

ANNUAL REPORT



RULE OF LAW

FOR JUSTICE

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GYLA 20 YEARS OLD 2003 2000
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Embassy of the Kingdom of the Netherlands



SIGRID RAUSING TRUST



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მართლმსაჯულების დამოუკიდებლობისა და სამართლებრივი გაძლიერების პროექტი

EUROPEAN HUMAN RIGHTS ADVOCACY CENTRE
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Supporting freedom around the world



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OPEN SOCIETY FOUNDATIONS

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DEAR MEMBERS OF GYLA,

I would like to first congratulate you on the 20th anniversary of the founding of GYLA. I know all of us are proud to be members of the organization that gracefully passed the test of a fairly long time amid often chaotic, unstable and dramatic political, social and economic developments in the country over the last 20 years. I'd like to thank each and every one of you for your contribution to the common success. I would like to particularly thank our founding members, who played a distinctive role in turning the organization built on mere ideas of professional dignity, fairness and promotion of human rights into a prominent and successful brand.

We tried to make the 20th anniversary of our beloved GYLA special by making a long-time wish come true and we did it! On September 22, 2014 - exactly 20 years after the founding of GYLA, we opened our 9th office in Zugdidi. We hope that our fledgling office in Zugdidi will be at least as successful as other regional offices of GYLA.

In my capacity as Chairman of GYLA, it is my honour to once again present GYLA's annual report. Those who have been watching GYLA's work from a distance may find activities covered by this report impressive, while those who have been personally engaged in the work of GYLA may traditionally experience the sense of deficiency, thinking that much more could have been written in this report.

Throughout the year, in addition to providing legal advice in tens of thousands of cases, we litigated very successfully in the Constitutional Court of Georgia and in the European Court of Human Rights; we were able to have a positive impact on a number of legal processes; our response to citizen reports of alleged violent actions of police officers had at least preventive effect; we have been successfully implementing election monitoring mission; we identified a number of important deficiencies in the work of various law enforcement and administrative authorities (we also highlighted improvements); we helped a number of students deepen their theoretical knowledge and develop practical skills. Some may think that this was none of our business but I am pleased that our appeal stopped demolition of Sakdrisi and we were able to detect a number of interesting problems while working on this issue. GYLA's contribution to the civil society campaign This Affects You Too in support of the legal draft on surveillance was indispensable. In frames of the campaign, we had the honour to join other "subverters". In return for having to bear this label, we continue to enjoy trust among the international com-

munity - an assertion, proved by the fact the latest report of the US State Department referred to GYLA as trustworthy and objective source of information 28 times exactly.

We must also note interesting and exciting results of the research implemented by the East West Management Institute with USAID's funding, illustrating increased trust in non-governmental sector while naming GYLA as the most prominent non-governmental organization in Georgia. Media coverage has been at record high... Nevertheless, we can't help the feeling of being able to do much so much more than what we have already done, and the need to illustrate our accomplishments more effectively.

Lastly, I would like to give very special thanks to my co-workers. Part of their day-to-day labour has been reflected in this report. I often had the urge to write a formal letter of gratitude to my co-workers personally for their job well done but then I realized that number of letters that I would have to write was much more than I could ever find time for. Therefore I would like to take this opportunity and convey my deepest gratitude to each and every one of you for your professionalism, enthusiasm and passion!

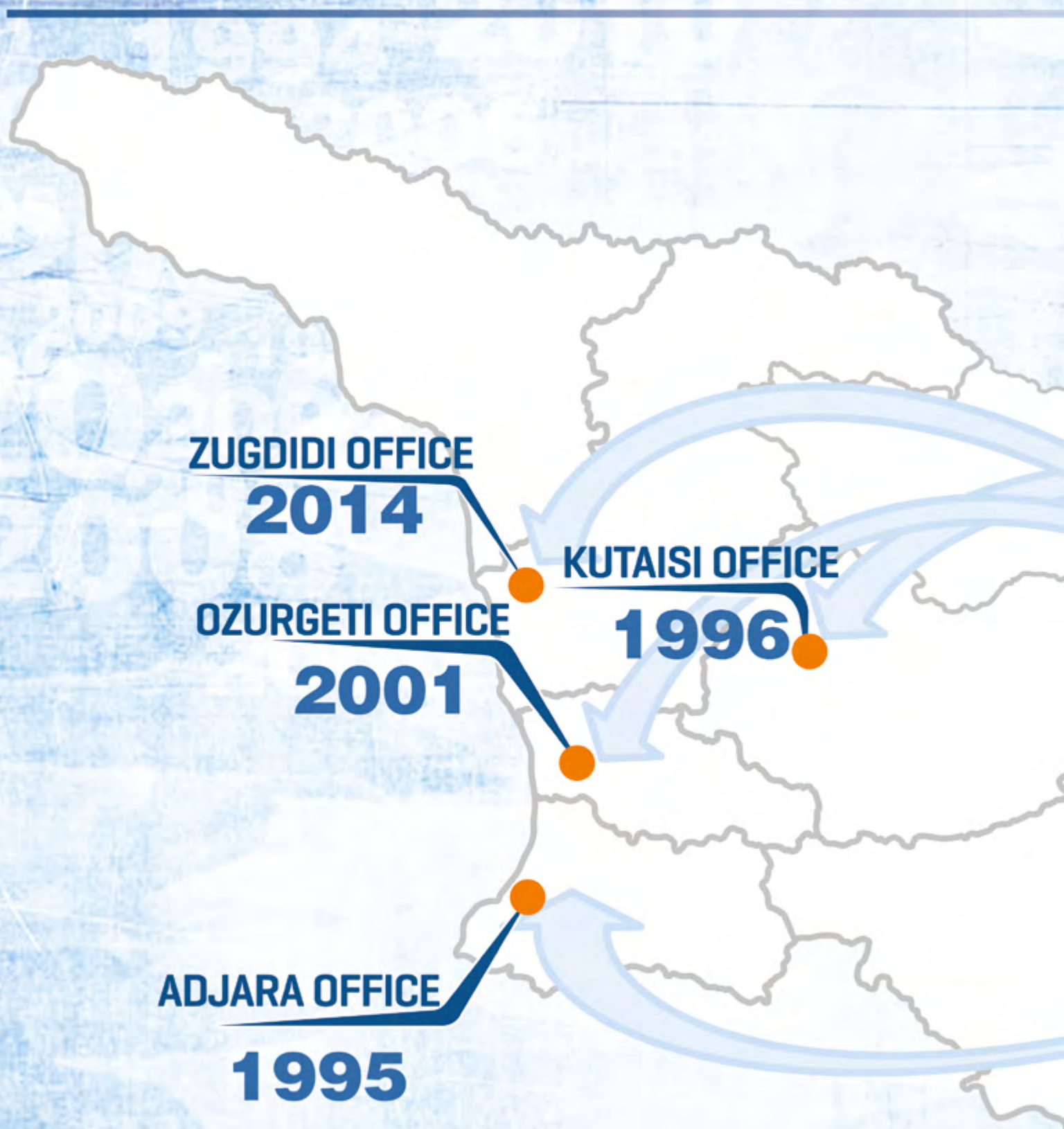
Sincerely,

Kakha Kozhoridze

Chairman

Georgian Young Lawyers' Association

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ZUGDIDI OFFICE
2014

OZURGETI OFFICE
2001

ADJARA OFFICE
1995

KUTAISI OFFICE
1996

OFFICES OF GYLA

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

GYLA
20
YEARS OLD

DUSHETI OFFICE
2002

1994
TBILISI OFFICE

GORI OFFICE
2000

TELAVI OFFICE
2002

RUSTAVI OFFICE

1995

MISSION STATEMENT OF GEORGIAN YOUNG LAWYERS' ASSOCIATION

GYLA continues to work for achieving its strategic goals and objectives based on its Strategy and Action Plan 2011-2014 adopted by the General Assembly of the Georgian Young Lawyers' Association on October 31, 2010.

According to GYLA's traditional practices and Charter, we are pleased to present our Annual Report 2014, covering activities carried out by offices of GYLA in Tbilisi and in eight regions of Georgia from November 1, 2013 through November 1, 2014.

Similar to previous years, structure of this Report is based on four (4) strategic goals of our organization:

1. PROTECTING HUMAN RIGHTS, DEVELOPMENT OF LEGAL REMEDIES AND ENSURING ACCESS WITHOUT DISCRIMINATION
2. RAISING LEGAL AWARENESS AND PROMOTING THE RULE OF LAW
3. PROMOTING EFFECTIVE, ACCOUNTABLE AND TRANSPARENT GOVERNANCE
4. QUALIFIED AND CONTINUED LEGAL EDUCATION AND DEVELOPMENT OF LEGAL PROFESSION

Our Motto

RULE OF LAW FOR JUSTICE





**PROTECTION OF HUMAN RIGHTS,
LEGAL REMEDIES AND ACCESS
WITHOUT DISCRIMINATION**

PROTECTION OF HUMAN RIGHTS, LEGAL REMEDIES AND ACCESS WITHOUT DISCRIMINATION

Since its establishment twenty years ago, GYLA has been successfully protecting human rights, which one of its most important strategic goals. GYLA provides free of charge legal assistance to thousands of individuals on a daily basis through its offices in Tbilisi and regions (eighth regional office was opened in Zugdidi in 2014).

Based on its strategy and projects, GYLA focuses on target groups including internally displaced persons (IDPs), socially vulnerable people and persons with disabilities, juveniles, journalists, senior citizens, prisoners, migrants, victims of domestic violence, etc. Topics of consultation are not limited and any individual may receive free legal advice on any issue of his/her interest.

At the national level, GYLA helps citizens by providing free legal advice, preparing legal documents and providing legal assistance. GYLA is also engaged in strategic litigation in the European Court of Human Rights (ECHR) and in the Constitutional Court of Georgia.

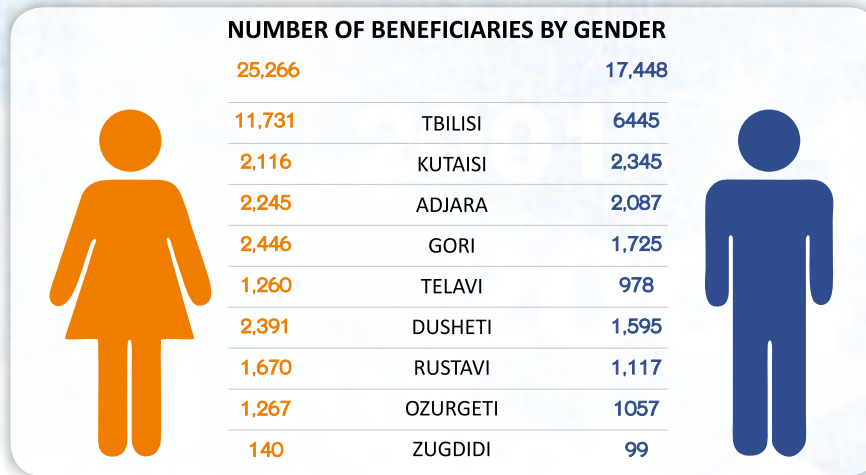
By providing free legal assistance, GYLA ensures that rights of individuals are restored. By engaging in strategic litigation, it promotes the development of best judicial practices. It also provides an opportunity for beneficiaries to acquire knowledge and basic skills that they will need for protecting their own rights in the future.



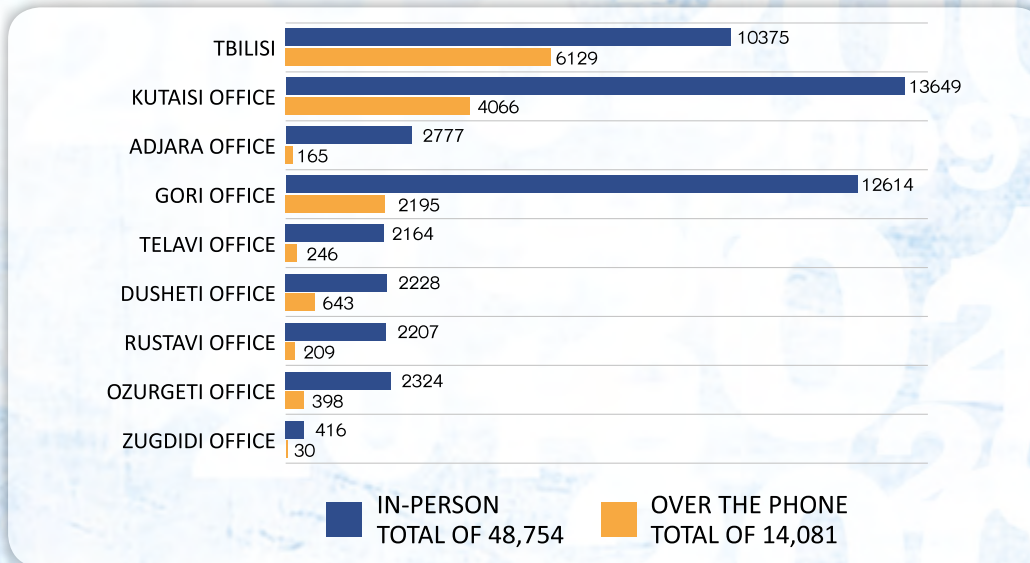
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LEGAL CONSULTATIONS AND DOCUMENTS

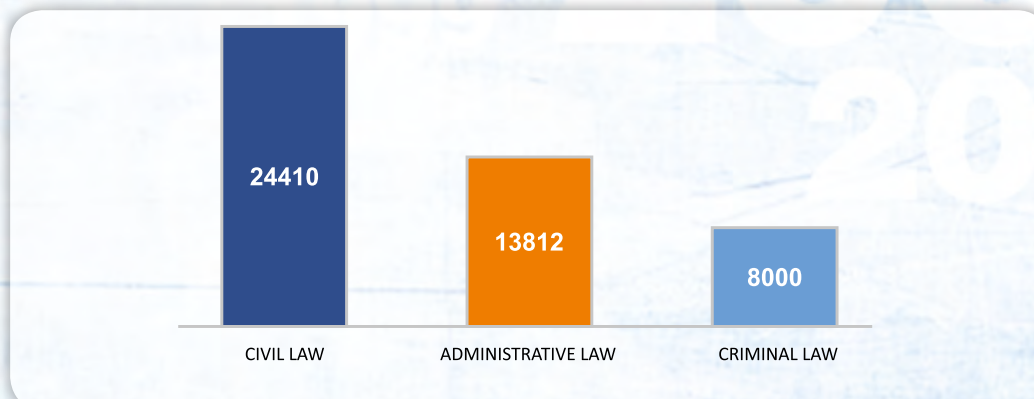
CONSULTATIONS AT OFFICES OF GYLA



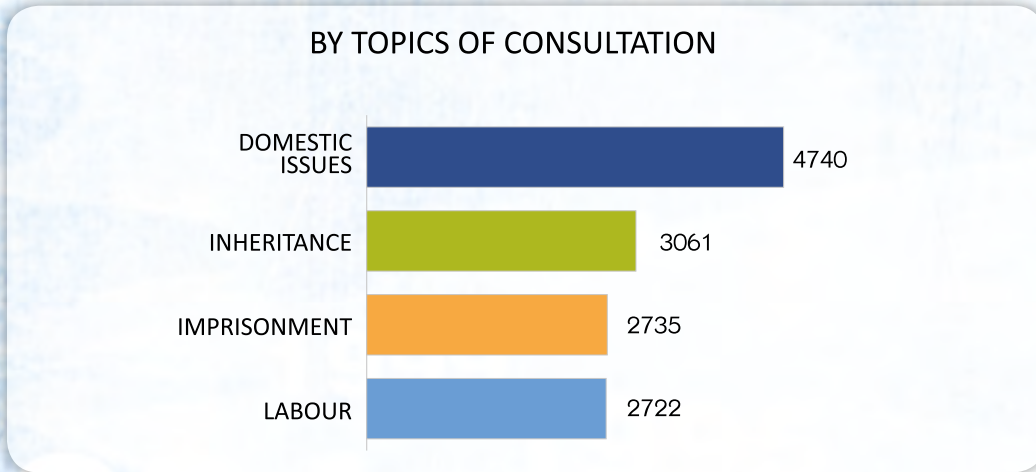
TYPES OF LEGAL CONSULTATIONS PROVIDED



TOPICS OF CONSULTATIONS



MOST FREQUENTLY ASKED QUESTIONS DURING THE CONSULTATIONS



LEGAL DOCUMENTS PREPARED

Throughout 2014, lawyers at various offices of GYLA prepared total of 6396 legal documents for beneficiaries (complaints, appeals and applications). We found that 2860 of these legal documents have been upheld. In particular,

- 391 applications for establishing the fact of ownership have been upheld; as a result, beneficiaries will be able to register their property right in the public registry, receive inheritance and pensions;
- 196 children were provided with alimony, paternity was established for 26 children;
- 52 applications for establishing the fact of receiving inheritance by factual ownership were upheld. As a result, beneficiaries will be able to register inheritance under their name;
- 81 applications for recognizing a disability of an individual were upheld, guardians were appointed and pensions were provided;
- Assistance was provided to several victims of domestic violence. With GYLA's help they were placed in a shelter for victims of domestic violence;
- With GYLA's assistance, dozens of beneficiaries received compensations.



