

RULE OF LAW

FOR JUSTICE



ANNUAL REPORT

2015

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2015
ANNUAL REPORT



SIGRID RAUSING TRUST



EAST • WEST
MANAGEMENT
INSTITUTE
*Promoting Rule of Law
in Georgia (PROLoG)*



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Tbilisi



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DEAR GYLA PEOPLE, FRIENDS AND FANS,

It is a special honor for me to welcome you in the capacity of GYLA's 11th chairperson.

I shall start by thanking each of GYLA employees for the tireless and devoted work the results of which we describe only partially in this report. The activities we undertook during the year are rather comprehensive and diverse.

It's hard to recall whether any event or issue of public importance occurred in 2015 went unnoticed by our organization, which as a professional association of jurists and a human rights defender has expressed its clear views about.

I suppose we remained equally active in terms of both involvement in institutional reforms and protection of the rights of individuals and groups.

Protection of freedom of speech and expression, electoral reform, public awareness raising, monitoring and promotion of judicial reform, criminal justice reform, promotion of access to quality legal education – these is an incomplete list of what GYLA has been doing during the year. We also significantly contributed to coalition-based activities such as monitoring of implementation of the antidiscrimination law adopted last year and litigation in the constitutional court within the This Is About You campaign.

As a follow-up to the activity commenced last year, in 2015, GYLA produced its second study on Sakdrisi documenting and analyzing in a great deal of detail the entire of process of the State exerting violence upon the law that preceded detonation of Sakdrisi.

In addition to proceeding with our activities, in 2015 we were looking for new ways and forms of delivering our message to the public. As part of this effort, GYLA produced its first documentary movie about fatal cases of domestic violence occurred in 2014. The objective of creating the movie was to bring the killed women's say to the public, which they can never do by themselves, and make the society realize the role of the State and every individual in combating violence.

This year was important also because, on numerous occasions, we received messages of support and trust from our colleagues, partners and friends. GYLA was elected chair of the Coalition for Independent and Transparent Justice as well as member of the EU-Georgia Association Agreement Civil Society Platform.

In our turn, we tried to be a good partner of other organizations retaining our style and identity at the same time.

During the year, we were bringing the drawbacks existing in public institutions to light and were offering the State ways for their eradication; we were protecting victims of breached rights through awareness raising, advocacy of changing the laws, and representation in courts. In this context, I suppose, important are not only the success achieved in many individual cases, but also the fact that power ministries were ordered to pay compensation to citizens for improper performance of their obligations. It is further noteworthy to mention the importance of a good deal of complaints and applications we lodged with the Georgian Constitutional Court and the European Court of Human Rights.

During the year, we were trying to break the silence on various issues and confront, with specific arguments, a dominating thought that rejects a human being as a supreme value on account of traditions, political correctness or other reasons. We were responding to challenges of this year without forgetting those who were aggrieved by serious wrongdoings committed in the recent past realizing that these wrongdoings remain unpunished yet. In 2015, we once again loudly announced our support for the idea of equality of human beings, openly confronting the attempts of dividing them into first class and second class citizens.

Certainly, our activities were not always met the same way by the public; we experienced disputes, difficult days and harsh criticism too. However, this was another proof of the fact that GYLA remains an organization whose views matter attracting a lot of interest on the part of State and the public.

In the reporting period, when the Prosecutor of the International Criminal Court requested the Pretrial Chamber of the ICC to authorize investigation, the work GYLA and other human rights organizations had performed 7 years ago in terms of documenting crimes committed during the August War acquired special value.

The challenges, old and new, that were showing themselves up in regard to democratic development and human rights in 2015 make us think that our role is no less necessary than in the previous years.

This state of affairs as well as GYLA's distinguished place in a contemporary Georgian State imposes a huge responsibility before our country and citizens upon us. This is what gives us the strength, durability and bravery to march forwards, sometimes with big, sometimes with small steps, but march and act in belief of better Georgia!

Sincerely,

Ana Natsvlishvili

Chairwoman

Georgian Young Lawyers' Association

ZUGDIDI OFFICE
2014

KUTAISI OFFICE
1996

OZURGETI OFFICE
2001

ADJARA OFFICE
1995

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

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 2015-2019 adopted by the General Assembly of the Georgian Young Lawyers' Association on November 30, 2014.

