



**Annual Report
2009**

**Rule of Law
for Justice**

Annual Report
2009



Rule of Law for Justice

Georgian Young Lawyers' Association



Organization for Security and Co-operation in Europe
Mission to Georgia



Oxfam Novib

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commissioned by

Federal Ministry
for Economic Cooperation
and Development



Oxfam



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EUROPEAN HUMAN RIGHTS ADVOCACY CENTRE

EHRAC

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Dear GYLA members,

This is the first time I greet you as Chairperson and take this opportunity to congratulate you with this solemn anniversary: the Georgian Young Lawyers' Association is 15 years old!

As in previous years, in 2009 we continued an uncompromised fight for the protection of human rights, facilitation of accountable and transparent government and enhancement of rule of law.

We worked to mitigate the consequences of the events that took place in August last year: we helped the internally displaced persons in formally acquiring this status; we made efforts to bring their voice to the Government; we provided them with legal advices and protected their interests at domestic and international levels.

We provided legal aid to our compatriots regardless of their status or ethnic origin; we stretched our hand of assistance to victims of trafficking and domestic violence; we provided legal advice to journalists and represented their legal interests before courts.

We monitored the Government by researching and making the public aware of the performance of the Anti-Corruption Strategy and the Action Plan for the Fight against Torture and Inhuman Treatment or Punishment, the conditions in penitentiary institutions, spending of the budget resources on construction of roads and IDP homes, and how much its costs for each of us to pay for the salaries and premiums of public officials.

We cooperated with the executive government and the legislative body by being involved in a number of inter-agency councils and hearings of parliamentary committees because we believe that it is possible to achieve a change by constructive opponement and cooperation with the staff of public institutions, at least for the reason that so many public officials are GYLA members!

With our zealous and success-oriented work, I believe, we did achieve important changes in the aforementioned matters. Our common goal – Rule of Law for Justice – justifies the means and activities each of you have been employing during the last year and the entire 15 years of our existence to combat injustice and violations of human rights and freedoms, with which the Georgian Young Lawyers' Association managed to become one of the most trusted defenders in our society.



I hope we will have important and successful work together in the future too to achieve our strategic goals and objectives as stipulated in our Statute.

Respectfully,
Tamar Khidasheli
Chairperson,
Georgian Young Lawyers' Association

MISSION STATEMENT OF THE GEORGIAN YOUNG LAWYERS' ASSOCIATION

The Georgian Young Lawyers' Association is a voluntary association of lawyers.

We are united by a common vision on the protection of a lawyer's professional dignity and future.

We are determined to facilitate building a Georgia with an active society having high legal culture; where State institutions are transparent and accountable; where rule of law is enforced and the State power is limited by human rights.

We strongly believe in these values on the basis of which our organization was created; we are serving the implementation of these values.

The Georgian Young Lawyers' Association is an organization based on liberal values and all generations are guided by this values in performance of their activities.

We are guided by:

- Professionalism;
- Professional dignity and ethics;
- Freedom and equality before the law;
- Openness, partaking and accountability;
- Consistency.

Our motto is

Rule of law for justice

Strategy Of the Georgian Young Lawyers' Association For 2007-2010

Approved by the GYLA General Assembly 28 October 2007



The Georgian Young Lawyers' Association continues successful work toward honouring the obligations prescribed by the Organization's Statute and achieving the strategic goals approved by the General Assembly on 28 October 2007.



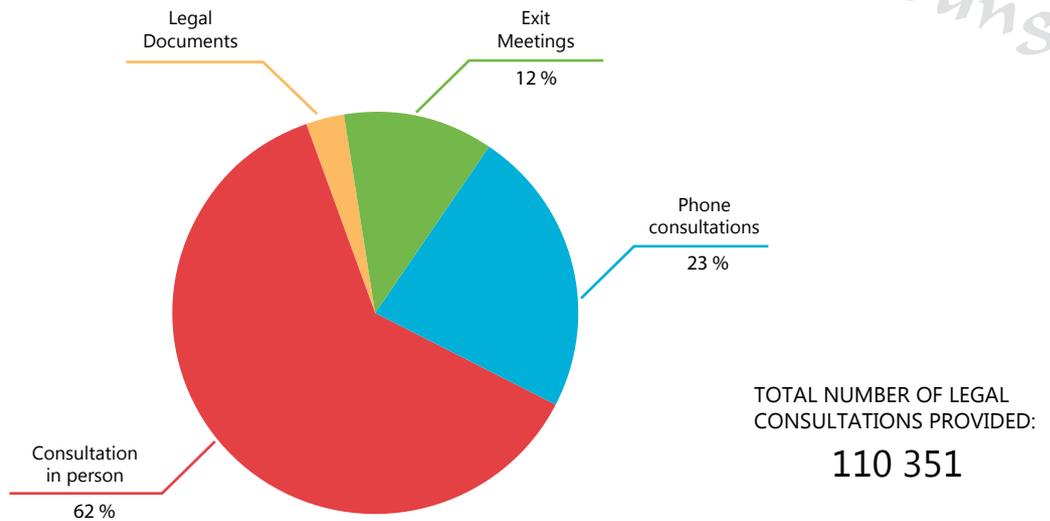
GYLA hereby presents its 2009 Activity Report covering the period of 1 October 2008 – 1 October 2009



HUMAN RIGHTS PROTECTION, DEVELOPMENT OF REMEDIES AND ENSURING ACCESS WITHOUT DISCRIMINATION

Year by year public trust to the Georgian Young Lawyer's Association grows and strengthens. Striving for the effective protection and guaranteeing of the rights recognized by the Constitution, international treaties and the current legislation remains GYLA's most important trademark. The number of legal consultations rendered by GYLA central and regional offices during the reporting period manifests the trust declared by the citizens to GYLA. Statistical data also points to the tireless work and devotion of GYLA lawyers and their competence and professionalism in all the legal areas.

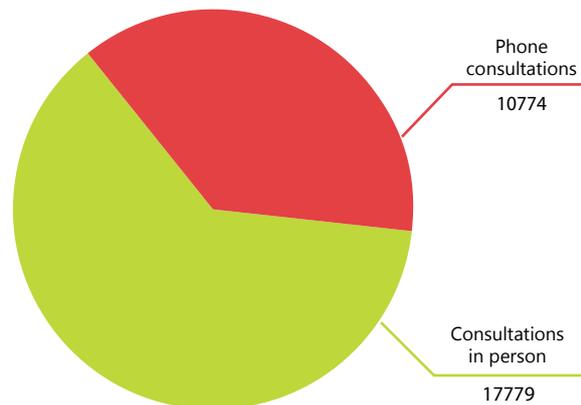
In the reporting period, GYLA central and 7 regional offices rendered a record number of legal advices:



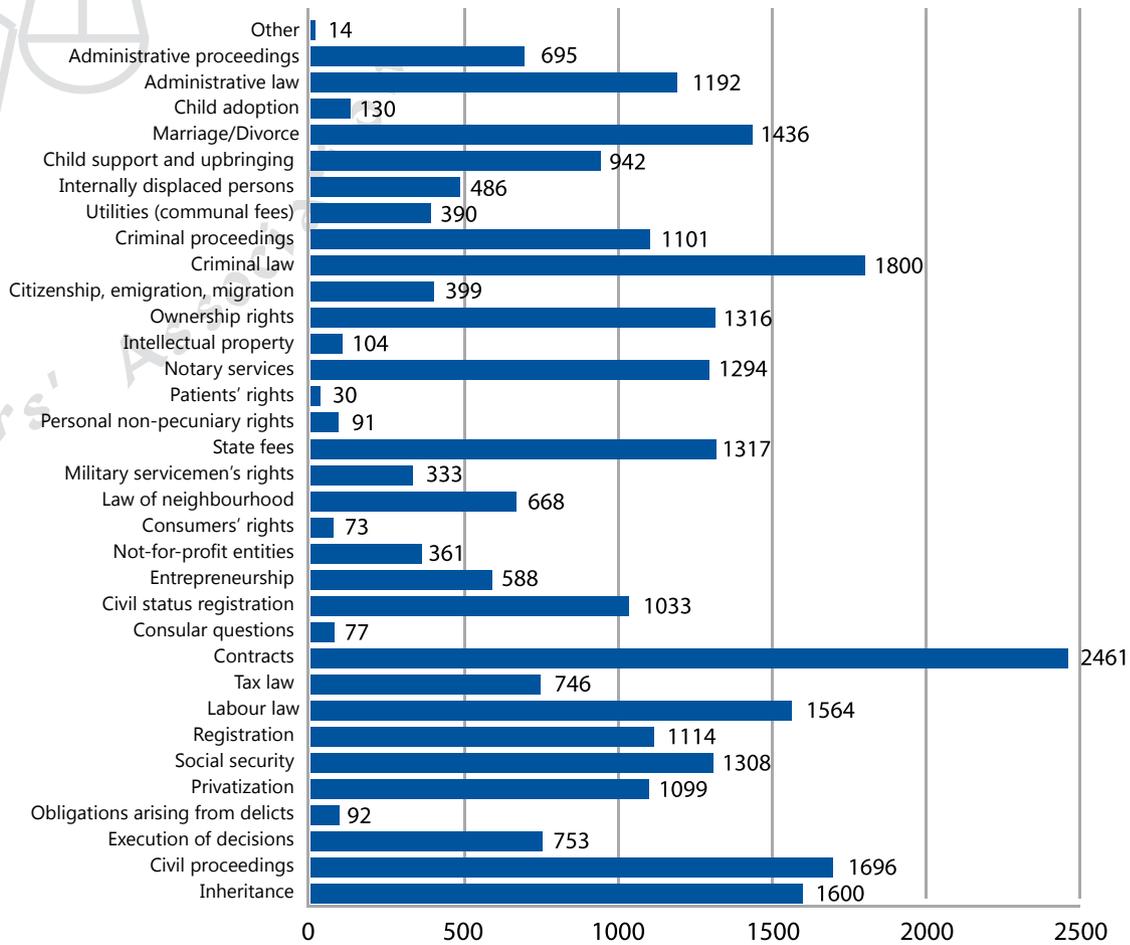
The above data shows the great confidence from the part of the public to the Georgian Young Lawyers' Association and displays the importance of the Association's activities and the public need for their continuation in the future.

LEGAL CONSULTATIONS AND LEGAL DOCUMENTS

GYLA's Legal Aid Centre in Tbilisi issued a total of 28,553 legal consultations in the reporting period:



The legal consultations rendered concerned the following matters:



In the reporting period, lawyers from GYLA's Tbilisi Office of the Legal Aid Centre drafted 1,002 pieces of various legal documents for citizens at their request.

Attorney's services

In the reporting period, GYLA's Tbilisi Office represented legal interests of citizens in 22 civil, 67 administrative and 88 criminal law cases.





By 1 October 2009, the Legal Aid Centre has the following pending cases:

- 43 administrative cases
- 10 civil law cases
- 56 criminal law cases

As in the capital city, GYLA continued to provide socially vulnerable citizens with free-of-charge legal services in Georgia's regions. The legal services provided included free legal consultations, free representation before courts and administrative bodies, exit consultation in the regions and drafting of various legal documents.



The below chart shows statistics of legal assistance provided by the regional offices and branches of the Georgian Young Lawyers' Association to the relevant beneficiaries:

Regional offices	Phone consultations	Consultations in person	Exit meetings	Media consultations	Total
Kutaisi	8415	18221	2826	39	29501
Gori	1690	15814	7563	0	25067
Rustavi	2521	2607	389	2	5519
Ozurgeti	231	2232	698	0	3161
Telavi	483	3369	677	20	4549
Achara	2197	8765	1235	4	12201
Dusheti	220	1200	380	0	1800

GYLA's regional offices prepared the following number of legal documents:

	Achara	Kutaisi	Gori	Rustavi	Ozurgeti	Telavi	Dusheti	Total
Documents	471	502	908	287	213	185	119	2685

Representation before courts and administrative bodies:

	Gori	Ozurgeti	Telavi	Kutaisi	Rustavi	Achara	Dusheti	Total
Cases	60	5	11	33	42	34	60	245
Administrative	4	0	1	8	11	18	2	44
Criminal	32	3	6	14	22	11	3	91
Civil	24	2	4	11	9	5	55	110
Successful cases	10	3	4	23	18	18	25	101

SUCCESSFUL CASES

In the reporting period, GYLA attorneys managed to achieve important success for the benefit of beneficiary citizens.

In accordance with the criteria determined by the GYLA Governing Board, our Legal Aid Centre provides attorney services to citizens being in extreme hardship whose rights are violated by an administrative body or where there is an obvious inequality between the capabilities of the parties to a dispute. Below are the examples of successful cases conducted by GYLA attorneys; these examples show the importance of qualified legal assistance to citizens, especially to those who are socially less protected.

- A single pensioner S.Sh. was no longer receiving her allowance which she was entitled to receive under law for the reason that both the local Gamgeoba and the Social Services Agency failed to perform their obligations to each other. With GYLA's assistance, the mentioned citizen applied to a court. As a result, issuance of the monetary allowance was restored and the debt of 2 years owed by the State was fully paid to her.
- With the assistance of GYLA attorneys, citizen G.K. whose 12-year-old son fell ill with tetraparesis (limb paralysis) due to a bad-quality vaccination, won a court case against the Georgian Ministry of Labour, Health and Social Protection and a pharmaceutical company and was awarded 90,000 Lari as compensation of injury suffered.
- GYLA provided attorney services to citizen V.Ch. who was demanding payment of salary from the Ministry of Defence. The court partly upheld V.Ch.'s claim and ordered the Ministry of Defence to pay 670 Lari to the plaintiff.
- GYLA was approached by citizen Zh.O. with a request of assistance in payment by the Social Services Agency of the outstanding social allowance for 10 months to her, re-checking of her family's social status and restoration of the social allowance to her. With GYLA's assistance, all of her claims were upheld.
- GYLA provided legal assistance to 18-year-old L.B. who won a case in a court against the Social Subsidies Agency; in particular, she was reinstated in her entitlement to a pension for the loss of a breadwinner which she was unlawfully deprived of. She was also awarded the amount of pension unpaid during the date of unlawful deprivation of her right to pension and the date of reinstatement.
- GYLA was approached by citizen N.P. with a request for assistance. N.P.'s son died in 1992 as he was performing his military duty. As family member of a person who died in hostilities for the territorial integrity of Georgia, N.P. enjoyed various benefits she was entitled under law. However, in 2008 she was deprived of this status on basis that as if her son did not die during the hostilities for Georgia's territorial integrity. With GYLA's assistance, N.P. won a case in the court against the Department of Veterans' Affairs and the Ministry of Labour, Health and Social Protection. The court ordered the Department of Veterans' Affairs to register N.P. as a family member of a person who lost his life during a battle for Georgia's territorial integrity.