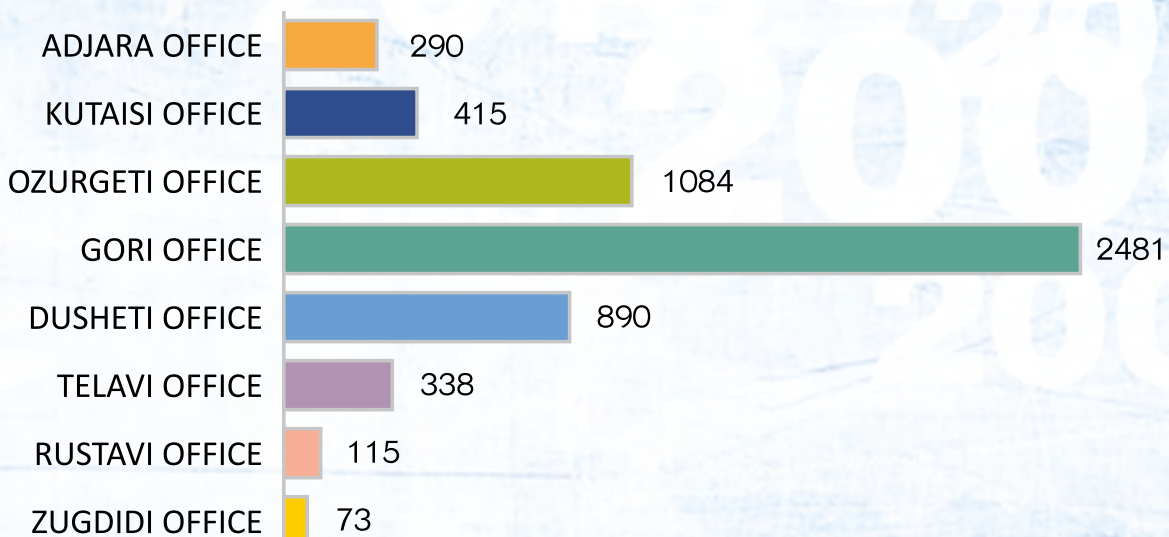
FIELD CONSULTATIONS

Traditionally, lawyers of GYLA also provided the so-called field consultations - legal consultations during field visits in various municipalities of Georgia.

NUMBER OF FIELD CONSULTATIONS BY REGIONAL OFFICES OF GYLA



NUMBER OF BENEFICIARIES DURING MEETINGS



GYLA's office in Dusheti held 33 field meetings in 31 settlements in municipalities of Mtskheta and Dusheti. During these meetings, 890 beneficiaries received 1115 consultations.



GYLA's office in Kutaisi held 42 field meetings in various villages in municipalities of Khoni, Tkibuli, Bagdati, Vani, Terjola, Zugdidi and Mestia. During these meetings, 415 beneficiaries received 859 consultations.

GYLA's office in Adjara held 11 field meetings in various villages in Khelvachauri, Kobuleti, Khulo and Shuakhevi municipalities. During these meetings, 290 beneficiaries received 662 consultations.

GYLA's office in Telavi held 24 field meetings in municipalities of Akhmeta, Kvareli, Gurjaani, Telavi, Lagodekhi, providing total of 350 consultations for 338 citizens.

GYLA's office in Ozurgeti held 147 field meetings in various villages in municipalities of Chokhatauri, Ozurgeti and Lanchkhuti, providing total of 1250 consultations for 1084 beneficiaries.



GYLA's office in Rustavi held 7 field meetings in municipalities of Bolnisi, Marneuli and Tsalka, providing total of 140 consultations for 115 beneficiaries.

GYLA's office in Gori held 175 field meetings in 35 villages of Shida Kartli and Samtskhe-Javakheti, providing 2538 consultations for 2481 citizens.

GYLA's office in Zugdidi held 4 field meetings in Samegrelo Region. 73 beneficiaries received 73 consultations.

Concerns of beneficiaries varied by municipalities. However, beneficiaries in almost all settlements were interested in competencies of local self-governments, social welfare issues, mechanisms for protection of property rights, issues related to receiving inheritance as well as family law. They were also concerned with legal issues of employment.



SERVICE OF DEFENCE LAWYER

During the reporting period, GYLA's legal aid centers continued to provide free service of defence lawyer for the socially vulnerable, upon set criteria. In the frames of the service of defence lawyer GYLA also focused on cases of particular importance for the development of law and best judicial practices.

During the reporting period, GYLA's offices in Tbilisi and in the regions were working on 64 criminal cases, 184 administrative cases and 94 civil cases.

SUCCESSFUL CASES

During the accounting period, 124 cases were successfully completed as a result of active engagement of GYLA's lawyers in Tbilisi and regional offices. With GYLA's assistance, a number of illegally terminated employments were restored and salaries were compensated for periods, during which GYLA's beneficiaries did not work due to illegal dismissals. Dozens of cases were resolved in favour of juveniles' interests. A number of beneficiaries were relieved from criminal and administrative liability. Some successful cases have been influential on formation of judicial practices, which will benefit larger groups of people.

To illustrate, below are some of the examples of successful cases:

CRIMINAL CASES



- GYLA's office in Kutaisi represented former chairperson of Khoni Sakrebulo G.G. The Supreme Court of Georgia found him not guilty under its verdict. The defendant was charged with abuse of official power.
- GYLA's lawyer from Dusheti Office represented D.O. The court found him not guilty. After evaluating the evidence, court upheld the position of GYLA's lawyer and found that the defendant, D.O. was acting in necessary defence and delivered verdict of not guilty.
- GYLA's lawyer from Tbilisi Office represented defendant K.Ts. Based on the new evidence that came to light, verdict delivered against K.Ts was reconsidered and Tbilisi Appellate Court granted the motion of GYLA's lawyer for absorption of punishments. K.Ts. was immediately released from prison.

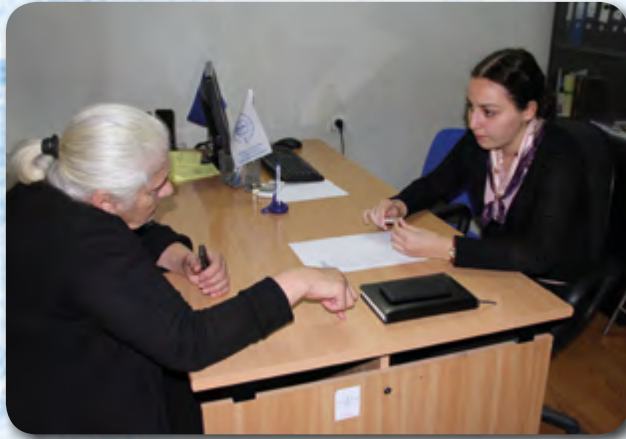
ADMINISTRATIVE CASES

- With the help of GYLA's lawyer from Kutaisi Office, tax liabilities of an independent producer total of 80 245.68 GEL were written off.
- Lawyer from GYLA's Tbilisi Office represented R.K. in a dispute for establishing regulations for compensating family care for a person with disabilities. Under the court's decision, the Government of Georgia and the Ministry of Labour, Health and Social Affairs were ordered to issue normative acts determining amount of compensation for family care for persons with disabilities and regulating relevant issues. The decision will have an impact not only in favour of the beneficiary, but in favour of hundreds of persons with disabilities.
- GYLA's office in Gori was representing N.M. before the court. She used to work at Kareli Municipality before she was forced to write a letter of resignation for personal reasons as a result of pressure by the trustee. She was pregnant at that time. With the help of GYLA's office in Gori, N.M. filed in Khashuri District Court, for abolishment of the order on her dismissal. District and appellate courts rejected N.M.'s complaints. The Supreme Court of Georgia delivered a different ruling, ordering Kareli Municipality to re-examine the issue and deliver a new decision after investigation of relevant facts. The Cassation Court shared the claimant's position that the letter of resignation of a public servant for personal reasons may not serve as grounds for his/her dismissal, without investigating relevant facts and without conducting administrative proceedings. This decision is very important, as court had never before made any such ruling about the disputed issue. GYLA believes that the ruling may have a positive impact on the existing judicial practice in similar cases.



- GYLA's office in Telavi was representing former employee of Telavi Municipality Gamgeoba, E.B. before the Telavi Court. She had been dismissed under the order of Telavi Municipality Gamgebeli illegally, due to reorganization. At the time of her dismissal, E.B. was pregnant. The administrative agency learned about it later, after receiving a written certificate. Despite stipulations of the law, Gamgeoba did not take into account the fact that E.B. was pregnant and refused to restore her employment. District and appellate courts rejected her complaint. The Supreme Court of Georgia ruled in E.B.'s favour and the order on her dismissal was invalidated. E.B. was restored at work and she received a compensation for the time she was not attending work due to illegal dismissal.
- GYLA's office in Ozurgeti was defending interests of D.T before court. He was selling Caucasian fir tree plants that he had grown on his own land plot in a Christmas market in Tbilisi. Workers of the Department of Environment Supervision demanded that he present documents certifying origins of the plants. Even though D.T. presented the documents immediately upon request, they took away his plants and drew up a protocol of administrative offence – transportation of undocumented plants. With the help of GYLA's lawyer in Ozurgeti Office, administrative proceedings were terminated in Tbilisi City Court and D.T. was relieved of liability.
- GYLA's lawyer in Tbilisi Office was representing five individuals who were held in custody for the period of four months without any legal grounds. Following a legal dispute, the Ministry of Interior Affairs paid monetary compensation (12 000 GEL each) for illegal deprivation of liberty.
- With the help of GYLA's lawyer in Adjara Office, G.D. was relieved of fine in the amount of three thousand GEL. He had been fined for performing rehabilitation works on his own house. Both the first instance and the appellate courts fully upheld GYLA's position that the act had been issued in violation of law. Consequently, the resolution on imposition of fine was invalidated.





CIVIL CASES

- GYLA's office in Kutaisi was defending interests of N.G. in a civil dispute against Energo-Pro Georgia. GYLA's beneficiary had lost his house and all of his belongings in a fire on December 2, 2012. The court shared the position of GYLA's lawyer and ordered Energo-Pro Georgia JSC, as owner of the source of increased danger to pay 58 096,27 GEL to N.G. in compensation for damages suffered as a result of the fire.
- GYLA's lawyer from Tbilisi Office was representing T.K., whose husband had died in a crash during illegal dismantling and reconstruction works performed by a private company. The deceased has a small child. With GYLA's assistance, the case was brought before all three instances of court. Under the court's decision, the respondents were ordered to pay monthly subsistence allowance of 890 GEL in favour of the child.
- With the help from GYLA's office in Gori, M.N. filed in court seeking material and moral compensation for his illegal prosecution. Under the decision of Tbilisi City Court later upheld by higher court, the Chief Prosecutor's Office of Georgia was ordered to pay 10 000 GEL in favour of M.B. for material compensation and 1000 GEL for moral compensation.
- GYLA's office in Tbilisi was representing L.B., T.G. and others (total of 146 individuals), who had been employed in Chokhatauri and Lanchkhuti branches of Aditi Ltd. on the basis of labour contract. The complainants filed in court against their former employers over unpaid salary arrears. The complaint



filed with the assistance of GYLA's lawyer from Ozurgeti Office, was fully upheld. Aditi Ltd. was ordered to pay salary arrears in favour of the complainants, as well as compensation of labour for every day that salaries were delayed (in the amount of 0.07%), total of 124 110 GEL.

- GYLA's office in Telavi provided legal assistance for N.I. and others (total of 17 people), who had been employed by Energy First Ltd. on contractual basis. The complainant was filed in court over unpaid salary arrears. The court fully granted the claim and ordered Energy First Ltd. to pay salary arrears, total of 28 738 GEL in favour of the complainants.
- With the help from GYLA's office in Tbilisi, an entrepreneur was compensated for illegally seized property – total of 77 161.20 GEL, while in another case GYLA's beneficiary was relieved from paying for inadequate treatment costs, totalling 75 577 GEL.

STRATEGIC LITIGATION IN THE CONSTITUTIONAL COURT OF GEORGIA

During the reporting period, GYLA filed 6 complaints in the Constitutional Court. Notably, number of successful cases increased compared to the previous reporting period. 6 constitutional complaints had the successful outcome, including three that were granted by the Constitutional Court and three in which the parliament amended legislative act concerned and harmonized it with the Constitution as it was demanded in GYLA's constitutional complaint.



NEW CASES

1. *MAIA ROBAKIDZE VS PARLIAMENT OF GEORGIA*

On March 7, 2014, GYLA filed in the Constitutional Court on behalf of Maia Robakidze, disputing paras.1 and 2 of Article 72 of the Criminal Procedures Code of Georgia. These norms allow court to consider inadmissibility of evidence obtained on the basis of the Criminal Procedure Code. This way, procedural

law allows admission of evidence that has been obtained in violation of law, other than the Criminal Procedure Code; for instance in violation of the law of Georgia on Police, or based on the same law, but in the circumstances in which the reasonable doubt about substitution, modification or destroying of trace on the lawfully obtained evidence has not been dispelled. Pursuant to para.7, Article 42 of the Constitution of Georgia, evidence obtained in violation of law does not have any legal force. The Constitution of Georgia does not differentiate between the Criminal Procedure Code and any other law. Evidence obtained in violation of any law must be deemed inadmissible. The norms disputed by GYLA fall short of these requirements.

2. *NUGZAR JAKELI VS THE PARLIAMENT OF GEORGIA*

On December 12, 2013, GYLA filed in the Constitutional Court on behalf of Nugzar Jakeli over unconstitutionality of the norm that restricts individuals to carry surname, other than his/her spouse's surname or the surname of his/her parents as a double-barrelled name. The complainant sought to join his grandmother's surname to his own. The Agency for the Development of State Services refused to grant Nugzar Jakeli's request. As a result, the latter received surname "Jakeli" in exchange for abandoning surname "Khundadze". GYLA believes that the provision of the law on Civil Acts prohibiting joining of the surnames violates Article 16 of the Constitution (the right to personal development).

3. *SALOME KINKLADZE AND OTHERS VS THE PARLIAMENT OF GEORGIA*

On April 28, 2014, GYLA and the International Society for Fair Elections and Democracy filed a lawsuit in the Constitutional Court on behalf of 6 citizens, disputing constitutionality of norms of the Election Code that prohibits initiative groups from nominating candidates for Gamgebeli and Mayoral races.

On July 25, 2014, the second board of the Constitutional Court referred the dispute to the plenum, due to the reason that the issue was of complex legal nature, while the judicial practice has not explicitly established whether the right of an individual to hold elected office of Mayor/Gamgebeli is protected by Article 28 of the Constitution (right to vote) or Article 29 (right to hold office).

