

# ANNUAL REPORT 2022

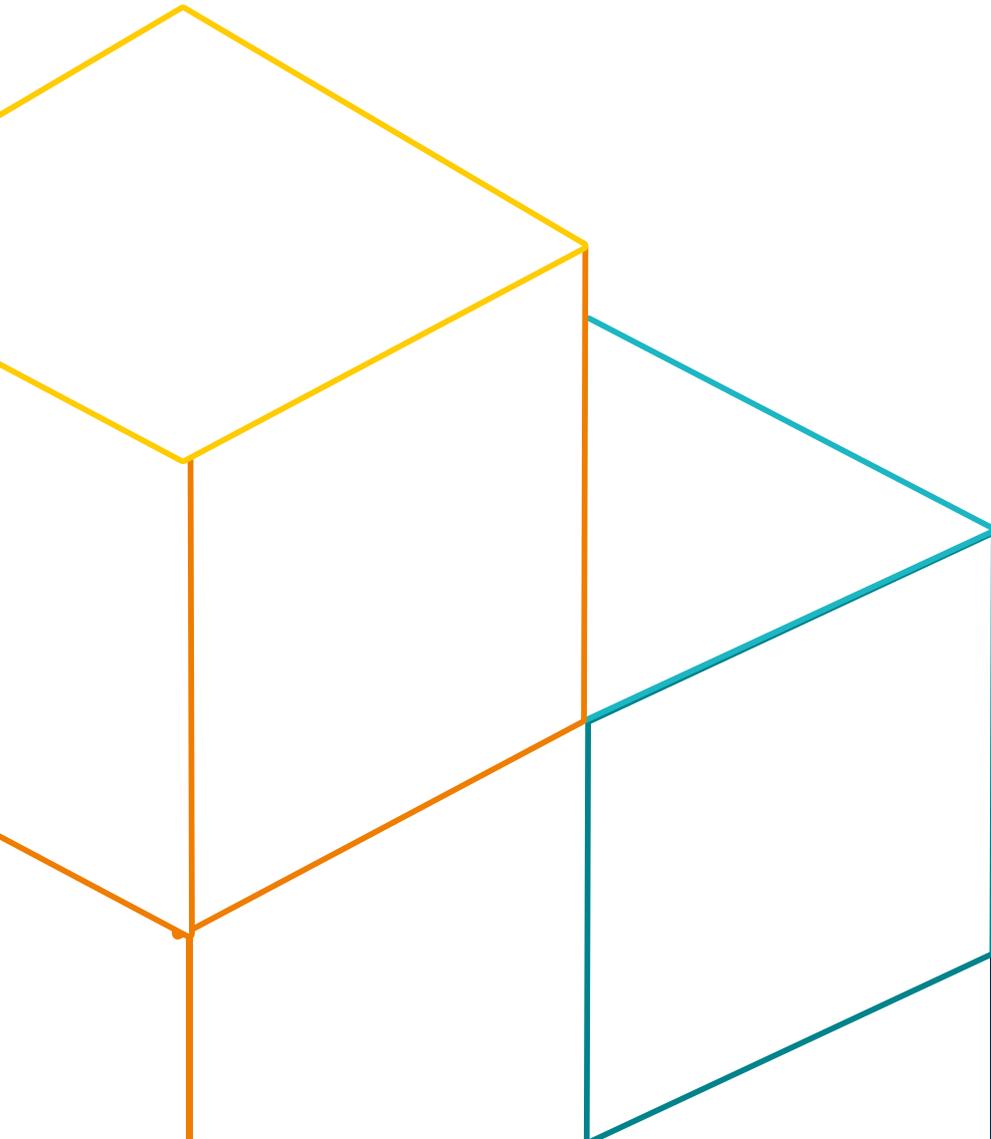


**GEORGIAN  
YOUNG  
LAWYERS'  
ASSOCIATION**

# ANNUAL REPORT 2022



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YOUNG  
LAWYERS'  
ASSOCIATION**



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# CONTENT

<b>WELCOME SPEECH</b>	4
<b>WHO WE ARE AND WHAT WE DO</b>	8
<b>HUMAN RIGHTS</b>	9
PROGRAM PRIORITIES	10
EQUALITY POLICY	10
SOCIAL POLICY	14
CRIMINAL JUSTICE	22
FREEDOM OF EXPRESSION	26
OTHER ACTIVITIES	27
<b>SUPPORT FOR DEMOCRATIC INSTITUTIONS</b>	29
PROGRAM PRIORITIES	30
PARLIAMENTARY OVERSIGHT	30
JUSTICE REFORM	32
PUBLIC GOVERNANCE	35
LOCAL SELF-GOVERNMENT	36
ELECTIONS	38
EUROPEAN INTEGRATION	40
<b>LEGAL AID</b>	43
PROGRAM PRIORITIES	44
LEGAL AID	44
STRATEGIC LITIGATION IN THE CONSTITUTIONAL COURT	55
STRATEGIC PROCEEDINGS AT INTERNATIONAL MECHANISMS	60
INTERNATIONAL ADVOCACY	66
PUBLICATIONS	69
<b>FINANCIAL REPORT</b>	71

## WELCOME SPEECH

Dear members of GYLA,

I welcome you once again as the chairperson of GYLA. Last year was full of specific challenges not only for the organization but also for the country and the world. GYLA has traditionally been actively involved in the fight for democracy and human rights.

After the pandemic, the world faced a new challenge - Russia's war in Ukraine. The democratic part of the modern world stood together against the aggression that Georgia had become a victim of back in 2008. The war started in Ukraine, meanwhile, accelerated the integration process of the Association Trio into the European Union, during which the unwavering European aspirations of the Georgian population once again became clear. However, we have also seen the government's steps that have set the country back on the road to democracy.

Unfortunately, due to the government's actions and foreign policy statements, Georgia did not get the candidate status. However, along with the European perspective, we were given a 12-point plan, the implementation of which should ultimately lead us to this status. It should be noted that an important part of the recommendations, which were first included in the agreement of April 19, 2021, and then in this plan, were actively advocated by GYLA. These are: ending political polarization and improving democratic governance, carrying out fundamental reforms in the justice and electoral system, distribution of power, and protecting vulnerable groups and media rights. Of course, GYLA, as an organization with a lot of experience in working on these issues, was actively involved in this historical process and, by submitting written recommendations, contributed to the fulfillment of EU requirements. Now it is the turn of the government representatives.

Fundamental reform of certain institutions remains the most critical challenge for the country. Despite some positive legislative changes in this direction, key issues remain unsettled. Fundamental transformation of justice, electoral and anti-corruption systems,



distribution of power, strengthening of parliamentary control, and local self-government - these are the main areas that require in-depth and not facade reforms. Not being fixed, they hinder the country's democratic progress. GYLA is actively advocating the above issues both locally and internationally.

This year again, the situation in protecting the rights of vulnerable groups and the media was problematic. This is aggravated by the fact that the events of July 5 of last year have not been adequately investigated, the organizers of mass violence have not been punished, and the state has not taken responsibility for it. Accordingly, GYLA still takes legal actions at the local and international levels. The government, instead of promoting a pluralistic media environment in the country, uses the tools at its disposal against critical media.

The situation is challenging in terms of protecting the rights of women and children. Despite the improvement of the legal framework, due to the non-fulfillment of international obligations and inadequate enforcement measures, there are still many cases of violence and femicide.

GYLA's litigation team continues to successfully defend the rights of beneficiaries both in common and constitutional courts, as well as in international instances. At the end of the pandemic, we were given the opportunity to restore direct relations with the beneficiaries gradually. Consequently, a lot of people still receive the legal assistance they need both face-to-face and remotely. The role of the litigation team is particular in the process of assisting the beneficiaries in case of significant rights violations in the country.

I am sure that the selfless struggle of the civil society will yield results, the country will start democratic progress, and Georgia will receive candidate status.

Finally, many thanks to all employees of the organization for their hard work. It is on them that the successful operation of GYLA rests. I also thank the members of the GYLA board for their contribution and the members of GYLA for their support.

Good luck to the organization and to each of you!

Sincerely,  
Nikoloz Simonishvili  
Chairperson of the Georgian Young Lawyers' Association



• 2014  
ZUGDIDI

• 1996  
KUTAISI

• 2001  
OZURGETI

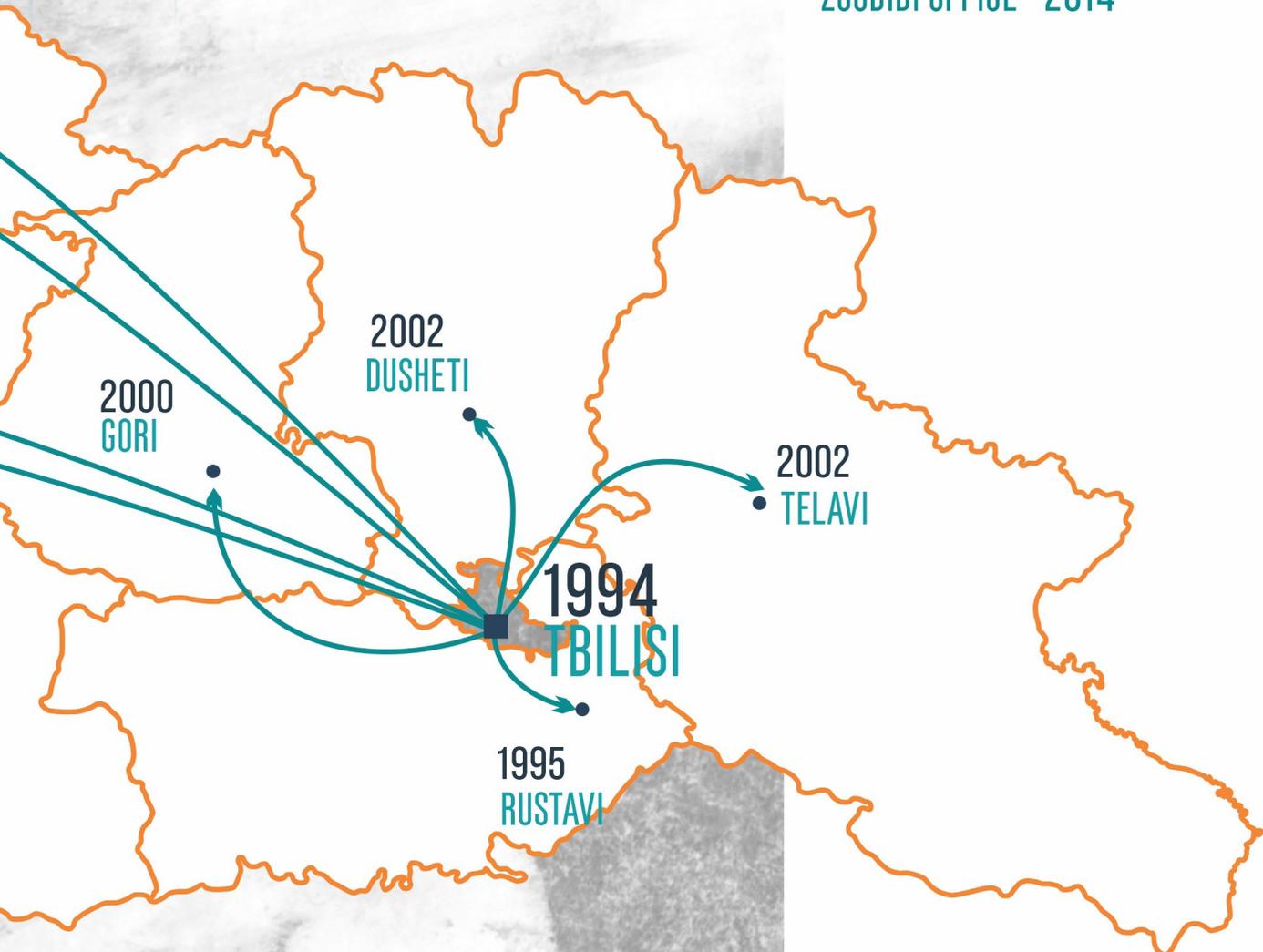
• 1995  
ADJARA



## GEORGIAN YOUNG LAWYERS' ASSOCIATION

## OFFICES OF GYLA

- TBILISI OFFICE – 1994
- ADJARA OFFICE -1995
- RUSTAVI OFFICE - 1995
- KUTAISI OFFICE - 1996
- GORI OFFICE - 2000
- OZURGETI OFFICE - 2001
- TELAVI OFFICE - 2002
- DUSHETI OFFICE - 2002
- ZUGDIDI OFFICE - 2014





# WHO WE ARE AND WHAT WE DO

Georgian Young Lawyers' Association (GYLA) is the membership-based organization, uniting about 400 members. GYLA was established in 1994 and since then has been expanding its geographic coverage. Today, GYLA operates through 9 offices throughout Georgia. The major goal of its work is protection of human rights and supporting good governance in Georgia.

Along with the growth of the organization throughout years, the need for structural changes has evolved, to adjust to the new requirements of donors and the changes of the civil society (CSO) ecosystem. In 2016, with the support of USAID's Human and Institutional Capacity Development (HICD 2020) project in Georgia, GYLA's work was evaluated from the human resource and institutional development perspective. As a result, recommendations were developed and since 2018, two phases of reform were planned. The first phase covers structural changes of the organization, while the second phase emphasizes on the improvement of the human resource policy, regional network and communication strategy development.

As a result of the structural changes, financial and organizational coordination functions were accumulated under the responsibilities of the Administrative Director, while project-related work of GYLA was divided into three thematic Programs. Those are:

- Human Rights Protection;
- Supporting Democratic Institutions;
- Legal Aid

FOR NOW WE PRESENT THE 2022 REPORT OF WORK OF TBILISI AND 8 REGIONAL OFFICES (THE REPORTING PERIOD COVERS: NOVEMBER 1/2021 – NOVEMBER 1/2022).

# 1

## HUMAN RIGHTS



# PROGRAM PRIORITIES

Protecting human rights is one of the main strategic missions of the Georgian Young Lawyers' Association. The organization studies the situation in the country in this regard, analyzes the challenges, and promotes changes at the policy level.

During the reporting period, the human rights protection program worked in 4 priority areas:

- 1. EQUALITY POLICY;**
- 2. SOCIAL POLICY;**
- 3. CRIMINAL JUSTICE;**
- 4. FREEDOM OF EXPRESSION.**

## EQUALITY POLICY

### WOMEN

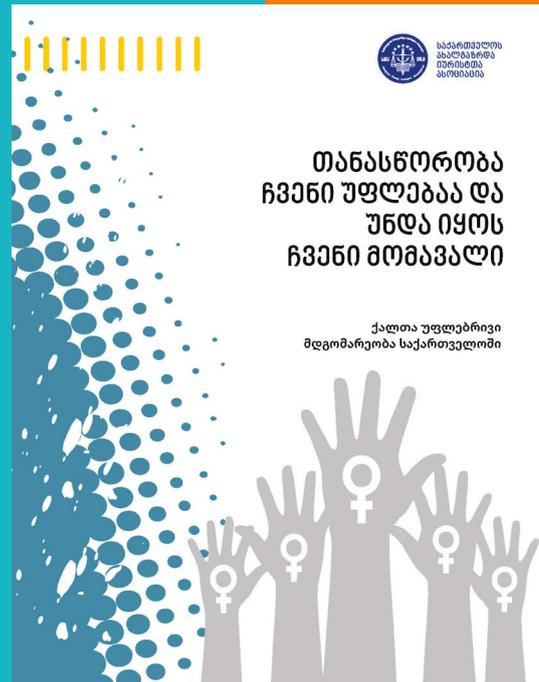
Violence against women and girls, discrimination, sexual harassment, sexual violence, various forms of domestic violence, gender inequality, and femicide - these issues remain one of the critical challenges for Georgia. For years, human rights organizations and activists have been fighting for women's rights, but nevertheless, a number of significant violations continue to be revealed every year.