- With GYLA's assistance, student D.G. who had lost his breadwinner won a case in three court instances against the Social Services Agency and was awarded a pension he was entitled to under law.
- M.N., staff member of the Ivane Javakhishvili Tbilisi State University, was fired from the job on the ground of staff reduction regardless of the fact that she had 2-month-old baby and under the labour laws applicable at the moment of her dismissal she could not be fired from the job. With GYLA's assistance, D.G. filed a lawsuit in the court. The court partly upheld D.G.'s claim to declare the disputed order on her dismissal void. The court ordered that the defendant review the plaintiff's case anew in the light of materially important facts and issue a new administrative act on the subject.
- GYLA assisted citizen N.Ts. in the court who was able to get the money she deposited with the bank "Innovation" back together with the interest rate she was entitled to.
- With GYLA's assistance, parents of citizens who died in a car accident were able to receive financial and moral damages inflicted by the criminal conduct.
- Poet Ioseb Longishvili, with GYLA's assistance, was able to win a case at the cassation instance in the Supreme Court of Georgia against the Georgian Folk Songs and Dance State Academic Ensemble "Erisioni"; the court upheld his copyright to part of song "Samaia" and the song "Shatilis Asulo".
- With GYLA's assistance, it was made easier for citizen G.K. to acquire ownership right of the residential house and adjacent land which he has been factually owning together with his family for several decades.
- GYLA helped a grandmother and a grandfather in obtaining the right to meet their 2-year-old grandchild.
- GYLA provided attorney services to 8 victims of human trafficking. For security reasons, some of them have been temporarily accommodated in a State-run shelter for victims.
- GYLA defended accused L.M.'s interests who damaged the back windshield of a car by negligently throwing a stone. Investigation started on the fact of damage and the conduct was qualified as property damage (Article 187(1) of the Criminal Code). L.M. was committed to pre-trial detention as a preventive measure, which, based on GYLA's motion, was replaced with a bail of 2,000 (two thousand) Lari. Further, based on our attorney's motion, a forensic examination was carried out proving that the value of the damaged property did not constitute "serious damage" within the meaning of Article 177(3) of the Criminal Code; in particular, the windshield cost less than 150 Lari. As a result of our efforts, the prosecution office stopped prosecution and pre-trial investigation in the case due to lack of elements of crime and the bail amount of 2,000 was returned to L.M.
- J.J. was accused in knavishly obtaining ownership of large amounts of property. Based on our attorneys' motions and the existing evidence, prosecution against J.J. was stopped due to lack of elements of crime prescribed by Article 180(3)(b) in his conduct.
- Convicted D.B. addressed GYLA from a penitentiary institution with a request for attorney services. He was convicted by a first instance court for theft and was sentenced to imprisonment for 7 years and 8 months. Our attorney appealed against the judgment first in the appeals court and then in the Supreme Court. The Supreme Court heard the case at a public session and ordered that the appeals court review the case anew. During the hearing in the appeals court, our attorney assisted in concluding a plea agreement between the prosecution office and convicted D.B. as a result of which D.B.'s punishment was replaced with a total of 2 years of imprisonment; because D.B. had already served this term, it was considered that D.B. has served his entire term and was thus released from the courtroom.
- G.Ch. was accused of theft of several packs of mineral water "Borjomi". After the Supreme Court returned the case to the appeals court for a new review, as a result of our attorney's involvement, the prosecution office concluded a plea agreement with him. As per the agreement, the court sentenced G.Ch. to imprisonment for 1 year and 8 months, a term which, by the date of conclusion of the plea agreement, had already been served. Accordingly, G.Ch. was released from the courtroom.
- GYLA provided attorney services to accused G.Q. who stole backview mirrors on several cars while he was in a state of limited mental capacity. For this crime, he was facing imprisonment for at least 12 years. With the efforts of and based on evidence obtained on the initiative of the defence side, a plea agreement was

concluded between the prosecution office and accused G.Q. He was thus sentenced only to 6 months of imprisonment.

- GYLA provided attorney services to V.M. who was accused of attempted theft. V.M. was convicted by the Tbilisi City Court; however, with our efforts, his punishment was confined to only a penalty of 4,000 Lari.
- GYLA assisted J.Sh. who was accused of unauthorized leaving of a military unit with the intent of evasion of military service (a crime under Article 389(1) of the Criminal Code). With our assistance, the prosecution office concluded a plea agreement with him. By the conditions of the agreement, J.Sh. was sentenced to imprisonment for 6 months while Article 389(1) of the Criminal Code envisages imprisonment from 3 to 7 years. In three days after the plea agreement was concluded, J.Sh. was released from detention.



We also had many successful cases due to zealous work of our attorneys in our regional offices:

- With our Achara Branch assistance, claims of M.M., R.B., N.G. and other students of the Shota Rustaveli Batumi State University (there were a total of 12 plaintiffs) were upheld. The court declared the decision of the Social Sciences, Business and Law Faculty Board partly void in the part according to which the students were granted the academic degree of “bachelor of business management.” The court ordered the University to issue a new administrative act granting the students the degree of “lawyer-economist” instead.
- Our Achara Branch assisted plaintiff N.G. whose claim was upheld and the defendant Shota Rustaveli Batumi State University was ordered to pay N.G. 22,528 Lari as lost profit.
- With our Achara Branch involvement, Khelvachauri District Court upheld plaintiff Ts.Ts.’s claim and declared the decision of the Property Rights Commission of the Khelvachauri Municipality Sakrebulo void; the decision contained refusal to grant property rights to an agricultural land to the plaintiff. In March 2009, the Property Rights Commission recognized Ts.Ts.’s right to the land plot in Village Mejinistskali.
- GYLA’s Achara Branch was approached by Z.Ts. with a request for legal assistance. Z.Ts. was summoned to court by the Khelvachauri Municipality Gamgeoba claiming that the decision of the Property Rights Commission dated 20 February 2008 be declared void and, accordingly, the ownership certificate issued to Z.Ts. for a land plot under his disposition be also declared void. The Khelvachauri District Court rejected Gamgeoba’s claims and our client thus retained his right to the mentioned land plot.
- Our Achara Branch assisted N.S. who was a victim in a criminal case in winning his civil claim in the criminal case; in particular, the indicted person was ordered to pay to the victim 9,000 Lari as compensation of inflicted damages.
- Batumi City Court declared the resolution of the Batumi Municipality Supervision Service no. 128/08 dated 4 August 2008 void, which imposed a fine of 4,000 Lari on M.D. for unlawful construction and demolition of the building.
- GYLA’s Telavi Office was approached with a request for legal assistance by citizen N.J.; in this case, Telavi Registration Office of the Public Register suspended registration of N.J.’s right to real property received through inheritance. Based on our administrative complaint, the National Agency of the Public Register ordered its Telavi Office to register N.J.’s right.
- Our Achara Branch assisted visually impaired citizen T.K. in establishing through a court of the fact that T.K. was factually owning a property received through inheritance.
- Our Achara Branch was approached by Ts.Ch. for legal assistance. Our client graduated from the Shota Rustaveli Batumi State University having passed the full course of Georgian Language and Literature at the Faculty of Philology. Following the graduation, based on the University Rector’s order no. 1-18, Ts.Ch. was awarded a “certificate of attendance” instead of a diploma. On this matter, we lodged an administrative complaint with the Minister of Education and Sciences. Our complaint was partly upheld. The Ministry ordered the University to review the matter anew and to issue a new individual administrative act.
- With the involvement of GYLA’s Achara Branch, the Batumi City Court fully upheld A.G.’s claim. While registering A.G.’s right to land plot, the Khelvachauri Registration Service of the National Public Register Agency unlawfully “cut off” 400 square meters from the land subject to registration. The Court ordered the Khelvachauri Registration Service to register a total of 2,507 square meters as A.G.’s property.
- The Batumi City Court fully upheld M.D.’s claim and ordered Waterlite Georgia Ltd to pay 6,000 (six thousand) Lari as outstanding salary to M.D.
- GYLA’s Ozurgeti Office assisted M.Kh. in being granted the status of a victim of political repression through court.
- M.Ts. was accused of commission of a crime under Article 236(1) of the Criminal Code. As a result of our Ozurgeti Office’s involvement, the Chokhatauri District Court replaced the initial forced measure of detention with a bail in the amount of 2,000 Lari. M.Ts. was released from the courtroom. It should also be noted that M.Ts. participated in protest rallies in front of the Parliament building in Tbilisi and considered

that his detention had political motives.

- N.M., mother of a soldier who died as a result of the Russian military aggression in August 2008, was saved from 2-month pre-trial detention. She was unable to pay a bail of 10,000 (ten thousand) Lari. With the help of our Kutaisi Branch, she requested the court to abolish the imposed preventive measure. By resolution of the Kutaisi City Court of 13 February 2009, N.M. was temporarily released under personal suretyship. According to the information obtained by our Kutaisi Office from the Kutaisi City Court, in 2008 only one accused person was released under personal suretyship as a form of preventive measure pending investigation.
- N.Q. was accused of commission of a crime under Article 389(1) of the Criminal Code. With our Kutaisi Branch's involvement, the Kutaisi City Court imposed a conditional punishment and convicted N.Q. was released from the courtroom.
- GYLA's Kutaisi Branch was approached with the request for legal assistance by G.G. who was accused of commission of a crime under Article 388(4) of the Criminal Code. With our attorney's help, the Kutaisi City Court ordered a conditional imprisonment for three years and convicted G.G. was thus released from the courtroom.
- Our Kutaisi Branch assisted citizen T.K. who was a victim of unlawful detention. Sh.B. was found guilty of T.K.'s unlawful detention under Articles 143(3)(a) and 138(1) and was sentenced to 12 years of imprisonment.
- With our Kutaisi Branch's assistance, the Kutaisi City Court ordered that an administrative violations case against G.S. be terminated.
- Our Kutaisi Branch provided legal assistance to citizen E.D. who was accused of a crime under Article 177(2) (a) and (3)(a). He was released from the pre-trial detention facility.
- E.J. was accused of commission of crimes under Articles 260(1) and 236(1). With the assistance of GYLA's Kutaisi Branch, the Khobi District Court replaced detention with a bail of 2,000 Lari as a preventive measure pending investigation and E.J. was released from the courtroom. It should be noted that E.J. participated in protest rallies in front of the Parliament building in Tbilisi and considered himself a political prisoner.
- A.K. was accused of commission of a crime under Article 389(1) of the Criminal Code. With the help of our Kutaisi Branch, the Kutaisi City Court ordered only a conditional sentence and A.K. was released from the courtroom.
- With the help of our Kutaisi Branch, the Kutaisi City Court awarded payment of child support in the amount of 100 Lari per month for the benefit of juvenile A.N.
- With the help of GYLA's Kutaisi Branch, the Kutaisi City Court recognized now late B.G. as M.Ch.'s father as a result of which juvenile M.Ch. was granted pension due to loss of a breadwinner.
- GYLA's Kutaisi Branch provided legal assistance to G.V.; in particular, the Kutaisi City Court declared a protocol on administrative violation against G.V. void.
- With our Kutaisi Branch's help, juvenile M.Z. was awarded pension in the amount of 150 Lari per month based on a decision of the Kutaisi City Court.
- E.B. was accused of commission of a crime under Article 187(1) of the Criminal Code of Georgia. With the help of our Rustavi Office, E.B. was temporarily released under personal suretyship pending investigation. At the hearing of the merits of the case, E.B. was imposed only a conditional imprisonment for 1 year.
- With the help of GYLA's Rustavi Office, L.J.'s claim was upheld and the Rustavi City Court ordered defendant B.G. to pay child support to his juvenile child in the amount of 100 Lari.
- With the help of GYLA's Rustavi Office, the court upheld A.B.'s claim for issuing an order allowing peaceful enjoyment of his share rights to a land plot.
- With the help of GYLA's Rustavi Office, T.Kh.'s claim was upheld and the Rustavi City Court ordered defendant V.Ts. to pay child support to his underage child.
- With the help of GYLA's Rustavi Office, Z.M.'s administrative claim was upheld; a resolution of the Rustavi

Supervision Service on fining Z.M. for unlawful construction was declared void.

- With the help of GYLA's Rustavi Office, L.Kh. was declared legally incapable by the court; the court appointed a legal guardian to L.Kh. On this basis, the legal fact of L.Kh.'s birth registration was established and L.Kh. was awarded state pension.
- With the help of GYLA's Rustavi Office, I.B.'s claim was upheld and the Rustavi City Court ordered defendant N.U. to pay child support to his underage child.
- With the help of GYLA's Rustavi Office, the Rustavi District Prosecution Office stopped a criminal case against Zh.G. who was suspected in commission of a crime under Article 180(1).
- With the help of GYLA's Rustavi Office, Kh.M.'s claim was upheld and the Rustavi City Court ordered defendant Sh.B. to pay child support to his underage child.
- With the help of GYLA's Rustavi Office, Ts.D. who was registered in the Unified Database of Socially Unprotected Families was able to register a disputed immovable property as private property in the Public Register, based on a court decision.
- With the help of GYLA's Rustavi Office, I.K.'s administrative lawsuit was upheld and the record of the Rustavi Registration Service of the Public Register Agency was declared void; according to the ruling, a private property right was registered to land plot that was a shared property.
- With the help of GYLA's Rustavi Office, the Rustavi City Court upheld M.S.'s lawsuit and declared the Rustavi Mayor's Office's individual administrative act void; on this basis, the Rustavi Mayor's Office was ordered to transfer a residential apartment free of charge into M.S.'s private property (privatization).
- GYLA's Rustavi Office was approached with a request for legal assistance by citizen G.Ts. The other side of the dispute was claiming that the ownership certificate issued by the Rustavi Mayor's Office be declared void. The ownership certificate granted property rights to a residential apartment. With the help of GYLA attorneys, the Tbilisi Appeals Court left the Rustavi City Court's decision on G.Ts. case in force unchanged.
- With the help of GYLA's Telavi Office, Ts.Dz. addressed the Social Services Agency with an administrative complaint; the claim was upheld and a new lower rating score of 37,790 was granted to the claimant. As a result, claimant Ts.Dz. became entitled to receive subsistence allowance.
- Z.M. was accused of commission of a crime under Article 177(2) of the Criminal Code. With the help of GYLA's Telavi Office, the court replaced his imprisonment as a form of forced measure with a bail.
- With the help of GYLA's Telavi Office, the Telavi District Court ordered defendant G.T. to pay a child support of 150 Lari to his underage child.
- With the help of GYLA's Telavi Office, a previous conviction was deleted from N.Z.'s record.
- With the help of GYLA's Telavi Office, the Social Services Agency re-checked G.B.'s family and awarded it a new score of 37,890. As a result, on 6 March 2009, the family became entitled to subsistence allowance in amount of 222 Lari for 9 family members.
- With the help of GYLA's Telavi Office, victim A.Q. was reimbursed for physical and moral damages suffered in the amount of 1,000 (one thousand) Lari.
- With the help of GYLA's Telavi Office, the Telavi City Court declared a protocol on violation drawn up by a community inspector against Ts.S. void.
- With the help of GYLA's Telavi Office, the Ministry of Environment and Natural Resources Protection was ordered to pay 631, 39 Lari to D.E.
- With the help of GYLA's Gori Office, T.L.'s lawsuit was upheld and the Gori District Court ordered defendant Z.G. to pay child support to his underage child G.G.
- GYLA's Gori Office was approached for assistance by Sh.G. who was unlawfully deprived of subsistence allowance by the Social Services Agency. Our Gori Office helped restore Sh.G.'s family in the Unified Database of Socially Unprotected Families. Sh.G.'s family was awarded a new score of 48,670 and granted

subsistence allowance. With our assistance, Sh.G. appealed in the Ministry of Labour, Health and Social Protection against the individual administrative act of Social Services Agency with which Sh.G.'s claim to restore subsistence allowance entitled from the very date of its stoppage was refused. The appeal was upheld and Sh.G. received subsistence allowance also for the months during which payment of the allowance was stopped.

- With the help of GYLA's Gori Office, N.Z. was able to get her underage children back under her parenthood. N.Z. had been restricted in the right to see her children by the family members of her deceased spouse.
- With the help of GYLA's Dusheti Office, the Mtskheta District Court upheld U.O.'s claim. Order of the school principal of the Village Davati (Dusheti District) on the firing of the claimant from the job was cancelled and the defendant was ordered to restore the claimant in his job as teacher in the elementary class.
- With the help of our Dusheti Office, the Mtskheta District Court established by its decision the fact that E.K.'s father is now late A.B.; based on this fact, underage A.K. was granted pension for the loss of a breadwinner.
- GYLA's Dusheti Office provided assistance to citizens R.B., Zh.S. and others (45 persons) who were no longer receiving their pension for the reason that in their pension-related documents their names did not match with names as written in their citizen's ID cards. With our Dusheti Office's help, the Mtskheta District Court, established the legal fact that the persons in the pension documents and in the ID cards were the same persons. Based on the decision, the claimants were able to get their pension and other allowances.
- Citizens L.B., G.N. and other (58 persons) were unable to register their immovable property for the reason that in a number of documents their names were written differently and did not match each other. With our Dusheti Office's help, it was judicially established that the relevant documents belonged to the relevant persons. As a result, they were able to register their real estates in the Dusheti Registration Service of the Public Register.
- With the help of GYLA's Dusheti Office, the Mtskheta District Court established a legal fact that the relevant document belonged to T.Q. Based on the decision, T.Q. was granted the status of a participant of the hostilities in Abkhazia.

STRATEGIC LITIGATION IN THE EUROPEAN COURT OF HUMAN RIGHTS

In addition to litigation at the national level, in the reporting period we had an increased number of persons willing to have their rights and freedoms protected at the level of international human rights bodies. GYLA provided legal advice to 1,405 persons concerning procedures of applying to the European Court of Human Rights and violations of specific provisions of the European Convention. The increase in number of persons wishing to apply to the Strasbourg Court was warranted by the wholesale violation of human rights during the Russia-Georgia war in 2008. GYLA has been actively involved in offering legal assistance to victims of war from the date of the start of the conflict. As a result, last year, 62 more cases were added to our 14 Strasbourg cases.