4. *NATIA IMNADZE VS THE PARLIAMENT OF GEORGIA*

On May 30, 2013, GYLA filed in the Constitutional Court on behalf of a former employee of the Public Defender's Office Natia Imnadze. GYLA believes that provisions of the Law on Civil Service of Georgia that allow dismissal of a public servant for disciplinary violation does not provide adequate procedural safeguards for the public servant concerned. In particular, it does not guarantee oral hearing and facing of witnesses who testified against the public servant. GYLA believes that the disputed norms contradict para.3 of Article 42 (the right to defence) and Article 29 (the right to hold office) of the Constitution of Georgia.

5. *MADAI LTD. AND PALIASTOMI-2004 LTD VS THE PARLIAMENT OF GEORGIA*

On September 23, 2014, GYLA filed in the Constitutional Court on behalf of two corporations holding the right to fishing in the Black Sea. The disputed normative acts envisage calculation of license and regulation fees according to the full percentage share of the legally prescribed quota as opposed to the amount of fish harvested. Fish caught by a license holder may be below the amount allowed by quota. In this case, regulation of license fee will conflict with paragraphs 1 and 2 of Article 21 (the right to property) and para.2, Article 30 (the right to entrepreneurial activity) of the Constitution of Georgia.

SUCCESSFUL CASES

1. *STUDENTS OF AKHALKALAKI VS THE PARLIAMENT OF GEORGIA*

Based on GYLA's complaint, on September 12, 2014, the Constitutional Court of Georgia announced that the norm of the law on Secondary Education of Georgia that forced foreign students to pay a certain amount of money for acquiring a standard voucher is unconstitutional. As a result of GYLA's efforts, more than 400 foreign students will now be able to enjoy free secondary education.

2. *ILIA CHANTURIA VS PARLIAMENT OF GEORGIA*

Based on GYLA's complaint, the Constitutional Court found on February 27, 2014, that the norm of the Civil Procedures Code of Georgia envisaging expulsion of a party and imposition of fine without oral hearing or without the possibility of appealing is unconstitutional.

3. *KEMOKELIDZE AND KHARADZE VS THE PARLIAMENT OF GEORGIA*

Based on complaints filed by GYLA in 2011 and 2012, the Constitutional Court of Georgia made a very important decision on October 8, 2014, concerning the legal status of disability. It announced that the model envisaged by the Civil Code of Georgia is unconstitutional. Under the existing regulations, persons suffering from mental disorder and disability, if recognized as disabled would no longer be allowed to exercise any of their rights independently. This grossly violated rights of incapacitated individuals. The Court ordered the Parliament of Georgia to introduce new corresponding regulations about disability by April 1, 2015.

4. *BROADCASTING COMPANY NINTH WAVE VS THE PARLIAMENT OF GEORGIA*

At various times the Georgian National Communications Commission offered different interpretations of obligations of broadcasters to air free political advertising during election period, as envisaged by the Election Code of Georgia and the law of Georgia on Broadcasting. For a long time media was largely concerned by the interpretation offered by the GNCC. Broadcasters stated that the legal obligation to air free political advertising applies to broadcasters, who air paid political advertising. The issue was of particular importance for regional and small-scale broadcasters.

In February 2014, GYLA filed in the Constitutional Court over unconstitutionality of para.5, Article 51 of the Election Code of Georgia and para.1, Article 66 of the law of Georgia on Broadcasting, based on Article 24 (freedom of expression) and Article 21 (right to property) of the Constitution of Georgia. The case is important due to clarifications made by the court in the notice of judgment about admitting the complaint. In particular, the court noted that the disputed norm of the law of Georgia on Broadcasting should be interpreted in a way that imposes the obligation to air free political advertising on broadcasters that air paid political advertising.

Consequently, the Parliament of Georgia amended the disputed norm of the law on Broadcasting. Broadcasters now are obligated to air free political advertising during pre-election period if they accept orders for paid political advertising.

5. *REVAZ KOPALIANI VS THE PARLIAMENT OF GEORGIA*

During the reporting period, the Parliament of Georgia amended the Code of Administrative Offences, in consideration of majority of requests raised in the constitutional complaint of Revaz Kopaliani. In

particular, pursuant to the amendments made, an arrested person must be immediately explained his/her rights; alleged offender must be taken to the police department within no more than 12 hours; time of court proceedings for petty hooliganism and malicious disobedience was increased from 24 hours to 3 days. GYLA has been working on these issues for many years now. It was of paramount importance for the protection of the right to fair trial that the Constitutional Court ruled on the issue and subsequent legal amendments were made.

6. *IURI VAZAGASHVILI VS THE PARLIAMENT OF GEORGIA*

On October 8, 2014, the Constitutional Court started judging on merits of Iuri Vazagashvili's complaint. The Parliament of Georgia recognized the complaint and presented legislative proposals providing protection of non-material rights of a deceased individual, an opportunity to file in court and impose the obligation to retract slanderous allegations. These amendments have already come into force. The constitutional complaint filed by GYLA on behalf of Iuri Vazagashvili demanded that a norm of the Law on Freedom of Speech and Expression, prohibiting the possibility to file in court for the protection of non-material rights of a deceased person be deemed unconstitutional.

STRATEGIC LITIGATION IN THE EUROPEAN COURT OF HUMAN RIGHTS

During the reporting period, GYLA provided consultations for 110 individuals about procedures for filing an application in the European Court of Human Rights (ECtHR), preparing the application and about violation of individual provisions of the European Convention.

GYLA filed four new applications in the ECtHR and one request for referral of the case to the Grand Chamber. During the reporting period, GYLA won one case.



NEW CASES

1. *TEDLIASHVILI AND OTHERS VS GEORGIA (#64987/14)*

The complaint was filed over the death of Kakhaber Tedliashvili in correctional facility N6 on April 30, 2011. The prison workers found him hanged in a solitary confinement cell.

K.Tedliashvili was systematically subjected to ill-treatment and threats to his life by the prison workers. In his letters addressed to respective state authorities, he directly implicated head of the security regime of the prison N6 in the pressure.

The complaint contends violation of Article 2 (right to life) and Article 13 (right to effective legal remedies) of the Convention. Relevant state authorities had sufficient information about real threats that K.Tedliashvili was facing but they failed to take any measures in response, to ensure safety of the prisoner.

2. *MEKARISHVILI AND OTHERS VS THE RUSSIAN FEDERATION (#31726/14)*

On April 11, 2014, GYLA filed an application in ECtHR on behalf of 19 individuals affected by the instalment of barbed wire in the village of Dvani located along the South Ossetian border line. In September-October 2013, the so-called Russian border guards pushed the boundary line 400-600 meters into the Georgian territory for the purpose of demarcation. As a result, agricultural land plots of up to 50 families were left on the territory controlled by South Ossetia. If the instalment of barbed wire continues, houses of three more families will be left outside the so-called border.



GYLA filed the application in ECtHR against the Russian Federation, over the violation of the right to (Article 1 of Protocol 1 of the Convention), the right to respect for one's housing (Article 8 of the Convention), the right to movement (Article 2 of Protocol 4 of the Convention) and the right to effective legal remedies (Article 13 of the Convention).

3. *NON-COMMERCIAL LEGAL ENTITY IDENTITY AND OTHERS VS GEORGIA (#74959/13)*

On January 27, 2014, GYLA and IDENTOBA filed a joint complaint in ECtHR. The applicants included organization Identity and 21 employees and supporters of the organization. The complaint was filed over the developments on May 17, 2013, on the International Day against Homophobia and Transphobia (IDAHO). In celebration of IDAHO the applicants were planning to hold a peaceful rally with the aim of raising public awareness about discrimination of sexual minorities in Georgia. The peaceful rally

was never held because the state failed to ensure safety of participants. Actions of radical counter-protesters fell outside the realm of “peaceful assembly” as they started acting violently and illegally jeopardizing public order as well as life, health and safety of the applicants.

In its application GYLA contends violation of Article 3 of the ECHR (prohibition of torture), Article 8 (right to respect to one’s personal and family life), Article 10 (freedom of expression), Article 11 (freedom of assembly and association), Article 13 (right to effective legal remedies, and Article 14 (prohibition of discrimination) in relation to the foregoing provisions of the ECHR.

4. *WOMEN’S INITIATIVE SUPPORTING GROUP AND OTHERS VS GEORGIA (#73204/13)*

The application is also related to the developments on IDAHO on May 17, 2013. IDENTOBA and the Women’s Initiative Supporting Group (WISG) were co-organizers of the IDAHO rally. WISG is represented by GYLA and its partner organization the European Human Rights Advocacy Center (EHRAC) before the European court. The applicants include WISG and its 15 employees and supporters.

The application has been filed over the state’s inadequate and effective actions in response to the act of violence in Tbilisi, in which the state failed to ensure safety of the applicants.

The applicants contend violation of Article 3 of the ECHR (prohibition of torture), Article 8 (right to respect to one’s personal and family life), Article 10 (freedom of expression), Article 11 (freedom of assembly and association), Article 13 (right to effective legal remedies, Article 14 (prohibition of discrimination) and Article 17 (prohibition to abuse rights of an individual).

SUCCESSFUL CASES

1. *GAMTSEMLIDZE AND OTHERS VS GEORGIA (#2228/10)*

Based on unilateral declaration submitted by the Government of Georgia, on April 1, 2014, the ECtHR delivered its judgment on Gamtsemlidze and others vs Georgia, filed by GYLA (complaint N2228/10). The applicants were represented both by GYLA and the European Center for Human Rights Advocacy.

The application was filed over the murder of G.Gamtsemlidze by a patrol officer on May 8, 2008. The Government of Georgia recognized violation of G.Gamtsemlidze’s right to life and under the declaration undertook the responsibility to re-investigate excessive use of power by a police officer against G.Gamtsemlidze. Based on the judgment, the government paid 20 000 Euros to the applicants.

2. *DZEBNIAURI VS GEORGIA (#67813/11)*

On September 9, 2014, the ECtHR delivered its judgment in Dzebniauri v Georgia (application number 67813/11) filed by GYLA on October 7, 2011. Under the unilateral declaration submitted to the court, the government of Georgia recognized violation of the right to life of a patient, Giorgi Dzebniauri: wrong treatment provided to the patient resulted in his death, while due to inadequate investigation of the case, doctors were not held liable.

It was the first case filed in ECtHR from Georgia over the violation of right to life in the field of healthcare, in which the state recognized deficiencies in inspection of a private medical facility and inadequate investigation of the death of a patient. The state offered to pay 7000 Euros to the mother of the deceased in compensation of material and moral damages but the applicant turned down the offer.

CASES RELATED TO THE AUGUST 2008 WAR

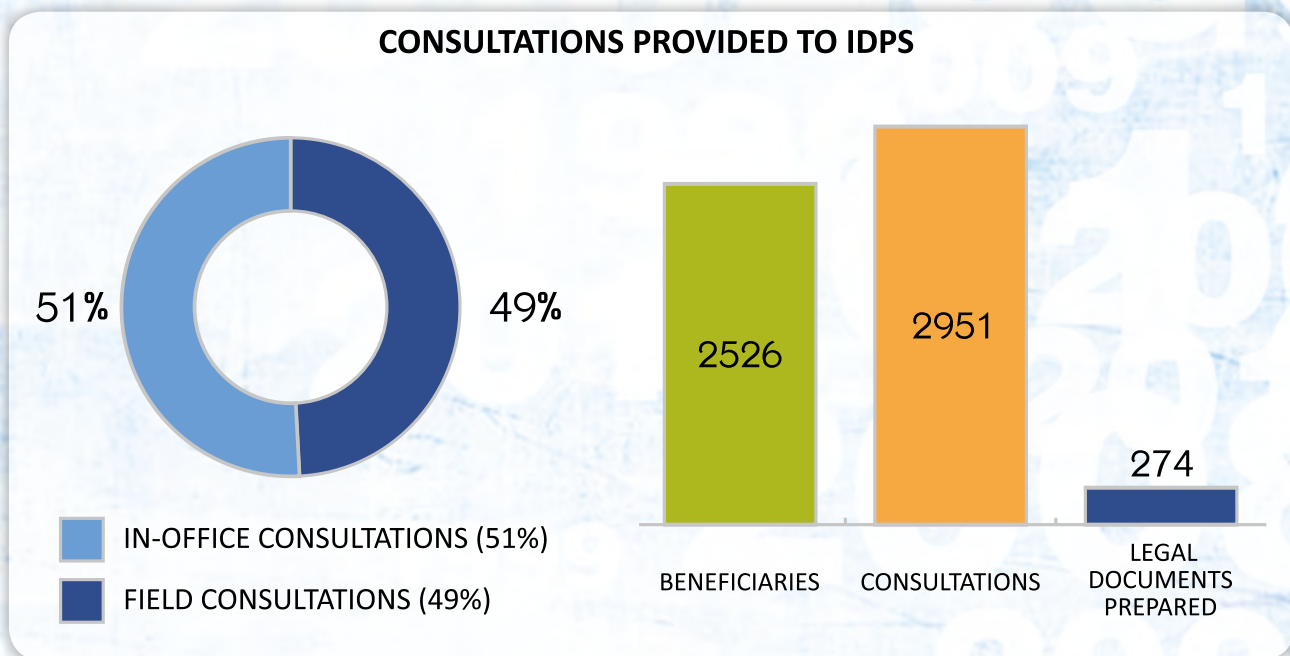
GYLA is representing up to 400 individuals affected by the August 2008 war before the European Court of Human Rights.

During the reporting period, GYLA's strategic litigation lawyers updated the list of applicants of the so-called war-related cases. During door-to-door visits, GYLA's lawyers updated their contact information, interviewed them about their health and obtained death certificates for deceased applicants. Updated information was submitted to the ECtHR.

During the reporting period, we continued communication with the office of the prosecutor in Russia about exhaustion of national legal remedies, with direct involvement of the EHRAC.

LEGAL ASSISTANCE OF INTERNALLY DISPLACED PERSONS (IDPS)

Similar to previous reporting periods, GYLA's offices continued to provide legal assistance to Internally Displaced Persons. In addition to individual and group legal consultations, legal documents were prepared and services of defence attorney were provided as needed. GYLA also participated in the work of various non-governmental and government working groups, focusing on the legal status of IDPs. During the reporting period, GYLA continued to monitor the process of re-registration of IDPs.



MOBILE VISITS

During the reporting period, total of 77 mobile visits were made to various IDP settlements. The mobile visits covered regions of Shida Kartli and Imereti, as well as Tbilisi. During mobile visits lawyers of GYLA provided both individual and group legal consultations, and distributed information brochures.

SERVICES OF DEFENCE LAWYER

During the reporting period, services of defence lawyer were provided for 15 new cases and were continued for 24 pending cases from previous year.

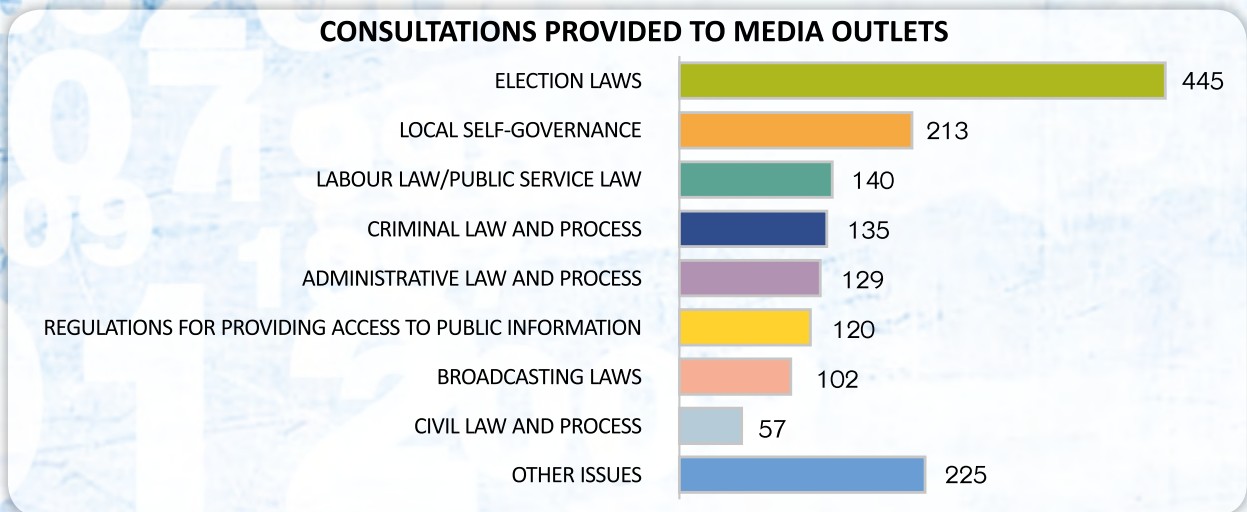
AS A RESULT OF ASSISTANCE FROM GYLA'S DEFENCE LAWYER

- The IDP family was provided with the housing in Tbilisi;
- Two IDP families received compensation to purchase a housing (10 000 USD each);
- 14 persons were granted the IDP status;
- Two IDPs were able to settle property dispute;
- Court ruled in favour of two IDP families in a dispute over a housing;
- An IDP was able to resolve the problem about a certificate of education received in Abkhazia.