Along with many forms of violence, women in Georgia often experience social inequality. Also, as in previous years, the insufficient number of female experts in the Samkharauli

National Forensic Bureau is still problematic.

During the reporting period, a study, Equality Is Our Right and Should Be Our Future, was published. The document refers to the legal status of women in Georgia and the challenges they face. In cooperation with partner organizations, a report, the Main Challenges of the Social Protection System for Various Vulnerable Groups in Georgia, was also prepared.

GYLA has published another study, Sexual Harassment in Public Space, which analyzes the local and international regulations related to this issue, evaluates the trends in the practice of this norm after considering sexual harassment as an administrative offense in Georgia, the frequency of detection of facts of sexual harassment and the appropriate response to them. The study is accompanied by relevant recommendations, which, according to GYLA, will contribute to the prevention of cases of sexual harassment, effective response to such facts, and the imposition of a proportionate penalty for the offender.



## PERSONS WITH DISABILITIES

The legal status of persons with disabilities did not significantly improve in any direction during the reporting period. The obstacles they face in almost all spheres of public life remain a problem for them. This is due to the ineffective and unsystematic policy of the state and the absence of a unified institutional framework.

The issue of employment of persons with disabilities remains a challenge in the country. Additional barriers to their inclusion and equal participation in public life are created by assigning disability status based on a medical diagnosis model. Moreover, despite the deinstitutionalization policy announced by the state, this issue remains a problem for people with psychosocial needs.

The pandemic has created special difficulties in the direction of quality inclusive education as well. On this issue, GYLA prepared a study, *The Right to Education of Children with Disabilities during COVID-19*. The document evaluates the access to the right to education for children with special educational needs and the steps taken by the state in this regard, as well as analyzes the shortcomings that appeared in the process of home education during the pandemic.

შეზღუდული შესაძლებლობის  
შემთხვევით ბავშვთა განათლების  
უზღუებუ კოვიდ-19-ის დროს



## CHILDREN

Despite a number of positive changes in the legislation in the direction of the protection of children's rights, this issue is still problematic in practice. The impacts of the pandemic and online learning on children's right to education remained high, as well as dropout and student suspension rates.

GYLA annually monitors the legal situation of children in the country and studies the challenges in this regard. Child poverty remains one of the most critical problems. Children in social housing have to live under particularly difficult conditions. The increased number of cases of sexual violence and perverted acts against children is also worrying.

In addition, the ineffectiveness of the state policy is indicated by the fact that it is difficult to timely detect cases of physical, psychological, or other types of violence against children, as well as cases of labor exploitation.

Along with other systemic problems, the issue of entirely replacing large institutions with alternative forms of care remains a challenge.



## LGBTQI+

The LGBTQI+ community is one of the most marginalized and vulnerable groups in Georgia. Its representatives were often victims of hate speech and physical and economic violence this year as well.

Representatives of this community are neglected in Georgia, even at the state level. There is no relevant policy document to adequately protect the social, economic, and political rights of LGBTQI+ persons. In the Human Rights Strategy developed by the Secretariat of Human Rights together with various state agencies, LGBTQI+ persons are not identified as a priority, and nothing is said about the needs of the community members.

## SOCIAL POLICY

### THE RIGHT TO WORK

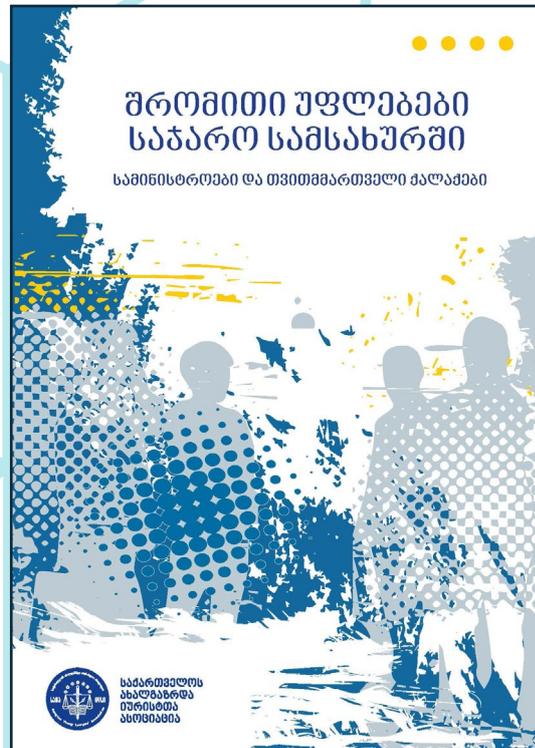
GYLA is actively involved in the activities of the Fair Labor Platform, which unites independent trade unions, human rights organizations, and activists. The participants of the platform issued a number of statements regarding the legal status of people employed in different sectors - nurses, social workers, representatives of the cultural field, and other persons.



During the reporting period, the Fair Labor Platform published the study Wage Theft in Georgia: The Financial Impact of Labor Rights Violations. The document assesses the illegal practice of stolen wages in the country and the state strategy to combat it. The research is based on the data of the online tool - Wage Theft Calculator. It helps employees estimate the amount they may be losing out of their paychecks.

GYLA also prepared a study on Labor Rights in Public Service – Ministries and Self-governing Cities. It contains a comparative analysis of the legal norms regulating labor rights in the public service, compliance with the standards established by the International Labor Organization, as well as the results of monitoring the implementation of the legislation and the views and perceptions of experts in the field, civil servants regarding the implementation of labor rights. As part of the research, labor rights were studied such as: a) working time and rest time of civil servants; b) overtime work and corresponding wage supplement; c) part-time work; d) paid and unpaid vacations; e) leave due to pregnancy, childbirth and childcare, and its compensation; f) leave due to professional development; g) labor rights in the process of career management; h) professional connections. The findings and recommendations identified as a result of the research were presented to the target public institutions, the Civil Service Bureau, and the Labor Inspectorate.

During the reporting period, GYLA submitted an alternative report to the European Committee of Social Rights on the implementation of the ratified articles of the European Social Charter, including the right to work, by the Government of Georgia.





## ENVIRONMENTAL PROTECTION

### GYLA's opinions on the draft law On Amendments to the Environmental Assessment Code

During the reporting period, GYLA presented to the Parliament its opinions on the draft law “On Amendments to the Environmental Assessment Code.” According to the draft law, along with other changes, the institutional transformation was planned, namely, the transfer of the Environmental Assessment Department under the Ministry of Environment and Agriculture to the LEPL National Environmental Agency, which would be given the authority to enforce the Environmental Assessment Code.

The Bill's Explanatory Note did not contain proper justification. During its preparation, the experience of other countries was not studied and analyzed. The draft law has repeatedly been negatively evaluated by civil society. Several times GYLA, together with other organizations, submitted their opinions regarding the shortcomings of the draft law. However, in the final version, the authorities did not consider any comments or recommendations from the civil sector. In March 2022, in the third reading, the Parliament of Georgia supported the draft law, regarding which there were many well-founded questions and doubts in the society.

At the end of March, the annual report on the progress of Georgia's fulfillment of its obligations under the Association Agreement, prepared by order of the European Parliament's Committee on Foreign Affairs, was published. The author of the report is Laure Delcour, Associate Professor at Université Sorbonne Nouvelle and visiting professor at the College of Europe. This document reflected GYLA's critical assessment of the changes in the Environmental Assessment Code.

The above-mentioned draft law will also concern the screening procedure, the adjustment, and the specification of the scope/limits of the activities stipulated by the annexes of the Environmental Assessment Code. GYLA positively evaluates these changes, which were initiated by itself, along with other environmental organizations.

### ■ Pre-mediation process related to the Namakhvani HPP Cascade Project

During the reporting period, GYLA was involved in the pre-mediation process related to the Namakhvani HPP Cascade Project, between the Government of Georgia on the one hand and the local population and non-governmental organizations on the other hand. After it became known that ENKA Renewables LLC terminated the contract with the Georgian government and the project would no longer be implemented, certain issues on which an agreement had been reached earlier were removed from the agenda. However, one of them remained in force - the development of the energy development plan of Georgia. In this regard, during the reporting period, 10 working meetings were held between the Government of Georgia and interested parties, in which GYLA actively participated.

It is essential that the involvement of interested people in this process is not only formal and that their participation is meaningfully reflected in the final draft of the plan. It is necessary to adequately answer the existing questions. At the same time, the plan should take into account all relevant considerations, as well as economic, energy, environmental, and social interests, and finally, it should be based on consensus decisions.



## ■ Itkhvisi village of Chiatura municipality is facing an ecological disaster

In March 2022, new cases of damage to residential houses appeared in the village of Itkhvisi, Chiatura Municipality. According to the explanation of the local population, their houses are damaged for mineral extraction by the company Georgian Manganese. At the moment, 34 houses are unsafe to live in and are no longer subject to restoration and repair. In various villages of the Chiatura municipality, this situation has been happening for years; however, the demands of the locals regarding the safety of the living environment and compensation for the damage have not yielded results.

During the reporting period, GYLA and the Social Justice Center held several regional meetings in the village of Itkhvisi and provided legal advice to the affected population on issues important to them. In addition, the lawyers of the organizations requested and studied the public information related to the developments in Itkhvisi from the responsible public agencies.

GYLA, together with partner organizations (Social Justice Center, Green Alternative, Greens Movement of Georgia/Friends of the Earth), issued several public statements to protect the legal interests of the Itkhvisi residents. The organizations demanded the responsible agencies take appropriate measures to ensure the safety of the population; to analyze process causes, degree of damage, and hazard risks; to supervise the fulfillment of license terms effectively by Georgian Manganese, as well as assess the damage caused by it to the environment; to conduct a full technical inspection of Itkhvisi mine and study its condition in order to avoid danger in the future; to implement a fair standard of accommodation and compensation, etc.



## ■ Training and conferences on environmental law issues

During the reporting period, GYLA held two pieces of training for representatives of local partner organizations, environmental activists, and its own employees on topical issues of environmental law. The purpose of the meetings was to share information with the interested audience about the challenges facing the modern world, including Georgia, to raise awareness in this process about human rights and relevant legal instruments, as well as the obligations of states, etc.

In addition, GYLA took part in a panel discussion meeting held within the framework of the Stockholm+50 (Healthy Planet for the Prosperity of All - Our Responsibility, Our Opportunity) conference. It was a kind of national consultation on environmental protection and sustainable development goals. GYLA presented a report on the state of environmental protection and human rights in Georgia, as well as opinions on how to improve the current situation in this regard.

In 2022, a youth conference organized by YOUNGO (Youth Climate Movement) was also held in Georgia, the purpose of which was to raise awareness of current issues of climate change, create an open environment for young people to express their opinions, and strengthen their role, involvement, and capabilities in these processes. At the meeting held in Kutaisi on September 26, the GYLA analyst spoke about the threats and challenges that exist in terms of human rights protection in the context of climate change, as well as the obligations that states have to protect these rights at the international and national level; In addition, the young people were introduced to the existing international legal regulations and court practice; At the same time, they explained how the youth can get

#LCOYGeorgia  
სარეგისტრაციო ფორმა

**ახალგაზრდების  
ეროვნული  
კონფერენცია**

ქუთაისი  
26 სექტემბერი

ბათუმი  
30 სექტემბერი

officially endorsed by

LCOY | a project of YOUNGO  
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Climate Basics

UN DTP

involved in processes related to climate change and demand proper protection of their rights from the state.

GYLA was also invited as a speaker at the 2022 Oslo International Environmental Law Conference - The Transformative Power of Law: Addressing Global Environmental Challenges. The analyst of the organization presented the report Environmental Interests of Future generations: A new type of legal order. The organizers of the conference were: the International Union for Conservation of Nature (IUCN), the World Commission on Environmental Law (WCEL), and the University of Oslo. It was attended by the world's leading lawyers, judges, and environmentalists. Among them, David Boyd - UN Special Rapporteur on Human Rights and the Environment, presented a report.



## ■ PUBLICATIONS

During the reporting period, GYLA prepared the study Criminal Aspects of Environmental Protection. It presents an analysis of Georgian legislation and judicial practice on crimes against the rules of environmental protection and the use of natural resources. The paper discusses the European Union Directive 2008/99/EC on the protection of the environment through criminal law, as well as the draft of a new directive in this field, which should replace the above-mentioned directive. In addition, the existing legal frameworks for combating environmental crime in countries such as Germany, Sweden, and Lithuania

are analyzed. The study talks about a number of essential shortcomings identified in Georgia in terms of legislation and its implementation, and appropriate recommendations are given to correct them.

The brochure Climate Change and Human Rights was also published during the reporting period, which provides information on the phenomenon of climate change, and explains in detail which fundamental rights are violated in this process and what kind of negative impact it has on people. In addition, the brochure discusses international law on climate change, the main treaties and principles related to it, international judicial practice, and Georgia's obligations in this context.

Another information brochure - Environmental Protection and Human Rights - talks about the connection between human rights and environmental issues, explains what dangers can be associated with neglecting environmental problems and what obligations states have in this regard. The brochure reviews the international and local legislation governing this area, explains in detail the fundamental rights that may be violated in the context of poor environmental governance, and analyzes existing judicial practice.

GYLA responded with a particular statement on the International Day of Environmental Protection, which is celebrated annually on June 5. It talked about the challenges that exist all over the world in the form of climate change, destruction of biodiversity, and extreme pollution of the environment. The statement also discussed the facts of human rights violations during the implementation of various infrastructural projects, including the energy project, as well as the institutional changes included in the environmental

## გარემოს დაცვის სისხლისსამართლებრივი რეგულირება



## გარემოს დაცვა და ადამიანის უფლებები



assessment code and the process of developing the energy development plan in Georgia.

The blog The Right to a Clean, Healthy, and Sustainable Environment was also published during the reporting period. It was dedicated to the historic resolution adopted by the United Nations General Assembly on July 28, 2022, by which it recognized the right to access a clean, healthy, and sustainable environment for the first time as a fundamental human right at the international level. The blog also talked about the importance of environmental protection in the context of the proper use of human rights and the obligations of the state in this regard.

## CRIMINAL JUSTICE

### THE IMPACT OF THE PANDEMIC ON CRIMINAL JUSTICE

During the reporting period, GYLA prepared a special report on The Impact of the Pandemic on Criminal Justice.

The spread of COVID-19 has fundamentally changed the way criminal justice is administered. Two years after the pandemic's start, there are still significant regulatory and technical challenges in remote proceedings.

There is no uniform normative regulation of the rules of behavior during a remote session. Except in individual cases, the judges do not inform the participants of the minimum rules of conduct during the session.

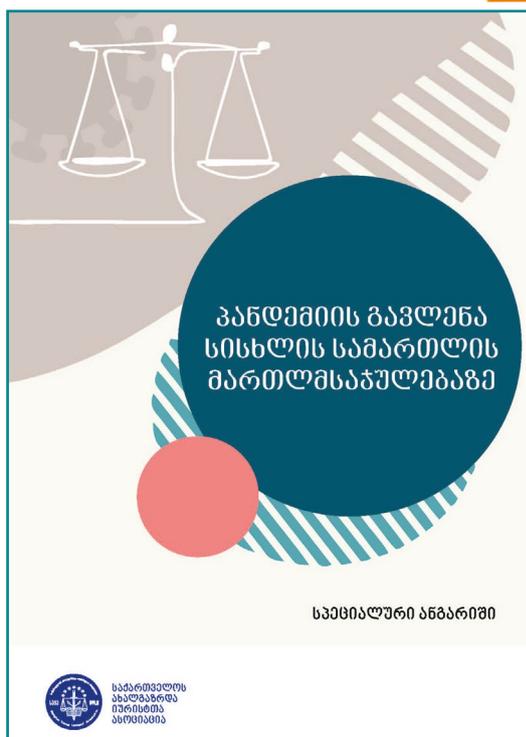
Since the beginning of the pandemic, the interrogation of witnesses has continued from

the police administrative building, which has a negative impact on the witness's ability to convey information in an environment free from psychological or other pressure.