1. **Ramishvili v. Georgia** (*Application No. 48099/08*)

The case concerns violation of Article 3 of Protocol I (the right to free elections). Article 5(2) of the Election Code of Georgia deprives prisoners of penitentiary institutions the right to vote, irrespective of the gravity of crime committed by a prisoner or the term of imprisonment. For this reason, the applicant who was serving his sentence in Rustavi Institution No. 2 at the time of elections was unable to participate in the parliamentary elections of 21 May 2006.

2. **Rurua and others v. Georgia** (*Application No. 57377/08*)

The case concerns debt to depositing citizens resulting from indexation of deposits made in the State-owned commercial banks. Since 2002, Mr. Rurua and his family members have been claiming before the Georgian courts payment of money owed to them due to indexation of their deposits.

By Order of the Supreme Court of Georgia dated 24 January 2008, their claim was rejected for the reason that no mechanism of indexation existed; in other words, the claim had no legal basis. According to the Government resolution passed in 2004, a mechanism of indexation should have been determined by a State Commission on Debts but this has not happened yet.

With GYLA's help, the applicants addressed the European Court referring to Article 1 of Protocol I (the right to property) and Article 13 (effective remedies) of the Convention in conjunction with Article 1.

3. **Megrelishvili v. Georgia** (*Application No. 30364/09*)

Mr. Megrelishvili was tried for purchase and use of large amounts of narcotic drugs. His convicting judgment was based on protocols of search and seizure and testimonies of members of Special Operative Department. The applicant and his car were searched without allowing the applicant to have witnesses attend the search and seizure process.

At the court hearing, the judges agreed with the investigator's view without any proofs that there was an urgent necessity to conduct investigative actions and considered that the investigator lawfully refused Mr. Megrelishvili to invite witnesses to attend the investigative actions.

With GYLA's assistance, the applicant addressed the European Court referring to Article 6 of the Convention (the right to fair trial) due to violation of the principle of equality of arms being part of the right to fair trial.

4. **Studio "Monitor" and Zuriashvili v. Georgia** (*Application No. 44920/09*)

Studio "Monitor" filed a request for release of public information with the Khashuri District Court requesting receipt of copies of a specific criminal case materials. Studio "Monitor" and journalist Nino Zuriashvili needed the materials of the mentioned criminal case to conduct a journalistic investigation and to prepare a material for broadcast.

The Khashuri District Court refused to release the requested information to studio "Monitor." Nor could the applicants obtain the case materials through litigation.

The applicants are referring to violation of their right under Article 10 (freedom of expression) of the Convention. Studio "Monitor" asserts that its right to receive and disseminate information was disproportionately restricted while the mentioned information was a matter of public interest. Studio "Monitor" is represented by the Georgian Young Lawyers' Association before the European Court.

5. **Kakushadze v. Georgia** (*Application No. 5619/09*)

Mr. Kakushadze was serving his sentence for armed robbery. In the course of serving his sentence, the applicant incurred administrative liability for verbal abuse against a prison staff member for which he was placed in an isolation ward for 10 days. Later, the same conduct was labelled as a crime under Article 378 of the Criminal Code of Georgia and the applicant was tried by a criminal court.

The applicant refers to violation of Article 6 of the Convention (the right to fair trial) and Article 4 of Protocol VII (the right not to be tried or punished twice). Kakushadze's interests in the European Court are represented by the Georgian Young Lawyers' Association.

6. **Getsadze v. Georgia** (*Application No. 15373/09*)

On 2 November 2006, in the Geguti No. 8 Penitentiary Institution, investigation started on the fact of handing over prohibited item – money (50 Lari). On the same day, on the motive of urgent necessity, without a judicial warrant, an investigative action was performed; in particular, the applicant's incoming and outgoing calls on his mobile phone were secretly tapped and recorded. At that time, the applicant was a member of the Georgia's Public Defender's Office.

In 2007, the applicant was found guilty in attempted crime under Article 145 of the Criminal Code (provocation of a crime).

Assisted by GYLA's attorneys, the applicant refers to violation of Article 6 (the right to fair trial), Article 7 (no punishment without law), Article 8 (the right to respect for private and family life) and Article 18 (limits of restrictions on the rights under the Convention) of the Convention. The applicant asserts that he was punished for conduct not prescribed by the Criminal Code and his private life was unjustifiably interfered with.

7. **Egizarian v. Georgia**

On 21 August 2004, V. Egizarian, in a car together with his friends, was heavily injured as a result of explosion of an anti-tank mine TM-57 in village Chakvi. V. Egizarian lost both legs. Now he is a permanent invalid of the first group and requires permanent care.

The coast was allegedly mined in Spring of 2004 by orders of the former Head of Achara Autonomous Republic and the former Minister of Security of the Achara Autonomous Republic, in the period after the Rose Revolution as the Achara Government was in confrontation with the central Government.

In July 2005, V. Egizarian filed a lawsuit with a court against the Ministry of Internal Affairs of Georgia with a request for compensation of moral damages. Review of the case in national courts was unjustifiably protracted in violation of the applicable laws. The final judicial decision was passed only in May 2009 with which the applicant's claim was rejected. Nor was it determined which State body was responsible for demining the area and who was responsible for the incident.

GYLA lodged an application with the European Court on 19 August 2009 referring to Article 2 (the right to life/ ineffective investigation) and Article 6 (unjustifiable protraction of hearing of a case) of the Convention as well as Article 1 of Protocol I (the right to property) and Article 13 (effective domestic remedies) of the Convention.

Strategic litigation for victims of the armed conflict between Russia and Georgia in August 2008

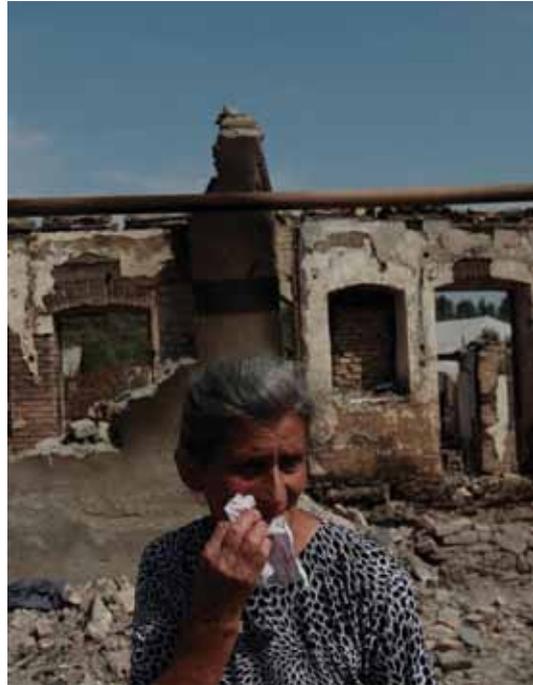
To this end, we prepared and sent initial applications to the European Court on behalf of 365 applicants (victims). Geographically, the applications are related to the following villages and towns: Gori, Eredvi, Argvitsi, Berula, Variani, Qere, Qurta, Kekhvi, Kheiti, Achabeti, Brotsleti, Vanati, Avlevi, Avnevi, Satskheneti, Tkviavi, Atsriskhevi, Qsuisi, Qitsnisi, Dvani, Tamarasheni, Tirznisi, Tortiza, Ergneti, Karaleti, Akhaldaba, Tedotsminda, Ruisi and others. Legally, the applications refer to violation of the following rights envisaged by the European Convention: the right to life (Article 2), prohibition of torture (Article 3), prohibition of forced labour (Article 4), the right to liberty and security of person (Article 5), the right to respect for private and family life (Article 8), the right to effective remedy (Article 13), prohibition of discrimination (Article 14), the right to property (Article 1 of Protocol I) and the freedom of movement (Article 2 of Protocol IV).

The European Court set December 2009 as the deadline for the submission of full applications.

It should also be noted that, within the same ambit, together with its partner organizations, GYLA actively works with Georgian and Russian law enforcement bodies; in particular, we addressed the relevant bodies of both countries with a request to investigate timely and effectively the grave violations of human rights law and international humanitarian law occurred during the armed conflict between Russia and Georgia in August 2008. To this end, about 400 applications were sent to a number of Georgian and Russian government bodies, including Georgia's Main Prosecution Office and the Russian Investigation Committee at the Russian Prosecution Office with the following basic requests: to start investigation on specific facts of human rights violations that took place during the armed conflict in August 2008; to recognize the relevant persons as victims or heirs of victims in the specific cases; and to carry out medical forensic examinations and/or other investigative actions.

A list of applications lodged by the Georgian Young Lawyers' Association with the European Court and alleged violations of the European Convention referred to:

1. **Chalauri and others v. Russia** (unlawful detention of civilians in Tskhinvali, forced labour, torture/inhuman treatment, discrimination) – 51 applicants (*Application No. 9445/09*)
2. **Kasradze and other v. Russia** (burning of homes and killing of civilians in Ergneti) – 28 applicants (*Application No. 9912/09*)
3. **Datashvili and others v. Russia** (burning of homes in Tamarasheni and discrimination based on ethnicity) – 25 applicants (*Application No. 9913/09*)
4. **Abuashvili and others v. Russia** (10 civilians were killed and 20 other injured due to the bombing with cassette weapons of the Gori centre on 12 August) – 31 applicants (*Application No. 9956/09*)
5. **Merebashvili and others v. Russia** (the hijacking of a route minibus in village Tkviavi, killing of 2 civilians and disappearance of 2 other civilians) – 11 applicants (*Application No. 9968/09*)
6. **Vardzelashvili and others v. Russia** (3 civilians were killed and 5 other were injured on 12 August as a result of the bombing of village Ruisi) – 8 applicants (*Application No. 9928/09*)
7. **Khmiadashvili and others v. Russia** (the killing of civilians in Tirdznisi) – 3 applicants (*Application No. 9947/09*)
8. **Chikhladze and others v. Russia** (the killing of two civilians in Tkviavi on 12 August) – 2 applicants (*Application No. 9850/09*)
9. **Akhalkatsi and others v. Russia** (the killing of 3 civilians and the wounding of at least 5 others as a result of bombing of Tortiza on 12 August) – 6 applicants (*Application No. 10069/09*)
10. **Gaganidze and others v. Russia** (the shooting of a route minibus on the Gori-Kareli highway on 12 August as a result of which 9 civilians were killed and others were heavily wounded) – 11 applicants (*Application No. 9987/09*)
11. **Galegashvili v. Russia** (unlawful detention of civilians, humiliating/inhumane treatment, discrimination and the resulting death of one civilian) – 1 applicant (*Application No. 9569/09*)
12. **Gverdtsiteli and others v. Russia** (the death of a medical doctor as a result of the bombing of the Gori military hospital) – 3 applicants (*Applications No. 9167/09*)
13. **Malachin and others v. Russia** (torture and discrimination of POWs; the killing of two POWs) – 7 applicants (*Application No. 9184/09*)



14. **Papuashvili and others v. Russia** (the shooting of a civilian car near village Akhaldaba on 12 August as a result of which 1 civilian died and 3 others were wounded) – 4 applicants (*Application No. 10191/09*)
15. **Chlaidze v. Russia** (the shooting of a civilian car new village Arashenda on 12 August as a result of which 1 civilian died and 1 was heavily wounded) – 1 applicant (*Application No. 9995/09*)
16. **Garsevanishvili and others v. Russia** (the shooting against two civilian cars on 12 August near village Tedotsminda resulting in the death of 4 people and wounding of 3) – 4 applicants (*Application No. 10260/09*)
17. **Parqashvili v. Russia** (the disappearance of a civilian person in Karaleti) – 1 applicant (*Application No. 9852/09*)
18. **Iakobashvili and others v. Russia** (the shooting against a civilian car near Agara on 13 August as a result of which 3 people were wounded) – 3 applicants (*Application No. 9920/09*)
19. **Demetrashvili and others v. Russia** (the burning of homes in Beloti and discrimination on ethnic basis) – 12 applicants (*Application No. 19322/09*)
20. **Sipolis v. Georgia** (the death of 2 women as a result of the artillery bombing of Tskhinvali on 9 August) – 1 applicant (*Application No. 8336/09*)
21. **Bekoeva v. Georgia** (the death of a 15-year-old girl near village Tbeti on 9 August) – 1 applicant (*Application No. 48347/08*)
22. **Qarqishvili and others v. Russia** (the unlawful detention in Tskhinvali of 4 civilians who fled due to the hostilities) – 8 applicants (*Application No. 50135/09*)
23. **Kaziev and others v. Georgia** (the unlawful detention of 3 civilians who are ethnic Ossetians and their subsequent disappearance) – 5 applicants (*Application No. 50127/09*)
24. **Qristesashvili and others v. Russia** (the burning of homes in village Eredvi based on ethnic origin) – 17 applicants (*Application No. 10312/09*)
25. **Beruashvili and others v. Russia** (the burning of homes in village Berula and discrimination based on ethnic origin) – 23 applicants (*Application No. 10341/09*)
26. **Turashvili and others v. Russia** (the burning of homes in village Argvitsi and discrimination based on ethnic origin) – 9 applicants
27. **Shoshitashvili and others v. Russia** (the burning of homes in village Ksuisi and discrimination based on ethnic origin) – 3 applicants (*Application No. 8989/09*)
28. **Kochishvili and others v. Russia** (the burning of homes in village Kurta and discrimination based on ethnic origin) – 4 applicants (*Application No. 8976/09*)
29. **Askilashvili and others v. Russia** (the burning of homes in village Atrsiskhevi, discrimination based on ethnic origin, inhuman/humiliating treatment and unlawful detention) – 4 applicants (*Application No. 8996/09*)
30. **Niniashvili v. Russia** (the destruction of property in village Avlevi and discrimination based on ethnic origin) – 1 applicant (*Application No. 8381/09*)
31. **Arbolishvili v. Russia** (the killing of a civilian in village Eredvi on 13 August) – 1 applicant (*Application No. 8611/09*)
32. **Qushashvili and others v. Russia** (the death of 1 civilian and the heavy injury of 2 others as a result of the bombing on 9 August in Gori, Sukhishvili Street) – 3 applicants (*Application No. 8960/09*)
33. **Nebieridze and others v. Russia** (the burning of homes in village Kekhvi and discrimination based on ethnic origin) – 8 applicants (*Application No. 9239/09*)
34. **Bortsvadze v. Russia** (unlawful detention, torture and discriminatory treatment) – 1 applicant (*Application No. 8637/09*)
35. **Bortsvadze v. Russia** (the killing of a civilian in village Qitsnisi) – 1 applicant (*Application No. 8658/09*)
36. **Zubashvili and others v. Russia** (the burning of homes in village Kheiti, inhuman treatment and discrimination based on ethnic origin) – 3 applicants (*Application No. 8912/09*)
37. **Eter Tkheldze v. Russia** (the disappearance of a civilian in village Berula and discrimination based on ethnic origin) – 1 applicant (*Application No. 8625/09*)
38. **Shoshitashvili v. Russia** (unlawful detention of civilians in village Qsuisi, inhuman treatment and destruction of property) – 1 applicant (*Application No. 8799/09*)
39. **Razmadze and others v. Russia** (the burning of homes in village Achabeti and discrimination based on ethnic origin) – 15 applicants (*Application No. 9221/09*)

¹ In 2009, three more applicants, one of them an Israeli citizen and two other Dutch citizens, - the spouse of the deceased Dutch journalist and Dutch journalist, who was injured during the bombing, - joined the case.