LEGAL ASSISTANCE PROVIDED BY THE MEDIA LEGAL DEFENCE CENTER

Protecting rights of journalists remains to be one of the most important priorities for GYLA.

During the reporting period, the Georgian Media Legal Defence Center and regional offices of GYLA in frames of a media project provided 1 566 legal consultations for journalists and media outlets. Further, these consultations were not limited to issues of media law. Rather, topics of consultations provided during the reporting period varied and included the following:



In addition to provision of legal consultations, 106 legal documents were prepared. Services of defence lawyer were provided in 29 cases. Most of the disputes involved access to public information, violation of labour rights of journalists, illegal refusal to provide license for broadcasting, etc. Out of the 29 cases, defence's claim was granted in 13, granted in part in 2 and rejected in 3. For the absence of the subject of the dispute, proceedings were terminated in 2 cases.

Several cases in which GYLA provided defence lawyer were particularly interesting.

- **Candidate for the membership of the Board of Trustees of Adjara Television and Radio of Public Broadcaster against Adjara A/R Supreme Council**

By the amendments made to the law of Georgia on Broadcasting in July 2013, the process of nomination and selection of members of the board of trustees Adjara Television and Radio commenced in late 2013, with the aim of forming an independent public broadcaster.

In November 2013, GYLA filed in court over the violation of procedure for nominating candidates for membership of the board of trusts, which eventually resulted in staffing of the board exclusively by candidates nominated by the Georgian Dream. Batumi City Court fully granted the claim of GYLA and found the procedure for nominating candidates by factions of the coalition Georgian Dream illegal. As a result, one of the candidates (the plaintiff) nominated by the opposition factions was found to be the winner. The decision was upheld by higher courts.

With its decision, the court essentially interpreted regulations for electing members of the board of trustees, putting an end to mixed views about the issue.

- **Broadcasters vs the Georgian National Communications Commission**

July 13, 2013 amendments to the law of Georgia on Broadcasting regulate another important issue – financial transparency of broadcasters. Broadcasters were legally obligated to make certain information about their revenues and expenditures public, in the form determined by the GNCC. In March 2014, the GNCC adopted forms of financial disclosure by that required broadcasters disclose far more financial information than what was required by the law (including commercial secrets and personal information). On the other hand, these forms of disclosure fell short of fulfilling the goal of financial transparency.

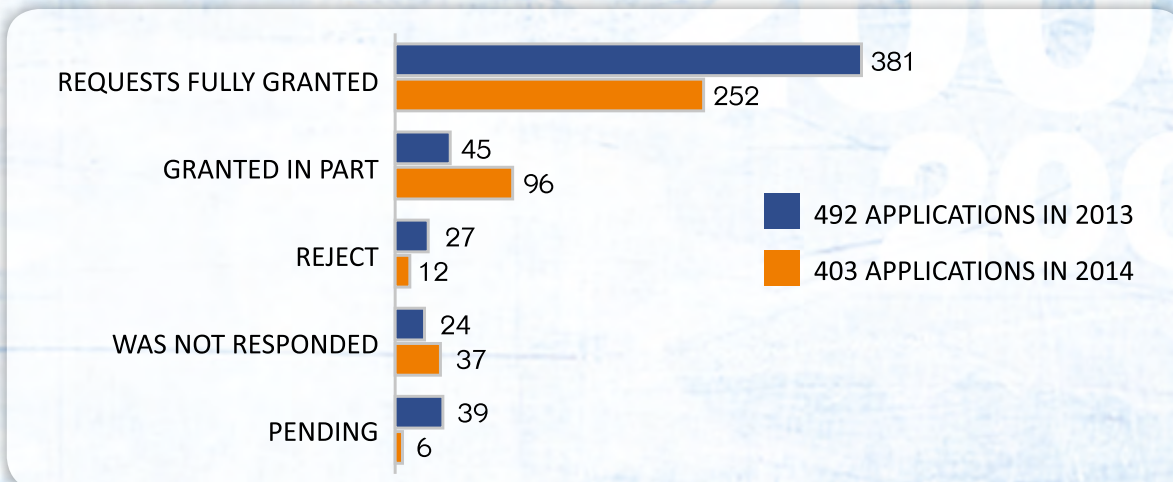


GYLA filed in court against the decision of the GNCC on the approval of forms of disclosure. It also participated in meetings and negotiations about the issue at the GNCC. As a result, the GNCC modified the forms and eliminated deficiencies. Court proceedings were therefore terminated.

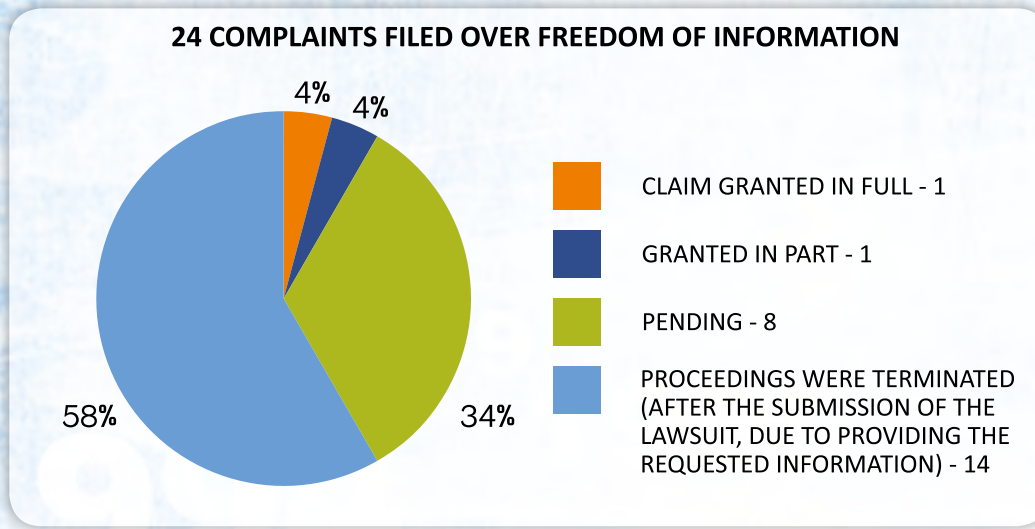
STRATEGIC LITIGATION FOR FREEDOM OF INFORMATION

GYLA continues active strategic litigation for freedom of information issues. Unlike previous year's improvements, we found increased number of cases of providing public information in violation of deadline and in an incomplete manner.

PROVISION OF PUBLIC INFORMATION BY PUBLIC AGENCIES (2013-2014):



COMPLAINTS OVER FREEDOM OF INFORMATION:



ABUSE OF HUMAN RIGHTS BY LAW ENFORCEMENT AUTHORITIES

Monitoring of law enforcement activities has been one of the most important strands of GYLA's work over the period of many years.

Abuse of power by law enforcement authorities was a serious problem for a long time. Cases involving allegations about abuse of power were not effectively investigated and prosecuted, fostering the climate of impunity and fear of ordinary citizens for possible vendetta by law enforcement authorities.

During the reporting period, GYLA's lawyers were actively working on such cases. Based on information received from beneficiaries, GYLA demanded many times a probe into violation of human rights by police officers.

We were particularly focusing on cases involving allegations about planting of weapons or drugs by police officers, beatings and other violent actions. Over the last year, 25 individuals applied to various offices of GYLA with such reports. In addition to providing legal assistance, GYLA publicly urged authorities to conduct effective investigation into alleged abuse of human rights by law enforcement authorities or employees of the penitentiary system.

GYLA continues to research the issue and elaborate recommendations. During the reporting period, GYLA in partnership with other organizations evaluated activities of the Interior Ministry of Georgia over the period of one year, with particular emphasis on acts of violence against citizens. It also published a research about creating mechanisms for effective investigation of abuse of human rights by law enforcement authorities.



**RAISING LEGAL AWARENESS AND
STRENGTHENING RULE OF LAW**

RAISING LEGAL AWARENESS AND STRENGTHENING RULE OF LAW

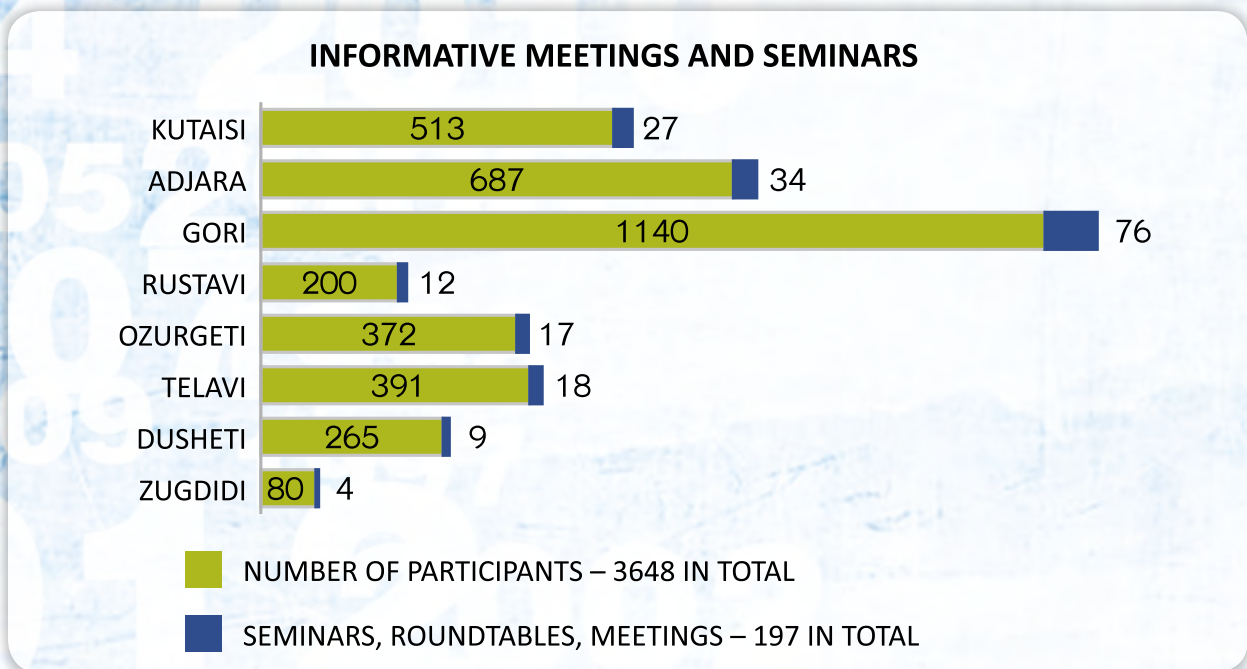
Raising legal awareness and strengthening rule of law is of paramount importance for a country on the path of democratic development. Therefore, over the years not only has GYLA been protecting and promoting human rights but also providing citizens with skills and information necessary for fully exercising their rights.

INFORMATIVE SEMINARS, MEETINGS IN THE REGIONS, OUTREACH TOURS

SEMINARS AND ROUNDTABLES

Similar to previous years, the campaign for raising legal awareness entailed seminars and training events for public servants, lawyers, non-governmental organizations and media, as well as visits in the regions and outreach activities.

Below are the statistics highlighting statistics of informative seminars and meetings:



Over the one year period, GYLA's offices organized seminars and roundtable meetings for the discussion of majority of important legislative amendments adopted by the Parliament of Georgia during the reporting period, as well as issues of public concern in the regions, including

- Local self-government reform;
- Local self-government election system;
- Pre-election violations identified by GYLA's monitoring mission for the June 15, 2014 local self-government elections and evaluation of election results;

- Role of media in monitoring elections;
- It Affects You Too – They are Still Listening (discussions about legal draft on secret surveillance initiated in the Parliament of Georgia)
- Amendments to the Labour Code, labour safety;
- IDP right to adequate housing;
- Budgeting process in local self-government authorities and social programs envisaged by local budgets;
- Women’s rights and gender equality;
- Influence of ECHR judgments on legal environment in Georgia;
- Freedom of religion and belief;
- Loan and mortgage agreements – risks and regulations;
- Protection of rights of child in primary education institutions;
- Mechanisms for compensating property damage to individuals affected by the so-called borderization (illegal demarcation of border) in villages adjacent to the administrative border line of the conflict zone.

TV AND RADIO PROGRAMMING

In addition to seminars and meetings, GYLA’s lawyers were actively working with regional broadcasters and for the purpose of raising legal awareness among local population, they participated in TV, radio and internet programs focusing on various legal issues.

RIONI TV – ISSUES:

- Local self-government reform, and violations identified on the Polling Day by GYLA’s monitoring mission for the June 15, 2014 local self-government elections.

RADIO RIONI – ISSUES:

- Rights of persons with disabilities;
- Employee rights;
- New regulations of pardoning;
- It Affects You Too – They Are Still Listening;
- Criminal record, pardoning, amnesty, early conditional release;
- Pre-election violations;
- GYLA’s free legal assistance to the vulnerable part of the society;

ADJARA TV – ISSUES

- Problems related to construction of hydro electric power plants in Khulo Municipality;
- Evaluation of the pre-election environment for the 2014 local self-government elections and 2014 local self-government repeat elections;
- It Affects You Too – They Are Still Listening.

TV 25 – ISSUES

- Funding of electios;
- Amendments to the law of Georgia on Public Service;
- Legal mechanisms for eliminating domestic violence;
- Staffing of the board of trustees of Adjara TV;
- Local self-government reform.

TRIALETI TV COMPANY - ISSUES

- Security of population of villages bordering the conflict zone;
- Regulations for providing bonuses in public service;
- Evaluation of IDP housing conditions;
- Polling Day violations during the June 15, 2014 local self-government elections;
- Dismissal of public servants from work;
- Problems related to privatization of agricultural land plots.

GORDA TV – ISSUES:

- Evaluation of pre-election environment in Kakheti;
- Regulations for hiring public servants, their certification and dismissal from work;
- It Affects You Too – They Are Still Listening;
- Local self-government reform;
- Amendments to the Labour Code.

KVEMO KARTLI TV – ISSUES

- Strike of mine workers in Kazreti;
- Labour safety problems;
- Determining the status of historic heritage for Sakdrisi-Kachagiani gold mine;
- Legal mechanisms against domestic violence;
- It Affects You Too – They Are Still Listening.

GYLA's lawyers also participated in programs aired by Guria TV, Gurjaani TV, Guria Moambe Internet-TV and Old City Radio.

INFORMATION BROCHURES

Throughout the public consultancy and working meetings, participants received brochures on a number of important issues:

- Enforcement and relevant procedures;
- Employee rights.

OUTREACH ACTIVITIES IN VARIOUS REGIONS OF GEORGIA

During the reporting period, in addition to organizing roundtable discussions and seminars GYLA's lawyers were also actively engaged in outreach activities, visiting various regions of Georgia, meeting with public and providing them with information about new regulations and their rights. They also provided legal consultations.