One of the most critical challenges remains the protection of confidential communication between the lawyer and the client both during the process and in penitentiary institutions.

During remote proceedings, there is a risk of disclosure of the personal data of the accused and other persons participating in the process, as well as commercial secrets, the confidential information discussed in closed sessions. In addition, there are still no special spaces for interrogating witnesses at remote proceedings, which are equipped with appropriate technical means, and witnesses will testify in an environment free from psychological pressure.

The study also presents relevant recommendations for fixing the identified problems.



## COVERT INVESTIGATIVE ACTIONS

During the reporting period, GYLA was involved in the committee deliberations of the draft law in the Parliament of Georgia, "On Amendments to the Criminal Procedure Code of Georgia," in connection with covert investigative actions.

According to the organization, such expansion of covert investigative measures required appropriate justification. At the same time, it was paramount to take into account the principles of personal privacy and communication.

In contrast, the Explanatory Note of the Draft Law did not contain a proper justification of the need for change in relation to each article. The extent of interference in the private life of individuals (including third parties) and the associated threats was not measured. The timing of notification to the surveillance subject was also problematic.



The President of Georgia vetoed the bill. It was also negatively evaluated by the Venice Commission, explaining that the changes were hastily adopted and required further processing. The commission also considered the general oversight mechanism of covert surveillance insufficient.

Nevertheless, Parliament passed this law, thereby significantly lowering the standard of human rights protection during covert investigative action.

## CRIMINAL TRIALS MONITORING REPORT NO. 16

Within the framework of the annual series, GYLA has prepared Report No. 16 on Criminal Trials Monitoring, which assesses the main trends revealed during the current sessions in Tbilisi, Kutaisi, Batumi, Rustavi City, and Zugdidi District Courts.

The monitors had the opportunity to attend the hearing of a number of criminal cases that were of great interest to the public. The report evaluates the decisions made by the Court in these cases and the trends identified. Due to the large number of journalists affected during various criminal episodes, cases of illegal interference in the professional activities of media representatives came under the special observation of GYLA.

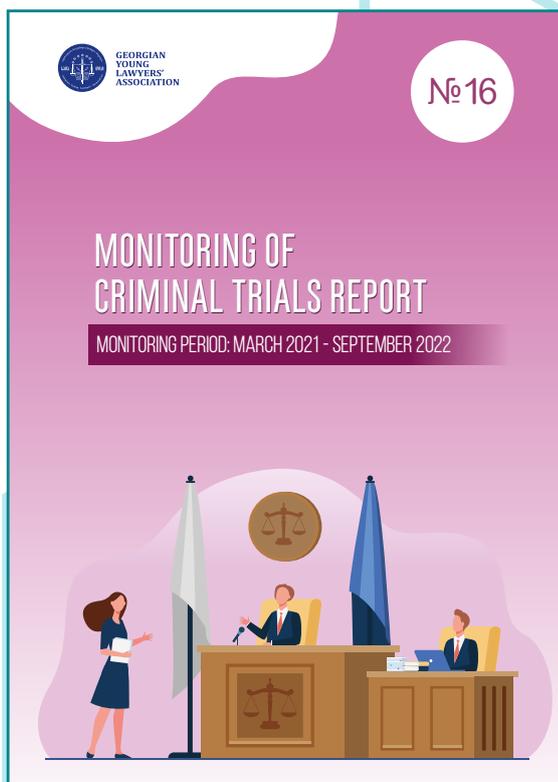
As in previous years, there was still a problem of improper control by the Court, which manifested itself in the granting of petitions for unreasonable or improperly justified restraining orders. In addition, the judges approved the plea agreement in almost all cases. The situation regarding the discussion of the legality of detention at the public session has not improved significantly either.

The report positively evaluates the decision made on June 24, 2022, by which the Plenum of the Constitutional Court of Georgia satisfied the constitutional submissions of the Tetrtskaro District Court (No. 1341 and No. 1660) regarding the constitutionality of sentence 1, part 6, Article 200 of the Criminal Procedure Code of Georgia.

The given norm of the Criminal Code, which determined the provision of bail as a preventive measure against the arrested accused, in all cases, led to the imprisonment of the person until the provision of bail. The author of the proposals, the judge, considered that the Court should have the power to decide in each specific case whether it is necessary to use imprisonment of a person for the purpose of providing bail.

The Constitutional Court satisfied the proposals and recognized as unconstitutional the normative content of Article 200, part 6, 1st sentence of the Civil Code, which excluded the release of the accused by the judge before bail.

It is significant that GYLA has been talking about this issue for years and demanded the appropriate legislative regulation. According to the organization, this decision is a step forward in exercising the rights of the accused and eliminating the ambiguity of the norm.



## FREEDOM OF EXPRESSION

An essential aspect of the freedom of expression is the freedom of the media and the creation of a safe political environment for journalistic activity, guaranteed by Georgian legislation and international acts. Nevertheless, the reporting period was full of challenges in exercising this right.

The developments in 2022 showed that the current situation in terms of media security in the country is unfavorable. The facts of verbal or physical attacks on journalists and illegal interference in their professional activities are frequent, and the state's response to such actions is ineffective. At the same time, the attitude of government representatives towards the media is aggressive and hateful.

In the context of freedom of expression, it is essential to investigate the events of July 5-6, 2021, in which GYLA was still actively involved in the reporting period, had frequent communication with investigative agencies and monitored court sessions.

According to the organization's assessment, the investigation, based on its focus and the number of defendants, is not comprehensive and adequately effective. Regarding the specific episodes, the responsibilities of both the violent persons and the organizers of the violence have not been identified.

An example of the fight against critical media is the so-called Rustavi 2 Case, on which GYLA was monitoring the court sessions. The organization also assessed the verdict against Nika Gvaramia, the founder and director of the TV company Mtavari, as well as verdicts against Kakhaber Damenia and Zura Iashvili, and considered that the decisions were unjustified.

During the reporting period, GYLA was also actively involved in other processes in the field of media. Along with the Coalition for Media Advocacy, a number of public statements have been issued in support of them. The coalition has repeatedly responded to the National Communications Commission's problematic approaches, including its review of program content and attempts at self-regulation.



The draft law on amendments to the Broadcasting Law submitted to Parliament contains significant threats. According to the draft, the issue of hate speech, which until now was under the self-regulation mechanism, is transferred to the hands of the communications regulator. According to GYLA, the amendments contain risks in limiting freedom of expression and their use for political purposes.

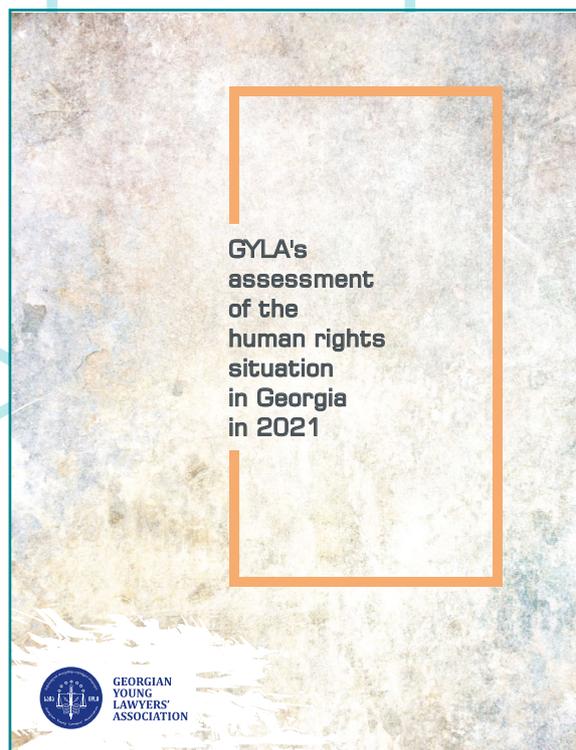
## OTHER ACTIVITIES

### HUMAN RIGHTS WEEK

At the beginning of December 2021, within the framework of the week dedicated to International Human Rights Day, GYLA published an extensive assessment of the legal status of various groups in Georgia and, in general, the current situation in the country in this regard.

The document talks about the main challenges identified by GYLA in the field of human rights in 2021 in relation to such vulnerable groups as women, children, ethnic minorities, internally displaced people, as well as homeless people, LGBTQI persons, etc.

In addition, the situation with respect to such rights as the inviolability of personal life, freedom of media and expression, right to work, environmental protection, access to justice, free expression of will in elections, women's political participation, etc., are analyzed.

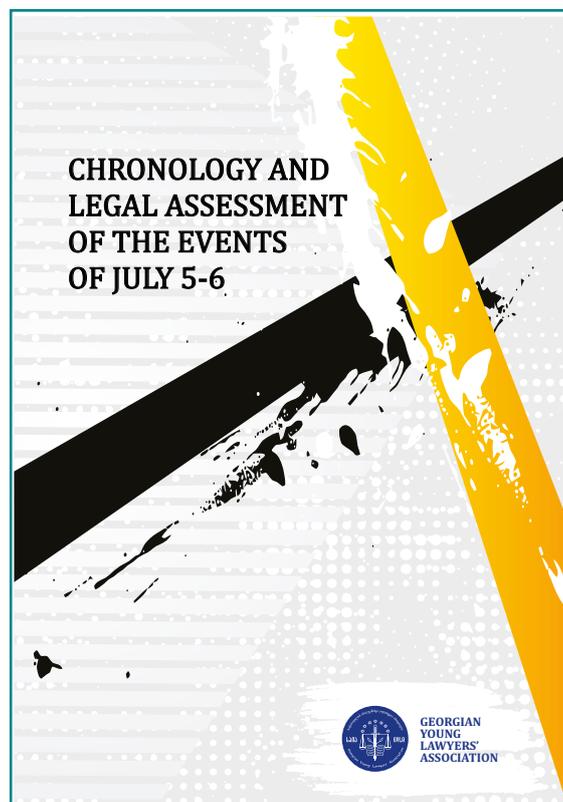


## CHRONOLOGY AND LEGAL ASSESSMENT OF THE EVENTS OF JULY 5-6

During the reporting period, GYLA published the study Chronology and Legal Assessment of the Events of July 5-6. The document refers to the events that took place in July 2021, when members of the far-right group attacked dozens of media representatives, physically and verbally insulted them, and broke the equipment during the protest against the March of Dignity organized by Tbilisi Pride.

The document chronologically describes the situation before the Week of Dignity, the statements made by various groups, and the general mood in society. Also, within the framework of the research, the events developed during the week and the tendency of the state to fulfill its obligations under the Constitution in this direction are studied. In addition, the course of the initiated investigation, the results, and their relevance to the real factual circumstances are discussed.

According to GYLA, on July 5, 2021, the state did not take appropriate measures to protect the safety and health of citizens. Aggressive groups violated public order, committed hate crimes, violated the assembly and expression rights of LGBTQI+ community members and their supporters, as well as private property rights, and grossly interfered with media freedom and journalistic activity. At the same time, the state did not fulfill its positive obligations. Statements by government officials, instead of advocating a tolerant, conciliatory position, actually incited violence and aggressive actions. Ineffective investigation of these facts leads to their encouragement, creates the “syndrome of impunity,” and poses a threat to society. Similar facts in the country raise the fear of professional activity, personal identity, expression of opinion, and free development. This, in turn, contradicts the idea of a democratic state.





# 2

## SUPPORT FOR DEMOCRATIC INSTITUTIONS

# PROGRAM PRIORITIES

Without broad public involvement in institutionalized policies, state institutions become tools in the hands of political and clan groups. Under these conditions, the public good is used for their well-being, while the interests of other citizens are neglected. GYLA Democratic Institutions Support Program continues to work on such reforms and projects that will contribute to the formation of institutions with solid, independent, transparent, and inclusive policies in Georgia.

During the reporting period, the program worked in 6 main areas:

- **PARLIAMENTARY OVERSIGHT**
- **JUSTICE REFORM**
- **PUBLIC GOVERNANCE**
- **LOCAL SELF-GOVERNMENT**
- **ELECTIONS**
- **EUROPEAN INTEGRATION**

## PARLIAMENTARY OVERSIGHT

Since 2022, GYLA's Democratic Institutions Support Program has activated the monitoring of parliamentary activities, including issues of control of the legislative body and all procedural aspects of its work.

From the spring of this year, political and civil circles have begun a discussion about the creation of the so-called technical government. Due to the topicality of the issue, GYLA studied the essence, advantages, and disadvantages of this type of government, including the experience of other countries, and prepared a small study on technical (technocratic) governments.

Within the framework of monitoring, GYLA also analyzed the trends of accelerated adoption of laws in the Parliament of the last three convocations. The subject of interest was not only statistics but the qualitative research method to identify the laws that the Parliament decided to adopt within one week. The study outlined the negative trends that accompanied the use of the accelerated method in relation to non-urgent laws.

GYLA also submitted to the Parliament its opinions on the planned amendments to the Organic Law on the Constitutional Court, which would provide for the possibility of appealing the actions of the President to the Constitutional Court. The organization has published several statements on this issue.



The organization, using the developed methodology, also studied the functioning of the parliamentary oversight tools. Since February 2022, GYLA, together with the Center for Social Justice, in partnership with CRRC Georgia and with the support of the European Union, has launched the project Supporting Accountable and Human Rights Oriented Security Sector through Research, Advocacy, and Inclusive Dialogue. The goal of the project is to improve and strengthen the mechanisms of parliamentary and judicial control through relevant programs. Both local and international experts are involved in it. Within the framework of the project, the study of parliamentary oversight mechanisms has been started for both the autumn 2021 and 2022 sessions.

During the reporting period, the blog Thematic Research in the Parliament of the 10th Convocation was published. Work is currently underway to offer a training course on parliamentary oversight mechanisms to the public.

In July-August of the reporting year, in order to fulfill 12 recommendations of the European Commission, working groups were created in the Parliament regarding various issues. Among them, one of the tasks was to improve parliamentary oversight mechanisms. GYLA participated in the activities of this group as a member and offered their own vision and recommendations both orally and in writing. Since September, the organization has already been actively involved in the committee discussions of the initiated legislative changes and submitted relevant opinions.

## JUSTICE REFORM

GYLA is still actively involved in the work processes related to justice reform. During the reporting period, the organization advocated the necessary fundamental changes in this field both locally and internationally.

GYLA presented the recommendations to the Working Group on Judicial Reforms, established in Parliament to meet EU requirements. The organization also participated in group meetings.



In addition, GYLA monitored the ongoing events in the Constitutional Court and, if necessary, published relevant statements. The organization identified flaws in the process of refreshing the panels in the Constitutional Court.

GYLA, as a member of the Steering Committee, participates in the activities of the Coalition for Independent and Transparent Justice. The organization was involved in the preparation of all those statements and documents that were published on behalf of the coalition during the reporting period.

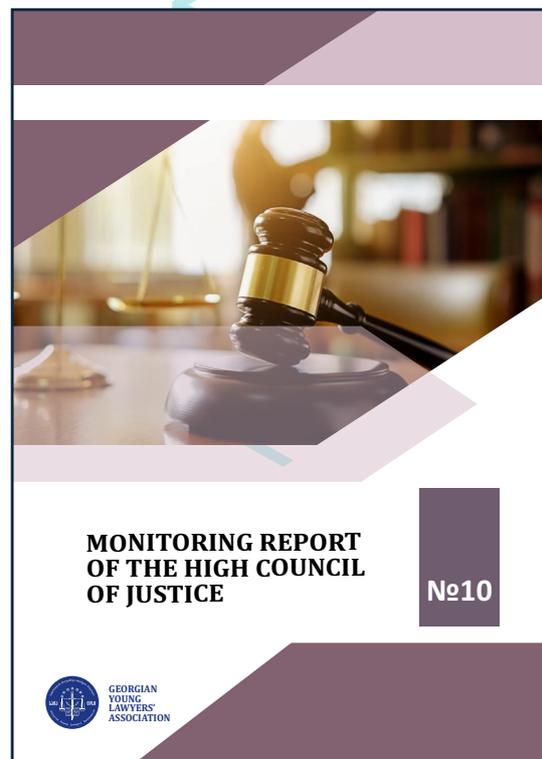
Monitoring of judicial bodies and support for court reform continues within the framework of the ongoing project with the financial assistance of the Embassy of the Kingdom of the Netherlands.