40. **Khaduri v. Russia** (unlawful detention, inhuman treatment and discrimination based on ethnic origin) – 1 applicant (*Application No. 8906/09*)
41. **Qareli and others v. Russia** (the death of 2 civilians and injury of 6 others as a result of the bombing of Gori on 9 August) – 6 applicants (*Application No. 9203/09*)
42. **Elikashvili and Lomidze v. Russia** (the killing of 1 civilian and heavy injury of another civilian on 11 August due to the bombing of village Qere) – 2 applicants (*Application No. 8576/09*)
43. **Barbaqadze and others v. Russia** (the unlawful detention of civilians in Tskhinvali, their forced labour, torture/inhuman treatment and discrimination) – 11 applicants (*Application No. 9546/09*)
44. **Gogishvili and Chovelidze v. Russia** (the shooting against a civilian car in village Variani on 12 August resulting in death of 2 civilians) – 2 applicants (*Application No. 10301/09*)
45. **Oqropiridze v. Russia** (the killing of a civilian in village Tkviavi and discrimination based on ethnic origin) – 1 applicant (*Application No. 10667/09*)
46. **Tsitsiloshvili v. Russia** (the destruction of property in village Vanati and discrimination based on ethnic origin) – 1 applicant (*Application No. 10046/09*)
47. **Gogishvili v. Russia** (unlawful detention of a civilian in Zemo Khviti, inhuman treatment and discrimination based on ethnic ground) – 1 applicant (*Application No. 10037/09*)
48. **Archvadze and Basishvili v. Russia** (unlawful detention of civilians in Tskhinvali, torture/inhuman treatment, and discrimination based on ethnic origin) – 2 applicants (*Application No. 9921/09*)
49. **Nikolishvili v. Russia** (the destruction of property in village Brotsleti and discrimination based on ethnic origin) – applicant (*Application No. 9226/09*)
50. **Kopadze v. Russia** (the destruction of property in village Dvani and discrimination based on ethnic origin) – 1 application (*Application No. 9933/09*)
51. **Gogidze and others v. Russia** (the burning of homes in village Dzartsemi and discrimination based on ethnic origin) – 3 applicants (*Application No. 16993/09*)
52. **Tsotniashvili v. Russia** (the destruction of property in Eredvi and discrimination based on ethnic origin) – 1 applicant (*Application No. 16574/09*)



53. **Khaduri and others v. Russia** (the burning of homes in village Berula and discrimination based on ethnic origin) – 4 applicants (*Application No. 16518/09*)
54. **Gablshvili v. Russia** (the destruction of property in village Zardiaantkari and discrimination based on ethnic origin) – 1 applicant (*Application No. 16542/09*)
55. **Maraneli and Tasoeva v. Russia** (the burning of homes in village Avnevi and discrimination based on ethnic origin) – 2 applicants (*Application No. 9128/09*)

Other pending cases related to the armed conflict in August 2008

- Lawyers of the Georgian Young Lawyers' Association are providing legal assistance to persons who were unlawfully arrested in the area of the South Ossetia's administrative border in the period after the August 2008 armed conflict. This includes individuals and their families from both the territory controlled by the Georgian Government and the Tskhinvali region.
- GYLA lawyers are assisting the families of civilian persons and servicemen who disappeared during or after the armed conflict in August 2008. To this end, we are working at both the local level (with the relevant law enforcement bodies in Georgia and Russia) and the European Court level.

Strategic litigation concerning freedom of information

In addition to the international human rights mechanisms, GYLA is continuing strategic litigation in the national administrative and judicial instances. In this regard, of particular interest is the litigation concerning freedom of information and the results achieved. It may be said without exaggeration that due to GYLA lawyers' hard work, the freedom of information chapter of the General Administrative Code is not a dead law today.

However, often the reasoning of declaring certain information secret remains problematic to-date. When refusing to release public information, public institutions do so by their inaction or, in "better" cases, by mere reference to some provisions from the law; administrative bodies do not feel the obligation to explain why the provision they refer to is relevant to the given circumstances.

A specific example to shed more light to the problem is the dispute with the Ministry of Energy. The Ministry made a decision, without any substantiation, to classify the Memorandum of Understanding concluded with Company "INTER RAO EES" on the management of the Enguri hydro power plant. The Ministry did so regardless of the enormous public interest in the matter. Currently, we have a pending case in court.

Further, matters of releasing personal data are completely vague and non uniform. The trend toward classifying personal data of public officials raises a special concern. Unfortunately, we have to go to court every time we would like to obtain even such less sensitive information as is the names of public officials of the Public Broadcaster and the Ministry of Justice.

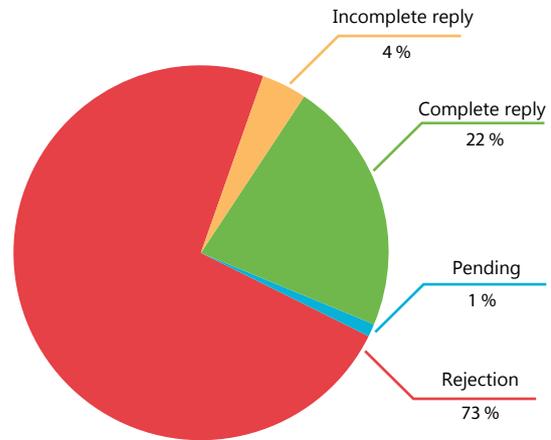


Statistics:

1. Requests for the release of public information

In the reporting period, we addressed a total of 3,522 requests for the release of public information to public institutions, of which:

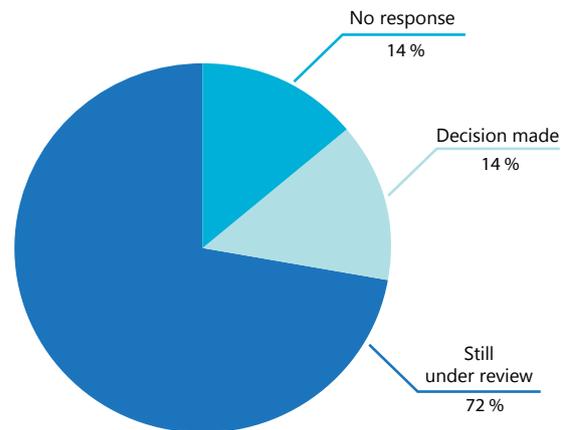
- 783 were fully upheld
- 136 were partly upheld
- 2,575 were refused
- 28 are pending



2. Administrative complaints

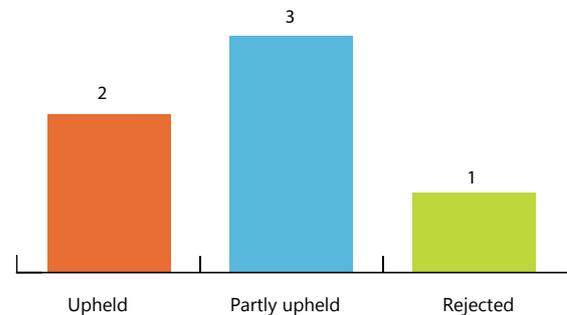
We addressed a total of 42 administrative complaints to various public institutions during the year, of which:

- 6 complaints remained without any response
- Decision was made on 6 complaints
- 30 complaints are still under review



Of our administrative complaints on which decision was made

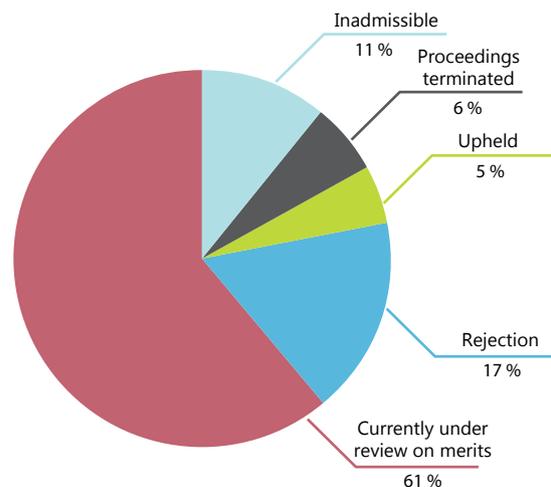
- 2 were upheld
- 3 were partly upheld
- 1 was rejected



3. Lawsuits

Within the project, we addressed a total of 18 lawsuits to various court instances, of which

- 1 was upheld
- 11 are being reviewed on merits
- 3 were rejected
- 2 were declared inadmissible
- Proceedings were terminated in 1 case
- Of the 13 lawsuits lodged with first instance courts: 1 was upheld; 2 were rejected; proceedings were terminated in 1 case; and 9 are under review on merits.
- Of the 3 lawsuits lodged with the cassation instance court: 1 was rejected and 2 were declared inadmissible.
- Of the two lawsuits lodged with the Constitutional Court, both are currently under review on merits.



LEGAL AID TO PRISONERS

Like in the case of IDPs, GYLA lawyers are paying special attention to the protection of prisoners' rights, provision of legal advice to them and their legal representation before administrative and judicial bodies.

GYLA's Legal Aid Centre has a long-established tradition of providing legal advice and other legal services to prisoners in penitentiary institutions.

In the reporting period, our Tbilisi Office received 319 letters from prisoners. Of them, representatives of the Tbilisi Legal Aid Centre visited 154 prisoners in penitentiary institutions and provided them legal advice. 39 prisoners received our written replies to questions they sent us. For 25 prisoners, we drafted various legal documents such as applications, cassation lawsuits, etc.

We addressed a number of requests to administrations of penitentiary institutions. Based on GYLA's motions, living conditions of 4 prisoners were made consistent with the requirements of their health conditions; in particular, they were moved from prison cells to medical institutions for treatment. 2 other convicted persons, to ensure their personal security, were moved to other penitentiary institutions.

LEGAL AID TO INTERNALLY DISPLACED PERSONS

Due to the Russian-Georgian armed conflict in August 2008, the IDPs' need for legal aid especially increased in the reporting period. Legal aid they required concerned a number of specific issues such as their legal status, social and economic conditions, etc. Problems faced by IDPs are mostly not uniform and differ depending to which wave of internally displaced persons the specific person belongs to. For people who were forcibly displaced in 1990s, accommodation and change of address are the main concerns. These issues climbed up on the agenda after the State started the process of privatization of collective centres. Other matter of particular interest is the protection of IDPs' rights when it comes to their ouster from the privately owned collective centres.



People forcibly displaced during the August 2008 war, on the other hand, are in need of legal aid primarily on social issues; matters of interest in their case are as follows:

- Granting of IDP status
- Various monetary aid and allowances
- Compensation instead of a shelter (cottage)
- Medical services

- Food and potable water
- Relations with banks

GYLA's lawyers were providing legal assistance to internally displaced persons by regions. In addition to individual legal advice, we paid mobile visits to collective centres and new settlements. Also, we organized information meetings for IDPs accommodated in private sector.



During the last year, GYLA provided individual legal advice to 8,316 internally displaced persons, paid 426 mobile visits and organized 26 information meetings with IDPs accommodated in private sector. Attorney services were provided at three court proceedings.

LEGAL ASSISTANCE TO VICTIMS OF HUMAN TRAFFICKING AND DOMESTIC VIOLENCE

Fight against human trafficking and domestic violence remains one of the priorities on our agenda. In the reporting period, GYLA provided legal assistance to both victims of human trafficking and domestic violence and citizens wishing to work or study abroad; these citizens were approaching us with a request to have a professional legal advice concerning the work conditions or contractual clauses offered to them.

In the reporting period, GYLA lawyers issued up to a 100 phone and individual consultations on matters of human trafficking and up to 150 consultations on the problems related to domestic violence. During the year, our lawyers defended the interests of such victims in 15 criminal and civil cases. Having consulted with our lawyers, some of the citizens decided not to go to work abroad on the conditions that had been offered to them. In addition, our lawyers assisted victims of domestic violence by drafting legal documentation as required.

RAISING LEGAL AWARENESS AND ESTABLISHING RESPECT FOR RULE OF LAW

As on the day of founding of GYLA, today too we strongly believe that building of a rule of law state may not be even attempted without well-informed, active and law-abiding citizens. GYLA tries to respond to this challenge by a large-scale information campaign addressed to the population. As the below statistics show, in the reporting period, about 10,000 people attended GYLA-organized seminars, trainings and round tables. We tried to reach broad masses of people through documentary films, radio programs and newspaper columns on legal issues of interest to the public.

Statistics of the meetings organized by GYLA's branches and regional offices

	Kutaisi	Achara	Gori	Rustavi	Ozurteti	Telavi	Dusheti	Total
Seminars, round tables and meetings	40	67	333	46	17	17	15	535
Number of participants	795	1344	6480	614	362	161	225	9981

Meetings in the format of seminars and round tables served to discuss important legislative amendments passed by Georgia's highest legislative organ and other matters of public interest:

- The State Program for the voluntary health insurance to cover the entire population
- Changes in the rules of recognition of property rights to land plots owned by natural persons and private law entities
- State Program of Social Assistance
- 2009 State Health Programs
- International mechanisms for the protection of human rights
- Social guarantees for disabled people
- 2009 State Budget
- How to address the Constitutional Court
- How to register immovable property
- Changes in the laws concerning rallies and manifestations
- Administrative detention
- 2009 Budget of the self-governing town of Kutaisi
- Administrative offences
- Types of administrative lawsuits; distinction and admissibility
- Criminal punishment and civil liability
- The establishment of certain facts having legal value by the Civil Registry Agency
- Contractual forms as the basis for differing legal consequences
- Procedures to address the European Court
- Structural units of municipality Gamgeobas and local government bodies
- Women's rights
- Freedom of expression
- Inviolability of private life
- Property rights
- Rights of suspects and accused persons
- Changes in the laws concerning child adoption / foster children

- Rules of receipt of legacy and issuance of legacy certificate
- Rights of juveniles
- Labour relations
- How to establish the fact of belonging of an entitling document to a specific person through judicial and administrative proceedings
- Social protection mechanisms for beneficiaries registered in the State Program against Poverty; the granting of social allowances; appeal
- Convention on the Rights of the Child
- Security interest (pawn) as means to secure a claim
- Freedom of information
- Mechanisms for the protection of victims of domestic violence
- Administrative proceedings
- Local self-governance
- Registration of rights to immovable property
- Liability of juveniles under the Georgian law
- Rights and obligations of Councils of Trustees at schools
- Rights and obligations of the authorized representative of Gamgeoba (the territorial organ of local self-governance municipality); rules of procedure

TV and radio programs

- Radio Hereti broadcast a program prepared by GYLA's Telavi Office entitled "Rules and procedures of issuing State scholarship and compensation"
- Radio Trialeti broadcast a program prepared by GYLA's Gori Office entitled "Rights of juveniles in Georgia" (review of law and practice)
- Radio "Dzveli Qalaqi" (Old Town) broadcast the following programs prepared by GYLA's Kutaisi Branch:
 - International aid to Georgia
 - Facilitating the work for the community
 - Rights of internally displaced persons
 - Types of administrative lawsuits; distinction and admissibility
- The Marneuli community radio broadcast a program prepared by GYLA's Rustavi Office entitled "How to conclude a labour contract"

Newspaper columns

- In the newspaper "Khalkhis Gazeti" (People's Newspaper) we published the following passages prepared by our Gori Office:
 - What the victims of the conflict should know about their rights and obligations
 - How to insure our health
 - Changes in the tax law
 - Tax obligations in time of war
 - Foster children
- In the newspaper "Akhali Gazeti" (New Newspaper) we published an article prepared by our Kutaisi Branch entitled The "voluntary" assistance by local governments to the central Government
- In the newspaper "Dushetis Matsne" (The Herald of Dusheti) we published the following passages prepared by our Dusheti Office:
 - How to be granted a State pension
 - How to get social assistance

Auto tours

In October 2008, GYLA's Telavi Office paid an auto tour in the following villages of the Lagodekhi municipality: Leliani, Afeni, Giorgeti, Heretis Kari, Kartubani, Vardisubani, Tamariani, Matsimi, Baisuvani, Patara Gori. 342 legal consultations were rendered. Local residents were interested in procedures for regularizing their land status, procedures for the opening of legacy in families in villages, registration of immovable property, customs taxes, village family books, issuance of official notices and performance of notary functions by local bodies. Dwellers of the Heretis Kari, a majority being the eco-migrants resettled from Achara in 1989, were acutely facing the problem of not getting social assistance. GYLA's lawyers from our Telavi Office drafted several complaints addressed to the Social Services Agency right on the spot.