According to GYLA's traditional practices and Charter, we are pleased to present our Annual Report 2015, covering activities carried out by offices of GYLA in Tbilisi and in eight regions of Georgia from November 1, 2014 through November 1, 2015.

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

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

Our Motto

RULE OF LAW FOR JUSTICE



**PROTECTING HUMAN RIGHTS,
DEVELOPING LEGAL REMEDIES
AND ENSURING ACCESS
WITHOUT DISCRIMINATION**

PROTECTING HUMAN RIGHTS, DEVELOPING LEGAL REMEDIES AND ENSURING ACCESS WITHOUT DISCRIMINATION

Through years of maintaining the tradition of providing citizens with free-of-charge legal aid and conducting strategic litigation, GYLA helps restore the breached rights of individuals and establish a proper judicial practice that is compatible with the international standards, on the one hand; on the other hand, it gives the opportunity to the beneficiaries to acquire knowledge and skills so that they are able to defend their own rights in the future. The impact GYLA is making on everyday lives of citizens is extremely important to a country on its way to building democracy.

LEGAL AID FOR VICTIMS OF HUMAN RIGHTS' VIOLATIONS, ESPECIALLY FOR VULNERABLE GROUPS

In 2015, as in the previous two decades, human rights protection has been a major strategic goal for the Georgian Young Lawyers' Association. Through its 9 offices countrywide, GYLA provided thousands of individuals with free-of-charge legal aid.

Based on its legal aid strategy and considering the existing trends in the country and the projects it has been implementing, the organization has been focusing on such groups of beneficiaries as women, victims of domestic violence, socially vulnerable, persons with disabilities, prisoners, juveniles, elderly people, migrants, etc.

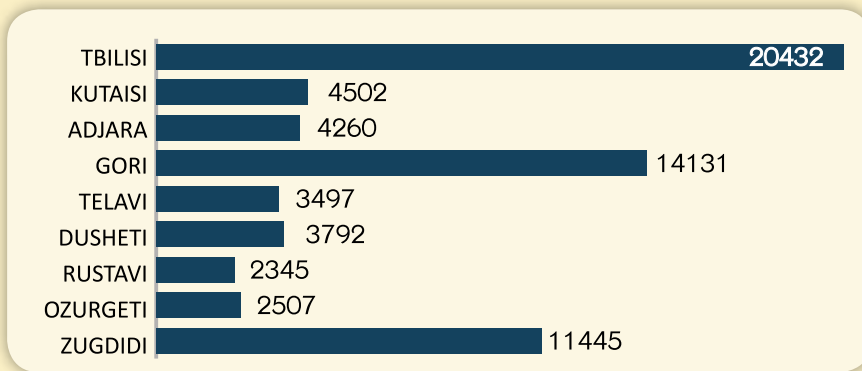
Thousands of beneficiaries were assisted by GYLA in various forms such as personal, over-the-phone and online legal advice at GYLA's offices, mobile visits to the regions, document drafting and representation in the court.

LEGAL ADVICE AND LEGAL DOCUMENTS

During the year, the beneficiaries have most frequently been addressing us to help them with the following issues: family law, divorce, child support, how to prevent domestic violence, unlawful dismissal of employees, ineffective criminal investigation and problems related to granting the victim status. Because of the changes in the Local Self-Governance Code, issues related to the work of local authorities generated a number of applications for legal aid as well.



The below chart shows the stats of legal consultation provided by GYLA's offices in Tbilisi and in 8 regions:



Types of legal advice rendered:

TYPES OF LEGAL ADVICE	TBILISI	KUTAISI	ADJARA	GORI	TELAVI	DUSHETI	RUSTAVI	OZURGETI	ZUGDIDI
IN PERSON	9246	2919	1854	11232	2006	2095	1835	1728	9,519
OVER-THE-PHONE	5975	546	39	1578	274	550	117	306	1355
ONLINE	101	127	4	1	2	0	15	113	83

Number of beneficiaries by gender disaggregation:

Gender	TBILISI	KUTAISI	ADJARA	GORI	TELAVI	DUSHETI	RUSTAVI	OZURGETI	ZUGDIDI
Female	11171	2433	2105	7560	2207	1725	1409	1391	1204
Male	5891	1974	2113	4603	988	1215	913	1108	960

During the reporting year, GYLA's lawyers drafted 7,141 legal documents for the beneficiaries (including lawsuits, applications, motions, etc.). According to the available information, 4,956 documents drafted by the GYLA lawyers were upheld.