Geographic scope of these activities covered the following areas: Mtskheta, Dusheti, Khoni, Tkibuli, Baghdati, Vani, Terjola, Zugdidi, Mestia, Khelvachauri, Kobuleti, Khulo, Shuakhevi, Kvareli, Gurjaani, Telavi, Lagodekhi, Chokhatauri, Ozurgeti, Lanchkhuti, Bolnisi, Marneuli and Tsalka Municipalities and 35 villages in Shida Kartli and Samtskhe-Javakheti regions.

During their visits to these regions, GYLA's lawyers focused not only on raising public awareness, but also resolving local concerns identified.



SEVERAL EXAMPLES OF SUCCESSFUL ADVOCACY:

- As a result of advocacy by GYLA's office in Telavi, Akhmeta Municipality Gamgeoba financed rehabilitation of Omalo-Shenako bridge for vehicles. The bridge is now rehabilitated and the population can now move freely;
- As a result of advocacy by GYLA's office in Kutaisi, Mestia and Tsageri Municipality Gamgeoba included in its 2014 budget expenses for improving infrastructure for several territories;
- As a result of advocacy by GYLA's office in Ozurgeti, 3 high-mountainous villages of Chokhatauri Municipality (Didivani, Shuasurebi and Zemo Surebi) will now have access to services of a doctor. Notably, over the past twenty years services of a doctor were not available in these villages.

RAISING AWARENESS OF IDPS

During the reporting period, GYLA continued to work for raising awareness of IDPs. It organized 77 field visits to IDP settlements. During these visits, GYLA's lawyer provided legal consultations and distributed information brochures.

For the purpose of raising IDP awareness, GYLA produced a brochure on Frequently Asked Questions on IDP issues. The brochure combines all key concerns expressed by IDPS during consultations. The brochure was distributed at offices of GYLA as well as during the field visits.



ROUNDTABLE DISCUSSIONS

For the purpose of effective and timely resolution of IDP problems, GYLA hosted three roundtable discussions in Tbilisi, Gori and Kutaisi. Discussions in Tbilisi focused on application of criteria for providing long-term housing for IDPs in practice; discussions in Kutaisi focused on IDP rights in light of the new law while discussions in Gori focused on the draft law on Persons Displaced from the Occupied Territories of Georgia.

RAISING AWARENESS ON DISCRIMINATION OF WOMEN



Since December 2013, GYLA and Partnership for Human Rights have been implementing joint project Women Empowerment against Labour Discrimination and for Combating Gender Violence. The purpose of the project is to identify secret and taboo issues of workplace harassment and gender discrimination. The project provides a space for free debates about these issues, which is a necessary precondition for increasing public awareness about the problem at micro and macro levels.

Geographic scope of the project activities covered Tbilisi, Samtskhe-Javakheti and Adjara.

During the reporting period, GYLA organized five training events in Akhaltsikhe and Batumi for various target groups on the issue of discrimination. Training participants included patrol police officers, doctors, social workers, NGO representatives and journalists. The trainings focused on national and international experience about the discrimination.

COMBATING ILLEGAL MIGRATION AND TRAFFICKING

Since 2013, in partnership with the Caucasian Institute for Peace, Democracy and Development (CIPDD), GYLA has been implementing the project Promoting Well Managed Migration between EU and Georgia. The purpose of the project is to provide free legal assistance to migrants, raise awareness about illegal migration and promote the development of migration policy and legislation.

VISITS THROUGHOUT REGIONS OF GEORGIA

Lawyers of GYLA travelled in villages, towns and cities in various regions of Georgia for providing population with information about migration issues and legal assistance.

During the reporting period, GYLA visited 133 villages and in frames of the campaign for raising awareness and providing consultation, met 2603 people.

Population was provided with information about the following issues:

- Threats of illegal migration and trafficking;
- Legal opportunities of migration and circular migration;
- Visa and simplified visa requirements;
- Deportation and applicable fines;
- Mechanisms for protection of migrants;
- Labour migration;
- Eco-migration;
- Regulations for receiving citizenship and residency;
- Regulations for receiving dual citizenship;
- March 15, 2013 resolution of the Government on adoption of migration strategy;
- Government committee for migration issues;
- Agreement between EU and Georgia on visa facilitation.



INFORMATION MEETINGS

During the reporting period, GYLA's lawyers, representative of EU and partner organization CIPDD held informative meetings with populations of various regions of Georgia. In addition to presentation of the project Promoting Well Managed Migration between Georgia and EU the meetings also focused on overview of project activities and key aspects of partnership between Georgia and EU, visa facilitation, circular migration, and participants' questions were answered. During the reporting period, 21 such meetings were held in 5 municipalities of Georgia. The meetings were attended by the total of 346 people.

MEETINGS WITH DIASPORAS

In the project frames, GYLA and partner organization were holding meetings with Georgian migrants abroad. The purpose of the meetings was to introduce the project, provide participants about information on free legal assistance of GYLA, discuss formats of cooperation and choose professionals among legally employed Georgia migrants for the purpose of holding training of trainers in Georgia and informative meetings with population.

Diaspora meetings were held in the following cities: Paris (France), Amsterdam (Holland) and the Hague (Holland).

TRAININGS

GYLA and its partner organization CIPDD held 3 training of trainers during the reporting period. During the training, legal migrants from Georgia shared their professional experience with participants and provided them with information about legal migration.



Additionally, we selected best participants from the training for them to conduct subsequent trainings for local population in various regions of Georgia.

The trainings focused on the following issues:

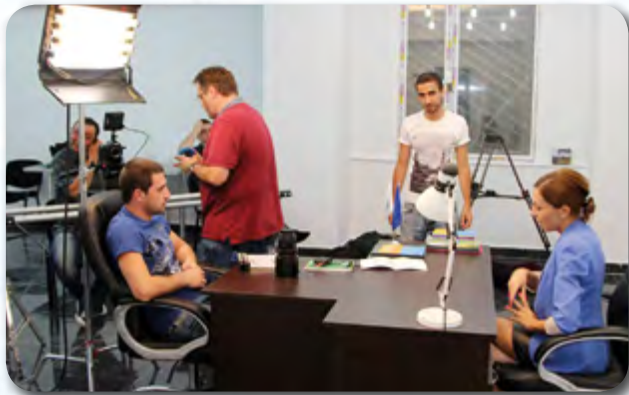
- New technologies in the field of agriculture – sharing of Dutch experience
- Architecture and urbanization – development and organization of construction
- Development of tourism in Georgia by improving tourism service

VIDEOS

In frames of the project, GYLA created two videos to inform public about various issues. In particular,

- The first video serves the purpose of providing public with information about GYLA's free legal assistance;
- The second video serves the purpose of raising awareness on issues of trafficking and illegal migration; it also provides practical advice on what to do or not to do, how to protect against threats of trafficking and illegal migration.

The videos were sent to various TV companies for airing as public service announcements.



RALLIES AND OTHER EVENTS

DECEMBER 10 – HUMAN RIGHTS WEEK

GYLA traditionally marks the international Human Rights Day by series of events.

On December 10, GYLA released a special statement in celebration of the Human Rights Day. The statement provided assessment of the state's efforts for the protection of human rights over the period of one year and highlighted existing human rights challenges.

In frames of the series of human rights events, GYLA held presentation of its researches, including Proactive Publication of Public Information, Freedom of Expression in Georgia – Analysis of Media Situation.

At the end of the Human Rights Week, together with its partner organizations GYLA released a statement about the need to create a mechanism of public monitoring in prisons.

MARCH 6 – IT AFFECTS YOU TOO – THEY ARE STILL LISTENING CAMPAIGN

Non-governmental organizations launched the campaign It Affects You Too – They Are Still Listening on March 6, 2014. Together with other partner organizations, GYLA actively engaged in the campaign, for the purpose of preventing unlimited access of law enforcement authorities in Georgia to citizens' Internet and telephone data and communication.



The campaign aimed at changing the status quo in the field of secret surveillance and creating safeguards against arbitrary actions of law enforcement authorities.

On March 19, 2014, GYLA held a peaceful rally throughout Georgia in frames of the campaign, for the purpose of collecting signatures, and informing population about the campaign.

APRIL 15 – RALLY CONCERT ‘WE CHOOSE EUROPE’

Civil society representatives, including GYLA held a rally concert on April 13, 2014, in Rike entitled We Choose Europe. Organizers of the rally, participants of the concert and attendees once again expressed their support for Georgia’s European integration.

REGIONAL SEMINAR ON MEDIA

On June 3-5, GYLA hosted a 3-day seminar organized by GYLA’s partner organization the European Center for Human Rights Advocacy (EHRAC). In addition to GYLA’s lawyers, the seminar was also attended by lawyers from post-Soviet countries, including Armenia, Azerbaijan, Russia and Ukraine. The purpose of the seminar was to promote strategic litigation in ECHR. Based on the systemic problem characteristic to the region, particular attention was paid to collection of evidence on acts of ill-treatment and documenting the evidence. Speakers included qualified Georgian and foreign experts. At the end of the day, on June 5, participants had a conversation with EU Special Adviser Thomas Hammarberg.



OBSERVERS' LEAGUE OF GYLA

On June 13, 2014, GYLA held a presentation of the Observers' League, the aim of which is to ensure active engagement of GYLA's experienced lawyers in the process of election reform and local self-government reform. GYLA believes that public engagement in the process of improving legislation, the decision-making process, raising awareness, etc. must be ensured in the period between the elections as well. GYLA plans to organize active involvement of young members of the Observers' League in the future activities of the organization in the fields of election and local self-government reforms.



JUNE 26 – INTERNATIONAL DAY IN SUPPORT OF VICTIMS OF TORTURE

GYLA marked June 26, 2014, the International Day in Support of Victims of Torture by releasing a special statement expressing solidarity towards victims of torture and urged the government to take effective steps for restitution of victims' rights, prevention of torture and prosecution of torture crimes.



MEDIA MONITORING

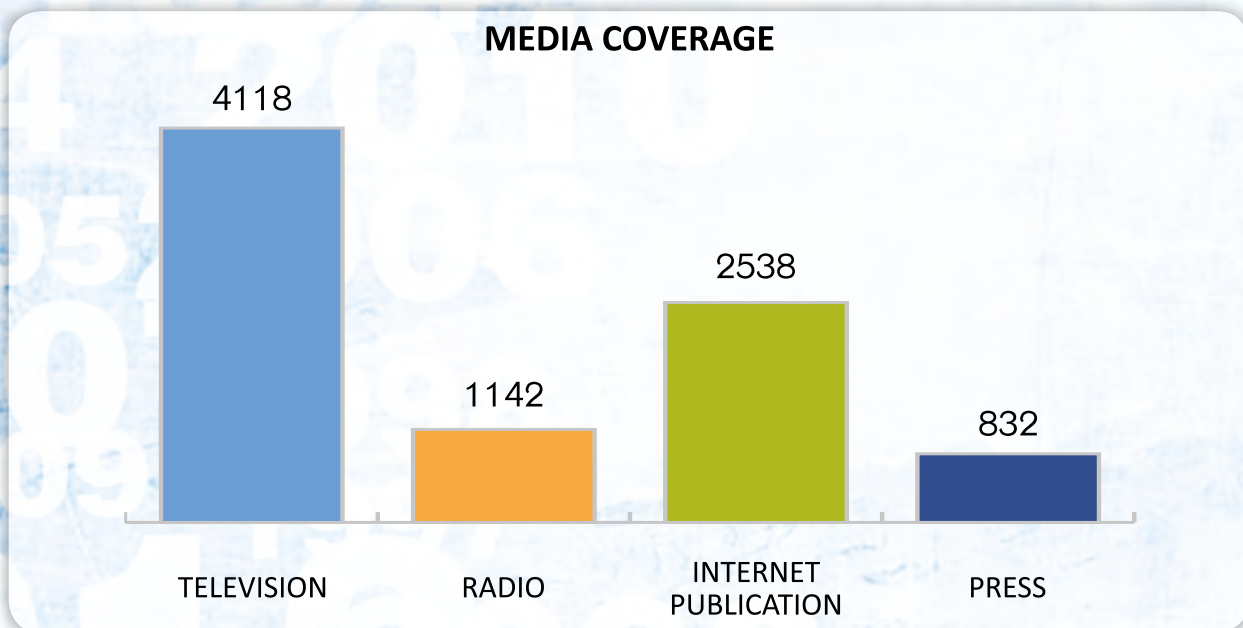
For the purpose of monitoring media coverage of GYLA's activities, GYLA has been cooperating with research organization IPM for several years now.

According to the statistical data provided by IPM during the reporting period, GYLA was mentioned in 8630 articles, TV and radio reports.

10 TV broadcasters aired 4118 reports/programs about GYLA. Most of the programs (861) were aired by Rustavi 2. 11 Radio channels aired 1142 reports about GYLA, most of which (180 reports) was aired by Imedi Radio.

Over the one year period, total of 2538 articles were published by GYLA, most of which was published by www.interpressnews.ge (437 articles).

As to print media, during the reporting period it published total of 832 articles about GYLA, most of which was published by Messenger (95 articles).



During the reporting period, GYLA especially focused on its online presence. In particular, detailed information about GYLA's activities is available for public access from various internet-platforms, including Facebook, YouTube, Flickr, ISSUU. The information is available in various different formats: statements, announcements, photos of GYLA's events/assemblies, GYLA's publications in the form of online journal.

The background consists of several pieces of blue, textured paper that appear to be torn and layered. Faint, semi-transparent numbers representing years are scattered across the paper, including 1994, 2004, 1995, 2000, 2010, 2001, 1999, 2007, 1997, 2012, 2003, 2005, 2006, 2008, 2009, 2011, 2013, 2014, 2015, 2016, 2017, 2018, 2019, and 2020. The text is centered and reads:

**PROMOTING EFFECTIVE,
ACCOUNTABLE AND
TRANSPARENT GOVERNMENT**

PROMOTING EFFECTIVE, ACCOUNTABLE AND TRANSPARENT GOVERNMENT

Promotion of effective, accountable and transparent governance is one of the main priorities of GYLA. Similar to the previous year, GYLA has implemented important activities, including: anti-corruption research or other thematic studies, analysis of the issues related to justice through case studies or trial monitoring, working closely with the parliament for the purpose of improving legislation, monitoring pre-election processes and elections and more.

ANTI-CORRUPTION RESEARCH

PROACTIVE PUBLICATION OF PUBLIC INFORMATION

On January 1, 2014, the obligation of publishing public information proactively was enacted. GYLA prepared a research with the aim of finding the degree to examine readiness of administrative agencies to fulfil the obligation and to explore international experience about the issues. The research findings suggest the following:

- Out of the thirty-eight public agencies examined, only 23 have public information website. Most of these websites offer incomplete information or no information at all;
- Out of the thirty-eight public agencies, only 15 had adopted a legal act providing internal regulations for granting access to public information in electronic form and for publishing information proactively;
- There was no uniformity to legal acts adopted by public agencies examined; further, they failed to regulate the issue thoroughly, thus posing the risk of promoting divergent practices;
- While examining international experience, we found mixed model of proactive publication of public information to be most effective. The model entails publication of the information not only on the website of a public agency concerned but on a joint independent portal.

THE OBLIGATION TO PRESENT PUBLIC INFORMATION REPORTS (EXISTING PRACTICE IN GEORGIA; US AND AUSTRALIAN EXPERIENCES)

Preparation of annual public information by public information agencies remains to be a problem along with other FOI-related issues. During the reporting period, GYLA prepared a research; the research found that these reports were prepared and accepted by authorized agencies only as a formality.

In examining international experience, we found general and comprehensive guidelines for preparing these reports. Further, corresponding monitoring agency must be set up.

Based on the research results, GYLA elaborated corresponding recommendations:

SAKDRISI-KACHAGHIANI: FROM CULTURAL HERITAGE TO CONTEMPORARY GOLD MINING

2014 developments around Sakdrisi-Kachaghiani have been the focus of many discussions. In the light of high public interest, GYLA prepared a research about developments around Sakdrisi-Kachaghiani as a site of cultural heritage and the licence issued (extended) by the state, which was important to demonstrate a full picture of developments around Sakdrisi-Kachaghiani.