During the reporting period, the 10th monitoring report of the Supreme Council of Justice was published, in which attention is focused on the following essential issues:

- Clan governance in the judicial system;
- Legal gaps and challenges in the appointment-nomination of judges, selection of candidates based on loyalty;
- One of the levers of the Clan power - the practice of chaotic, unclear appointment of court chairpersons;
- Protracted disciplinary proceedings;
- Hastily enacted legislative changes in late 2021 that encouraged clan rule in the system.

The report also includes specific recommendations.

In addition, GYLA has prepared infographics that show episodes of the career progression of current judge managers and show the so-called "revolving door" policy.





During the reporting period, the organization also monitored the process of nomination and appointment of judges of the Supreme Court both at the sessions of the Supreme Council of Justice and at the stages of parliamentary discussions of candidacies.

In addition, monitoring of the activities of the court plenum continues within the framework in which the legislative proposal was prepared. At the same time, GYLA, together with other non-governmental organizations, is trying to facilitate the creation of a parliamentary investigative commission regarding the facts of possible pressure on judges.

During the reporting period, a small study was prepared - 2021 amendments to the Organic Law of Georgia on Common Courts in the Light of International Law and Best Practices. Blog posts were also published: (1) Judge transfer/promotion without competition; (2) One year of the solitude of the judicial members in the Court; (3) Georgian justice reform - a missed opportunity.



## PUBLIC GOVERNANCE

Establishing sound, evidence-based, and results-oriented governance is important for the sustainability of democratic institutions. For this, it is necessary to establish the principles of good public administration in all areas.

During the reporting period, within the framework of the project Supporting Public Governance Reform through Civil Monitoring and Involvement, trainings on the Development, Monitoring, and Evaluation of Public Policy were held. Civil servants of Kutaisi, Batumi, Khelvachauri, Zugdidi, Poti, Akhmeta, Marneuli, Gardabani, and Telavi municipalities, representatives of non-governmental organizations, and media participated in the pieces of training. The project, with the support of the European Union and in partnership with IDFI, lasted for three years and ended in 2022.

As in previous years, GYLA is involved in the development of public administration reform, open governance, national anti-corruption strategies, and action plans. It also observes and monitors relevant activities. Last year, GYLA, together with partner non-governmental organizations, repeatedly publicly called on the Georgian government to activate open governance processes.





Blogs published:

- Unconditional Privatization of State Property Continues, which was related to the privatization of state property by the Ministry of Economy within the framework of the project 100 Investment Offers for Business;
- Does the City Hall Know, in Total, How Many Properties Were Sold for 1 GEL? The blog described the amount of property privatized by Tbilisi City Hall at a symbolic price of 1 GEL.

## LOCAL SELF-GOVERNMENT

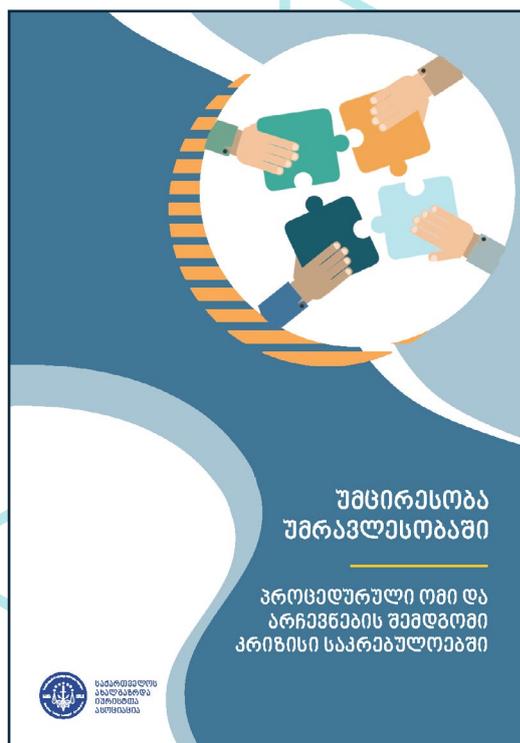
The active involvement of society in political life should be preceded by stable and effective local governments. During the reporting period, GYLA investigated and observed both the legislative regulation projects of the local authorities and their daily activities in many ways.

GYLA published a report on the planned changes to the Local Self-Government Code, which were related to increasing the number of officials of the Sakrebulo, as well as to the recruitment of factions. In connection with the same project, the organization participated in the committee discussions. In addition, GYLA prepared a report on the amendments to be introduced in the local self-government and election codes, which provided for the cancellation of the procedure for recognizing the authority of the members of the Sakrebulo, as well as regarding the method of adding excluded members to the Batumi and Senaki Sakrebulos.

As part of the discussion on ways to solve the crisis that arose in the six city councils as a result of the 2021 local elections, meetings were held with the city councils, who presented their views and opinions on the issue. GYLA summarized the current situation in local self-governments in the study *Minority in Majority - Procedural War and Post-Election Crisis in City Councils*. The document contains an analysis of the situation and legal norms, as well as relevant recommendations for solving the problem. The research presentation was supported by the Open Society Foundation.

In addition, during the reporting period, GYLA filed a claim to the Court, in which, in accordance with the legislation of Georgia, it requested the termination of the powers of the Senaki City Council due to the suspension of its activities for more than 6 months. The dispute took place on two fronts - against the Central Election Commission and the government. Regarding the latter, the process is still ongoing.

In January 2022, GYLA also developed a methodology for supervising the activities of Sakrebulo. According to this document, the monitoring of city councils is carried out through the central and 8 regional offices of GYLA. Employees of the organization monitor the functioning of the city councils on a daily basis, conduct consultations with their members, and talk to local residents to activate their involvement. At the same time, the effectiveness of the internal supervision mechanisms of the Sakrebulo is being checked.

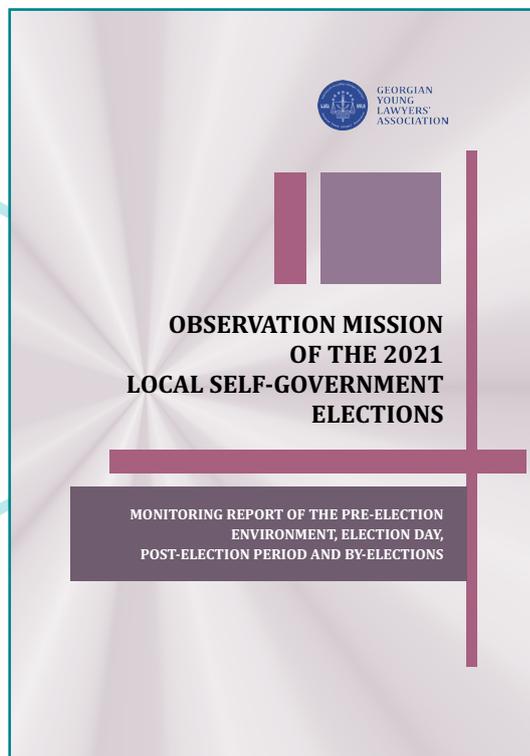


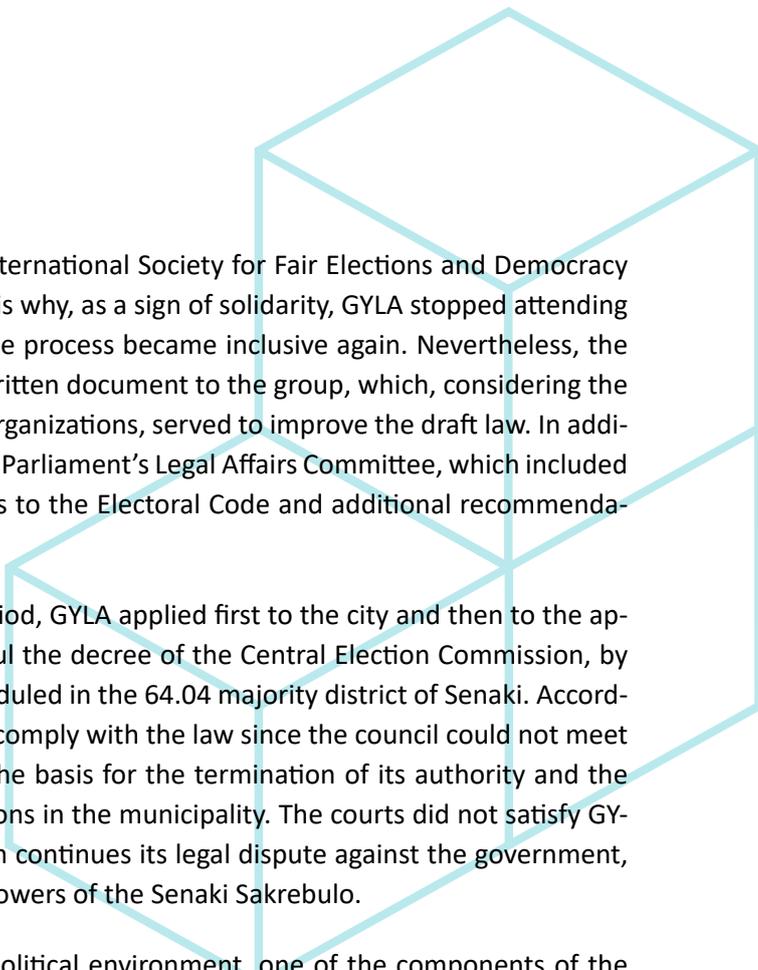
## ELECTIONS

With the financial support of the US Agency for International Development (USAID), GYLA continued to implement the project Free, Fair, and Equal Electoral Political Cycle in 2019-2022 during the reporting period. The project's mission is to promote the improvement of the electoral environment through monitoring and evidence-based advocacy. In order to achieve this goal, the organization observes the ongoing political processes in Tbilisi and the regions.

In April 2022, GYLA observed the by-elections held at the 79.04 majority district of the Batumi City Council, which were held using an electronic system. This experience gave the organization the opportunity to better understand the implementation of such mechanisms in practice, which the ruling party and the Central Election Commission plan to use in the future to simplify the voting process. Additionally, GYLA assessed the pre-election environment. In May, a summary report was published, which analyzed both the pre-election environment and the voting day of the first and second rounds of the 2021 local self-government elections, as well as the by-elections of Batumi 79.04 majority district. The project was implemented with the financial support of the British Embassy in Georgia and the Open Society Foundation.

During the reporting period, GYLA was actively involved in the electoral legislation reform process. The organization presented to the legislative body a number of conclusions on the bills initiated by the deputies, including the issue of recognition of the authority of a majority member who won the mid-term elections of the Sakrebulo. In addition, with the civil society quota, GYLA joined the working group created in the Parliament for the purpose of revising the electoral legislation, which was supposed to act within the framework of the 12-point plan defined by the European Commission. Later, the Georgian Dream

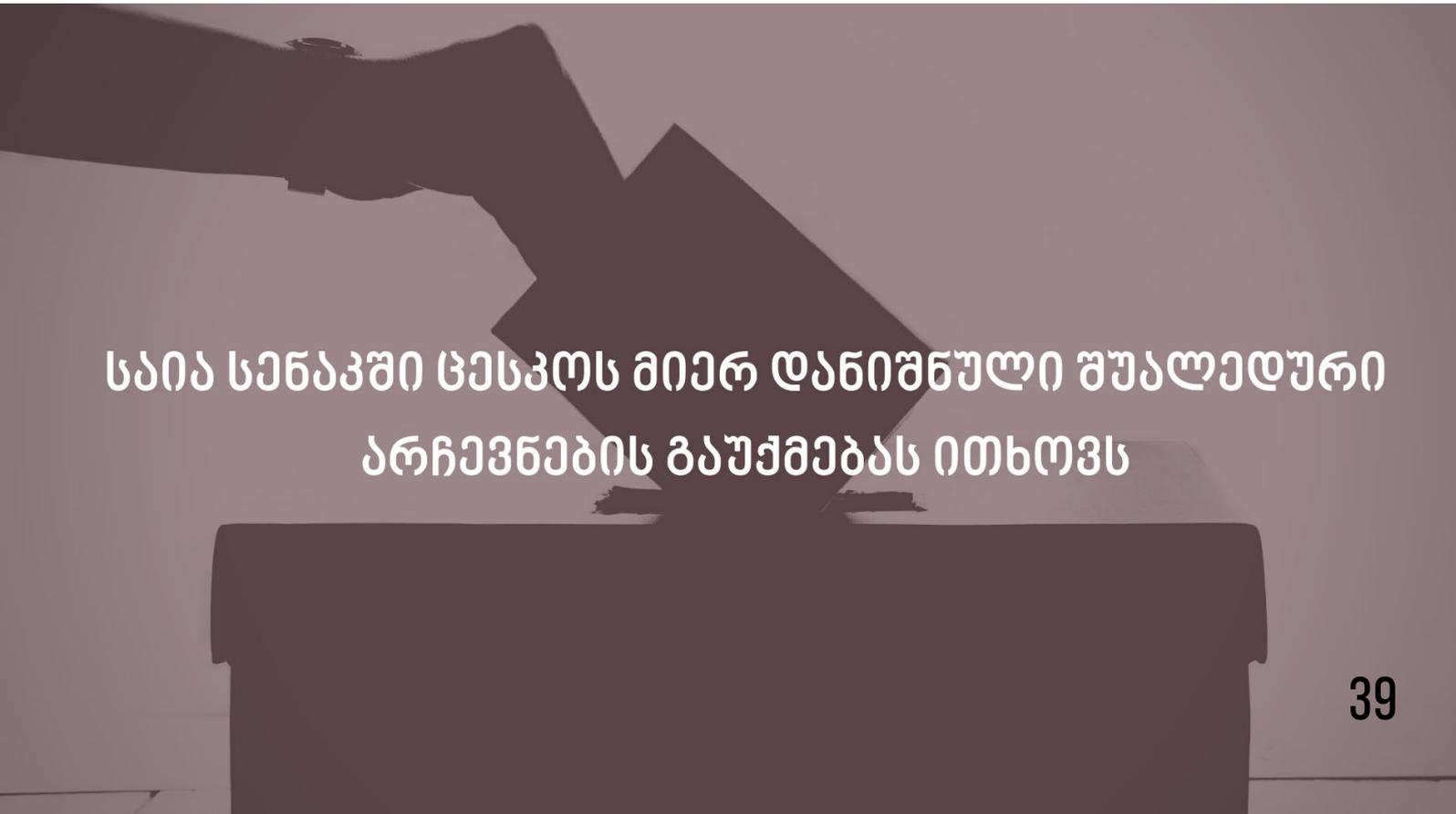




restricted the participation of the International Society for Fair Elections and Democracy (ISFED) in the working group, which is why, as a sign of solidarity, GYLA stopped attending the working group meetings until the process became inclusive again. Nevertheless, the organization officially submitted a written document to the group, which, considering the recommendations of international organizations, served to improve the draft law. In addition, GYLA sent a legal opinion to the Parliament's Legal Affairs Committee, which included an analysis of the draft amendments to the Electoral Code and additional recommendations for its improvement.