From October 2008 till September 2009, GYLA's Achara Branch paid auto tours to the following villages of the Qeda, Qobuleti, Khelvachauri, Khulo and Shuakhevi municipalities: village Khulo, Kvatia, Skhalta, Tsalana, village Shuakhevi, Matskvalta, Romanauli, Oladauri, Shubini, Darchidzeebi, Khutsubani, Chakhati, Qobuleti, Pichvnari, Zamleti, Purtio, Buturauli, village Qeda, Dioknisi, Begleti, Paksadzeebi, Varjanisi, Chetkidzeebi, Zendaga, Tsivasua, Gonio, Kvriati, Sarpi, Mejinistskali, Kishla, Tsalana, Chanchuriskhevi, Bardnali, Vernebi, Pushkurauli, Khelvachauri, Tago, and Merisi. A total of 1,114 legal consultations were rendered. Residents of the villages were interested in recognition of property rights to land, education reforms, State health programs, social assistance, cheap insurance, consumers' rights and the resettlement of eco-migrants. In almost all of the villages we encountered the facts of rude violation of consumers' rights by the Joint-Stock Company "Energo Pro Georgia." For the purpose of writing off the unlawfully charged fees for electricity, lawyers of GYLA's Achara Office drafted a lawsuit for the local residents for its submission to a court right on the spot. GYLA lawyers also explained to dwellers procedures of registration of socially unprotected families and the eligibility criteria to be granted subsistence allowance.



GYLA's Dusheti Office paid auto tours to the municipalities of Dusheti, Tianiti and Mtskheta in the reporting period. Meetings were held with the local residents in 36 areas of settlement, including the following villages: Sashaburo, Nagliaanebi, Chanadirebi, Chargali, Tvalivi, Arguni, Khorkhi, Iltoza, Chikaani, Chilurti, Toncha, Ebnisi, Chrdileliantkari, Tsikhisdziri, Undilaanebi, Chartali, Bodavi, Tandilaanebi, Choporti, Kitokhi, Dudaurebi, Dgnali, Qerana, Galavani, Sioni, Mleta, Naoza, Naqalaqari, Meneso, Tsilkani, Sashaburo, Ananuri, and Aranisi. During the exit meetings, legal advice was rendered to 510 citizens. Local residents were especially interested in registration of property rights to land, rules of inheritance, registration of civil statuses, addendum to pension, State health programs, cheap insurance, the granting of social allowances, the division of a family unit in villages, enforcement of court decision, use of natural resources, the granting of a pension for the loss of a breadwinner, and benefits available to residents of mountainous areas.

GYLA's Ozurgeti Office paid auto tours to the villages of the Chokhatauri, Ozurgeti and Lanchkhuti municipalities: Bukistsikhe, Didi Vani, Ianeuli, Zemo Surebi, Shua Surebi, Zoti, Qvabga, Nagobilevi, Chanieti, Dvabzu, Shukhuti, Supsa, Bukistsikhe, Chaisubani, Khevi, Gora-berejouli, Lesa, Qviani, Nigvziani, Natanebi, Khajalia, Nagomari, Tsremliskhidi, Likhauri, and Gurianta. A total of 604 legal consultations were rendered. Residents of the mentioned villages were interested in registration of property rights to land, registration of immovable property, land privatization, benefits for residents of mountainous areas, rules of division of a family unit in villages, protection of consumers' rights, use of forest and other natural resources,

tax advantages prescribed by the Georgian law and social issues.

GYLA's Rustavi Office paid auto tours to the villages of Bolnisi, Dmanisi, Marneuli, Tetrtskaro and Gardabani municipalities: Ratevani, Nakhiduri, Rachisubani, Village Tamarisi, Iakumlari, Gantiadi, Khojorni, Tseraqvi, Koda, Mukhati, Partskhisi, Chkhikvta, Matsevani, Karajala, Kumisi, Gamarjveba, Talaveri and Shulaveri. A total of 389 legal consultations were rendered, including on issues related to legalization of land status, establishing the fact of birth of children born away from medical institutions, correction of incorrect data registered in civil status records, and the granting of pension and social allowances.



In July 2009, GYLA's Telavi Office paid auto tours to the following villages of the Akhmeta municipalities: Qvemo Alvani, Zemo Alvani, Magraani, Qvemo Khalatsani, Dumasturi and Omalo. 161 legal consultations were rendered in total. Meetings were held with representatives of village community leaders, local residents and representatives of the Dusheti protected territories' administration. Matters of concern for the local residents were land privatization, rules of inheritance, registration of immovable property, performance of notary functions and issuance of official notices by local government, purchase of leased lands and the transfer of immovable property to eco-migrants.

In June 2009, GYLA's Kutaisi Branch paid auto tours to the municipalities of Racha-Lechkumi-Qvemo Svaneti region, Oni, Ambrolauri, Tsageri and Lentekhi. Meetings were held in the Ambroulauri Sakrebulo, kindergarten of village Tsesi, public school of village Chrebalo, Oni Sakrebulo, local government building of village Gara, Lentekhi Sakrebulo, local government building of village Pokhura, Tsageri Sakrebulo, and local government body of village Orbeli. 395 legal consultations were rendered in total. The population was interested in recognition of their property rights to land, registration of immovable property, land privatization, benefits available for residents of mountainous areas, local self-governance issues, social assistance available to persons living below the poverty line, the transfer of property to local self-governing units, protection of consumers' rights, use of forest and natural resources, tax benefits prescribed by Georgian law and social issues. It turned out that often citizens were having problems with the calculation of the number of years worked and the amount of pension entitlements due to inaccuracies in their employment record books and other documents. Our lawyers assisted them in terms of establishment of facts having legal importance.



In July 2009, GYLA's Kutaisi Office paid auto tours to the municipalities of Mestia, Tsalenjikha, Zugdidi, Chkhorotsku, Senaki and Khobi municipalities of the Samegrelo-Zemo Svaneti region and the self-governing town of Poti. In the Mestia municipality, meetings were held in the Mestia Sakrebulo and the following villages: Lenjeri, Latali, Artskhela, Lagami, Laila, and Khaishi. In the Tsalenjikha municipality, meetings were held in the villages of Jvari and Lia. In the Zugdidi municipality, meetings were held

in village Chkhorია; village Chaladidi of the Khobi municipality; local government bodies of villages Nabadi, Maltakva and Kundzuli of the Poti municipality; villages Pirveli Maisi, Tsaishi, and Kortskheli of the Zugdidi municipality; Gamgeoba of the Tsalenjikha municipality and village Jgali; villages Khabume and Mukhuri of the Chkhorotsku municipality; village Zana of the Senaki municipality; Gamgeoba buildings of the Senaki, Khobi, Tsalenjikha and Chkhorotsku municipalities; Samegrelo-Zemo Svaneti office of the Social Services Agency; village Menji and the regional unit of the Forest Department. Local residents were interested in privatization of agricultural land, recognition of property rights to land, local self-governance issues, social and ecological problems, the granting of social assistance to persons living below the poverty line, the transfer of property to local self-governance units, registration of birth, social assistance available to internally displaced persons, and rules of obtaining license to use natural resources. Meetings with the population revealed the problems and difficulties encountered by natural persons and private law entities in having their property right to their owned land plots recognized by Property Commissions. Our lawyers distributed our information brochures to those who participated in the meetings.



VOTERS' AWARENESS RAISING CAMPAIGN FOR THE 3 NOVEMBER 2008 ELECTIONS OF THE HIGH COUNCIL OF THE ACHARA AUTONOMOUS REPUBLIC

In the reporting period, among one of the priorities of Georgian Young lawyers' Association has been the raising of public awareness on election-related matters. Within the project entitled **"Development of democratic institutions in Georgia for Fair Elections Process and Active Civic Involvement"**, the Georgian Young Lawyers' Association, together with its partner organization International Society for Free Elections and Democracy (ISFED), carried out a voters' awareness campaign for the 3 November 2008 election of the High Council of Achara Autonomous Republic.

The project, financially supported by the **European Union** and the **United Nations Development Programme**, was implemented in all of the six election districts of Achara. Within the campaign, the Achara population received election-related materials such as leaflets, posters, T-shirts, caps, calendars and other stuff. Within the same campaign, we prepared 4 video and 3 audio clips that were actively broadcast by local and central broadcasters during the pre-election period.

Within the campaign, GYLA volunteers organized 18 meetings for the residents of the Batumi, Khelvachauri, Khulo, Qobuleti, Qeda and Shuakhevi election districts. At the meetings, the voters were able to play an imitated voting procedure. Further, they were provided with legal advice on election-related matters of concern.



Citizens who showed special activeness were given souvenirs. In total, about 1,000 residents of Achara took direct part in the meetings.



AWARENESS RAISING FOR THE PRISONERS AND ADMINISTRATION MEMBERS OF PENITENTIARY INSTITUTIONS

Penitentiary institutions and prisoners' rights remain one of the painful aspects in the society. With GYLA's efforts, four types of brochures on prisoners' rights were printed and distributed to prisoners in institutions by regime of treatment (regular jail, pre-trial detention facilities, strict regime prisons, and correctional institutions). The brochures contain information on prisoners' rights and obligations as well as limitations imposed on prisons depending on the regime, such as the right to a visit, the right to appeal against ill-treatment, the right to send and receive correspondence, the obligation to comply with the regime of the institution, a list of prohibited items, etc.

For the purpose to remind the society of the fact that prisoners are still members of the same society but with limited rights, GYLA produced two social clips that were broadcast for a period of one month by television stations in Tbilisi and in the regions. In the reporting period, focused more on problems of women prisoners thereby underlying the fact that the society should not add more punishment to what prisoners are already committed to.



Further, for the purpose of raising the awareness of the prison staff and prevention of ill-treatment of prisoners, we printed the Ethics Code in the format of concise booklets and posters and distributed them in penitentiary institutions.

RAISING AWARENESS OF THE INTERNALLY DISPLACED PERSONS

Due to the recent armed-conflict consequences, GYLA, together with its partner organizations, paid special attention to raising IDPs' awareness and informing them about their rights and freedoms prescribed by the Georgian law as well as obligations owed by national and local authorities to them. GYLA actively participated in mobilizing and training IDPs in their collective resettlement areas.

In 2009, 300 IDP collective centres and new settlement areas were selected from entire Georgia where pre-trained mobilizers held special meetings with IDPs. Through mobilization, "active groups" of 3 to 5 persons were formed to attend special trainings and network meetings on matters of IDPs' concern. In addition to enhancing IDPs' skills in advocacy, trainings were aimed at informing the IDPs about their rights and various initiatives undertaken by the State in relation to them. Part of training meetings was allotted to legal issues to discuss legal solutions to specific problems faced by IDPs.

In the beginning of 2009, for informative purposes, we issued an updated brochure for IDPs entitled "What IDPs should know about their accommodation." The brochure provides description of different models of accommodation applied and explains IDPs' right in the process of their resettlement. 15,000 copies of the brochure were disseminated in IDPs' collective centres.

To ease the communication by persons forcibly displaced due to the August 2008 armed conflict with various Government bodies and non-governmental organizations, we produced a directory containing contact information of these bodies and organizations and a short description of their areas of activity. 10,000 copies of the directory were disseminated in new settlements.

In July 2009, the first issue of the informative bulletin entitled "Your Herald" was released. The bulletin contains information on measures taken by the State in relation to internally displaced, discusses IDPs' legal problems and offers mechanisms of successful advocacy.

For the purpose of finding timely and effective solutions to the problems of internally displaced persons, meetings were organized between the displaced population and Government representatives on both local and central levels.

During the last year, 9 regional and 1 central network meetings were held and 6 round tables were organized.

Representatives of the Ministry of Refugees and Accommodation, local governance and self-governance bodies and various international and local non-governmental organizations took part in the meetings with the forcibly displaced persons.

The IDPs were given the possibility to partake in the discussion of matters of their concern and to offer specific solutions of their choice directly to the decision-making persons.



RAISING PUBLIC AWARENESS ABOUT TRAFFICKING AND FIGHT AGAINST DOMESTIC VIOLENCE

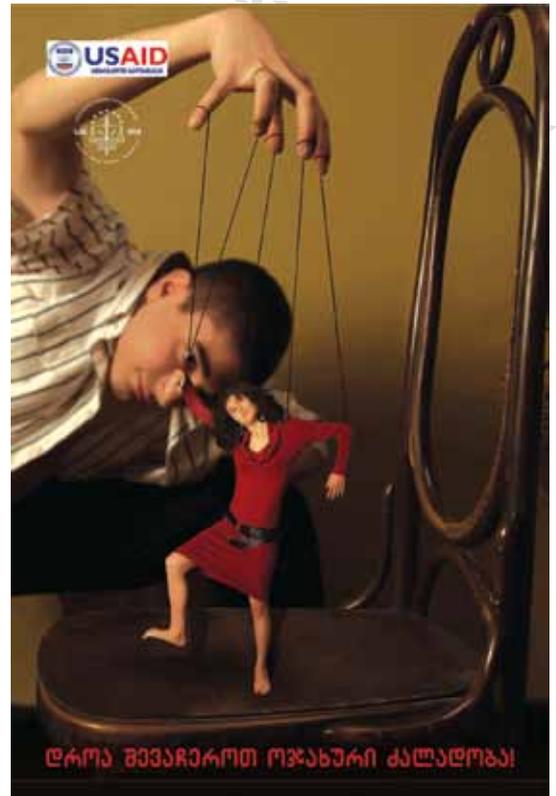
GYLA is actively continuing fight against human trafficking and domestic violence. In the reporting period, GYLA employees were holding meetings with the population to inform them on the danger and consequences of the crime of human trafficking and domestic violence. Meetings were held in the districts of Shida Qartli, Imereti, Achara, Samegrelo and Guria. A total of 70 meetings were held with the population including schoolchildren on human trafficking and 60 meetings on domestic violence. Taking into account that internally displaced persons are especially vulnerable to human trafficking, GYLA's Tbilisi and Gori Offices were holding regular meetings with them to discuss the danger and risks associated to this crime.

In December 2008, presentation of the documentary film "If you save one flower ..." was held on the issue of child trafficking. The presentation was attended by relevant State structures, non-governmental organizations and journalists. After the presentation, a discussion of various aspects of child exploitation took place. During the year, the mentioned documentary film was shown by local television stations in 7 regions.

On 8 March 2009, the international women's days, an art competition was organized in the gallery of Studio Arsi jointly by the Georgian Young Lawyers' Association and the photographers' club "GRAF.GE". Winners were identified. 20 best works were exhibited in the gallery. Within the period of 27 February – 5 March, those wishing to take part in the competition had to upload own works thematically responding to the project goals into the special gallery placed on the website www.graf.ge. More than 100 people took part in the competition.

Each contestant had to choose one of the following slogans for his or her work:

1. Real men do not use violence against women!
2. Violence against women is a shame!
3. Do not oppress a woman!



We used the winning posters of the competition for raising public awareness on domestic violence: 400 posters, 500 postcards, 2,000 bookmarks and 5,000 booklets were printed containing anti-domestic violence messages and GYLA's hotline numbers. These materials were distributed by our lawyers during their meetings with population.

In July 2009, we conducted trainings entitled "Violence in families: the Georgian law, current practice and psychological aspects." The training sessions were attended by judges, practicing lawyers, members of the Public Defender's Office, journalists and interested non-governmental organizations from Tbilisi and regions of Georgia, 63 persons in total. In the reporting period, we prepared 3 radio and 2



television clips on domestic violence explaining what may amount to domestic violence, the damage inflicted by domestic violence to a society and what a victim of such violence can do to defend self. The clips are broadcast by the Georgian Public Broadcaster and local television stations in the regions.

TRAININGS, WORKING MEETINGS AND AWARENESS RAISING CAMPAIGNS

Trainings

On 17-18 November 2008, in village Gudauri, the Georgian Young Lawyers' Association held training on freedom of information for journalists belonging to national minorities. Working languages were Russian and Georgian. The training was conducted with the financial support of the OSCE Mission to Georgia. Journalists from Akhaltsikhe, Akhalqalaqi, Ninotsminda, Marneuli, Gardabani and others districts attended the training.



Within the Human Rights Week, with OSCE's financial support, training on freedom of information was held for journalists in Zugdidi on 13-14 December 2008. According to GYLA's information, since the date the General Administrative Code went into force, the Zugdidi District Court has never heard even a single case concerning freedom of information. No such cases can be found in GYLA's judicial decisions database (www.gyla.ge/foicourt) or administrative decisions database (www.gyla.ge/foiadmin). For this reason, the training aimed at facilitating the use of freedom of information tools by journalists. Journalists from various media sources operating in Zugdidi took part in the training.

Working meetings

Within a project financed by the OSCE, on 18-19 October and 24-25 October 2008, the Georgian Young Lawyers' Association hosted working meetings on freedom of information in village Gudauri. The meetings were aimed at focusing on problems in terms of freedom of information and discussion on possible solutions. The meetings were attended by representatives from various Georgian press offices, public relations departments, television and radio stations, newspapers and information agencies. The participants raised the following issues:

- Lack of uniform standards in terms of rights and obligations of press offices
- Low level of independence enjoyed by press offices
- Difficulty in timely providing complete information
- Unwillingness of authorities to release information
- Rare use of legal mechanisms by journalists
- The trend to reject requests for public information without reasoning.