The research identified the following trends:

- In examining and making decisions on Sakdrisi-Kachaghiani, the site of cultural heritage, the Ministry of Culture and Monuments Protection of Georgia significantly violated stipulations of Georgian legislation;
- Law enforcement representatives failed to implement meaningful and effective measures for investigating and prosecuting the act of damaging Sakdrisi-Khachaghiani archaeological site;
- Free extension of the license to RMG Gold and conduct of state agencies in the processes raises doubts about corruptive or other illegal acts from the side of concrete individuals in this process.

FREEDOM OF INFORMATION AND PROTECTION OF PERSONAL DATA

The importance of freedom of information and protection of personal data has grown after adoption of the law on Protection of Personal Information. After enactment of the law, GYLA prepared a research about practice in common courts in this area.

INSPECTOR FOR PROTECTION OF PERSONAL DATA

Inspector for Protection of Personal Data was appointed in Georgia in 2013. For implementation of the law on protection of personal information in practice and identification of any irregularities, GYLA examined first year of the inspector's work. The research found the following:

- Georgian personal data protection legislation is not comprehensive and in certain cases requires additional specification in terms of assignment of personal data protection inspector, his/her dismissal, activity regulation rules or organizational-legislative aspect;
- Unlike international experience, Georgia has no rules and instructions that would apply to different sectors (for example labour and health);



- Georgian legislation does not envisage public interest test, therefore in case of high public interest, personal data protection inspector lacks the opportunity to examine the issue of disclosing personal data of the concrete individual with respect to the conflict between the state and public interests.

PROMOTING JUDICIAL INDEPENDENCE AND IMPARTIALITY IN GEORGIA

TRIAL MONITORING

In the frames of the Judicial Independence and Legal Empowerment Project funded by the USAID and implemented by the East West Management Institute, GYLA has been monitoring trials since 2011, for the purpose of establishing uniform judicial practice and ensuring compliance with national and international law, as well as international standards for safeguarding human rights and the right to fair trial in the process of administration of justice.

Monitoring of criminal trials was launched in Tbilisi City Court in October 2011, in Kutaisi City Court in December 2012 and in Batumi City Court in March 2014.

Trial monitoring reports provide an objective fact-based information about a current situation in criminal justice in Georgia. GYLA has recently finished working on its sixth monitoring report.

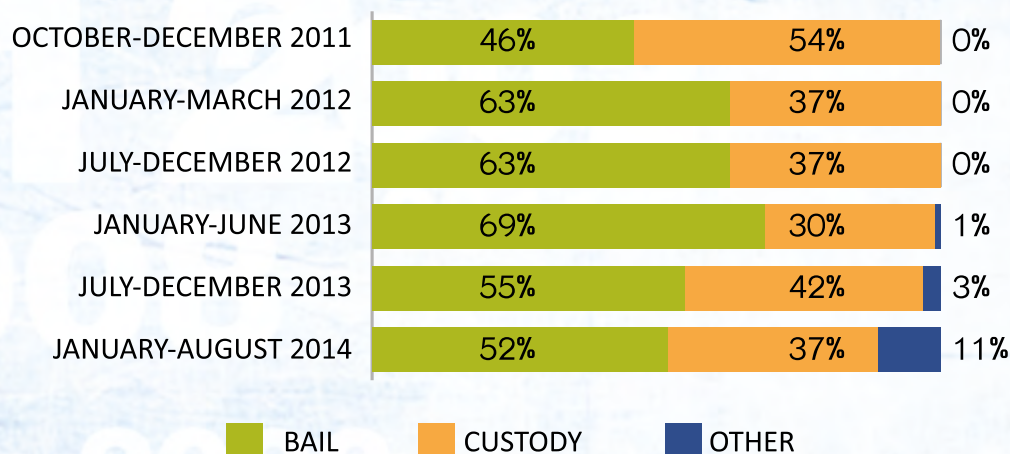
From July 2013 through August 2014, GYLA monitored 1705 trials in city and appellate courts of Tbilisi and Kutaisi as well as in Batumi City Court.

Improved practices detected following the October 2012 elections with respect to a number of procedural issues continued in the second half of 2013 and later in 2014.

However, we found some changes in shares of different restraining measures ordered against defendants during initial hearings.



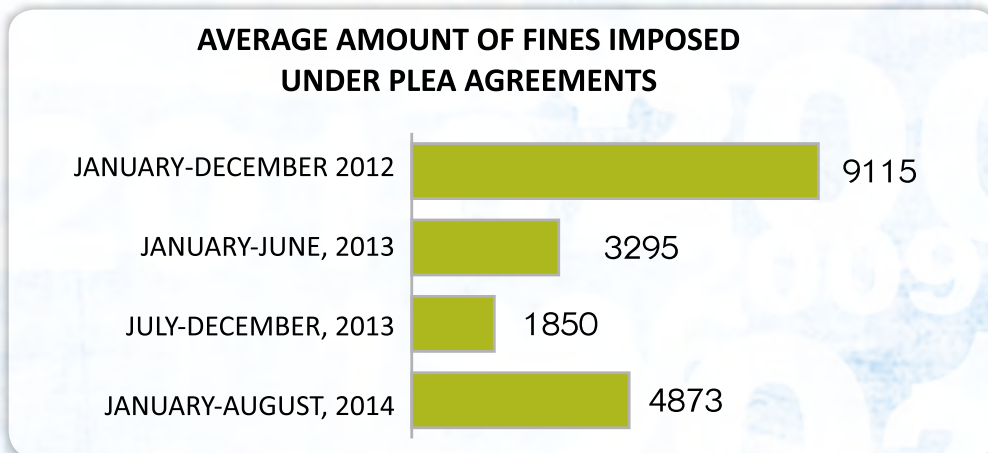
RESTRAINING MEASURES APPLIED



Furthermore, compared to the previous reporting periods, over the last two reporting periods (July 2013 – August 2014) the number of defendants for whom the prosecution demanded custody as a restraining measure increased and amounted to 60%. The number of defendants ordered to custody increased in the second half of 2013 from 30% to 42%, and decreased in 2014 down to 37%. The number of defendants granted bail gradually decreased compared to previous reporting periods and amounted to 52% in 2014.

Throughout the monitoring period (September 2011-August 2014) we found total of two cases in which court terminated criminal prosecution during pre-trial hearing.

During five initial stages of the monitoring (October 2011-December 2013), judges remained passive in the process of plea agreement and automatically approved motions of prosecution of plea agreement. However, over the period of 8 months in 2014 judges became more active, asking more questions about plea agreement to determine whether it was fair and conformed law. The number of plea agreement in which defendant was ordered to pay fine has gradually decreased since 2012, amounting to 44%. Further, the average amount of fines decreased up until the second half of 2013; however, it increased again in 2014, from 1850 to 4873 GEL.



The monitoring also found that defence was usually passive in almost all of the cases, except for high-profile ones. In high-profile cases, defence was far more active than prosecution.

Unlike previous reporting periods, judges were far more effective in explaining prohibition of ill treatment and their rights related to plea agreement to defendants in January-August 2014.

A number of international and local organizations have found these trial monitoring reports useful. They have been cited in annual reports of the US state department, as a source of information about criminal prosecutions in Georgia.

GYLA continues to monitor city courts of Tbilisi, Kutaisi and Batumi and appellate courts of Tbilisi and Kutaisi.

MONITORING ACTIVITIES OF THE HIGH COUNCIL OF JUSTICE OF GEORGIA

GYLA and Transparency International – Georgia have been monitoring activities of the High Council of Justice of Georgia since 2012. In early 2013, the organizations published first joint report of the monitoring for the period of March-December 2012.

In 2012, GYLA and TI-Georgia implemented monitoring of activities of the HCoJ. Results of the monitoring were published in report released in February 2014. Together with its partner organization, GYLA continues the monitoring. Third report of the monitoring will be released in December 2014.

Similar to the previous reporting period, the monitoring intends to assess the activities of the HCoJ as the essential unit of management, in view of the ongoing reforms in the judicial system.

Important findings of monitoring of HCoJ's activities in 2013 include: increased degree of transparency compared to previous years; however, a number of important problems remain; judicial appointment procedures remain a problem and deficient. Existing ambiguous, flawed and equivocal legal regulations hindered transparency of judicial appointments and objective decision-making.

In the second report, organizations elaborated joint recommendations for improving HCoJ's activities.

GYLA and TI-Georgia continued the monitoring during the reporting period as well.



MEDIA MONITORING OF ELECTION CAMPAIGNING

Under the auspices of GYLA's Media Legal Defence Center, in addition to providing legal assistance to media representatives GYLA also implemented a project of media monitoring of election campaigning during the reporting period.

In frames of the research GYLA examined the practice of media monitoring by the Georgian National Communications Commission (GNCC), the Central Elections Commission (CEC) and civil society organizations at various times. The research identified certain flaws in media monitoring of election campaigning carried out by the GNCC to find whether broadcasters lived up to their obligations.

The research also includes recommendations for effective media monitoring during future election periods.

THE SYSTEM OF DISCIPLINARY LIABILITY OF JUDGES

Together with its partner organizations GYLA prepared first ever research in Georgia providing detailed analysis of laws that applies to disciplinary proceedings, existing practice in Georgia and international standards. The research also offers a number of recommendations for improving existing legal and institutional frameworks.

AUDIO AND VIDEO RECORDING IN COURTS

In September 2014, GYLA held a presentation of research for evaluating 2013 amendments to the organic law of Georgia on Common Courts, based on which media outlets holding licenses for general broadcasting were granted the right photographing, and audio and video recording during trials. The research analyses challenges and deficiencies inherent to the process, their implications for media and therefore, public access to information about administration of justice.



PROMOTING DEVELOPMENT OF MIGRATION POLICY AND LEGISLATION

In addition to protecting rights of migrants and raising awareness about illegal migration, together with its partner organization CIPDD, GYLA is also working on legal regulation of migration and migration policy issues in general.

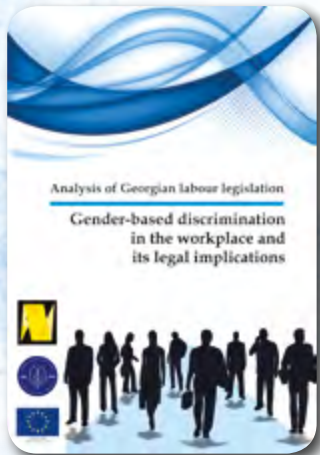
During the reporting period, GYLA prepared the following research:

- Labour permission and labour inspection – the Netherlands, Germany and Poland;
- Agreements for social security of the legally employed – existing practices, opportunities and prospects for Georgia;
- Migration and development – increasing the role of migrants in the process of development of Georgia.



DISCRIMINATION AGAINST WOMEN

During the reporting period, GYLA prepared a research – analysis of Georgian labour laws – workplace gender discrimination and its local implications. The research draws on systemic, comparative and analytical methods to examine issues in Georgian labour laws related to gender discrimination in workplace, as well as its legal consequences and identification of concrete safeguards against the discrimination.



RESEARCH ABOUT INDEPENDENT INVESTIGATING AUTHORITIES

On June 4, 2014, Georgian Young Lawyers' Association and public defender held a joint press conference about effective investigation of crimes allegedly committed by law enforcement officers. During the event, GYLA presented a research about models of independent investigating authorities in various countries and highlighted the importance of effective investigation of crimes allegedly committed by law enforcement authorities.

GYLA'S PARTICIPATION IN LEGISLATIVE PROCESS

Throughout the reporting period, GYLA continued to participate in legislative process. In addition to preparing legal opinions on drafts of normative acts, it also submitted its own legal proposals to the parliament of Georgia.



During the reporting period, several important draft laws were initiated, which required far more effort and work on part of both the parliament and the stakeholders. In exceptional cases, GYLA was able to examine legal drafts during the process of their elaboration and provide its recommendations to relevant authorities about these drafts before they were turned into legislative proposals. Further, in some cases GYLA participated in discussions about draft normative acts.

During the reporting period, GYLA provided 13 legal opinions in written to the parliament and 10 to various government agencies about draft normative acts. Further, during parliamentary committee hearings GYLA expressed its opinion about 9 legal drafts in verbal form and published 44 statements about issues related to the process of legal drafting. Out of GYLA's 13 written legal opinions, the parliament shared 1 fully, 5 in part, 2 are pending while 5 opinions have not been shared at all.

Out of the thirteen legal opinions submitted to the parliament, five related to new legal drafts, including:

1. The Local Self-Government Code;
2. On elimination of all forms of discrimination;
3. On state secret;
4. On the legal status of aliens and stateless persons;
5. On citizenship;

Written legal opinions and recommendations about various draft normative acts concerned issues including human rights strategy, human rights action plan, code of imprisonment, amendments to the labour code for women empowerment, and more.

GYLA's legal opinions presented during the committee hearings in verbal form concerned the following issues:

- Legal draft for regulating surveillance;
- Initiative for increasing punishments for illegal abortions;
- Proposed amendments about prisoners to the Code of Administrative Offences;
- Victims and the institute of plea bargain, and more.

Statement released by GYLA concerned a number of important issues, including

- Legal draft initiated for the purpose of imposing certain obligations on lawyers;
- Indefinite delay in setting up the commission for investigating miscarriages of justice;
- The need to create mechanism of public monitoring in prisons;
- Postponing the enactment of new regulations for questioning witnesses;
- Probation before judgment and the system of evaluation of judges;
- Postponing the enforcement of restriction of liberty, and more.

Some of GYLA’s recommendations about normative act drafts were taken into account, notably:

1. The draft law on surveillance (It Affects you Too) – during the reporting period, the parliament of Georgia adopted draft law supported by the It Affects You Too campaign against illegal surveillance. GYLA was one of the active participants of the campaign. The new regulations have

- Determined categories of crimes and individuals who can be subjected to secret surveillance;
- Limited length of secret surveillance. It may not exceed 6 months;
- The individual subjected to surveillance must be informed in written about material obtained through investigating measures and if these materials have been destroyed;
- Inspector for the protection of personal data will supervise use of secret investigating measures.



2. Administrative detention – the parliament of Georgia amended norms of the Code of Administrative Offence regulating administrative detention. These issues (except for decreasing the term of imprisonment) were covered by a constitutional complaint prepared and filed by GYLA on behalf of Revaz Kopaliani against provisions of the Code of Administrative Offences regulating administrative detention. GYLA’s legal opinion highlighted problems that the draft law failed to address. In particular: (1) short amount of time allowed for administrative court proceedings and (2) inappropriate use of administrative detention to ensure that alleged offender appears before court. During the third hearing, the Parliament of Georgia returned the draft law

back to the second hearing, in order to include one of GYLA's recommendations and extend the extremely short period of time allowed for administrative court proceedings for offences envisaged by Articles 45, 166 and 173 of the Code from 1 day to three days.

3. Dismissed employees – in February 2014, the law on Public Service was amended to include a norm that allows dismissal of local self-government employees following elections. The issue was harshly criticized by GYLA and its partner organizations. We were preparing a complaint disputing constitutionality of the norm, but in May the parliament adopted the law and abolished the disputed norm.

4. Cultural heritage – the draft law initiated by the Government of Georgia in the parliament significantly simplified procedures for removing the status of a site of cultural heritage. In GYLA's opinion the initiative contradicted the Constitution of Georgia, applicable Convention and did not serve the purpose of protecting cultural heritage; rather, it greatly decreased the possibility of protecting cultural heritage. GYLA applied to UNESCO about potential negative implications of the draft law and together with Tiflis Hamkari it submitted to the parliament legal opinion and a public petition, and released several statements. Eventually, the parliament stopped considering the draft law.

5. Offending religious feelings – norm added before the second hearing to draft amendments to the Code of Administrative Offence in 2013 envisaged sanctions for expressing religious hate and offending religious feelings.