In addition, during the reporting period, GYLA applied first to the city and then to the appeals court with the request to annul the decree of the Central Election Commission, by which mid-term elections were scheduled in the 64.04 majority district of Senaki. According to GYLA, these elections did not comply with the law since the council could not meet for more than 6 months. This was the basis for the termination of its authority and the appointment of extraordinary elections in the municipality. The courts did not satisfy GYLA's claim; however, the organization continues its legal dispute against the government, demanding the termination of the powers of the Senaki Sakrebulo.

In the direction of monitoring the political environment, one of the components of the project Free, Fair and Equal Electoral Political Cycle in 2019-2022, GYLA prepares newslet-



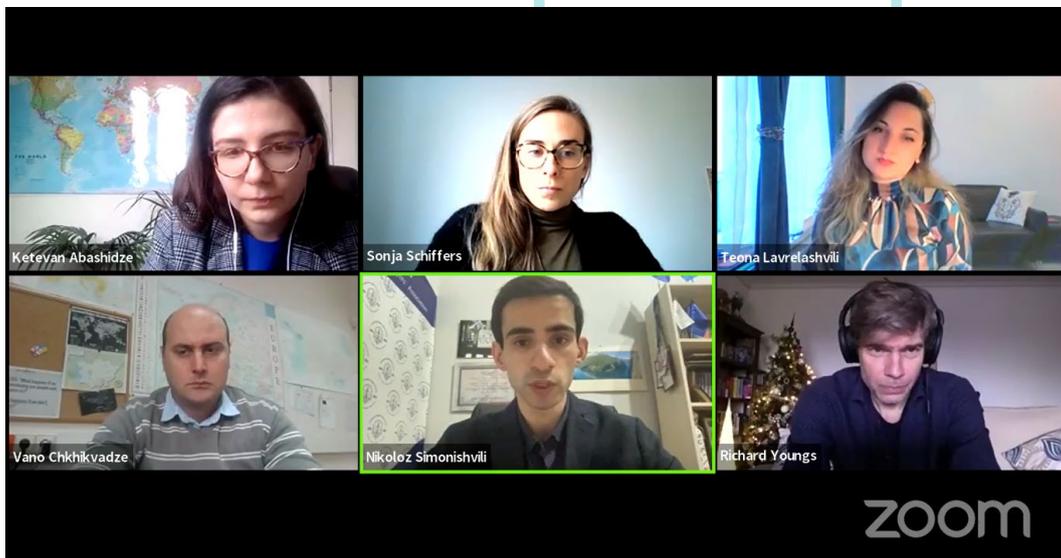
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ters every month. 12 such documents were published during the reporting period. They describe all the important political events that influenced the political environment.

It is important to develop a political equality index within the framework of the activities carried out to evaluate and improve the electoral environment, the task of which is to measure the degree of electoral-political equality of various, including vulnerable, groups. It shows how closely related the institutional framework, political programs, political decisions, and the needs of vulnerable groups of society are. The project aims to prepare an appropriate methodology for researching the issue of political equality, to study the possibilities of access of vulnerable groups to institutionalized politics, and to develop the first index of political equality. During the reporting period, GYLA, in collaboration with expert groups, continued to collect data and work toward the final research document.

## EUROPEAN INTEGRATION

During the reporting period, GYLA actively worked on European integration issues. Several interesting online discussions were held, including The Impact of the 2021 Local Self-government Elections on Georgia - EU Relations; Political Polarization in Georgia and Its Influence on Georgia's Foreign Policy; The Road to the European Union: at What Stage is Georgia? Speakers of the event included experts from both local and international civil and research organizations, politicians, deputies of various political groups of the European Parliament, ambassadors of the EU delegation and member states in Georgia, as well as a representative of the European Commission's Directorate General for Neighborhood and Enlargement Negotiations.





After Georgia submitted its application for EU membership and filled out the relevant questionnaire, GYLA published a cycle of articles, the purpose of which was to provide information to the public about what expectations the population should have, what it meant to fill out the questionnaire, how the consideration of granting candidate status in the European Union proceeded and what the opinion of the European Commission meant for Georgia.

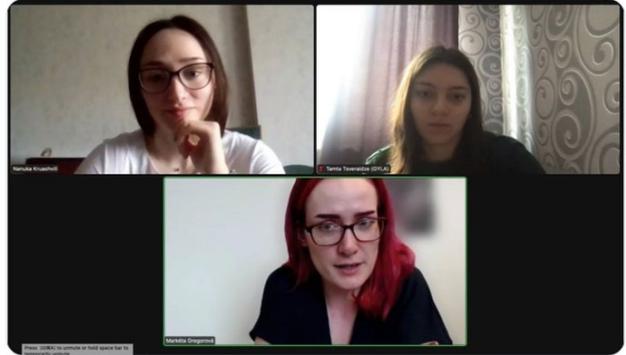


In May 2022, GYLA, together with the partner organization the Center for Social Justice, held advocacy meetings with MEPs working on Georgian issues - Juozas Olekas and Marina Kaljurand (Progressive Alliance of Socialists and Democrats, S&D), Lukas Mandl (European People's Party, EPP) and with Markéta Gregorová (Greens Alliance, Greens/EFA). The purpose of the communication was to exchange opinions on the granting of candidate status and to support the European integration of the country.

In July 2022, after the European Commission published its opinion on Georgia's EU membership application, GYLA, together with other civil society organizations, developed a 12-step action plan considering the priority issues that would help the country to obtain EU candidate status.



Today @NanukaKR & @tamtatsveraidze of @GYLA\_CSO met with MEP @MarketkaG. They discussed the process of 🇬🇪's 🇪🇺 integration & shared views on the possible developments after submitting the Questionnaire. We thank the MEP for her continuous support for 🇬🇪's European aspirations.



Today @NanukaKR & @tamtatsveraidze of @GYLA\_CSO & @Guram\_Imnadze of @SjcCenter met with MEP @juozas\_olekas & discussed developments of 🇬🇪's 🇪🇺 integration. They exchanged views on the events following filling the Questionnaire. We thank the MEP for sharing his insights with us.



Today @NanukaKR & @tamtatsveraidze of @GYLA\_CSO & @Guram\_Imnadze of @SjcCenter met with MEP @MarinaKaljurand. They discussed perspectives of 🇬🇪's 🇪🇺 membership chances & associated democratic reforms to be implemented. We thank MEP for her valuable input and support for 🇬🇪.



# 3

## LEGAL AID



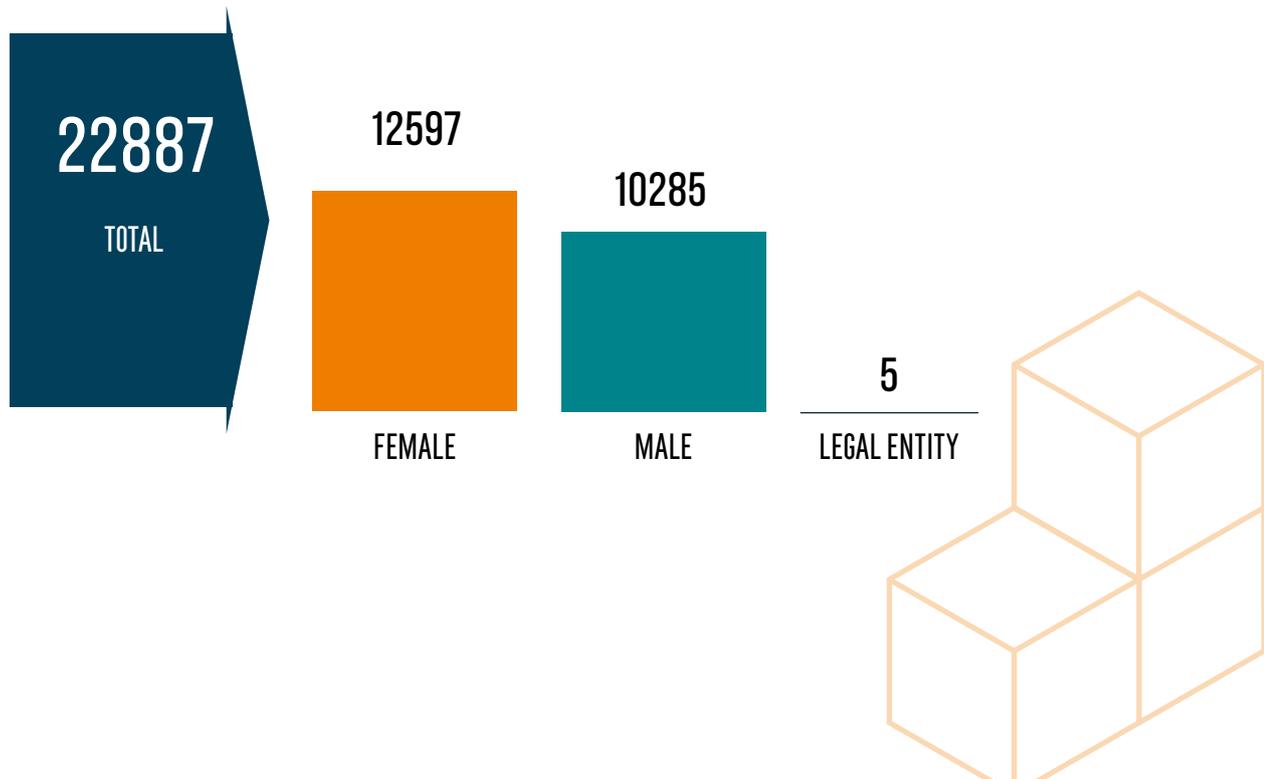
# PROGRAM PRIORITIES

The legal assistance program of the Georgian Young Lawyers' Association worked in 4 priority areas during the reporting period:

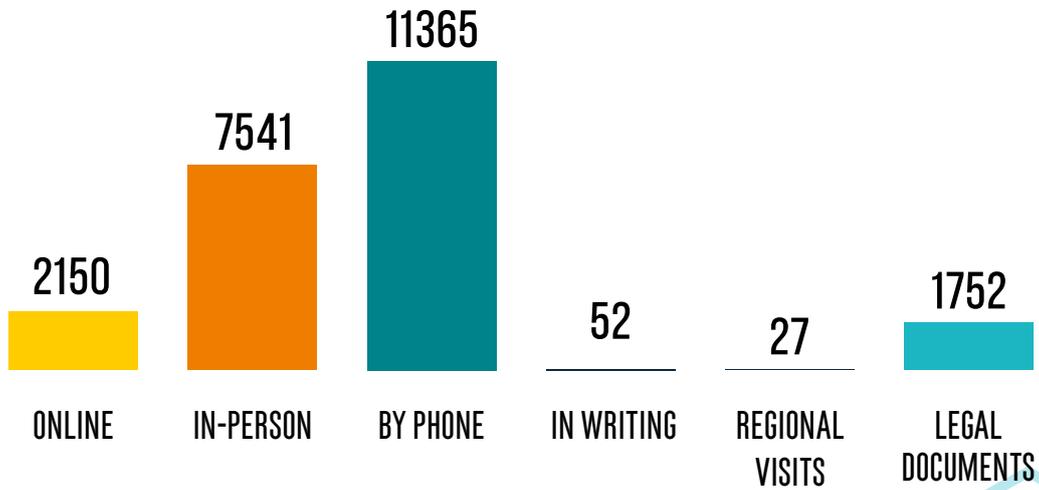
- LEGAL AID
- STRATEGIC LITIGATION
- APPLYING EXECUTIVE MECHANISMS
- FACILITATING THE WORK OF THE HAGUE COURT AND THE INVESTIGATION OF THE SITUATION IN GEORGIA

## LEGAL AID

**DURING THE REPORTING PERIOD, GYLA PROVIDED LEGAL ASSISTANCE TO 22887 PERSONS.**



**TYPES OF LEGAL AID PROVIDED:**

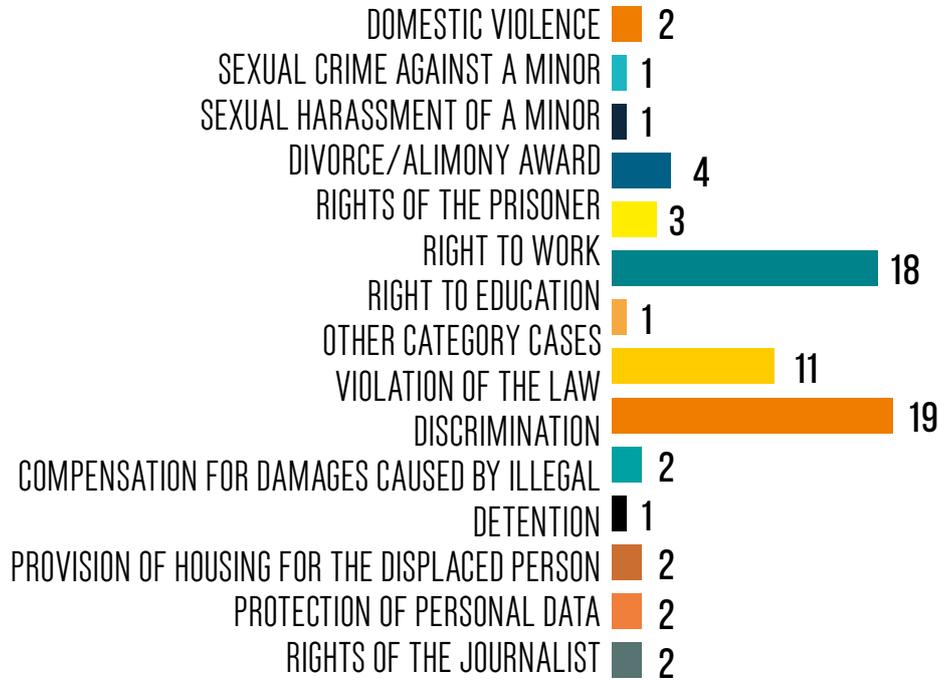


**SUCCESSFUL CASES**

GYLA successfully completed 69 cases at the national level during the reporting period.



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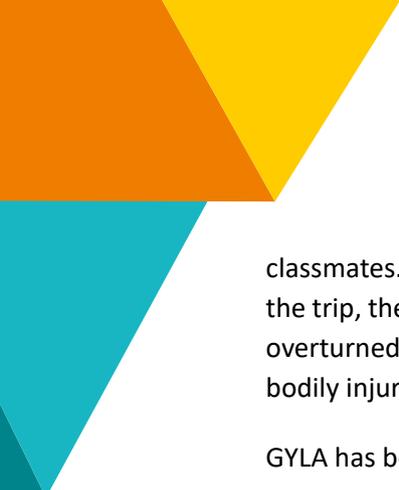
TOTAL 69

Here are some successful cases:

■ **THE MINISTRY OF EDUCATION AND SCIENCE WAS INSTRUCTED TO COMPENSATE FOR THE DAMAGE IN FAVOR OF THE DISABLED PERSON**

According to the Judgment of Tbilisi City and Appeal Courts, the Ministry of Education and Science was ordered to compensate the pecuniary damages in favor of the disabled person, including reimbursement of the medical rehabilitation course fee and the fee for adapted transportation services before the existence of disability status and overnight care. Judgments entered into force.

The case concerns a person who, after graduating from school, at so-called the "Last Bell Ceremony," the schoolteacher took him/her to a deceased classmate's grave with their



classmates. On the way, the teachers stopped a truck driven by a drunken person. During the trip, the driver violated the traffic rules, due to which there was a car accident, the car overturned, and the plaintiff followed under the body of the vehicle. They received severe bodily injuries, and the person was diagnosed with severe disability status for life.

GYLA has been representing the interests of the victim since 2012.

■ **THE TBILISI CITY COURT ESTABLISHED DISCRIMINATION DUE TO WORLDVIEW (VEGANISM) IN THE CASE OF THE FORMER PRISONER AND ORDERED THE STATE TO COMPENSATE MORAL DAMAGES.**

On June 30, 2022, the Tbilisi City Court found the discriminatory treatment of the plaintiff on the case in GYLA proceedings. The defendants - the Ministry of Justice of Georgia, the Ministry of IDPs from the Occupied Territories, Labour, Health and Social Affairs of Georgia, and the Special Penitentiary Service were ordered to pay 5,000 GEL jointly in order to compensate the plaintiff's moral damages.

