputy ministers of the key ministries and representatives of the National competent authorities. Moreover, the invited membership of the IHL Commission is open to recognized academic experts in Public International Law, IHL and International Criminal Law. The ICRC and the Georgia Red Cross Society are granted the observers' status with due regard to their mandates and expertise. In addition, representative of the Parliament of Georgia may be requested to participate in the work of the IHL Commission. According to the Statute of the IHL Commission, the latter is working under the aegis of the Ministry of Justice and the Minister chairs the IHL Commission.

7. According to the Governmental Decree No. 408, the main functions of the Commission are:

- a. To prepare and present advisory opinions to the Government on IHL issues;
- b. To prepare and present advisory opinions to the President of Georgia on IHL issues;
- c. To prepare and present proposals to the Government of Georgia in order to ensure compliance of Georgian legislation with international obligations undertaken by Georgia in the field of IHL;
- d. To promote implementation of IHL programs and various educational activities in cooperation with the International Committee of the Red Cross (ICRC);
- e. To report on national achievements to the International Conference of the Red Cross, the UN Secretary General and the meetings of National Committees for IHL.

8. One of the main area of the work of the IHL Commission is the promotion of IHL through different outreach and educational activities in cooperation with relevant stakeholders, including the International Committee of the Red Cross.

9. The Commission conducts its working process in line with the National Action Plans (NAP), that focuses on raising awareness activities of various target groups. Protection of vulnerable groups, especially IDPs and conflict affected persons, women and children, and providing them with state run services, remains the main priority for Georgian authorities. Currently, Georgia is in the process of implementing the National Action Plan for 2025–2026. The main activities covered by the plan contribute towards achieving the following aims:

- a. analysis and further development of the national legislation and policy in pursuit of implementation and dissemination of the IHL;
- b. awareness-raising about IHL;
- c. Capacity-building of relevant national authorities;
- d. Tracing the whereabouts of persons who went missing as a result of armed conflict and protection of personal information;

¹ Governmental Decree 408, 28/10/2011, available in Georgian at the official page of the Legislative Herald of Georgia at <https://matsne.gov.ge/ka/document/view/1501363>

- e. management and prevention of emergencies;
- f. strengthening international co-operation and reporting.

10. At the 34th International Conference of the Red Cross and Red Crescent, Georgia submitted several updated pledges aimed at strengthening the dissemination and implementation of International Humanitarian Law at the national level. In particular, Georgia pledged to promote and disseminate IHL in Georgia through long-term educational and awareness-raising activities targeting youth, students, community members and other interested groups. The pledge envisages the development of educational materials and study programmes, as well as the organization of trainings, informational sessions, national moot court competitions and awareness campaigns designed to strengthen knowledge of IHL and humanitarian values within society. In addition, Georgia pledged to strengthen national capacities in IHL and crisis management by enhancing the institutional knowledge and practical skills of state authorities, including representatives of the judiciary, prosecutors' offices, law enforcement agencies, military forces, and medical professionals. This initiative aims to ensure greater compliance with IHL through specialized trainings and the integration of humanitarian principles into professional practice. Georgia submitted a pledge titled "Strengthening the Protection of Personal Data in Georgia in the Context of International Humanitarian Law." Through this pledge, Georgia commits to improving the protection of personal data in line with International Humanitarian Law, particularly in humanitarian and crisis contexts. It focuses on strengthening legal and institutional safeguards, raising awareness among relevant authorities, and enhancing cooperation with humanitarian actors to ensure that personal data is processed in a manner consistent with privacy, human dignity and IHL requirements.

11. In November 2025, Georgia joined the Global Initiative aimed at Galvanizing Political Commitment to International Humanitarian Law, established under the auspices of the International Committee of the Red Cross. Within the framework of the Initiative, the IHL Commission is involved in consultative meetings and the preparation of thematic reports.

IV. Activities carried out by national commissions or committees to support the implementation or dissemination of IHL:

ANNUAL NATIONAL COMPETITION IN IHL

12. Dissemination of IHL through annual national competition is an activity that is included in the IHL NAP. Each year the Ministry of Justice of Georgia, in close cooperation with LEPL Training Center of Justice and International Committee of the Red Cross organizes national IHL competitions for students. Based on the statistics, the number of participants increases every year. It needs to be noted that all participating students receive additional preparation before the competition takes place. Lectures are delivered in different topics of IHL and IHL related fields in order to better prepare students for the competition. Cumulative number of the registered students for the last competition equals to 192. Competition of 2025 turned out to be successful and demonstrated a high level of knowledge of the participants. Currently the national IHL competition 2026 edition is being organized.