With its partner organizations, GYLA criticized the regulations on grounds that it fell short of the constitutional and international standards of human rights and essentially curtailed freedom of expression, hindered the process of development of pluralistic, liberal and democratic society in the country. The organizations released several statements about the issue. Eventually, the criticism was shared and the norm was removed completely from the draft law.

LEGAL PROPOSALS

During the reporting period GYLA submitted the following three legal proposals to the parliament of Georgia:

1. Draft law on amendments and supplements to the Law of Georgia on The Law of Georgia on Recognition as Victims and Social Protection of the Victims of Political Repressions

It was the aim of the draft law to duly recognize rights of the victims of Soviet repressions and to protect them according to international standards and norms.

The draft increased compensation amount from the standard amount established by court and set minimum and maximum amounts of compensation (no less than 2000 GEL and no more than 10 000 GEL). The proposal was supported by the Human Rights Committee on December 12, 2013, pledging to hold further consultations, including with the government of Georgia. During its fall 2014 session the parliament endorsed a draft law prepared by the Ministry of Justice on the same subject; despite our attempts we were excluded from the process of elaboration of this draft.

2. Amendments and supplements to the organic law of Georgia, Labour Code

The purpose of legal draft prepared by GYLA is to eliminate existing deficiencies in the Labour Code. In particular, the draft law proposes to add to the Code definition of important notions such as "time off" and "working time"; further, the right of an employee to a one-hour break during a working day must be reinforced at the legislative level.

Line ministries and parliamentary committees uniformly agreed about importance of the issue raised by the legal draft; however, they eventually refused to support the proposal on grounds that the Labour Code should not be amended by fragmented amendments but rather, by a comprehensive package of amendments. Plans have been made to set up a corresponding working group. GYLA has been invited to join the working group.

3. Draft law on Amendments and Supplements to the Law of Georgia on State Compensation and Academic Stipend

The law determines rules for calculating compensations and academic stipends to be provided by the state to various groups of individuals. However, regulations of the law are in conflict with basic principles of the law – fairness and equality before law. GYLA's legal proposals aims at eliminating the inequality and establishing a fair system of provision of compensation. The parliamentary committee for health and social affairs supported the legal draft.

4. The draft law on comprehensive amendments to regulations for judicial selections and appointments in common courts

The aim of the draft law is to make the process of selection of common court judges more transparent and substantiated, founded on objective criteria, and decisions based on professionalism and personal characteristics of a candidate.

The legal draft has not yet been submitted to the parliament, as we chose the strategy of preliminary advocacy before the executive and the judicial authorities. To this end, GYLA held several events during the reporting period.

GYLA'S INVOLVEMENT IN WORKING GROUPS

During the reporting period, GYLA continued its involvement in various commissions and working groups, including the following working groups set up at the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia (MRA):

- In June 2013, the MRA set up a working group with the aim of elaborating legislation regulating eco-migration processes as a result of natural disasters. Together with other international and local organizations, GYLA was involved in the working group. The working group elaborated a draft law; however, certain issues of disagreement between members of the group have not been resolved; therefore, further work needs to be done.
- GYLA is also a member of privatization working group. During the reporting period, the group focused on preparing a final report about privatization process in 2013.
- GYLA was a member of the working group focusing on elaboration of the action plan for implementing the state strategy on IDPs.

GYLA'S INVOLVEMENT IN THE STATE CONSTITUTIONAL COMMISSION

In addition to various working groups, during the reporting period GYLA was also involved in the State Constitutional Commission. GYLA has submitted to the group its opinions about amendments and supplements to Chapter 5 (Judiciary Branch) of the Constitution.

GYLA'S WORK TOWARDS IMPROVING ELECTION ENVIRONMENT

AMENDMENTS TO THE ELECTION LAW

On December 26, 2013, under the resolution of the chairman of the parliament of Georgia, the second Inter-Factional working group on Elections was set up with the aim of making necessary amendments to the Election Code and other legal acts in the light of the self-government elections. GYLA presented its recommendations to the IATF and participated in its meetings.

Together with partner organizations (ISFED and TI-Georgia), GYLA submitted recommendations about a number of important issues, including holding Sakrebulo elections in multi-member districts and establishment of 50% barrier for Gamgebeli and Mayoral elections. The purpose of these recommendations was to help create a fair election system.

As a result of the IFWG work and the discussions in the parliament, the Election Code was amended to include new regulations about the election system, political party financing, polling procedures, media coverage and more.

Despite improvements in the election system and certain positive steps made to provide stability for local self-government authorities, no comprehensive changes have been made for improving the election system. The parliament of Georgia did not change the election system for Sakrebulo elections or envisage recommendations about Sakrebulo election system.



THE LEAGUE OF OBSERVERS

On June 13, 2014, GYLA held a presentation of the League of Observers.



The aim of the League of Observers is to ensure active engagement of GYLA's experienced lawyers in the process of election reform and local self-government reform.

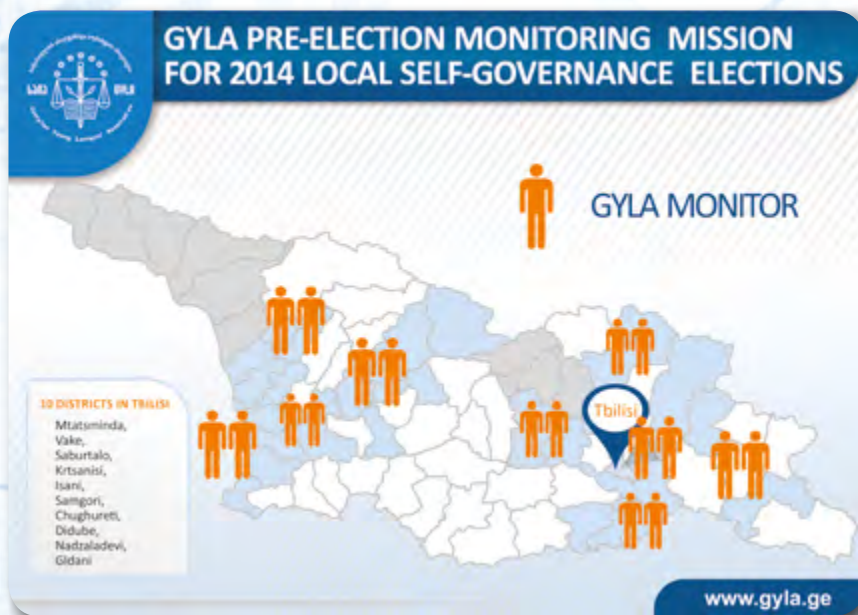
The league launched its operations on the Election Day. An experienced group of GYLA's observers were actively monitoring the elections and taking adequate further actions on all violations. The League of Observer was working both to prevent and eliminate violations.



LOCAL SELF-GOVERNMENT ELECTIONS IN 2014

- **Monitoring of the pre-election environment**

GYLA was been monitoring 2014 elections of representative and executive authorities of local self-governments from April 1 to June 14, through up to 20 monitors from GYLA's regional offices in the following 9 regions of Georgia: Adjara, Guria Imereti, Shida Kartli, Kvemo Kartli, Samtskhe-Javakheti, Kakheti, Mtskheta-Mtianeti, Samegrelo and Tbilisi.



Compared to the 2012 parliamentary elections, fewer violations were found during the pre-election period of the 2014 local self-government elections; however, compared to 2013 presidential elections the number of problems identified had increased.

Upon detecting a violation, GYLA reported the incident to the election administration, the Inter-Agency Task Force for Free and Fair Elections and the State Audit Office.

During the pre-election period, GYLA submitted 14 applications to the IFWG, based on which the commission elaborated important recommendations.

GYLA filed 5 applications in the election administration over the alleged use of administrative resources and illegal campaigning. 4 applications were upheld, protocols of violation were drawn up and cases were referred to court.

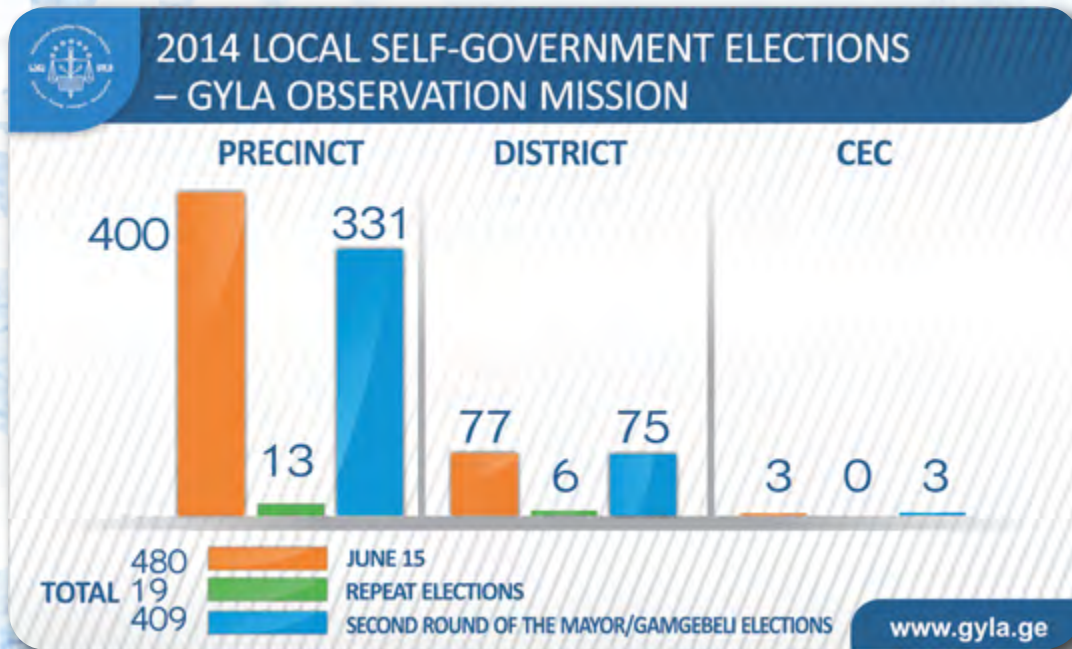
GYLA filed 3 applications with the State Audit Office over alleged violation of political financing regulations; 1 application was upheld while two applications are pending.

During the 2014 local self-government elections, GYLA was actively engaged in activities of the advisory group of non-governmental organizations set up at the State Audit Service for the discussion of information about enforcement of regulations for political financing, including violations reported.

During the pre-election period GYLA published 2 interim reports of monitoring the election environment.

- **Polling Day of the June 15, 2014 Elections, Repeat Elections and the Second Round of Mayoral/Gamgebeli Elections**

GYLA monitored June 15, 2014 local self-government elections, as well as repeat elections and the second round of Mayoral/Gamgebeli elections



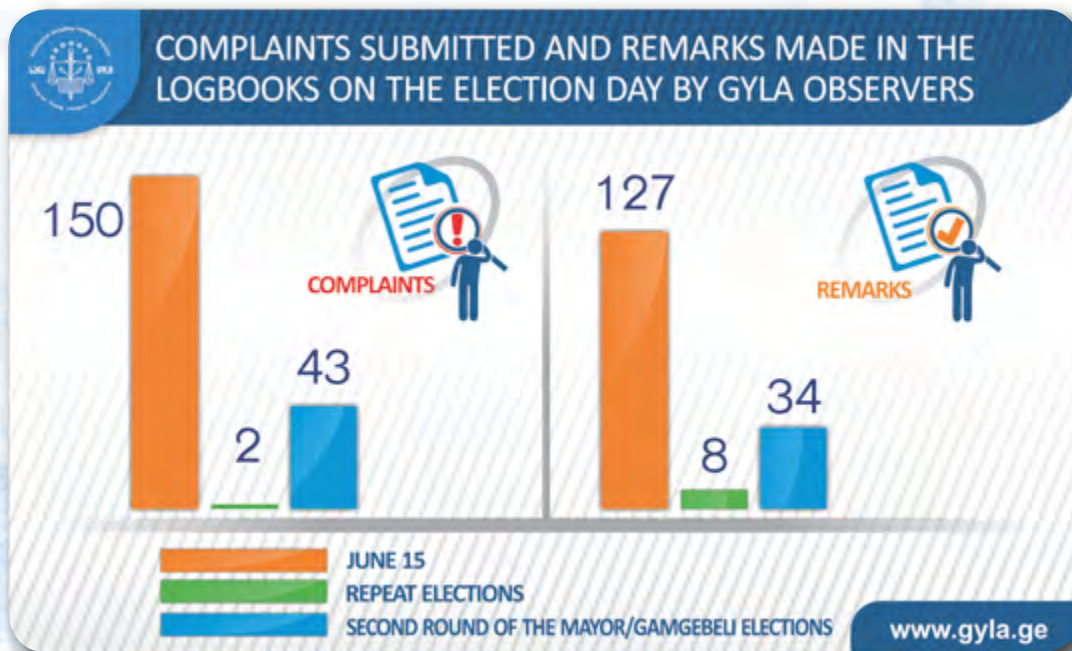
In the process of polling, GYLA did not detect any significant violations that may have affected election outcomes.

- **Post-Election Period**

GYLA monitored post-election period of June 15, 2014 local self-government elections, as well as the repeat elections and the Mayoral/Gamgebeli elections.

GYLA conducted post-election monitoring for June 15, 2014 elections at 38 district election commissions and the CEC. Upon detecting a violation, GYLA filed subsequent complaints with DEC and courts.

In its complaints, GYLA requested recount of votes at a number of precincts. Further, at precincts where gross violation of election law was detected, which would have impacted polling outcomes, GYLA demanded annulment of results. For instance, at 6 out of 14 precinct election commissions where repeat elections were conducted, results have been annulled based on complaints filed by GYLA's observers. For preventing any future violations, in its complaints GYLA laid particular emphasis on members of election commissions who had perpetrated the violation.



During the 2014 local self-government elections for executive and representative authorities GYLA's monitoring mission entered the data into election-analytical database in real time and analysed it through observers and analysts stationed throughout all regions of Georgia. Members of the League of Observers took immediate actions on all violations and reported them to GYLA's database operators who entered incident reports in the database immediately. As a result, GYLA's analytical headquarter was immediately updated on the situation in Tbilisi and in ten regions of Georgia where GYLA's observers were present.

LOCAL SELF-GOVERNMENT ACTIVITIES

In partnership with Armenian Young Lawyers' Association and Czech organization Agora Ce, GYLA implemented a project: Citizen Participation in Local Decision-Making Process – Introducing EU Experience.

The project was implemented in Georgia and Armenia for the period of four months, from May 1 through August 31, 2014, with financial support from the Ministry of Foreign Affairs of Czech Republic. The aim of the project is to share best practice and experience of Czech Republic in the area of citizen participation in the decision making process at the local self-government level, and to increase citizen engagement in local self-government activities.

GYLA and the Armenian Young Lawyers' Association facilitated community discussions in Lori Marza (region) in Armenia and in Samtskhe-Javakheti in Georgia. The discussions focused on capacity building of citizens for their engagement in and supervision of local decision-making process.

CREATING MECHANISM OF PUBLIC MONITORING AT CORRECTIONAL FACILITIES

During the reporting period, GYLA and its partner organizations were advocating the idea of creating a mechanism of public monitoring at correctional facilities. To this end, GYLA organized a number of working meetings between NGOs and with participation of high-ranking officials of the Ministry of Corrections. As a result, under the leadership of the Ministry a special task force was set up to work on setting up of the monitoring mechanism. The task force determined the model of the mechanism, elaborated key principles of operation, and rules and criteria for selecting members (organizations) and monitors of the public monitoring mechanism, as well as their standards of conduct and more. All of GYLA's proposals were supported and shared within the task force.

Negotiations within the task force were suddenly terminated in April 2014 by the Ministry; however, notably the Human Rights Action Plan includes creation of the public monitoring mechanism at correctional facilities as one of the state's obligations. Further, as a result of GYLA's advocacy efforts, the need to set up the mechanism was highlighted by the UN High Commissioner in Human Rights. The commissioner included the issue in its package of recommendations for the Georgian authorities.

GYLA and its partner organizations continue to advocate for the public monitoring mechanism.