In 2019, the plaintiff was placed in the N8 Special Penitentiary Establishment. Upon arrival at the prison, he informed the administration that he was a vegan (that is, he consumes only vegetable proteins, fats, and carbohydrates.) and asked for a special food ration. However, unlike other inmates' requirements, the facility did not have a vegan menu. As a result, the prisoner was able to receive only a small portion of the food offered by the administration that was compatible with his worldview. Accordingly, he could not get enough components necessary for human life and health (proteins, fats, carbohydrates, minerals, and vitamins). Therefore, the plaintiff argued that during his entire stay in the penitentiary institution, he was a victim of discrimination by the administration on the grounds of worldview, in particular, veganism.

This case is also important in that after the decision enters into legal force, it will be possible not only to restore the plaintiff's rights, but it will become the basis to revise the regulations related to food issues in penitentiary institutions. This is one of the first decisions in which the Court found discrimination on the basis of veganism (at the moment, the decision has not entered into legal force).

■ **DUE TO THE DAMAGE CAUSED AS A RESULT OF AN INDUSTRIAL INJURY, TBILISI ENERGY LLC IMPOSED THE PAYMENT OF ALLOWANCES IN FAVOR OF THE FORMER EMPLOYEE**

GYLA defended a person employed at the Tbilisi Energy company, who worked as an accountant and, while performing their duties, because of the sudden collapse of the balcony, received an injury - an open fracture of the left clavicle and left tibia. The patient underwent surgery - osteosynthesis of tibia bones.

In June 2019, the plaintiff was determined to be moderately disabled for life. And in July 2021, according to the medical examiner's report, it was determined that the plaintiff's condition was related to the injuries received in the performance of official duties, which caused a loss of 25% of their overall work capacity.

Despite the request, the employer refused to compensate the damages to the injured employee. Accordingly, it was necessary to file a lawsuit against Tbilisi Energy LLC.

According to the decision of the Tbilisi Court of Appeal, the company imposed the payment of allowances in favor of the former employee from June 2019 until reaching retirement age. The defendant disagreed with the claims because they believed that the claims were outdated. According to the explanation of the Court of Appeals, the counting of the statute of limitations at a given moment should start not directly from the moment of the accident (since 2010) but from the date when the person was diagnosed with a moderately disabled status. According to the decision, the company will have to pay an allowance to the former employee until retirement age.

The decision of the Court of Appeal has entered into legal force.





■ **THE SUPREME COURT OF GEORGIA  
RECOGNIZED THE CASSATION APPEAL  
OF THE PUBLIC BROADCASTER AS  
INADMISSIBLE AND ORDERED IT TO  
DISCLOSE PUBLIC INFORMATION**

The Supreme Court of Georgia, by its ruling of May 18, 2022, recognized the cassation appeal of LEPL Public Broadcaster as inadmissible and upheld the decision of the Court of Appeal of Georgia, which fully satisfied the claim of GYLA regarding the disclosure of public information.

GYLA requested the transmission of the contracts concluded by LEPL Public Broadcaster with natural persons and 10 non-resident persons, specifying the amount in each of them. The Broadcaster provided only general data and information about the sums of the requested contracts.

The appellate Court fully satisfied the appeal of GYLA and ordered the Broadcaster to release the contracts concluded with 10 non-resident persons (indicating the amount in each) in the form of public information. At the same time, the rest of the decision remained unchanged.

The Supreme Court of Georgia emphasized the status of Public Broadcasting as a public institution and considered accountability to the public as the main principle of its activity.

■ **THE SUPREME COURT MADE AN IMPORTANT DECISION IN THE CASE  
OF THE INCITEMENT TO THE SUICIDE OF A FEMALE VICTIM SUBJECTED  
TO VIOLENCE AND INSTRUCTED THE STATE TO COMPENSATE FOR THE  
DAMAGE**

On April 14, 2022, the Supreme Court of Georgia ordered the state to compensate damages on the case in GYLA proceedings. In particular, the courts of all three instances found that the state bodies are obliged to compensate the moral damages to the mother of the woman who was a victim of domestic violence, whose suicide the state could not prevent.

The female victim suffered systematic physical and psychological violence from her husband (and later ex-husband). Because of this, she applied 16 times to the law enforcement authorities, who did not use the effective measures stipulated by the law. In February 2017, the victim was found dead, and her ex-husband was charged with attempted suicide (although the Supreme Court eventually reclassified the criminal case to domestic violence).

GYLA appealed to the Court on behalf of the deceased's mother and demanded compensation for moral damages from the Ministry of Internal Affairs of Georgia, as well as the General Prosecutor's Office since they failed to protect the victim's right to life.

The Court of the first instance imposed the obligation to compensate moral damages only on the Ministry of Internal Affairs. The case was appealed to the Court of Appeals, which, in accordance with national legislation and international standards, considered that both the Ministry of Internal Affairs and the General Prosecutor's Office are responsible for compensation since the latter did not properly assess numerous appeals of the victim and did not take measures provided by law to prevent the perpetrator's actions.

The Supreme Court of Georgia upheld the appeal decision regarding the compensation of damages from the Ministry of Internal Affairs and the General Prosecutor's Office.

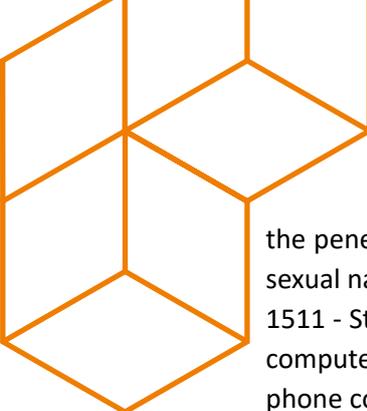
The Supreme Court's decision is significant because, both in other forms of femicide (such as premeditated murder) and incitement to suicide, state authorities should be liable for damages when they knew, or should have known, of the risks to the victim's life and health and failed to protect her with available means. This case is a precedent for Georgia because the Court considers this case in the context of preventing suicide.

#### ■ **THE CASE OF THE FEMALE VICTIM OF VIOLENCE WAS SUCCESSFULLY COMPLETED**

The Adjara branch of GYLA defended the interests of a woman who was a victim of systematic violence, humiliation, and inhumane treatment for two years.

In November 2021, with the help of GYLA, the victim was granted a victim status, and the perpetrator was charged with crimes under nine different articles of the Criminal Code of Georgia (part 1 of Article 115 - Incitement to suicide; part 1 of Article 139 - Coercion into





the penetration of a sexual nature into the body of a person, or into another action of a sexual nature; part 1 of Article 1443 - Humiliation or inhuman treatment; part 1 of Article 1511 - Stalking; part 1 of Article 285 (two episodes) - Illegal use of computer data and/or computer systems; part 1 of Article 159 - Violation of secrecy of personal correspondence, phone conversations or other kinds of communication; part 1 of Article 1571 - Disclosure of secrets of personal life; part 2 of Article 1571 - Unlawful use and/or dissemination of secrets of personal life, including social network; part 1 of Article 3811 - Failure to perform the requirements and/or obligations provided for by a protective or restraining order).

On August 6 of this year, the Khelvachauri District Court considered the criminal case and found the perpetrator guilty of all charges, except for Article 1571 of the Criminal Code, which was reclassified to Article 157 (Disclosure of information on private life or of personal data). The Court sentenced the perpetrator to 3 years of imprisonment.

#### ■ THE INTERNALLY DISPLACED FAMILY WILL RECEIVE HOUSING

GYLA's Zugdidi office defended the interests of a displaced person from Abkhazia, who was disputing the refusal of the LEPL Internally Displaced Persons, Eco-Migrants and Livelihood Agency to provide them residential housing.

The dispute was resolved in favor of the IDP in the courts of all three instances. The Court annulled the Agency's decision refusing to provide housing to the claimant. Also, the respondent party was ordered to issue a new Act by which the internally displaced family from Abkhazia will receive a residential house.

#### ■ THE CASE OF THE VICTIM OF DOMESTIC VIOLENCE WAS SUCCESSFULLY COMPLETED

GYLA Zugdidi's office protected a woman who was a victim of violence from her husband for years, who forbade her to communicate with neighbors, parents, and other persons. The victim was able to go out only with her husband; otherwise, she was locked in the house with the child, and the perpetrator had the key.



On September 9, 2019, the victim, when she was locked in the apartment with her child, managed to call the police. As a result, the perpetrator was prosecuted, and the woman was given the status of a victim.

The Court found the accused guilty and sentenced him to three years of imprisonment.

#### ■ THE ILLEGALLY DISMISSED PERSON WON THE DISPUTE

The Gori office of GYLA was protecting the interests of a person who was illegally dismissed from the Akhaltsikhe office of the Civil Registry Agency in 2020. An employee had been working for the Akhaltsikhe Service of the Civil Registry Agency since 2006. Due to the reorganization in 2020, they were dismissed, so neither the staff list nor the written justification for dismissal had been handed over, provided by the Labor Code. The plaintiff sought annulment of the dismissal order, reinstatement in service, and the outstanding salary reimbursement for forced absence.

The Court of all three instances found that the dismissal did not comply with the requirements of the law. The claim was fully satisfied: the dismissal order was annulled, the person was reinstated, and the outstanding salary was reimbursed for forced absence.

#### ■ THE CASES OF THE ACTIVISTS WERE SUCCESSFULLY COMPLETED

GYLA Adjara branch defended the interests of 8 persons arrested during the rally in Batumi on March 1, 2022, near the Government House of the Autonomous Republic of Adjara. The rally was related to the events developed as a result of Russian aggression in Ukraine. Its participants expressed their support for Ukraine, at the same time, protested the positions taken by high-ranking Georgian officials regarding these events. During the rally, the police arrested 8 people on the grounds of petty hooliganism and disobedience to the legal demands of the police.

The Batumi City Court considered the cases at different times, stopped proceedings against 4 persons due to the absence of administrative violations, used verbal reprimands against 1 person, and fined 3 of them.

### ■ THE PERSON AFFECTED BY THE INDUSTRIAL INJURY WON THE DISPUTE

GYLA represented a victim who received industrial injury in January 1990. As a result of the workplace injury, the person was diagnosed with severe disability status for life. Since 1990, he was paid 44 Lari and 88 Tetri monthly allowance. Even though over the years, the wages of the employees of this enterprise had increased, the amount of his allowance had not changed. With the help of the GYLA Kutaisi branch, he applied to the Court in 2019 and requested an increase in this amount, as well as the reimbursement of unpaid allowance from the defendant for the last three years prior to the filing of the lawsuit.

Finally, according to the decision of the Supreme Court of Georgia on June 21, 2022, the defendant was instructed to pay 500 GEL as a monthly allowance, as well as 16,387 GEL as an unpaid allowance for the last three years before the filing of the lawsuit.

### ■ A CIVIL SERVANT HAS WON A LAWSUIT

A person fired due to reorganization has won a dispute with the Telavi Municipality City Hall. GYLA represented and protected the person's interests. The Court of all three instances found that the dismissal did not comply with the requirements of the law; therefore, Telavi Municipality City Hall was instructed to reinstate the dismissed employee to the equivalent position and reimbursement of the outstanding salary from January 30, 2018, until the day of reinstatement in service.



The dismissed person appealed against the decision by which the person was enrolled in the reserve of officials (factual termination of employment relations due to staff redundancy). He claimed that his dismissal was unlawful because the position he had previously held in the administrative body had not been revoked, that it still existed for the same functional purpose, and that a competition had been announced for the same position.

The courts of all three instances found that the administrative body issued an order for the employee to be placed in the reserve of officials without justification and in essential violation of the mobility procedure.

The case has been under consideration at the common courts for 4 years.

■ **GYLA PRESENTED AN OPINION OF THE FRIEND OF THE COURT (AMICUS CURIAE) IN THE CURRENT CASE REGARDING THE SHARES OF RUSTAVI 2**

After the shares of Ltd Broadcasting Company Rustavi 2 were returned to Kibar Khalvashi, the previous owners, Jarji Akimidze and Davit Dvali, appealed to the Court for the return of the shares that belonged to them in the past. The plaintiffs demanded the annulment of the share purchase agreements concluded under compulsion in 2004, the cancellation of the registration of the 60% share of Kibar Khalvashi, partner of Ltd Broadcasting Company Rustavi 2 in the public register, and recognition of them as the owners of 30%-30% shares.

The Tbilisi City Court did not satisfy the plaintiffs' request. It explained that Kibar Khalvashi was a bona fide buyer of the shares of Ltd Broadcasting Company Rustavi 2, and he could not have known about the compulsion carried out during the previous government.

This decision was appealed to the Tbilisi Court of Appeal, to which GYLA presented an opinion of a friend of the Court (Amicus Curiae). The document reviews the standard by which a shareholder's bona fide purchaser status should be assessed, as well as the shortcomings that GYLA believes were evident in this case in the first instance court's decision.



## STRATEGIC LITIGATION IN THE CONSTITUTIONAL COURT

GYLA is currently representing 40 cases in the Constitutional Court. During the reporting period, the organization filed 9 new claims. 1 case was successfully completed, in which the Court made an important clarification of the norm. At the same time, GYLA submitted an opinion of the friend of the court on one case.

### NEW CLAIMS

- **Mariam Gogvadze v. the Parliament of Georgia.** The subject of the dispute is the norm of the Law of Georgia on Notaries, which allows a notary who left this position on the basis of a personal statement from April 1, 2008, to April 1, 2010, to return to the position without exams. A person who resigned from a position of notary after April 1, 2010, must pass professional and general aptitude tests to return to the position. This rule contradicts the right to equality guaranteed by Article 11, paragraph 1 of the Constitution.
- **Vasil Zhizhashvili and Giorgi Putkaradze v. the Parliament of Georgia.** The norms appealed, in this case, allow the Ministry of Internal Affairs to keep personal information about a person who has committed an administrative offense for a period of 20 or 28 years. The Constitutional Court of Georgia, by its decision No. 1/2/622 of February 9, 2017, recognized as unconstitutional the lifelong storage of personal data on adminis-



trative offenses by the Ministry of Internal Affairs, while after the expiration of one year the person is no longer considered an administrative offender. The longest administrative penalty is a 3-year suspension of the right to drive. Therefore, GYLA believes that keeping the personal data of offenders in the Ministry of Internal Affairs for a period of 20 or 28 years violates the decision of the Constitutional Court. Accordingly, the organization requests that the disputable norm be recognized as unconstitutional at the regulatory session.

- **Londa Toloraia v. the Parliament of Georgia.** The subject of dispute are the norms by which Londa Toloraia's authority as a state inspector was prematurely terminated on March 1, 2022, as the service of the State Inspector was abolished, and Personal Data Protection and Special Investigation Services were created instead. Since an independent official has a legal expectation of being on the post for a fixed period of time, this fact contradicts the right guaranteed by the first paragraph of Article 25 of the Constitution regarding protection against unjustified dismissal.
- **M. K. v. the Parliament of Georgia.** Article 310 of the Code of Criminal Procedure does not provide for the revision of the ruling (order) on the restraining measure due to newly revealed circumstances. According to this norm, it is possible to appeal only the summary decision - verdict. The plaintiff had their and their relatives' real estate as collateral in the criminal case. For breaching their bail conditions, their restraining order was changed to imprisonment, and their real estate became state property. Later, the plaintiff was fully acquitted in this criminal case. However, they cannot claim the return of the real estate, thereby the right to access to Court guaranteed by Article 31 of the Constitution was violated.