On 7-8 May 2009, in Hotel Tbilisi Marriott, an international working meeting on budget monitoring was held. The meeting was organized by a Dutch organization Oxfam Novib; the Georgian Young Lawyers' Association was responsible for logistics. The aim of the working meeting was the sharing of experience among non-governmental organizations in the field of budget monitoring. Representatives of non-governmental organizations from Georgia, Egypt, Palestine, Israel, Armenia and Azerbaijan took part in the meeting.

Human Rights Week

Through 9-18 December 2008, by tradition, the Georgian Young Lawyers' Association held a Human Rights Week.

The Week started on 9 December with presentation of the results of our monitoring of the use of reserve funds of the President and the Government.

On 10 December, the international human rights day, with OSCE's financial support, the Georgian Young Lawyers' Association held a meeting entitled **"Freedom of information: a fundamental right,"** in which representatives of press offices and the media took part. GYLA's Chairperson awarded certificates of commendation to the winners of various nominations.

On the same day, a documentary film on problems experienced by victims of the August 2008 war was shown.

Further, a public lecture entitled "The Universal Declaration of Human Rights is 60 Years Old" was given in Batumi.

On 11 December, GYLA hosted a discussion on "The Right to Fair Trial." On 12 December, GYLA opened an Olympiad "Young Lawyers for Constitutional Law" in Batumi. On the same day, a discussion on "Media Problems in Georgia" was held in GYLA's office. Later, a concept paper on Georgia's High Audit System was presented and a public discussion was held. The discussion was partaken by representatives of non-governmental organizations and members of the Chamber of Control.

Through 13-14 December, a training session was held in Zugdidi for journalists on freedom of information matters.

On 15 December, GYLA employees and members disseminated information booklets prepared within the domestic violence projects in front of metro stations.

On 15 December, the three different elections held in 2008 (presidential, parliamentary and the Achara High Council elections) were assessed and discussed. The Chairman of the Central Election Commission attended the meeting also.

On 17 December, results of implementation of the 3rd phase of the project "No to human trafficking!" were



presented and a documentary film produced within the same project was shown.

The Human Rights Week ended on 18 December with presentation of the report "Standards of Treatment of Prisoners in Georgia."

20 June – the international day of refugees

In connection with the international day of refugees, on 20 June, the Georgian Young Lawyers' Association visited internally displaced persons settled in Tsilkani.

For awareness raising purposes, our lawyers provided legal advice and handed legal literature to residents of Akhalgori and Didi Liakhvi who had to flee their homes due to the August 2008 war.



Also, with the assistance of the Danish Refugee Council (DRC), we handed colour pencils and drawing albums to displaced children.

26 June – the international day of the protection of torture victims

On 26 June 2009, the international day of the protection of torture victims, the Georgian Young Lawyers' Association held an action entitled "Do not torture!"

Specifically for this day, an anti-torture caricature with a relevant slogan was prepared and printed on T-shirts, banners and cards. Special bracelets and ribbons were produced and disseminated too.



Employees, interns and members of the Georgian Young Lawyers' Association gathered in front of the Main Department and former buildings of the Ministry of Internal Affairs and tied up white ribbons with an inscription "No torture!" onto the lattices of the outer fence. Also, they distributed special cards with the same slogan.

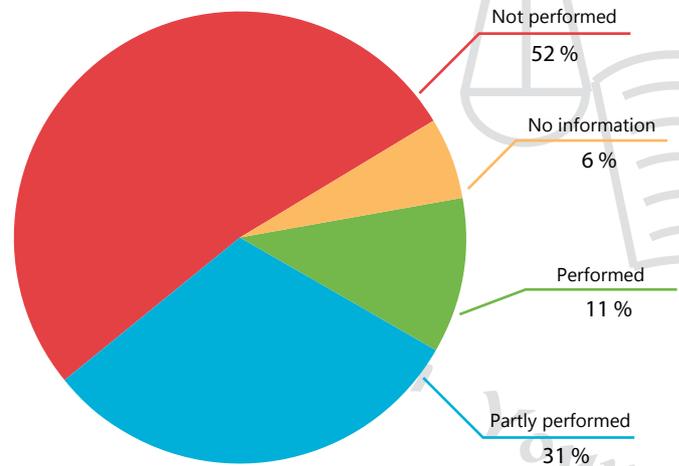
For the same day, GYLA prepared and issued a Report on the Performance of the 2008-2009 Action Plan for the Fight against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment."

Our monitoring showed that, by June 2009, 4 of the issues envisaged by the Action Plan were



performed; 11 were partly performed; 18 were not performed and no information could be obtain on the performance of 2 issues.

By October 2009, GYLA's report was the only analysis on the performance of the Action Plan because neither the Government nor the non-governmental organizations had assessed the progress of the fulfilment of the 2008-2009 Action Plan for the Fight Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment" regardless of the very high public interest in such an evaluation.



On 26 June 2009, a presentation of the report was held at a joint press-conference of the following organizations: the Georgian Public Defender's Office; International Centre for the Rehabilitation of Torture Victims "Empathy"; the Georgian Medics Association (GMA); Penal Reform International (PRI); Georgian Centre for Psycho-social and Medical Rehabilitation of Torture Victims (GCRT).

28 September – The international day of freedom of information

The Georgian Young Lawyers' Association has traditionally commemorated the international day of freedom of information. On 28 September 2009, GYLA hosted a public discussion on "The Right to Know: Freedom of Information in Georgia."



The main presenter at the meeting was Mr. Sozar Subari, former Public Defender of Georgia who assessed his work for the last 5 years and discussed how the right to know is protected in Georgia. Further, GYLA made a presentation on problems and achievements related to transparency in Georgia. The presentation was attended by GYLA members, graduates of GYLA's Foundation for the Support of Legal Education and other interested persons.

Detailed information about the meeting may be accessed at the following web site:
<http://www.facebook.com/event.php?eid=136481209719&index=1>

FACILITATING EFFECTIVE, ACCOUNTABLE AND TRANSPARENT GOVERNMENT

Facilitating an effective, accountable and transparent government has been GYLA's one of the important strategic goals. In addition to increasing citizens' participation in the decision-making process, GYLA continues to be actively involved in the law-making process and to monitor appropriateness of the spending of taxpayers' money as well as grants and credits by the State. Achievements in these directions make the donors' co-operation with the Georgian Young Lawyers' Association interesting and useful.

MONITORING OF INTERNATIONAL AID

At the donors conference on 22 October 2008 held in Brussels, donor countries and organizations pledged to allocate 4.55 billion US Dollars to assist Georgia in the development of economy, improvement of infrastructure and provision of forcibly displaced persons with food, shelter and subsistence allowance. The United States, the European Commission and Japan are among the largest donors.

With the financial support of the Open Society Institute and the Foundation Open Society – Georgia, the Georgian Young Lawyers' Association made an analysis of Georgia's international treaties concluded within the Brussels Conference and of the local legislation related to the control over the use of grants and credits. The project is being carried out within the coalition "Transparent Financial Aid to Georgia." The coalition was formed right after the Brussels Conference to help transparently spend the grant money issued to Georgia.

1. Registration, use and control of international aid to Georgia (legal review)

Within the project, the Georgian Young Lawyers' Association analyzed the applicable laws governing international aid such as grants and credits and mechanisms of their control.

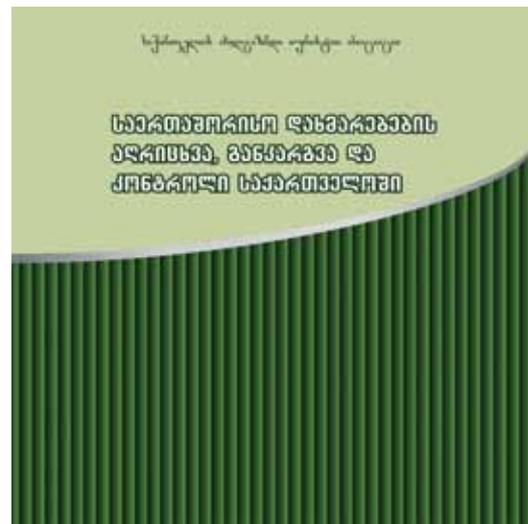
As our research showed, on the one hand, there are specific legislative procedures related to international aid but, on the other hand, the study of the appropriate provisions elucidates their inconsistency and often self-contradictory contents. The imperfectness of the current legislative basis and other above-mentioned shortcomings may create serious problems in practice.

Furthermore, analysis of the legislative basis governing the use of State funds showed non-systematized activity on the part of organs of control thus being a major obstacle to their functioning.

Although the adoption of the new Law on Chamber of Control should be regarded a positive step, it failed to create a uniform system of control excluding duplication of functions among various control bodies, to avoid the placing of important financial resources beyond the auditing area of the Chamber of Control, and to regulate the relations and cooperation among the internal control bodies.

Within the project, we came up with the following recommendations:

- Procedures concerning monetary grants as envisaged by the Order of the Minister of Finance of Georgia No. 66 dated 5 February 2009 should be extended to apply to not only ministries and departments but



also any other public law entity.

- The Georgian law should contain detailed procedures, terms and conditions for the registration of grants and other purposeful financing; it should also prescribe additional terms and conditions in the case the registration documentation is not provided in the beginning.
- The Georgian law should determine procedures to be followed if the grant registration procedures are violated and the resulting legal consequences.
- The Georgian law should directly prescribe an unconditional obligation to reflect any type of international aid in the State Budget in order to avoid the chance of use of grant money beyond the State Budget.
- The Georgian law should regulate procedures for the registration and use of imported goods having the status of grant. Concurrently, a specific body responsible for monitoring should be specified.
- The Law of Georgia on the Chamber of Control should specifically determine the role and powers of the Chamber of Control in relation to resources and/or imported goods received as international aid.
- Internal regulations and acts of the Chamber of Control should be made consistent with the Law of Georgia on the Chamber of Control.
- Supervisory powers of the Chamber of Control and of the local self-governance bodies should be distinguished from each other and made consistent with each other.
- The Chamber of Control should be vested with the power to control receipt and use of grants that are being used beyond the State Budget.
- Effective mechanisms of cooperation between the Chamber of Control and general inspections should be created.
- Receipt and use of grants should be subjected to internal control by each recipient.

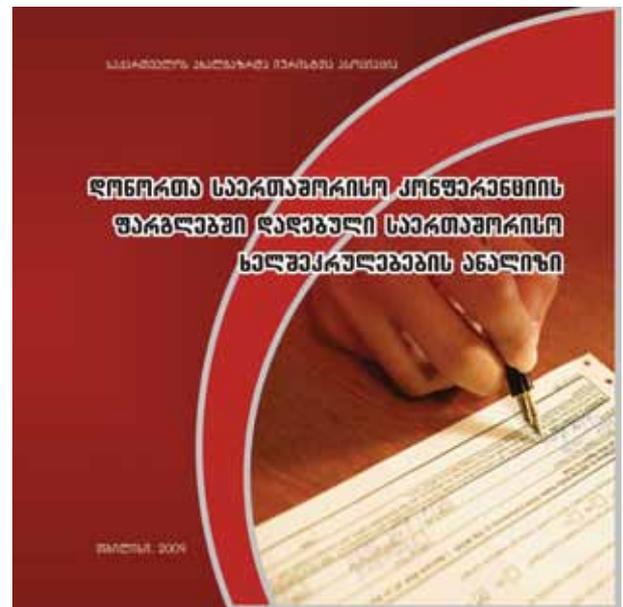
The research can be accessed via Internet at www.gyla.ge/foi

2. Analysis of international agreements concluded within the framework of the international donor conference

The Georgian Young Lawyers' Association analyzed the international treaties concluded by Georgia within the frames of the donor conference held in Brussels.

The study describes specific areas which the donor funds are designed to foster; it discusses types of the international treaties concluded and the conditions of their entry into force, suspension and termination; mechanisms for the implementation of projects; rules and forms of purchase of goods and services within the projects; control over the implementation of projects and special provisions on dispute settlement.

Areas to which financing is to be directed were determined at the Brussels conference. Georgia received financial assistance through loans, grants and direct budget support. According to the international agreements, funds were allocated to the following matters: support to internally displaced persons through creating and/or improving their living conditions; restoration of infrastructure for which purpose a series of regional and national State projects are envisaged; support to Georgia's economy through direct support to State budget and financing of individual economic projects. In addition to these areas, the donors pledged money to develop other branches such as special programs to train staff to implement projects.



Donor organizations are paying special attention to protection of human rights, democratic development, rule of law and reforms progress in Georgia. If the political process goes wrong, the donors retain the right to either

suspend or stop allocation of monetary funds. It is important to note that Georgia assumes the obligation to take anti-corruption measures to ensure transparent and effective use of the donor money.

The research also includes a short description of each international agreement concluded by the Georgian government with donors for the period until 25 March 2009 inclusive.

The research can be accessed via Internet at www.gyla.ge/foi

3. Monitoring of the construction and repair of homes for people forcibly displaced due to the August 2008 war

Within this project, the Georgian Young Lawyers' Association is carrying out legal monitoring of the construction of homes for persons forcibly displaced due to the hostilities in August 2008. We focus on the constructions carried out directly by the State through local self-governance bodies, Public Law Entity "Municipal Development Fund" and the Ministry of Refugees and Accommodation. These constructions are financed both from the Georgian State Budget and the funds allotted to Georgia by the donor conference held in Brussels on 22 October 2008. What remains beyond our focus is the part of international aid, which although being used for the construction of homes for IDPs, are being disposed of directly by the donors (such as the US Government grant, GTZ grant, etc). Our monitoring covers the funds allotted from the Georgian State Budget because we feared the relevant expenses could be retroactively financed also from the international aid funds; other reason for such coverage is the risk of overlapping of the Georgian State Budget funds and the international aid funds (double financing).



Within the project, GYLA analyzes state procurement contracts concluded by various municipalities (16 municipalities in total) by the method of negotiation with a single contractor (sole-source contracting); tenders carried out by the Public Law Entity "Municipal Development Fund" (on about 269 objects); state procurement contracts concluded by the same "Municipal Development Fund" by means of negotiation with a single contractor (within the frames of 42,800,000 allotted by the Georgian Government); and measures taken by the Ministry of Refugees and Accommodation (the 2,000,000 issued by the Georgian Government and other resources under the Georgian State Budget).

MONITORING OF THE SPENDING OF BUDGET RESOURCES FOR THE REHABILITATION OF MOTOR ROADS

საქართველოს მთავრობის ზირიტად სტრატეგიულ მიმართულებებში სატრანსპორტო ინფრასტრუქტურის განვითარება ერთ-ერთი უმთავრესი პრიორიტეტი, რომლისთვისაც სახელმწიფო ბიუჯეტიდან განსაკუთრებით დიდი მოცულობით ტანხები გამოიყოფა. ვინაიდან საავტომობილო გზების რეაბილიტაციის პროცესი განსაკუთრებულად კორუფციასთან სფეროში ხელშეწყობის საფრთხეების გამო, საქართველოს ახალგაზრდა იურისტთა ასოციაციამ ფონდ "რია" საზოგადოება – საქართველოს ფინანსური მხარდაჭერით განხორციელა საავტომობილო გზების რეაბილიტაციის პროცესის მონიტორინგი.

Three main objects were chosen for monitoring:

- Construction of the first high-speed highway of Tbilisi-Senaki-Leselidze in Georgia.

- Rehabilitation of the motor roads of local importance in Achara Autonomous Republic.
- The 10-million grant money allocated on the basis of an agreement between the Georgian Government and the Baku-Tbilisi-Ceyhan Pipeline Company and South Caucasus Pipeline Company "on the rehabilitation of certain State roads".



Monitoring showed violations of different types and complexity:

- **Violations of the state procurement rules prescribed by the Georgian law;** in particular, the choosing of an incorrect method of state procurement and neglect of legal requirements.
- **Ineffective work of agencies in charge;** the monitoring results raise serious questions as to the effectiveness of the work of responsible agencies.
- **Connections between suppliers and recipient state authorities;** of particular interest were the connections between the suppliers of the Motor Roads Department and the governing political party. We also paid attention to the connection between the process of roads rehabilitation in Achara and the elections in Achara.

