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The Permanent Mission of Georgia to the United Nations Office and other International organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (OHCHR) and in response to the urgent appeal from special procedures, dated 26 May 2022 (Ref: UA GEO 1/2022) has the honor to transmit the information provided by the Georgian side on the citizen of the Kingdom of Saudi Arabia, [REDACTED]

The Permanent Mission of Georgia to the United Nations Office and other International organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights (OHCHR) the assurances of its highest consideration.

Enclosure: 2 pages.



Information on the citizen of the Kingdom of Saudi Arabia [REDACTED]

On April 30, 2019 the citizen of the Kingdom of Saudi Arabia [REDACTED] applied to the Migration Department (*hereinafter*, the Department) of the Ministry of Internal Affairs of Georgia for granting international protection. The Department considered the application and found that the applicant would have been persecuted if he had to be returned to the Kingdom of Saudi Arabia based on his political views against the Government of Saudi Arabia. In view of the above-mentioned information, the Department considered that [REDACTED] met with the criteria for refugee status set forth in Article 1A (2) of the 1951 Geneva Convention Relating to the Status of Refugees and in Article 15 of the Law of Georgia on International Protection. At the same time, according to the information received from the relevant agency of Georgia, there were sufficient grounds to believe that the presence of [REDACTED] in Georgia was against the interests of the country, as it is prescribed in Article 69 (2) of the Law of Georgia on International Protection. Based on the above-mentioned information, as a result of the decision of 10 July 2020 of the Migration Department of the Ministry of Internal Affairs of Georgia and in accordance with Article 17(1)(b) of the Law of Georgia on International Protection, the citizen of the Kingdom of Saudi Arabia [REDACTED] was denied to be granted the refugee status.

[REDACTED] appealed the decision of the Department to the Tbilisi City Court and the Tbilisi Court of Appeals. A lawsuit (Case # 3b / 2134-21; Case # 330310020003831186) brought by a citizen of the Kingdom of Saudi Arabia against the decision of the Department to refuse to grant international protection was dismissed on February 4 of 2022 by the Tbilisi Court of Appeals. This decision is final and has taken effect.

As previously stated, the citizen of the Kingdom of Saudi Arabia [REDACTED] was denied to be granted the refugee status, in accordance with Article 17(1)(b) of the Law of Georgia on International Protection. The Department considered the case of [REDACTED] in the context of Article 69(2) of the law of Georgia on International Protection and not explicitly in the context of Article 69(1)(b) of the same law.

Regarding the matter of removal of [REDACTED] from Georgia, According to Article 59(2) of the Law of Georgia „ On the Legal Status of Aliens and Stateless Persons” Aliens shall not be removed to a country: a) where he/she is persecuted for political opinions or for activities not regarded as a crime under the legislation of Georgia;

b) where he/she is persecuted for protecting peace and human rights, for engaging in progressive social, political, scientific, and creative activities; c) where his/her life or health is threatened. According to paragraph 3 of the same article, no alien or stateless person may be returned or removed against his/her will to a state where there is a risk that he/she would be subjected to torture or inhuman or degrading treatment, as well as to serious harm defined under Article 32(3) (a death sentence against a person or a threat of his/her punishment by death, the torture of a person in the country of origin, or his/her degrading or inhumane treatment or punishment, a serious individual threat to the life of a person due to indiscriminate violence, international or internal armed conflict or mass violation of human rights) of the Law of Georgia on International Protection.

Thus, if during the removal procedure of [REDACTED] there will be exposed circumstances indicated in the Article 59(2) of the Law of Georgia „ On the Legal Status of Aliens and Stateless Persons”, the decision not to remove him from Georgia will be made, and instead, he will be granted the right to stay in Georgia temporarily, until such circumstances will be eradicated.

Consideration of the procedure for removing [REDACTED] from Georgia, will be conducted in full compliance with Georgian legislation, which complies with the regulations under CAT and ICCPR in the context of the principle the non-refoulement; prohibition of Torture, or to cruel, inhuman, or degrading treatment or punishment; unlawful detention or arrest.