- **Giorgi Goroshidze and Indiko Abashidze v. the Parliament of Georgia, the Academic Council of Ivane Javakhishvili Tbilisi State University, and the Minister of Education and Science of Georgia.** The contested norms set the retirement age for academic staff who have reached the age of 65 in state-run higher educational institutions. According



to GYLA, this is age discrimination and violates the decision of the Constitutional Court No. 2/2/863, according to which the imposition of such an age limit on intellectual work is not allowed.

- **Davit Nebieridze v. the Parliament of Georgia.** The subject of the claim is the fact that the judge examining the administrative offense does not study the legality of the detention. If a person is detained for 48 hours without a written justification from the police, the judge examining the case does not determine, within 72 hours after the arrest, what evidence was necessary to detain them for 48 hours. This violates the guarantees of paragraphs 2 and 3 of Article 13 of the Constitution on the speedy resolution of the legality of detention.
- **GYLA v. the Parliament of Georgia.** The subject of dispute, in this case, is the authority of the common courts to temporarily prohibit the publication of an official's property declaration and the order passed by the Civil Service Bureau regarding its erroneous filling, as well as by the final decision of the Court, to permanently close such information. This violates the right of access to public information guaranteed by Article 18, Paragraph 2 of the Constitution.
- **Ekaterine Kiknadze v. the Minister of Culture, Sports and Youth of Georgia.** The order of the Minister of Culture gives the Directorate of the National Museum unlimited authority to deny the researcher access to the museum fund. The contested normative act does not contain criteria; if it existed, it would be possible to use this authority. This violates the right of access to public information guaranteed by Article 18, Paragraph 2 of the Constitution of Georgia.
- **Irakli Kikilashvili v. the Parliament of Georgia.** According to the appealed norm (the first part of Article 413 of the Civil Code), monetary compensation for non-material damage can be requested only in cases precisely defined by law in the form of reasonable and fair compensation. According to the position of GYLA, when determining the amount of compensation for illegal administrative detention, the Court, together with the term of detention, should take into account such circumstances as the severity of the violation of constitutional rights and freedoms during the illegal detention of a person by the law enforcement authorities, the severity of the violation of their own obligation by the representative of the law enforcement authority and the degree of guilt, severity of moral and psychological damage, etc. Taking this into account, GYLA believes that the contested norm contradicts the second sentence of Article 13, paragraph 6, and Article 18, paragraph 4 of the Constitution - freedom, and rights to compensation for damages from state bodies.

## AN OPINION OF THE FRIEND OF THE COURT

GYLA submitted a written opinion to the Constitutional Court regarding the claim of the Georgian government, which requests the President to appoint the persons named by them to the position of ambassador. GYLA does not share the government's view that the President's power to appoint and dismiss ambassadors on the government's recommendation is ceremonial. According to the organization, this function of the President, unlike, for example, the power to appoint the prime minister, is not ceremonial.

Article 52 of the first paragraph of the Constitution of Georgia does not imply that the President of Georgia must necessarily satisfy the government's request to appoint or dismiss a specific person to the position of ambassador. Otherwise, there would be a direct reference to this in the relevant provisions. On the contrary, the Supreme Law of Georgia follows the principle that even in the conditions of parliamentary governance, it is necessary to have a balancing mechanism of power that ensures restraint of the excessive power of the legislative-executive branch tandem. The Constitution of Georgia leaves room for the President's discretion for this very purpose.

In addition, contrary to the claimant's position, imposing political responsibility on the government also implies that it conducts the procedure for appointing ambassadors in accordance with the Constitution - agreeing on the nominations with the President and obtaining their approval.



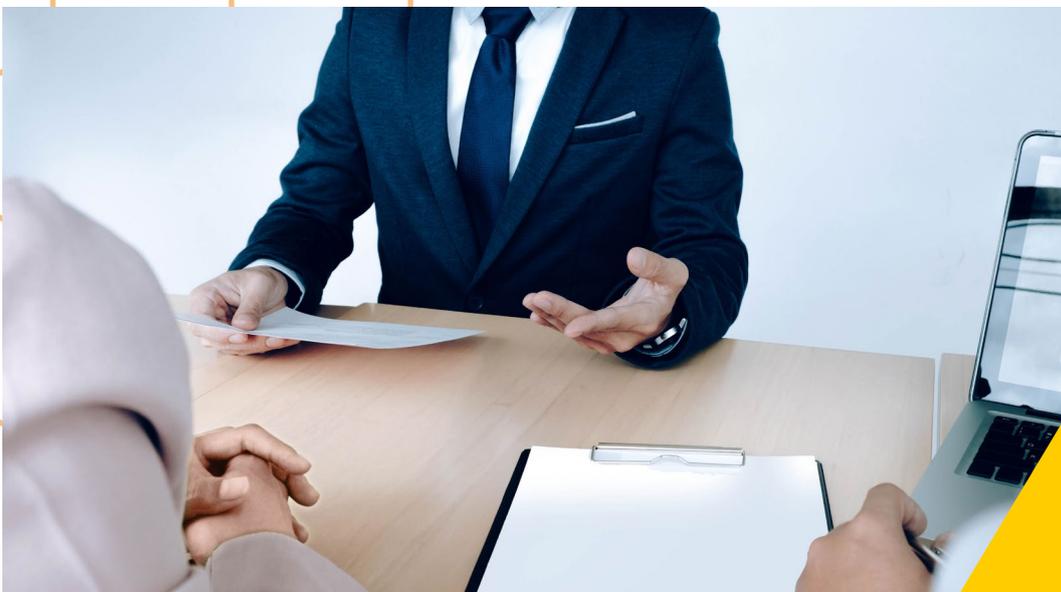
## SUCCESSFUL CASE

### ■ MATSATSO TEPNADZE V. THE GOVERNMENT OF GEORGIA

It is true that in this case, the Constitutional Court did not accept the claim in its ruling of May 20, 2022. Still, it made an important clarification regarding the guarantee of procedural protection in the case of the dismissal of a civil servant.

With the claim, GYLA requested to declare unconstitutional the separate provisions of the Government's Decree on public service, which define the procedure for appealing the decision made by the Commission for the Evaluation of Civil Servants. The disputed norms do not oblige public institutions to staff the Complaints Commission in such a way that at least one of its members is an expert in the same field in which the evaluated official works. For example, the claimant was an economist, and none of the three members of the Complaints Commission had a similar profession. GYLA considered that such a rule did not meet the principle of fair consideration of the case and allowed the employee to be fired without justification.

Although the Constitutional Court did not accept the case for review on its merits, it explained that: “[...] the right to a fair hearing of the case implies the decision of the issue in accordance with fair procedures, including in administrative proceedings, which, first of all, includes the right to impartial proceedings. The requirement of impartiality of the administrative body applies not only to the decision made but also to the process through which and as a result of which this decision is made. The mentioned essentially means that the administrative body should perform its functions without favoritism, prior favoritism, or prejudice to the participant of the proceedings. At the same time, of course, it is important that the case is evaluated by a person with the appropriate competence so that the right decision is made. However, this can be achieved by inviting a relevant specialist/expert in the case, based on which the administrative body should make an impartial decision.”



According to this definition, each administrative body is obliged to make a decision on the evaluation of a public servant with the help of an expert/specialist who knows the field of activity of the person to be evaluated. Otherwise, the decision will be unconstitutional.

## STRATEGIC PROCEEDINGS AT INTERNATIONAL MECHANISMS

At international mechanisms, GYLA handles 116 cases both at the stages of litigation and execution.

During the reporting period, the international litigation team submitted 2 new cases to the European Court of Human Rights (*Jandieri and Peradze v. Georgia*; *Mtavrishvili v. Georgia*) and won 4 cases (*Women's Initiatives Supporting Group and others v. Georgia*, *Edzgvradze v. Georgia*, *A and B v. Georgia*, *Kvirikashvili v. Georgia*). At the same time, GYLA continues actively communicating with the European Court regarding the pending cases.

In 3 cases, the organization submitted additional legal argumentation of the applicant. Two of these cases were related to the complaints of demonstrators and journalists affected on June 20, 2019 (*Kurdovanidze and others v. Georgia*; *Bagashvili and others v. Georgia*), and 1 case - 19 residents affected by the "creeping occupation" regime by Russia in the village of Dvani (*Mekarishvili and others v. Russia*). In addition, in 1 case, which concerns 12 complaints submitted by persons affected by the 2008 war and includes the interests of 84 persons, the complainants' response was sent regarding the possibility of an amicable settlement (*Jioshvili and others v. Russia*).





## NEW CASES

### 1. JANDIERI AND PERADZE V. GEORGIA

On June 28, 2022, GYLA submitted a complaint to the European Court on possible illegal covert wiretapping of lawyers and civil activists in 2021 on behalf of lawyer Davit Jandieri and civil activist Natalia Peradze. In this case, the inconsistency of Georgia's wiretapping legislation with the conventional standard is challenged. In addition, the ineffective investigation of the facts of August 1 and September 13, 2021, is another negative example of this legislation and practice, which is also one of the disputed topics of the complaint. The problems raised in the complaint were also reflected in the resolution of the European Parliament of June 9, 2022, which, among other demands, contains a call to the Georgian authorities to conduct an effective investigation into the wiretapping case and to introduce appropriate legislative mechanisms to improve the process of surveillance and data collection by state institutions.

The subject of dispute, in this case, is the violation of Articles 8 (the right to protection of personal and family life) and 13 (the right to effective legal remedies) of the European Convention. Complaints also request that the case be granted the so-called status of an Impact Case, and the Court obliges the state to submit the investigation materials in full and in a timely manner.

Successful completion of the case will introduce significant changes in Georgian law and create strong safeguards to protect against wiretapping. This will help strengthen the rule of law in the country and weaken the police regime, which has been violating the rights of many people every day through covert wiretapping for years. Currently, the complaint has been assigned a registration number, and in the near future, it is expected to be transferred to the so-called Communication Stage.

GYLA conducts this work with the financial support of the Open Society Foundation. It is significant that the case was sent in coalition with them. However, since GYLA's complaint was presented to the Court first, the status of the so-called Leading Case will be assigned to it.



## 2. MTAVRISHVILI V. GEORGIA

The complaint concerns the alleged violence by the police against Zviad Mtavrishvili, a resident of Kachreti village, Gurjaani Municipality, on April 15, 2019, and his death as a result of this, respectively, the violation of the rights protected by Articles 2 (the right to life) and 3 (the prohibition of torture) of the Convention.

It is worth noting that Zviad Mvarishvili's sister did not have the status of a victim for more than 2 years, which she obtained only in the summer of 2021, based on the decision made by the Court as a result of the strategic proceedings of GYLA. Despite numerous appeals and informing the General Prosecutor's Office about the shortcomings of the current investigative process in the case, the letters, statements, or petitions of the victim's representative remain mostly unanswered. In some cases, the response is templated and does not contain specific information. In addition, the investigative body has not yet been able to ensure the appropriate examination. Procedural and investigative actions contain many flaws.

In the complaint submitted to the European Court, it is substantiated that the state not only violated the obligation to conduct an effective and complete investigation into the case, but the death of Zviad Mtavrishvili is presumably a direct result of the actions of state officials (police officers). Consideration of the case on the merits began in September 2022.

## CASES WON

### 1. 1. WOMEN'S INITIATIVES SUPPORTING GROUP AND OTHERS V. GEORGIA

On December 16, 2021, the European Court of Human Rights, in the joint case of Women's Initiatives Supporting Group and Others v. Georgia of the Georgian Young Lawyers' Association, NNLE Women's Initiatives Supporting Group, NNLE Identity and the European Human Rights Advocacy Centre (EHRAC) found a violation of Article 3 (prohibition of torture), Article 11 (freedom of assembly and association) and Article 14 (prohibition of discrimination) of the Convention. The case concerned the events at the International Day Against Homophobia and Transphobia (IDAHO) on May 17, 2013.

The Court found that the authorities failed to take adequate measures to protect LGBT people from counter-demonstrators, despite being fully informed of such risks. In addition, the evidence - video footage shot by independent journalists - confirms official state incitement and conspiracy in acts of violence. According to the Court, the unprecedented scale of violence was also influenced by the government's inaction, in particular, its failure to conduct a timely and objective investigation into past attacks on the LGBT community. In this regard, it pointed to the case Identity and others v. Georgia, in which the Court found a violation in 2015. The state was ordered to pay compensation of EUR 193,500 in favor of the petitioners.



## **2. EDZGVERADZE V. GEORGIA**

According to the decision of January 20, 2022, in the case Edzgveradze v. Georgia (complaint No. 59333/16), the European Court established a violation of the procedural part of Article 2 (right to life) of the Convention. GYLA conducted legal proceedings on the case of Mamuka Mikautadze in the European Court, who committed suicide at the Tbilisi Sea the day after the interrogation at the Ministry of Internal Affairs. On July 5, 2013, Mamuka Mikautadze was interrogated as a witness on the alleged possession of cannabis by his friend as part of the investigation of drug crimes. On July 6, 2013, he committed suicide. Before his suicide, he claimed that during the interrogation, the police officers physically and psychologically abused him to force him to testify against his friend.

The Court assessed the investigation as complex and focused on the fact that in 2016 the Prosecutor's Office closed the case due to the absence of a crime, thus leaving the crucial questions related to it unanswered. According to the Court, the most significant investigative flaw was that the investigation did not make any hypothesis/explanation why a person who had no suicidal intentions or psychological or other types of problems could kill himself after contact with the police. Thus, the Court found that the investigation of Mikautadze's case was not conducted thoroughly, which undermined its effectiveness. In addition, the Court drew attention to the fact that the investigation began on July 6, 2013, and was closed on March 25, 2016. However, no investigative action was taken from November 2014 to March 2016, and the government did not provide an explanation for such investigative inaction.

## **3. A AND B V. GEORGIA**

On February 10, 2022, the European Court of Human Rights found a violation in the case of femicide committed by a police officer. On July 25, 2014, a 19-year-old woman was killed in Zestaponi by her ex-husband, an employee of the Zestaponi police district division, with a service weapon. Before the murder, the victim repeatedly appealed to the police of Zestaponi, the Prosecutor's Office, and the General Inspection of the Ministry of Internal Affairs and asked for protection from the abuser. Nevertheless, no legal measures were taken to stop the abuser. The European Court found a violation of the rights to life (Article 2 of the European Convention) and protection from discrimination (Article 14 of the European Convention) in the case.

This case was conducted by GYLA in cooperation with the European Human Rights Advocacy Centre (EHRAC) and the Partnership for Human Rights (PHR).

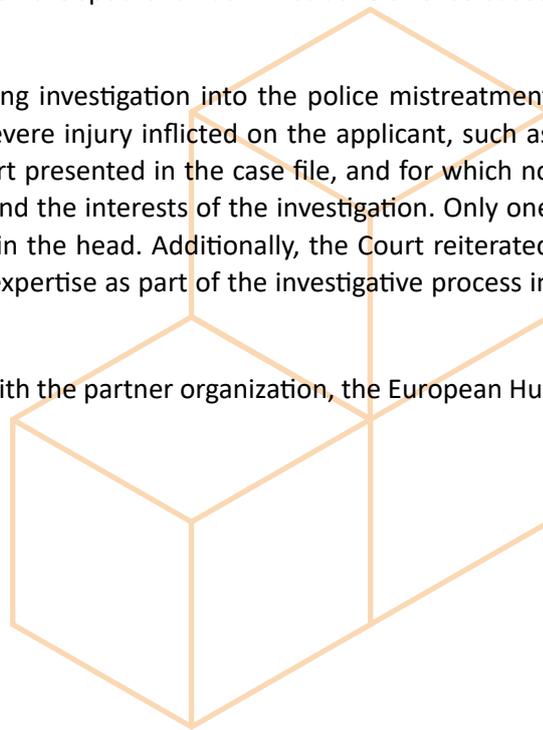


#### 4. KVIRIKASHVILI V. GEORGIA

The European Court ruled on this case on April 28, 2022. In the summer of 2014, the appellant was stopped by two patrol police officers for violating traffic rules while driving his car. Based on Article 119 (5) of the Code of Administrative Offenses, he was fined 100 GEL. According to the complainant, he told the patrol inspectors that he would appeal the protocol and “would not forgive” slapping him in the head. These words irritated the patrol police officers. As a result, he was arrested on the spot for an administrative offense based on Article 173 of the Civil Code.