As in the previous reporting period, this year too, the largest number of requests GYLA lawyers were receiving from citizens concerned the ascertainment of facts having legal importance and drafting of relevant applications. Based on the legal documents drafted by our lawyers, hundreds of citizens were able to register their titles, get social benefits, etc.





GYLA's lawyers were also actively visiting various settlements meeting the local population and helping them not only with legal advice but also by assisting in resolving local problems.

Matters that the rural residents were interested in differed by municipalities. However, in all of the municipalities, the citizens wanted to know about the rights and functions of local authorities, social benefits, protection of the right to property, receipt of inheritance and family law.

EXIT CONSULTATIONS	KUTAISI	GORI	TELAVI	DUSHETI	RUSTAVI	OZURGETI	ZUGDIDI
NUMBER OF PLACES VISITED	47	140	8	33	15	97	37
NUMBER OF BENEFICIARIES	849	793	138	1075	225	1347	546



Representatives of GYLA's offices in the regions were also visiting areas settled by forcibly displaced people. A total of 63 such visits were carried out during the reporting period covering Shida Kartli, Imereti and Mtskheta-Mtianeti. During the mobile visits, our lawyers were issuing individual and collective consultations and were disseminating information brochures.

LEGAL REPRESENTATION

In the reporting period, GYLA's legal aid centers were following one of our priorities rendering free-of-charge legal representation services to socially vulnerable individuals according to the organization-established eligibility criteria. As a result of our lawyers' efforts, many of the disputes ended in favor of the beneficiaries.

Our legal aid centers in Tbilisi and regions dealt with **185** litigation cases, of which **130** ended successfully.

With the help of GYLA's lawyers:

- Many unlawfully fired individuals were reinstated in their jobs and were paid the lost wages
- Tens of victims of domestic violence were assisted in defending their rights
- Tens of cases ended in favor of the interests of juveniles
- Tens of individuals were released from administrative liability: they have been released from administrative detention and the obligation of paying fines



- 22 individuals were recognized as forcibly displaced persons (IDPs). GYLA provided these individuals also with other legal assistance in addition to their requests for granting the IDP status.

In addition, GYLA's lawyers were actively dealing with cases concerning possible wrongdoings by police officers. We also helped many prisoners challenge their rejected motions for early release.

With our lawyers' assistance, many individuals were saved from criminal liability. Here are some of the examples:

- L.M., an individual represented by a GYLA's lawyer, was released from the courtroom by the Supreme Court. L.M. had been convicted by a lower instance court of making false notification about terrorism and had been sentenced to deprivation of liberty for 3 years. The prosecution office asserted that on 12 September 2012 L.M. falsely reported as if there was a bomb in the premises of the Rustavi-2 TV Company. The Supreme Court found that LM's conduct had incorrect legal qualification and released LM from the courtroom.
- GYLA's office in Zugdidi represented the interests of Z.Ch., a citizen charged with physically abusing a member of the State Security Service. The court agreed with the defense counsel's assertion that the defendant was not at the place where the victim was subjected to physical violence. Consequently, there was no ground for rendering a convicting judgment against the defendant. The case is particularly conspicuous because during the judicial examination of the case the defendant was verbally threatened, subjected to limitation of the freedom of movement and unlawfully detained under the administrative rule. Despite the indirect pressure exerted upon the defendant, he did not confess to the charges. The evidence submitted by GYLA to the court served as a basis for rendering an acquitting judgment in favor of the defendant.
- GYLA's office in Kutaisi provided legal representation to Ts.G., a citizen charged with breaching traffic rules and injuring a pedestrian. The court concluded that the citizen was not capable of avoiding the car accident. Consequently, there was no basis for convicting the defendant. As a result, Ts.G. was found not guilty.



STRATEGIC LITIGATION BEFORE THE DOMESTIC COURTS

Among the cases dealt with by GYLA, we wish to emphasize those with outcomes that are important not only to our beneficiaries, but also for the purpose of establishing fairness and a uniform judicial practice. Some of these cases are high profile cases that attracted a lot of public attention.