13. In accordance with the obligations under the Geneva Conventions, the Commission has worked on revising and finalizing the Georgian translations of the Geneva Conventions and Additional Protocols for the official publication on the website of the Legislative Herald of Georgia.

14. Within the framework of the Commission's activities a number of training sessions and information meetings on international humanitarian law were organized in different cities of Georgia for various target groups. The activities aimed to raise awareness and promote knowledge of international humanitarian law among participants.

15. In order to enhance professional qualifications in the field of international humanitarian law, the representatives of the Ministry of Justice of Georgia responsible for coordinating the Commission's constantly participate in various international conferences, workshops and meetings dedicated to IHL and related fields.

16. In order to strengthen international cooperation and sharing of experience the Interagency Commission ensures cooperation with various IHL Committees.

V. *The current state of the legal proceedings initiated by Georgia against the Russian Federation before the International Courts*

Apart from measures taken on the domestic level, Government of Georgia spares no efforts to protect the rights and interests of the victims of the aggression of the Russian Federation on international level. In this regard, Georgia has had several international legal proceedings against Russia in the European Court of Human Rights (ECtHR) and the International Criminal Court (ICC).

Legal proceedings against the Russian Federation (ECtHR)

17. ***“Georgia v. Russia (II)”*** – On 21 January 2021 the ECtHR adopted the landmark Judgment on the case of *“Georgia v. Russia (II)”*.² In its judgment the ECtHR legally established and unequivocally confirmed the fact of Russia's occupation and effective control over Abkhazia and Tskhinvali regions of Georgia; Russia's responsibility for killing, torture, ill-treatment, and arbitrary detention of Georgian civilians and military personnel, looting and burning of houses of Georgians and inhuman treatment of Georgian population *“targeted as an ethnic group.”* Russia was also found responsible, as an occupying power, for the inability of Georgian IDPs to return to their homes. On 20 January 2022 the Georgian Government submitted to the Court its position on the “Just Satisfaction” (compensation for the victims) together with complex supporting evidence. Consequently, on 28 April 2023, **the Court awarded nearly EUR 130 million to the benefit of approximately 24,000 Georgian victims of Russia's unlawful actions.**³

18. ***“Georgia v. Russia (IV)”*** – On 22 August 2018 the Government of Georgia lodged a new inter-State application against Russia with the ECtHR – the so called *“continuous occupation case.”* The Georgian Government claimed, *inter alia*, that Russia had engaged (and continues to engage) in an administrative practice of harassing, unlawfully arresting and detaining, assaulting, torturing, murdering and intimidating ethnic Georgian population residing adjacent to the occupation line in the territories of Abkhazia and South Ossetia. Within the application the Georgian Government devoted special attention to individual cases of abduction, torture and murder of three Georgians – Archil Tatumashvili, Giga Otkhozoria and Davit Basharuli. On 25 May 2021 the Court renewed the proceedings on the aforementioned inter-state application, after their temporal suspension pending the adoption of judgment on the *Georgia v. Russia (II)*. On 9 April 2024, the ECtHR delivered another historic judgment and unanimously **found Russia responsible for violating several provisions of the European Convention on Human Rights**. These include the right to life, prohibition of inhuman treatment, right to liberty and security, and rights respecting private and family life, along with protection of property, right to education, and freedom of

² *Georgia v. Russia (II)*, Application no. 38263/08, Judgment (Merits) of 21 January 2021, available at: <https://hudoc.echr.coe.int/fre#%22itemid%22:%22001-207757%22>].

³ *Georgia v. Russia (II)*, Application no. 38263/08, Judgment (Just Satisfaction) of 28 April 2023, available at: <https://hudoc.echr.coe.int/eng#%22itemid%22:%22001-224629%22>].

movement;⁴ On 14 October 2025, the ECtHR ruled on just satisfaction in *Georgia v. Russia (IV)*, **unanimously awarding more than €253 million in non-pecuniary damages to over 29,000 victims** affected by the hardening of boundary lines after the 2008 conflict.⁵

19. The **execution** of the aforementioned landmark judgments proceeds through the Committee of Ministers of the Council of Europe and Georgia is carrying out all necessary measures to ensure effective implementation, which, among others, will **ensure elimination of respective adverse administrative practice against Georgians as well as the safe and dignified return of the IDPs** that have been forcibly displaced from their homes; In the circumstances of termination of Russia's membership in the Council of Europe, in 2022–2024 the Committee of Ministers adopted strategy papers⁶ in relation to the execution of the judgments delivered against Russia;