The broad society and journalists were especially interested in the monitoring results of the reconstruction of the Natakhtari-Agaiani section of the Tbilisi-Senaki-Leselidze highway. This matter was paid attention in the documentary film entitled "National Tenders" produced by Studio "Monitor" as part of its journalistic investigation.

Rehabilitation of the Vaziani-Gombori-Telavi motor road

In the reporting period, GYLA also monitored the project on the rehabilitation of the Vaziani-Gombori-Telavi motor road. The Georgian Motor Roads Department started the project in 2008 and its completion is due in 2010. The project envisages rehabilitation of the 66 kilometres of the mentioned road. Currently, the project is being financed from the Georgian State Budget; however, there are ongoing negotiations with the World Bank regarding additional financing.

In 2008, the Motor Roads Department announced a tender for the purchase of projection works and other intellectual services for the rehabilitation of the Vaziani-Gombori-Telavi motor road. The tender was conducted with procedural violations. The largest violation that could have had a substantial effect on the results of the tender is about the determination of criteria and priorities prior to the tender. The tender commission started work on these issues only on the second phase of the tender, that is after it already had an understanding of

proposals and capabilities of the companies participating in the tender. Such a violation could be a basis for making biased decisions on state procurement.

Other interesting matter is the efficacy of the spending of State Budget money by the Motor Roads Department. In parallel with the purchase of projecting works, by the end of 2008, a tender was announced for the periodic repair of a 10-kilometer section of the above-mentioned motor road. According to the contract concluded with the winner company, periodic repair works on this 10-kilometer section valued 2,344,200 Lari should have been completed in November 2009. However, according to the results on another tender, the Motor Roads Department should have had a plan for the complete repair of the motor road, including the mentioned newly-repaired 10-kilometer section, already 4 months earlier, in July 2009.

MONITORING OF PENITENTIARY INSTITUTIONS

GYLA is actively continuing its monitoring of penitentiary institutions. In particular, we monitored all of the penitentiary institutions in Georgia through regular visits. The following problems were revealed:

1. Inadequate space in prisons and lack of necessary facilities (need for repair to achieve minimum standards such as arrangement of shower rooms, laundry, kitchen, ventilation, and heating systems)
2. Medical problems due to lack of staff (doctors with only narrow specialization are available) and medicines
3. Lack of hygienic materials for prisoners
4. Lack of appropriate office inventory for the prison staff
5. The placement of mentally ill prisoners in penitentiary institutions (such as the Women's Institution in Tbilisi)
6. Lack of employment / training programs for prisoners.

Findings of the monitoring together with specific data and recommendations are contained in our 2008 Report of Monitoring of Penitentiary Institutions.

Analysis: standards of treatment of prisoners in Georgia

In the reporting period, we monitored the fulfilment of international organizations' recommendations to Georgia in the matters relating to the penitentiary system. Although the Georgian Government took account of certain recommendations (such as legislative and institutional changes), penitentiary institutions are still facing a number of problems, including overload. The current conditions in penitentiary institutions are directly linked to violation of prisoners' substantive rights such as the right to have normal living conditions, to be provided with educational opportunities, employment and adequate medical services, and not be subjected to ill-treatment on the part of the prison administration. Problems in these areas, once again, prove the need for constant monitoring by civic organizations over penitentiary institutions.

MONITORING OF THE 3 NOVEMBER 2008 ELECTIONS OF THE HIGH COUNCIL OF THE ACHARA AUTONOMOUS REPUBLIC

Holding of elections in a proper, fair and transparent manner is a fundamental and important indicator of a country's democratic development. The Georgian Young Lawyers' Association fully monitored the 3 November 2008 election of the High Council of Achara Autonomous Republic, in particular, **the pre-election campaign, the Election Day and the post-election period**. Our observation mission was assisted by embassies of the Federative Republic of Germany and of the Great Britain.

On the Election Day, GYLA sent its observers to about 140 election precincts in **Batumi, Kobuleti, Khelvachauri, Qeda and Khulo**, which were identified as the most problematic precincts during the previous parliamentary and presidential elections.

In addition to the observers at precincts, we had 14 mobile groups of observers monitoring the election process on the entire territory of election districts. Furthermore, we had observers stationed in 5 district election commissions and in the High Election Commission round-the-clock both on the Election Day and afterwards till results were formally summarized by district commissions and finally by the High Election Commission.

Along with GYLA's Batumi Office, our Tbilisi and Kutaisi offices participated in the election monitoring.

During the entire period of elections, including the Election Day, a **hotline** operated in our Batumi office.

On the Election Day, we were giving special briefings in our Batumi Office to provide the mass media with up-to-date information on violations discovered by the hour of announcement. The information was being simultaneously uploaded to our web page.

As monitoring showed, during the Election Day, 3 November last year, the main problem was voting with **suspicious ID cards**; such facts were particularly great in number in precincts belonging to the Batumi election district. Another widespread violation was voting with **improper documents** (such as driving license, a photocopy of ID card, outdated ID cards, etc.).

In almost all of the election district in Achara, we encountered facts and attempts of **voting on behalf of a different voter**, which seriously hindered many voters in making their choice. Further, a number of voters listed as eligible to vote at their place through a mobile ballot box were not duly registered in the registration book.

On and after the Election Day until the summarizing of election results, the Georgian Young Lawyers' Association had been carrying out constant monitoring of the work of the High Election Commission and district election commissions.

GYLA made a presentation of the final results of the monitoring and related recommendations on 19 December 2008. The presentation was attended by representatives of political parties, local and international organizations, election administration and the media. At the presentation, assessment was also given to violations occurred during the presidential and parliamentary elections in 2008.



FACILITATING CITIZENS' INVOLVEMENT IN THE DECISION-MAKING PROCESS

Citizens' participation in the decision-making process, Government's accountability to the society, and due care for the people's matters of concern is a paramount element of a truly democratic society. Within the project entitled "**Development of democratic institutes in Georgia for a fair election process and active civil participation,**" the Georgian Young Lawyers' Association along with its partner organization International Society for Fair Elections and Democracy (ISFED) carried out an **advocacy campaign** in 62 districts of Georgia to help increase the local residents' participation in the settlement of local problems.

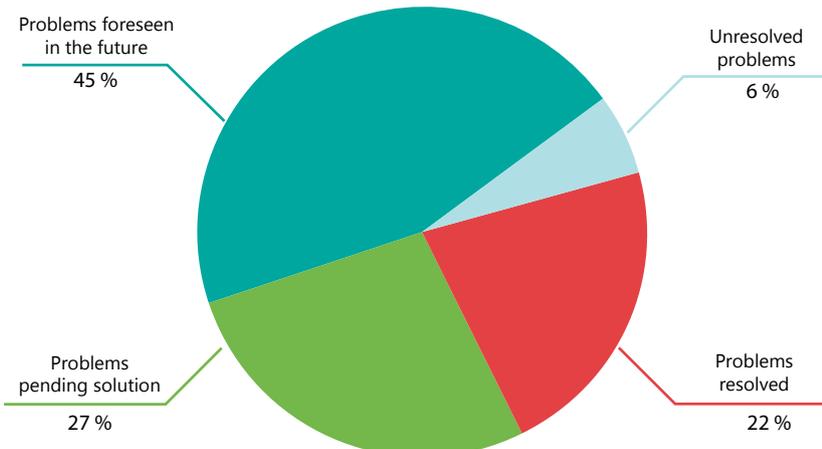
The project was implemented in three phases. In the **first phase**, in 62 districts, active local citizens were selected and trained in effective advocacy. Up to 1,000 citizens of Georgia from 62 districts took part in the advocacy training sessions. Right at the sessions, they identified problems to be settled through active participation of local residents.



In the **second phase**, the trained citizens, using the knowledge and skills they received during at the training sessions, carried out advocacy campaigns to resolve local community issues before relevant authorities. In the same period, GYLA, jointly with its partner organization, organized meetings in 62 municipalities between the local population and local self-governance bodies. A total of 890 citizens attended the meetings, including 543 participants of the training sessions and 347 representatives from local self-governance bodies and other organizations.

The advocacy campaign brought about resolution of 18 matters that represented a problem for local residents; 22 issues are in the process of resolution and a promise of future settlement is received on 36 matters. Only in 5 municipalities, unfortunately, the local authorities paid no attention to the local residents' problems.

In the **third phase**, the partner organizations provided broad society with information on joint activities, achieved successes and problems identified. A joint conference was arranged with participation of local non-governmental organizations, international organizations accredited in Georgia, representatives of local self-governance bodies, citizens involved in the project and members of the Central Election Commission. A discussion was held on possibilities of cooperation between the society and the Government and on problems normally encountered by citizens when it comes to relations with the Government. Citizens and representatives of local self-governance bodies whose fruitful cooperation, direct involvement and activeness valuably contributed to the resolution of local problems were awarded prizes.



YOUNG LEADERS IN COMMUNITY SERVICE

GYLA permanently cares for ensuring the young generation's highest possible involvement in the public monitoring process. The project "Young leaders in community service," which GYLA in association with its Legal Education Facilitation Centre carries out in 5 regions of Georgia, serves this end.

The project enables students to independently assess the work of local self-governance organs, to gain practical experience of engaging in constructive debates, and, last but not least, to get actively involved in the decision-making on problems of concern for their local community.

Five clubs of leaders founded on the basis of the GYLA's Foundation for the Support of Legal Education took part in the project. Up to 25 select students from faculties of law, economics and journalism are members of the clubs. Before the start of the project, we organized week-long intensive training courses for each club of leaders in appropriate regions. The courses included matters of administrative and constitutional law, Law on Local Self-Governance and Governance, human rights, budget process and leadership skills.



We developed a common working strategy for leaders, which involves cooperation with Sakrebulo, including participation in the sessions of local legislative bodies; cooperation with Gamgeobas; submission of written motions and community mobilization.

Geographically, the project covers Georgia's 36 municipalities of 5 regions. The students were attending meetings in local municipalities, participating in public sessions and obtaining public information from local organs to update the local residents of their respective areas on the following:

- The timing and agenda of upcoming Sakrebulo sessions
- Records of Sakrebulo sessions
- Information related to the alienation of local Government-owned property
- Budgets of municipalities
- Quarterly budget reports
- Basic data of the next year budgets
- Statistics on the release of public information for the current year
- Activities envisaged by village development programs

Young leaders were paying special attention to appropriateness of the spending of local budgets and were directly involved in the process of drafting the budget plans. After meeting with local residents in all of the five regions, the students were providing local Gamgeoba and Sakrebulo with a list of problems requiring urgent solutions.

The young leaders held meetings with local population in 161 villages of Shida Kartli, 30 villages of Kakheti, 35 villages of Kvemo Kartli, 47 villages of Achara and 40 villages of Imereti. Young leaders from Achara participated in and launched large-scaled activities at a popular festivity traditionally held in Beshumi and Shuakhevi where people come from all over Achara.

In addition to direct meetings with the population, the Achara leaders' club conducted a **public survey**. With specially designed questionnaires, we were able to find out how well the local residents know their local authorities and how actively they participate in the decision-making on local matters. Within the survey, 2,000

individuals were questioned in Qobuleti, Khelvachauri and Batumi and 600 in Shuakhevi and Khulo. The survey still goes on. By next reporting period, it will have covered districts of Kvemo Kartli, Shida Kartli, Kakheti and Imereti.



Within the project, the young leaders organized meetings with representatives of local self-governance bodies in Rustavi, Gori, Telavi, Kutaisi, Batumi, Kobuleti, Qeda, Shuakhevi, Khulo and Khelvachauri. The meetings were attended by chairmen of Sakrebulo, local community governors, and members and office staff of Sakrebulo. Young leaders discussed the shortcomings and problems they discovered within the project with the representatives of local authorities.



After efforts undertaken by GYLA's young leaders club from Telavi, the Kvareli Sakrebulo included problems and recommendations voiced by the young leaders in its agenda and opened its sessions with the discussion on these matters.

A young leader from Rustavi gave an interview that was broadcast by the Bolnisi television and concerned problems discovered by the young leaders in villages Rachisubani and Ratevani. Having paid attention to the interview, in several days following the broadcast, the local authorities, namely the local governor, the regional governor, the Gamgeoba representative and a local majoritarian law-maker visited the mentioned villages to look into details of the problem.

Efforts of the young leaders from Kutaisi resulted in the construction of a road to a public school in village Kvaliti in the Zestaponi District.

With direct involvement of the Gori young leaders' club, the problem of unhampered provision of potable water to the village Gomi kindergarten in Khashuri District was successfully resolved.

ACTIVITIES IN THE LEGISLATIVE AREA

Traditionally, the Georgian Young Lawyers' Association closely and intensively cooperates with the Georgian Parliament. In particular, the highest legislative organ is permanently providing us with copies of newest draft laws and information on upcoming committee sessions and issues on the agenda. On its turn, GYLA is preparing conclusions on draft laws of high importance; we then send our conclusions to relevant parliamentary committees, authors of the draft laws and other interested persons. Our parliamentary secretary is involved in almost every single committee session to express GYLA's position both orally and through written conclusions.



Of the legal conclusions drafted by the Georgian Young Lawyers' Association during the year of 2009, those on the following matters should be noted:

1. Amendments and addenda to the Constitution of Georgia;
2. A new Criminal Procedure Code;
3. Amendments to Law on Assemblage and Manifestation and accompanying draft laws;
4. Amendments to the Law on Conflict of Interests and Corruption in Public Service;
5. Amendments to the Law on State Procurement, etc.

For the purpose of putting the public into awareness about the ongoing legislative activities, GYLA created a special database that contains draft laws of particular importance and our conclusions thereon.

The database is equipped with simple and modern search system with which interested users can search for draft laws and also get acquainted with the relevant legal conclusion prepared by the Georgian Young Lawyers' Association. The database also contains the following information on each draft legal act: author, initiator and current status as well as any available media coverage concerning the bill. In particular, users of the database can view related television reports and newspaper articles uploaded into the database and thus be informed on public attitude to the given issue.

The database is being constantly updated to enable its users to receive up-to-date information on current important matters.

Furthermore, the Georgian Young Lawyers' Association is taking part in the country's major law-making process as a member of the State Constitutional Commission of Georgia and is involved in the following groups within the Commission:

- Working Group on Legislative Issues
- Working Group on Presidential Issues
- Working Group on Judiciary and Basic Rights.

GYLA has a membership in all of the important councils and working groups that the State created for law- and policy-making purposes such as:

- Inter-agency Coordination Council on the Criminal Justice Reform
- Inter-agency Coordination Council on the Fight against Corruption
- Inter-agency Coordination Council on the Measures against Torture, Inhuman or Degrading Treatment or Punishment

GYLA is also actively involved in the working group on election reform through provision of legislative recommendations and remarks to the group. We prepared recommendations concerning measures of liability for election-related violations, betterment of appeals procedures, creation of special election precincts and

other matters of concern. During the last year, the Georgian Young Lawyers' Association has been submitting its recommendations concerning normative acts and legislative amendments prepared by the Central Election Commission.

In the reporting period, our lawyers were involved in the betterment of applicable laws concerning domestic violence. In that period, a package of amendments were prepared to amend the Law on Prevention of Domestic Violence and Protection and Assistance to Victims of Domestic Violence as well as the 2009 – 2010 Action Plan for Fight against Domestic Violence and Protection of Victims of Domestic Violence. Furthermore, GYLA prepared the following draft bills: "Law on arranging an Anti-Crisis Centre for victims of domestic violence and determination of compulsory minimum standards for its functioning," "A guiding instruction for the prevention of domestic violence and protection and rehabilitation of victims of domestic violence: the National Referral Mechanism," a questionnaire to identify victims of domestic violence and "A Memorandum on the principles of cooperation among non-governmental organizations against domestic violence."

QUALIFIED AND CONTINUOUS LEGAL EDUCATION, DEVELOPMENT OF THE LEGAL PROFESSION

Tradition continues: the Georgian Young Lawyers' Association, despite certain positive developments brought about by the State in the area of education, remains a hearth of alternative legal education and professional betterment for students and graduates of law faculties. We see a yearly increase in the number of students benefiting from the activities of GYLA's Foundation for the Support of Legal Education. Only during the last reporting period, up to 200 students wished to attend the Foundation-organized educational courses; however, due to high standards maintained to pass admission examinations, only 131 students were able to enroll in the courses.