**QUALIFIED LEGAL EDUCATION
AND THE DEVELOPMENT OF
LEGAL PROFESSION**

QUALIFIED LEGAL EDUCATION AND THE DEVELOPMENT OF LEGAL PROFESSION

Professional development of the young lawyers, development of legal profession and streamlining international standards on legal and civil education has been and will remain one of the main strategic directions for GYLA. During the previous monitoring report, GYLA actively contributed towards educational activities at the national and local levels. Alternative and continuous legal education, development of specific skills (*constructive debate skills, presentation skills at the court trials, legal writing and preparation of legal documents*), targeted training and organization of public debates- are sets of skills that GYLA and its Foundation for the Support of Legal Education (FSLE) offers to those interested in pursuing legal profession.

FSLE COURSES

FSLE continues to focus on its six-month courses in Tbilisi. In 2013-2014, 85 students applied and 56 were admitted to attend the courses. For the period of 6 months, these students acquired knowledge in the following fields of legal education:

- Introduction to law;
- Civil Law;
- Criminal Law.

After completing the courses, all 56 students were allowed to take the final exam. 23 of these students were awarded the joint GYLA and FSLE diploma, 31 students were awarded certificates, and two students failed to pass the 50% exam threshold.

On 18 July, FSLE has marked a successful completion of yet another academic year together with professors, teachers, lawyers, and representatives of international organizations and foundations.

Under the initiative of GYLA and FSLE, successful graduate received an offer for internship at GYLA's legal assistance center in Tbilisi, in the field of criminal law.

Upon completion of the course, the foundation organized a moot court for graduates in the Supreme Court of Georgia. The students were evaluated by a jury composed of judges, lawyers, public servants and specialists.





THE ART OF DEBATES

FSLE focuses on training law students in Tbilisi and in the regions of Georgia in constructive debates.

During the reporting period, the FSLE organized debate courses in Tbilisi, Kutaisi and Batumi where students acquired the art of constructive debates, debate culture, prompt thinking and analytical skills. Participants were able to master their skills in assembling and processing information on legal and global issues.

In May-June 2014, the foundation organized debate tournaments both at the local and national levels. The subject of the debates was European integration of Georgia.



Best debaters and winning teams received various law books and valuable gifts. This year's winner of the national tournament was FSLE's civil law group.

MOOT COURT COMPETITION 'YOUNG LAWYERS FOR CONSTITUTIONAL RIGHTS'

In December 2013, the FSLE has traditionally organized a competition for *Young Lawyers in the Constitutional Rights*. Under the financial support of the German Fund for International Legal Cooperation (IRZ) in cooperation with the Constitutional Court of Georgia, the competition was held in the building of the Constitutional Court in Batumi.

Up to 80 teams from all over Georgia expressed their wish to participate in the competition. Unfortunately, similar to the previous year, the number of interested students from the regions remains low, whilst 95% of applicants were from the universities based in Tbilisi.



Based on the pre-determined criteria, eight teams were shortlisted for the competition. On December 5-8, qualifying tour as well as semi-final and final tours were held in the Constitutional Court of Georgia. Moot court trials were chaired by member of the Constitutional Court, Maia Kopaleishvili while court's members included field specialists and a German judge.



The competition was solemnly closed on December 8 where the chairman of the Constitutional Court addressed the participants and awarded members of the best competitors with a special prize - a six-month paid internship at the Constitutional Court of Georgia. Title of the best plaintiff was awarded to Konstantine Kotoreishvili, Georgian Technical University student and Salome Jokhadze, TSU student, and the title of the best defendant was awarded to Zurab Kapanadze, TSU student and Gvantsa Kvaratskhelia, Free University student.

The FSLE's favorite competitor was Gvantsa Kharebava, TSU student. Gvantsa Kvaratskhelia, a student from Free University was offered internship in the field of strategic litigation.

Sponsor of the competition, IRZ awarded grant prize to the winning team – one-week trip to Germany together with Georgian delegation for participation in various official meetings.

SUNDAY SCHOOL FOR CIVIC EDUCATION

During the reporting period, the FSLE had announced a second admission for the Sunday school for civic education.

The school operated in Tbilisi, Batumi and Kutaisi. Students were lectured on practical application of law, civil education and included debating skills, basic human rights and freedoms and mechanisms for their protection, issues in general administrative, civil and criminal law, democracy, legal and social state, family and inheritance law, crime and type of punishments, state and constituents, taught by the professional lawyers and specialist of different fields, general administrative, civil and criminal law.

During the reporting period, the foundation introduced a new tradition – successful graduates of the FSLE were offered to give lessons to students of the Sunday School in various fields. The initiative proved to be successful as students found it extremely useful.

During the reporting period, in total, 130 pupils from three different cities attended the Sunday school. After the completion of the course, pupils received certificates, dictionaries in civic education and a compilation of case studies titled the City of Law.

SEMINARS AND TRAINING EVENTS

GYLA and the FLSE aim to increase the qualification of interest groups through raising their awareness on number of legal issues of concern and pending issues.

On December 21-22, 2013, with financial support from the East West Management Institute GYLA provided training for criminal lawyers and consultants on issues of concern in criminal law. Training participants included 27 employees of GYLA from its Tbilisi and regional offices.



The training focused on norms of Criminal Code that GYLA's lawyers view to be most problematic judging from their own experience.

On April 4-14, 2014, supported by IRZ's program Georgian Media Enhances Democracy, Informed Citizenry and Accountability (G-MEDIA), FSLE organized a ten-day law school in investigative journalism. Participants included 17 journalists from various media outlets.

On May 13-14 and May 16-17, 2014, training events supported by Partnership – Georgia were held for lawyers and consultants employed by GYLA. The training focused on issues of providing effective service for beneficiaries and was attended by 35 employees of GYLA.

In frames of the ten-day school in investigative journalism was led by leading specialists of the field and focused on a number of important aspects of investigating journalism, legal immunity of journalists as well as administrative law, tax law, state procurement, licensing and criminal law issues.

On July 3-4, 2014, with financial support of the East West Management Institute, training entitled Georgian Tax System and Legal Mechanisms for Protection of Taxpayers' Rights was held for lawyers and consultants of GYLA specializing in the field of civil/administrative law. Participants of the training included 25 employees of GYLA from Tbilisi and regional offices. The training focused on issues of tax administration, control and tax responsibility.

On July 5-6, 2014, with financial support from the East West Management Institute, the FSLE organized training for 23 journalists from various media outlets throughout Georgia. The training focused on issues of administration of justice, as well as legal regulations and problems in media coverage of trials.



PROMOTING MODERN STANDARDS OF LEGAL EDUCATION

During the reporting period, the project launched in 2010 with financial support from IRZ and GIZ continued successfully. The aim of the project is to improve teaching methods in legal education and harmonize them with German standards.

Together with IRZ and GIZ, the FSLE was actively involved in organizing the training of trainers held on June 26-28, 2014, in frames of the working groups in criminal, administrative and civil law. Trainers included German professors who together with their Georgian counterparts discussed German method of solving cases. Based on the training and with the use of the Georgian professionals and teachers who participated in the training, we plan to hold several training events for all law school professors and teachers. Further, case studies discussed during the training and prepared by Georgian academics will be included in the textbook prepared in Georgian together with the solutions. The textbook will be published in the nearest future.

RESEARCHING THE QUALITY OF LEGAL EDUCATION IN GEORGIA

During the reporting period, GYLA's Foundation for the Support of Legal Education and its partner organizations (Article 41 of the Constitution, ELSA-Georgia) implemented the project Quality Education for Strong Institutes, financially supported by Eurasia Partnership Foundation. In frames of the project, GYLA researched quality of legal education in Georgia with the aim of determining whether higher education institutions in Georgia offer quality education and requirements of labour market in Georgia for law school graduates. Following the research GYLA published a report providing trends and recommendations.

SCHOLARSHIP FOR GRADUATE LAW SCHOOL STUDENTS IN WESTERN GEORGIA

With the financial support of the EWMI, FSLE has been successfully carrying out a three-year project Scholarship in Master's Degree in Law in Western Georgia since 2011.

In the framework of the project selected 12 graduate students from Batumi and Kutaisi continued internships at the legal aid centers GYLA's Kutaisi and Batumi offices. As part of their internships, they organized public discussions on topical issues, prepared legislative proposals, attended trials and prepared various legal documents. Interns also took part in organizing Sunday civic education schools and competitions in Kutaisi and Batumi and attended training events and seminars organized by the FLSE.



Graduate students organized 14 public discussion events on the following issues: domestic violence; diversion and mediation; decriminalization of marijuana; legal status of executive authorities and their legal status following Constitutional amendments; prospects for the development of mediation; ecological and legal problems of the Black Sea and more.

Active participants of these discussions included students, academics, journalists, NGO representatives and lawyers. Highly qualified specialists were invited as experts.

During the reporting period, a three-year long project was successfully concluded. Notably, throughout the course of the project 8 scholars were employed.

INFORMATION CENTER AND PUBLICATIONS

GYLA's law library continues to attract individuals and those interested in law books.

The library's book reserve is renewed on annual basis. During the reporting period, 250 additional pieces were added to the reserve, some gifted and some purchased.

The library serves around 10-15 readers a day, including law school students, FSLE students as well as other interested individuals.

During the reporting period, GYLA's library participated in the law school library program implemented by JILEP in 2013. During the meeting, American and European speakers shared their experience in the development of library network. Various issues related to law libraries were discussed.

Translation of prominent law book in Georgian language and helping Georgian writers create and publish new textbooks remains to be one of the FSLE priorities.

During the reporting period, with JILEP's financial assistance the foundation published two textbooks and reproduced several publications. The foundation only printed these publications; it did not work on their contents.

Publications during the reporting period include:

- Legal dictionary;
- German-Georgian, Georgian-German legal dictionary;
- Judicial Methodology (Reinhold Zippelius);
- The Process of Judicial Decision-Making in Civil Law (Stephen Schmidt, Harald Richter);
- Civil Case Studies and Sample Solutions (Eter Chachanidze);
- Methodology for Solving Civil Case Studies (Sandra Henzschel);
- Commentary of the Civil Code of Germany (Jan Kropholler);
- City of Law – for Schoolchildren.

These publications were provided to libraries of almost every higher education institution, bar association, common courts of Georgia, the High School of Justice, various non-governmental organizations and students.



INTERNSHIPS AT THE LEGAL AID CENTER

GYLA's legal aid centers in Tbilisi and seven regional offices strongly contribute towards enhancing the qualification of young lawyers and their professional skills. The legal aid centers continue to successfully run law clinics for law students and graduates.

Internship program from 6 to 8 months allows students to develop various legal documents under the supervision of the experienced legal lawyer and represent citizen's interest at the court alongside with the defense lawyers.

During the previous accounting period, at the legal aid centers and in seven offices in the region, in total there were 95 young lawyers who undertook internships. Interns are recruited on a competitive basis.

Notably, five interns of the Legal Aid Center from 2013 and 3 from 2014 have been employed in GYLA's offices in Tbilisi and in regions.

FINANCIAL REPORT

ACCOUNTING PERIOD: NOVEMBER 1, 2013 – NOVEMBER 1, 2014

GYLA's accounting period covers the period from November 1, 2013 to November 1, 2014. Throughout this time, GYLA received total of 927,246.97 GEL from various sources, as grants, donations and membership fees. Breakdown of the total sum received through various sources is shown below:

| | |
|---|----------------|
| ARMENIAN YOUNG LAWYERS ASSOCIATION | 9,179.83 GEL |
| EWMI | 185,930.84 GEL |
| IREX | 176,462.31 GEL |
| ISFED | 205,772.49 GEL |
| NED | 69,668.70 GEL |
| OSGF | 56,753.76 GEL |
| THE SIGRID RAUSING TRUST | 195,727.00 GEL |
| WFD | 12,196.65 GEL |

Membership fees

2,420.00 GEL

Donations from various individuals and legal entities

10,650.00 GEL

Various income

2,485.39 GEL

During the accounting period, GYLA employed 128 persons on non-single jobs, including 62 in the regions. Total expenses paid in remuneration was 1,552,504.40 GEL. Single payments of was paid to 352 persons, totaling 327,066.33 Gel.

Reimbursements for single services, salaries and payments amounted to 400,279.65 Gel.

Material assets purchased during the accounting period were 86,306.40 GEL, including 42,138.00 GEL paid for purchasing various office equipment for GYLA's regional branches.

GYLA also paid total of 38,023.21 GEL for purchasing various low-value office items, including 17,567.00 GEL for purchasing various low-value office items for its regional branches.

Books and periodicals purchased for central and regional libraries amounted to 2,316.25 Gel.

At the same time, GYLA spent 136,927.57 Gel in organizing seminars and meetings in Tbilisi and other regions.

Travel expenses of the staff amounted to 284,506.79 Gel.

Office rent amounted to 82,163.90 Gel.

Cost related to communication was 62,212.48 Gel, including 12,752.38 Gel in the regions.

During the accounting period, GYLA made total expenses of 2,773,869.50 GEL which is broken down by the sources below:

| | |
|---|----------------|
| ADRA | 8,643.66 GEL |
| ARMENIAN YOUNG LAWYERS ASSOCIATION | 7,808.31 GEL |
| BFDW | 251,338.22 GEL |
| DRC | 117,255.38 GEL |
| EHRAC | 16,197.20 GEL |
| ENPI | 12,332.22 GEL |
| EUROPEAN UNION | 309,948.79 GEL |
| EWMI | 660,467.04 GEL |
| IREX | 300,187.63 GEL |
| ISFED | 195,740.28 GEL |
| MAPT | 99,026.28 GEL |
| NDI | 106,067.15 GEL |
| NED | 68,849.81 GEL |
| OSF | 108,264.31 GEL |
| OSGF | 188,718.82 GEL |
| SIDA | 193,977.59 GEL |
| THE SIGRID RAUSING TRUST | 129,046.81 GEL |

Georgian Young Lawyers' Association

Summary Balance Sheet

As of November 1, 2014

| | <u>Nov 1, 2014</u> |
|--|--------------------|
| ASSETS | |
| Fixed Assets | 824,534 Lari |
| Other Assets | 2,000 Lari |
| Current Assets | |
| Accounts Receivable | 834,739 Lari |
| Cash at bank and in hand | 743,616 Lari |
| Total Current Assets | 1,578,356 Lari |
| Current Liabilities | |
| Other Current Liabilities | 8,354 Lari |
| Total Current Liabilities | 8,354 Lari |
| NET CURRENT ASSETS | 1,570,002 Lari |
| TOTAL ASSETS LESS CURRENT LIABILITIES | 2,396,536 Lari |
| NET ASSETS | 2,396,536 Lari |
| Capital and Reserves | 2,396,536 Lari |

Executive Director:

[Handwritten signature]

Accountant:

[Handwritten signature]



GYLA GOVERNING BODIES

As of November 2014

THE BOARD MEMBERS

Kakha Kozhoridze - Chairman
Nino Bakakuri - Deputy Chairwoman
Besarion Abashidze
Besarion Bokhashvili
Ekaterine Gasitashvili
Tamar Gurchiani
Mikheil Daushvili
Giorgi Zedelashvili
Nino Tvaltvadze
Natia Katsitadze
Natia Kapanadze
Nino Lomjaria
Aleksandre Rukhadze
Nino Suknidze
Tinatin Shelia
Parmen Jalaghonia
Sopo Japaridze
Mikheil Jakhua
Khatuna Chitanava
Tamar Khidasheli
Tinatin Khidasheli - membership has been terminated.

EXECUTIVE DIRECTOR

Tamar Gvaramadze

HEADS OF REGIONAL OFFICES

Adjara Office - Gia Kartsivadze
Kutaisi Office - Giorgi Chikaberidze
Rustavi Office - Ekaterine Pavlenishvili
Gori Office - Ketevan Bebiashvili
Telavi Office - Marekh Mgaloblishvili
Ozurgeti Office - Tamaz Trapaidze
Dusheti Office - Sergo Isashvili
Zugdidi Office - Nino Khukhua

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