20. Furthermore, with the efforts of the Georgian Government and the support of the Member States of the Council of Europe, by the decision of 7 February 2024 **the Committee of Ministers requested** the Committee of Legal Advisers on Public International Law (CAHDI) to **provide an indicative overview of** possible avenues under international law **aimed at securing the payment by the Russian Federation of just satisfaction awarded by the European Court of Human Rights.**⁷ A Working Group was established by the CAHDI, to assist it in preparing the document in which Georgia, along with other states, was actively involved. As a result of the work of the working group, a relevant document was prepared. On 30 April 2025, the Deputies formally took note of the document and decided to transmit it to the Ministers' Deputies (DH meetings) in the context of their annual exchange on pending cases against the Russian Federation.⁸

21. **Thus, the role of the Council of Europe and its key institutions – the Committee of Ministers, the European Court of Human Rights as well as the role of the High Contracting Parties in restoring justice and the rights of ethnic Georgians is invaluable and bears utmost importance in executing these landmark judgments:**

Legal proceedings against the Russian Federation (ICC)

22. In 2016, the Pre-Trial Chamber I granted the ICC's Prosecutor's request to open an investigation *proprio motu* in the situation in Georgia, in relation to crimes against humanity and war crimes within the jurisdiction of the International Criminal Court ("The ICC") in the context of an international armed conflict between 1 July and 10 October 2008.⁹ The Government of Georgia undertakes intensive efforts on a daily basis to match the increasing needs of the investigation. On 10 March 2022 ICC Prosecutor, Karim A.A. Khan QC, announced an application for arrest warrants in the Situation in Georgia against high officials of the *de facto* "South Ossetian administration" for allegedly committing crimes of unlawful confinement, torture; inhuman treatment; outrages upon personal dignity; hostage taking and unlawful transfer – **against ethnic Georgian civilians in the context of an occupation by the Russian Federation.** As the Prosecutor announced the investigation also uncovered the alleged role of Vyacheslav Borisov, Major General in the Armed Forces of the Russian Federation and Deputy Commander of the Airborne Forces at the time of events, who is believed to have intentionally contributed to the execution of some of these crimes, and is now deceased.¹⁰ This fact further proves that the serious violations committed against the population of Georgia during the August War will be attributed to specific representatives of the Russian Federation and the occupation regimes. On 30 June 2022 arrest warrants were issued against three suspects,¹¹ finding reasonable grounds to believe that they committed the **war crimes of unlawful confinement, torture and inhuman treatment, outrages upon personal dignity, hostage taking, and the unlawful transfer of civilians.** On 16 December 2022, ICC Prosecutor Karim A. A. Khan KC announced the conclusion of

⁴ *Georgia v. Russia (IV)*, Application no. 39611/18, Judgment (Merits) of 9 April 2024, available at: <https://hudoc.echr.coe.int/eng#%7B%22appno%3A%22%3A%2239611%2F18%22%22itemid%3A%22%3A%22001-232000%22%7D>.

⁵ *Georgia v. Russia (IV)*, Application no. 39611/18, Judgment (Just Satisfaction) of 14 October 2025, available at: <https://hudoc.echr.coe.int/eng#%7B%22appno%3A%22%3A%2239611%2F18%22%22itemid%3A%22%3A%22001-245255%22%7D>.

⁶ Available at: <https://search.coe.int/cm?i=091259488025904b>; and <https://search.coe.int/cm?i=0900001680ac7760>.

⁷ Available at: <https://search.coe.int/cm?i=0900001680ae6ded>.

⁸ Available at: <https://search.coe.int/cm?i=0900001680b58de5>.

⁹ Available at: <https://www.icc-cpi.int/georgia>.

¹⁰ Available at: <https://www.icc-cpi.int/news/icc-prosecutor-karim-aa-khan-qc-announces-application-arrest-warrants-situation-georgia>.

¹¹ Available at: <https://www.icc-cpi.int/news/situation-georgia-icc-pre-trial-chamber-delivers-three-arrest-warrants>.

the investigation phase in the situation in Georgia.¹² Crucially, no responsibility was identified on the part of any representative of the Georgian side within the framework of the 2008 War.

¹² Available at: <https://www.icc-cpi.int/news/prosecutor-international-criminal-court-karim-aa-khan-kc-announces-conclusion-investigation>.