The Georgian Young Lawyers' Association is the place for gathering of students and graduates of almost all of the existing education institutions. We are proud of our capability to offer a rich legal library internship programs, training courses and, most importantly, the chance to demonstrate and perfect own skills to anyone who wishes to devote himself or herself to the legal profession. For the last several years, GYLA has been staffed mostly with successful graduates of our courses and interns.

GYLA'S FOUNDATION FOR THE SUPPORT OF LEGAL EDUCATION AND THE LEGAL TRAINING AND INFORMATION CENTRE

As the Georgian Young Lawyers' Association has gained experience in this matter, we have acquired an understanding of how each existing high education institution performs: in particular, we are aware of the teaching methodology of specific universities, textbooks used, resources available as well as the level of knowledge students can obtain in Tbilisi and in various regions of Georgia.

Against this background, GYLA is still seeing the need to assist these young men and women who have to study in the course of ongoing and changing legal education reforms. For this reason, it is GYLA's one of the important strategic goals to ensure constant legal education and development of the legal profession.

GYLA is working toward the achievement of the mentioned strategic goal through its Foundation and the Legal Training and Information Centre.

The Foundation and the Centre performed the following activities during the reporting period:

- Yearly 6-month paid courses in Tbilisi in five subjects
- Paid courses in Kutaisi
- Internal and national tournaments in the art of debate in Tbilisi, Gori, Kutaisi, Batumi, Telavi and Rustavi
- Involvement of students in the regions in debate clubs and the project "Young Leaders in Community Service"
- Olympiad "Young Lawyers for Constitutional Rights" in the Constitutional Court of Georgia
- Moot courts in the Supreme Court of Georgia.
- Law seminars in Ozurgeti, Telavi, Kutaisi and Batumi on various legal problems
- Replenishment of the Legal Library with new literature
- Translation of foreign high-rating legal literature into the Georgian language.

Training courses offered by the Foundation

In 2008-2009, 131 students attended the Foundation-organized training courses for 6 months; training was held in the following subjects:

- Introduction into law (for 1st-, 2nd- and 3rd-year students)

- Civil law
- Criminal law
- International law
- Constitutional law

At the end of the course, only 92 students were admitted to the final examination. Following the examination, 52 students were awarded certificates and 33 students received a joint diploma of GYLA and the Foundation. Unfortunately, 7 students were unable to successfully pass the examination.

On 9 July, the Foundation hosted a ceremony in connection of the graduation of the study year of 2008-2009. The ceremony was attended by heads of non-governmental and international organizations and foundations, professors and teachers from law faculties of various high education institutions, representatives from law firms, graduates and prominent lawyers acting in Georgia.

Right at the ceremony, various prestigious law firms as well as the Georgian Young Lawyers' Association offered internship with potential employment opportunity to about 10 individuals who graduated our courses with diplomas.



At the end of the courses, the Foundation organized moot courts for students by 4 areas of law: international law, criminal law, civil law and constitutional law. The moot courts were held in the building of the Supreme Court of Georgia. The imitated courts were assessed by a bench with the following composition: judges, lawyers, public officials, and specialized experts. The students' performance was evaluated according to their roles in the moot proceedings where they showed truly high level of preparation.

A paid 5-month course was held in Kutaisi as well. 30 persons, who attended the courses, were trained by highly qualified local experts and experts from Tbilisi in the following subjects:

- Criminal law and criminal procedure
- Civil law and civil procedure
- Tax law
- Administrative law and administrative procedure

Following the completion of the course, a final exam was held and the successful attendees were awarded joint certificates of GYLA and the Foundation.

The art of debate

To help young lawyers develop practical legal skills, the Foundation continues the holding of Debates Courses in both Tbilisi and the regions. The course is of special importance as far as students from regions, due to objective reasons, lack the chance to receive the knowledge and experience more easily available to the students in Tbilisi high education institutions. By means of the Debates Course, its participants are able to learn the art of debate, the culture of dispute, keen thinking and the skills of searching and finding the right legal arguments. After a six-month training course, the Foundation arranged internal tournaments in Tbilisi, Gori, Kutaisi, Batumi, Telavi and Rustavi. Winning teams of internal tournaments were invited to a final national tournament. The contest revealed best debaters who, together with the winning teams, were awarded legal books and valuable gifts.

Olympiad “Young Lawyers for Constitutional Rights”

In the reporting period, with GTZ’s financial support and in cooperation with the Georgian Constitutional Court, the Education Centre arranged an Olympiad entitled “Young Lawyers for Constitutional Rights” in the building of the Constitutional Court.



73 teams from entire Georgia (each team had 3 members) filed requests to partake in the Olympiad, of which 50 teams were from Tbilisi, 5 from Batumi, 2 from Gori, 3 from Kutaisi and 3 from Telavi.

Based on pre-established criteria, 8 teams were selected to compete in the Olympiad of which 7 were from Tbilisi and 1 from Batumi.

Through 12-14 December 2008, selection rounds, semi-finals and the finals were held in the building of the Constitutional Court in Batumi. The moot court sessions were chaired by Mr. Besik Loladze and Ms. Lali Papiashvili, judges of the Constitutional Court. Other members of the judicial board were specialists and experts in the field of constitutional law and human rights.

The Olympiad was solemnly closed on 14 December. Ms. Tamar Khidasheli, Chairperson of the Georgian Young Lawyers’ Association and Ms. Lali Papiashvili, Judge of the Constitutional Court addressed the participants with speech. The participants were awarded joint certificates of GYLA and GTZ. The team from the Georgian-American University won the Olympiad. GYLA awarded the winners



various valuable gifts. All of the participants received books authored by Mr. Joni Khetsuriani, Judge of the Constitutional Court. The winning team was awarded a transferable cup with an inscription "Young Lawyers for Constitutional Rights."

Seminars for lawyers

In the reporting period, the Training Centre, with the financial support of GTZ, arranged seminars in GYLA's regional offices for lawyers and public servants on problematic matters from civil and administrative law. In particular:

- **On 21 and 29 November**, a seminar was conducted in Ozurgeti and Telavi attended by representatives of the legal aid centres of our Ozurgeti and Telavi offices, other lawyers, attorneys, notaries, public and local government representatives. The seminar entitled "The legal nature, status and problem of the family unit in villages" was dedicated to discussion of the problem issues faced both the families living in villages and notary offices, public register and local government representatives.
- **On 28 November**, a seminar was held in GYLA's Gori Office. Lawyers from our Gori Office and representatives of local law firms took part in the seminar. Attending lawyers discussed family law issues, in particular:
 - Adopting parents and the adoptee
 - Parties to proceedings of child adoption
 - Deprivation / suspension of the right of parenthood
 - Judicial review of cases concerning child adoption, cancellation of the adoption and declaration of child adoption void
 - Establishing the fact of fatherhood.
- **On 30 November**, our Kutaisi Office hosted a seminar "Judicial remedies in administrative legal relations". The seminar participants of the seminar discussed the following issues:
 - Administrative lawsuit
 - Types of administrative lawsuit
 - Distinction between administrative lawsuits
 - Admissibility of an administrative lawsuit; procedural hearing
 - Types of court decisions made on administrative lawsuits



80 individuals took part in the seminars.

Information centre (legal library)

GYLA's legal library remains one of the most attractive places for interested persons. The library serves 20 to 25 people daily on average.

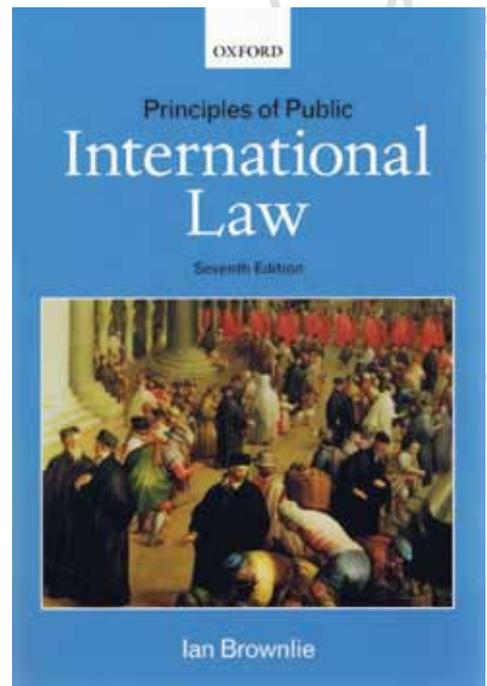
The library is being constantly replenished with newest legal literature. In the reporting period, our Foundation purchased up to 200 pieces of new Georgian literature. In addition, our library received 50 pieces of literature from the British Council and various international organizations as a gift.

To better our services and to advertise our Legal Training and Information Centre and the website www.legaleducation.ge, we produced plastic bags with an inscription of the website. Currently, we are successfully using this product in the course of provision of our services (for example, when borrowing books from our library, the library clients take books home and back with these bags). The bags proved to be very popular.

Ian Brownlie's Public International Law

Unfortunately, the Georgian readers are not much pampered with Georgian translation of high quality legal books. For this reason, our Foundation for the Support of Legal Education contacted the Oxford University Press and obtained the right to translate and publish in the Georgian language the book "Public International Law" authored by Ian Brownlie. The right to translate and publish is valid for 5 years. In this period, we plan to publish 500 copies of the official Georgian translation of the book. Translation is already completed and currently we are working on the editing of the translation. Supposedly, in January next year, we will be able to make our members happy with the work of this great law author. The book will be of special value for students who are not fluent in English.

The Foundation will continue translation of high quality foreign literature in various areas of law into the Georgian language in the future too.



RAISING THEORETICAL AND PRACTICAL SKILLS RELATED TO LITIGATION IN THE EUROPEAN COURT OF HUMAN RIGHTS

In connection with strategic litigation, for the purpose of raising lawyers' theoretical knowledge and practical skills, on 7 May 2009, GYLA and the European Human Rights Advocacy Centre (EHRAC) held a joint meeting in which 30 practicing lawyers from various non-governmental organizations took part. The following matters were discussed during the meeting: case-law of the European Court on jurisdictional matters, exhaustion of local remedies, and application of international humanitarian law and the international human rights law in a time of armed conflicts. The meeting participants also discussed cases concerning the Russian-Georgian armed conflict lodged by non-governmental organization with the European Court and the difficulties revealed in preparation of these cases.

INTERNSHIP AT LEGAL AID CENTERS

In addition to providing theoretical knowledge, GYLA cares for the development of the legal profession, raising of young lawyers' qualification and their formation as professional lawyers. Our offices both in Tbilisi and in the regions make valuable contribution to this end.

Our centres run an internship program for last year students, students studying on master's degree and graduates of law faculties. The program enables its participant to develop practical skills required for lawyers. Participation in the project is possible through a competition. Internship lasts for 6 months. In this period, students are learning to provide legal advice. Under the direction of experienced lawyers, interns thus have a chance to render legal advice, draw up legal documents and represent clients' interests in courts.

Through 2009, 42 beginning lawyers were given the chance to acquire legal skills and practice law. It is noteworthy that best interns, in case of a vacancy opening, may start a job at the Georgian Young Lawyers' Association. Only in 2009, 4 interns who demonstrated special efforts and diligence were employed by GYLA.

FINANCIAL REPORT

Reporting period: 1 October 2008 – 30 September 2009

GYLA's financial report covers the period between the Association's 14th and 15th General Assembly meetings. In this period, we received a total of 4,615,517.03 Lari from various sources in the form of grants, contributions and membership fees. A breakdown of this amount according to sources is shown below:

Adam Smith International	5,964.25 Lari
British Embassy	15,609.00 Lari
Black sea trust	102,455.00 Lari
DRC	229,607.79 Lari
Europe Commission	206,164.75 Lari
EHRAC	23,777.00 Lari
GTZ	204,563.50 Lari
Germany Embassy	25,785.80 Lari
NED	89,425.28 Lari
OSGF	46,648.77 Lari
OSI	181,219.92 Lari
Oxfam Novib	1,667,440.00 Lari
PRI	9,275.00 Lari
RJI	116,156.85 Lari
UNDP	1,320,421.40 Lari
USAID	291,900.00 Lari
UNICEF	59,376.16 Lari

Membership fees	1,876.00 Lari
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Contributions made by natural persons and legal entities	11,054.34 Lari
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Other income	6,796.22 Lari
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During the reporting period, 154 employees were hired to perform other than one-time jobs, of which 64 individuals were employed in the regions. A total amount of reimbursements paid to such employees equals 1,466,510.67 Lari. One-time honorariums were paid to 429 individuals amounting to a total of 294,294.89 Lari.

The aggregate amount of income tax withheld from compensations, salaries and honorariums of private persons equalled 239,134.08 Lari.

During the reporting period, GYLA spent 109,720.89 Lari to purchase capital assets, of which 35,259.36 Lari was spent on regions.

On various low value items purchased during the reporting period, a total of 41,053.49 Lari was spent, of which 23,310.40 Lari was spent on regions.

1,003.45 Lari was spent to purchase books and various periodicals for the central office and regional offices' libraries.



85,970.24 Lari was used to organize seminars and meetings in both Tbilisi and regions.

315,796.62 Lari was spent on business trips of GYLA employees and members.

207,701.31 Lari was paid for rent of GYLA's office spaces.

69,479.82 Lari was spent on communication costs throughout the organizations, including 40,010.12 Lari for the regions.

During the reporting period, total expenditures equalled 3,096,373.88 Lari. A breakdown of the expenditure according to sources is shown below:

Adam Smith International	12,501.60 Lari
British Embassy	14,414.63 Lari
Black sea trust	55,594.17 Lari
CARE	7,659.51 Lari
DRC	145,707.88 Lari
Europe Commission	145,015.80 Lari
EHRAC	17,934.15 Lari
GTZ	259,412.71 Lari
Germany Embassy	25,785.80 Lari
ILO	20,060.98 Lari
NED	83,370.84 Lari
OSCE	72,958.27 Lari
OSGF	92,343.85 Lari
OSI	102,724.67 Lari
Oxfam Novib	590,164.80 Lari
PRI	3,230.50 Lari
RJI	54,742.67 Lari
UNDP	1,156,336.88 Lari
USAID	177,407.84 Lari
US Embassy	27,764.89 Lari
UNICEF	18,878.96 Lari

GYLA's own funds	12,362.48 lari
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Lawyers'

**Georgian Young Lawyers' Association
Summary Balance Sheet
As of September 30, 2009**

	<u>Sep 30, 2009</u>
ASSETS	
Fixed Assets	767 584,73
Other Assets	2 000,00
Current Assets	
Accounts Receivable	1 581 046,61
Current/Savings	<u>857 300,44</u>
Total Current Assets	<u>2 438 347,05</u>
Current Liabilities	
Other Current Liabilities	<u>7 513,00</u>
Total Current Liabilities	<u>7 513,00</u>
NET CURRENT ASSETS	<u><u>2 430 834,05</u></u>
TOTAL ASSETS LESS CURRENT LIABILITIES	3 200 418,78
NET ASSETS	3 200 418,78
Equity	3 141 094,85

Executive Director: *J. Kobidze*

Accountant: *J. Zolobidze*





GYL GOVERNING BODIES

October 2009

The Board Members

- Tamar Khidasheli – Chairperson
- Giorgi Chkheidze – Deputy Chairperson
- Besarion Abashidze
- Qetevan Bebiashvili
- Eka Beselia
- Zurab Burduli
- Tamar Gurchiani
- Tamar Tomashvili
- Ketevan Kvinikadze
- Tamar Kordzaia
- Lasha Maghradze
- Tamar Metreveli
- David Usupashvili
- Ekaterine Pavlenishvili
- Ekaterine popkhadze
- Tamar Kaldani
- Lali Chkhetia
- Irakli Tsnobiladze
- Khatuna Chitanava
- Tinatin Khidasheli
- Sofio Japaridze

Heads of Regional Offices

- Adjara Branch – Nino Tavlalashvili
- Kutaisi Branch – Nino Tvaltvadze
- Rustavi Office – Ekaterine Pavlenishvili
- Gori Office – Keteven Bebiashvili
- Telavi Office – Marekh Mgaloblishvili
- Ozurgeti Office – Tamaz Trapaidze
- Dusheti Office – Sergo Isashvili

Responsible for publication: Tamar Khidasheli, Besarion Bokhashvili, Khatuna Kviralashvili

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Georgian Young Lawyers' Association

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