The European Court found that the ongoing investigation into the police mistreatment of the applicant was not complete. The severe injury inflicted on the applicant, such as broken ribs, confirmed by the expert report presented in the case file, and for which no police officer was charged, remained beyond the interests of the investigation. Only one patrol officer was charged for hitting him in the head. Additionally, the Court reiterated the need for timely medical examination/expertise as part of the investigative process in maltreatment cases.

GYLA conducted this case in cooperation with the partner organization, the European Human Rights Advocacy Centre (EHRAC).





## INTERNATIONAL ADVOCACY

### ENFORCEMENT OF DECISIONS AND JUDGMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS

GYLA sent six Rule 9 communications during the reporting period. Of these, four of them related to the status of enforcement of the cases of the Tsintsabadze, Identity (2 communications), and Tkhelidze groups in the Committee of Ministers of the Council of Europe, and two - the classification of new cases (Women's Initiatives Supporting Group and Others v. Georgia, Edzgeradze v. Georgia). In addition, two alternative reports on the cases of Identity and Tsintsabadze groups were submitted to the Parliament of Georgia as the national body overseeing the enforcement of European Court decisions/judgments.

It should be noted that during the reporting period, GYLA twice, in November 2021 and March 2022, participated in the oral hearing before the Committee of Ministers of Europe



and met with the lawyers of the Department of Enforcement of Decisions of the Committee of Ministers. The use of this format had a positive impact on the decision-making process, and the Committee of Ministers took into account a number of recommendations of the association. GYLA attended these meetings organized by the partner organization - European Implementation Network. In addition, he participated in two EIN General Assemblies

## ADVOCACY BEFORE THE INTERNATIONAL CRIMINAL COURT IN ORDER TO FACILITATE THE INVESTIGATION OF THE SITUATION IN GEORGIA

During the reporting period, the Office of the Prosecutor appealed the Pre-Trial Chamber of the International Criminal Court to issue arrest warrants against three former high-ranking officials of the South Ossetian separatist regime on charges of possible war crimes. The Court granted the request. GYLA, as the chair organization of the Georgia Coalition at the



International Criminal Court, is advocating that an arrest warrant also be issued against the former President of South Ossetia, Eduard Kokoity and that the Prosecutor's Office continues its investigation into crimes against humanity to determine the responsibility of those acting on behalf of Russia. GYLA published 4 statements on this issue and also participated in 5 meetings held with the Prosecutor's Office, both online and in the form of direct communication.

In terms of advocacy at the International Criminal Court, GYLA is also involved in the processes related to the investigation of the situation in Ukraine. On July 14, the Dutch government, together with the ICC Prosecutor's Office and the European Commission, hosted the Ukrainian Accountability Conference in The Hague, which was attended by representatives of various states. GYLA participated in the working meeting held before the conference, where it presented information about the challenges related to the situation in Georgia.

In September 2022, the Coalition for the International Criminal Court participated in the ICC Prosecutor's Office meeting held in Tbilisi.

In addition, GYLA is actively involved in the activities of the Coalition for the International Criminal Court (CICC) and regularly participates in its meetings.

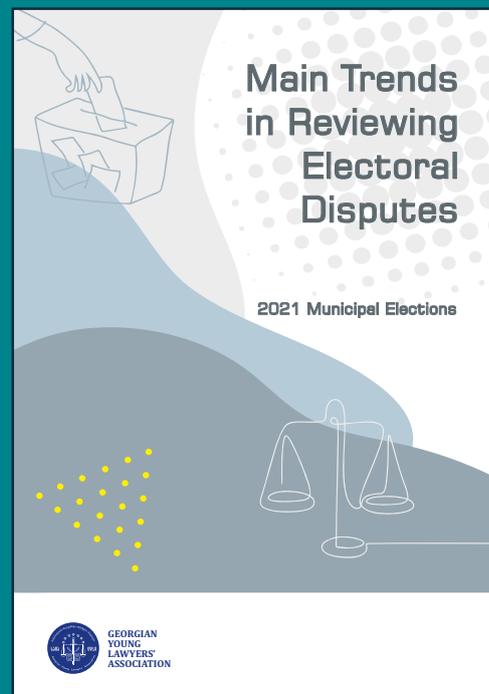
## PUBLICATIONS

### ■ MAIN TRENDS IN REVIEWING ELECTORAL DISPUTES (2021 MUNICIPAL ELECTIONS)

GYLA observed the 2021 municipal elections in Georgia. During the pre-election period, as well as on the polling day and thereafter, the organization handled election-related disputes. Objective and impartial resolution of election disputes is one of the most important elements in assessing the effectiveness of the electoral process. The presented report analyzes the election disputes in order to evaluate the effectiveness of the applicable election mechanisms and develop recommendations for eliminating the identified shortcomings. The organization tries, by highlighting the main trends on this issue, to refine electoral mechanisms, which will ultimately increase citizens' confidence in the electoral process.

### ■ CURRENT LEGAL ISSUES FOR UKRAINIANS IN GEORGIA

After the Russian Federation launched an armed attack on Ukraine, Ukrainian citizens were forced to leave their homeland and seek safe shelter in another country. Nowadays, many citizens of Ukraine are in Georgia. There are a lot of details that are relevant to them. They have already turned to the Georgian Young Lawyers' Association consultation on specific topics. Accordingly, legal explanations regarding these issues were prepared.



## ■ THE LEGAL STATUS OF OLDER PERSONS IN GEORGIA

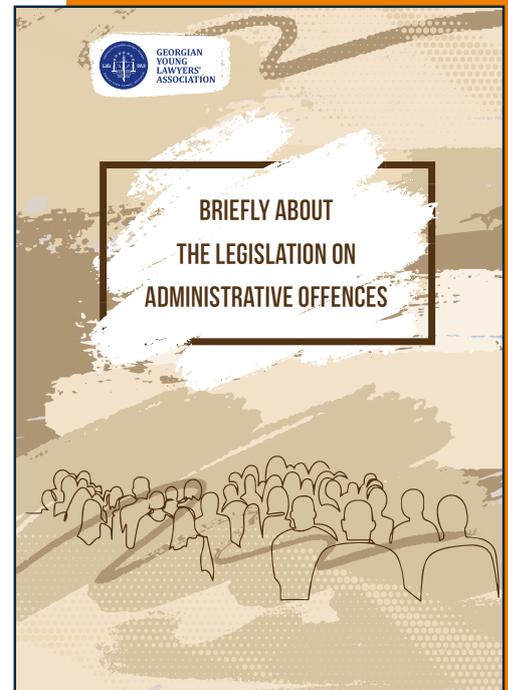
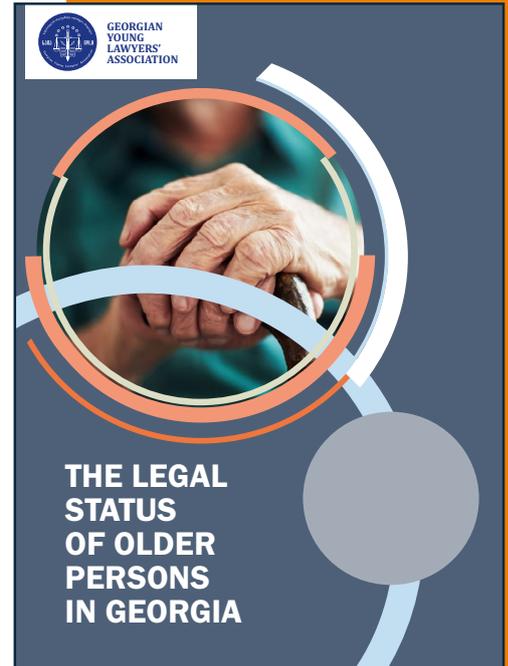
From September 2021 to September 2022, the Georgian Young Lawyers' Association, with the financing of the Open Society Foundation, implemented the project Protection and Promotion of the Rights of Older Persons. Within the framework, legal assistance was provided to more than 1200 people over 60 years of age. As a result, many problems and topical issues related to the rights of older persons were revealed. The presented report discusses both international and domestic legal mechanisms for the protection of the rights of older persons. The problems identified within the project were analyzed, and based on the main trends, relevant recommendations were developed for the relevant state bodies.

## ■ RIGHTS OF ACTIVISTS DURING ASSEMBLY-MANIFESTATION

GYLA has prepared an information brochure, Rights of Activists, during Assembly and Manifestation. In Georgia, during assemblies and manifestations, there are frequent cases of violation of the rights of activists by law enforcement agencies and unjustified restrictions. The purpose of the brochure is to provide the participants of the assemblies with information about their rights during assemblies and manifestations, dealing with law enforcement officers or being arrested.

## ■ BRIEFLY ON THE LEGISLATION ON CRIMINAL OFFENSES

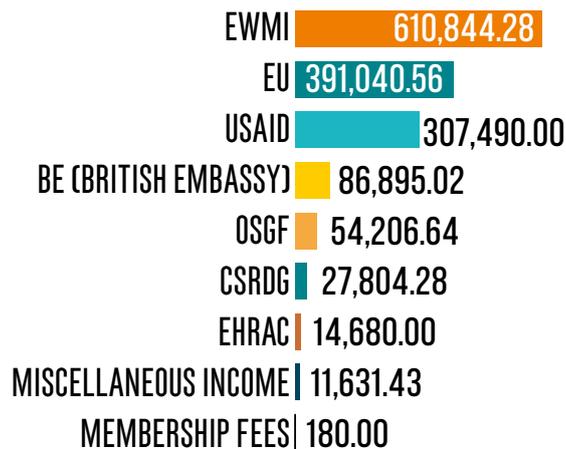
The Georgian Young Lawyers' Association has been supporting and demanding the reform of the legislation on administrative offenses for many years. In order to facilitate the reform, GYLA started implementing a new project, which includes various activities. In order to advocate the issue, a document was prepared that briefly reviews the challenges related to the legislation.



# 4

## FINANCIAL REPORT

Within the reporting period, GYLA received a total of 1,504,772.21 GEL in the form of grants, contributions, and membership fees, and the break-down by sources is as follows:



Within the reporting period, the organization employed 102 staff members, on multiple jobs, including 40 - in the regions. The salary for all employees in the reporting period was a total of 2,191,478.21 GEL. One-time honoraria were paid to 261 persons – a total of 238,102.18 GEL.

The income tax on compensation for services, salaries, and honoraria of private individuals was a total of 456,065.75 GEL.

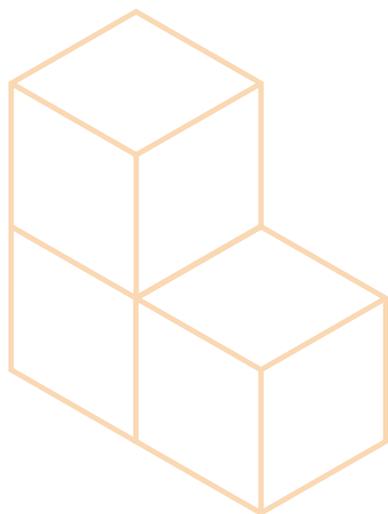
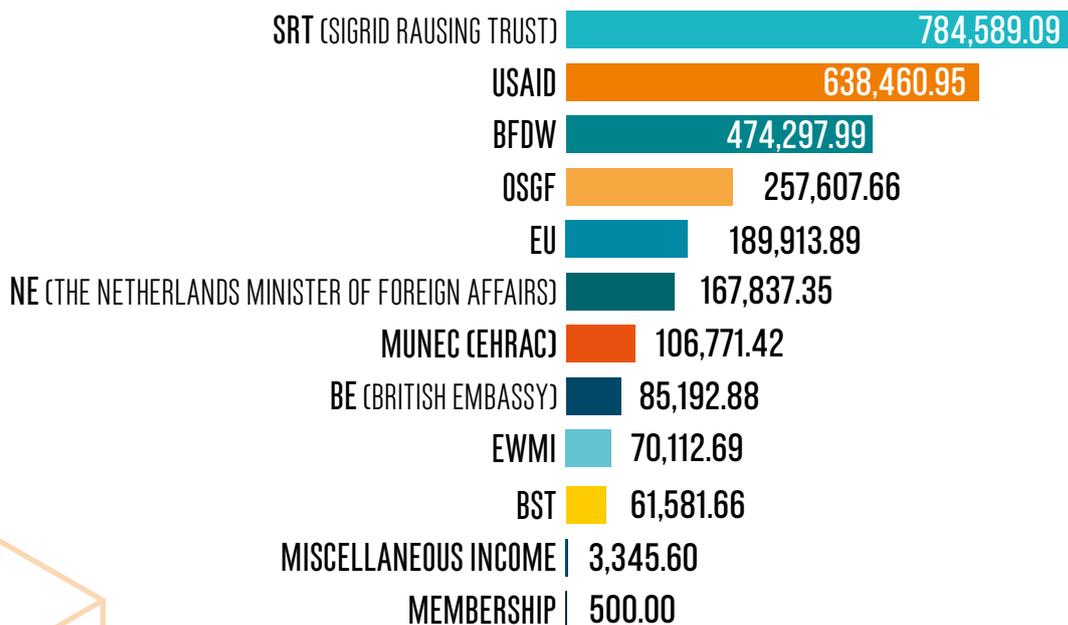
During the reporting period, GYLA purchased 12,048.78 GEL worth of assets. Within the same period, various small-value office items worth of 7,291.95 GEL were purchased.

GYLA also spent 21,942.55 GEL for organizing various seminars and meetings, both in Tbilisi and in the regions.

Travel costs of staff members, members, and invited participants of activities were a total of 94,887.12 GEL. Office rent was a total of 81,054.14 GEL, and communications were a total of 28,632.20 GEL.

Sub-grants provided by GYLA for local NGOs were a total of 156,414.91 GEL.

Within the reporting period, expenditures of GYLA were a total of 2,840,211.18 GEL, with the following break-down by sources:



# GOVERNING BODIES OF THE GYLA

AS OF NOVEMBER 1, 2022

## ■ BOARD MEMBERS

Nikoloz Simonishvili - Chairperson  
Taia Arabuli  
Zviad Ardzenadze  
Revaz Acharadze  
Nino Baghashvili  
Lasha Bekishvili  
Irena Gabunia  
Tamar Gvaramadze  
Mariam Gogosashvili  
Giorgi Gotsiridze  
Dimitri Gugunava  
Rati Tinikashvili  
Natia Kapanadze  
Teona Macharashvili  
Gvantsa Sakanelashvili  
Sul Khan Saladze  
Giorgi Tabatadze  
Nona Kurdovanidze  
Tamar Ghvaladze  
Mary Chachava  
Mikheil Jakhua

## ■ BOARD OF DIRECTORS

Nikoloz Simonishvili - Chairperson  
Nanuka Kruashvili - Director of the Democratic Institutions Support Program  
Nona Kurdovanidze - Director of Legal Assistance Program  
Nino Chikhladze - Administrative Director

## ■ REVISION COMMISSION

Tamar Sarajishvili  
Malkhaz Vepkhvadze  
Nino Bibiluri  
Nino Samadashvili  
Ana Kotetishvili

## ■ HEADS OF REGIONAL OFFICES

Adjara Branch - Paata Diasamidze  
Kutaisi Branch - Zaal Gorgidze  
Rustavi Office - Natia Kokiashvili  
Gori Office - Ketevan Bebiashvili  
Telavi Office - Marekh Mgaloblishvili  
Ozurgeti Office - Tamaz Trapaidze  
Dusheti Office - Sergo Isashvili  
Zugdidi Office - Kesaria Chakhaia

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