Below we provide short descriptions of some of them:

- GYLA's office in Gori was defending the interests of N.M. who had been dismissed from job exactly when she was planning to take a

maternity leave. She was made to write a request for resignation under the promise that she would be rehired. The promise was not kept. It was evident that the written application was not expressing our client's true will. Although the case was lost in the first two judicial instances, the Supreme Court granted the case a Status of the case, important for developing the law and forming a uniform judicial practice. Consequently, by its decision of 2014, the Supreme Court not only reversed the lower court's decision, but changed the previously existing judicial practice. On the one hand, the cassation court analyzed the inappropriate practice existing in Georgia that whenever a superior is changed, the employees are then forced to file requests for resignation; on the other hand, the Supreme Court interpreted a standard to be applied to such requests for resignation in civil service. The Court stated, in particular, that whenever a civil servant lodges an application for resignation it is necessary to launch administrative proceedings to investigate whether the application accurately describes the wish of the resignation applicant.

- During nearly two years, GYLA has been providing legal assistance to the Hereti broadcasting company. Our lawyers defended the company's interests in all of the three judicial instances in a dispute related to the company's broadcasting license. In 2015, the court forwarded the case to the National Communications Commissions for examination. At its meeting on 16 July 2015, the Commission adopted a decision to issue a broadcasting license to the Hereti Broadcasting Company in Tbilisi. It is without doubts that the decision will help develop media pluralism in the country.
- GYLA is continuing to work on cases of discrimination on account of ethnicity, race, color and citizenship. We regard this work highly important for practical implementation and further development of antidiscrimination laws. In the reporting period, GYLA dealt with 7 such cases: five before the Public Defender's Office and two before courts. Only one of these cases ended with success. In particular, on March 19 2015, the Georgian Young Lawyers' Association addressed the Public Defender's Office with a complaint against the Batumi legislature (Sakrebulo). GYLA argued that an ordinance of the Batumi legislature was discriminatory because it set different fees depending on the nationality of visitors: A Georgian citizen wanting to visit the botanical garden in Batumi had to pay GEL 3, while foreigners had to pay GEL 8. Having examined our complaint, the Public Defender considered that the impugned ordinance was expressly establishing discriminatory treatment on account of citizenship deciding to recommend to the Batumi legislature to establish equal tariff for both Georgian citizens and foreigners for visiting the botanical garden.
- In a dispute against the Tbilisi Mayor's Office, GYLA's office in Tbilisi was defending the interests of Sh.G. In particular, the citizen was in front of a kindergarten trying to have a bus stopped when he/she fell in a wet well behind him/her because the well had no cover. As a result, the citizen was injured and had to undergo treatment.



The case was important because there had been no previous court practice of ascertaining the defendant in similar cases. Through the judicial examination, it was ascertained that the defendant was the Tbilisi Mayor's Office, which was ordered to pay the financial and moral damages to the aggrieved citizen.

- GYLA dealt with several cases of high public profile. In particular, our lawyers were defending four guerilla gardeners who got arrested by police officers on 30 December 2014. The law enforcement representatives arrested them when they were holding a peaceful protest really in front of the Tbilisi Legislature objecting to the construction of the Panorama Tbilisi. In the view of the police officers, the protesters were committing petty hooliganism and disobeying a lawful order of the police officers. The court found that guerilla gardeners had not committed petty hooliganism and their wrongdoing was insignificant; on this basis, the court confined itself to making a verbal warning only and the guerilla gardeners were released from administrative liability. Our lawyers from the Tbilisi office were also defending one of the members of Guerilla Gardeners who had been administratively fined by the police for alleged pollution of environment with municipal waste. In particular, the individual used a secondhand car tire for planting flowers in it. By its judgment, the Tbilisi City Court cancelled the administrative violation report due to the fact that commission of an administrative offense was not confirmed. On this ground, the Court released the guerilla gardeners from the obligation of paying the fine.
- In one of the legal representation cases led by our office in Zugdidi, it was ascertained through the court that the Municipality of Zugdidi was a legal successor of the Municipality of Zugdidi existing before the local government election in 2014.
- Representatives of the GYLA's office in Ozurgeti were representing a citizen in an administrative offense case, in which the court evaluated the relations, and legality of the outcome of these relations, between a member of the patrol police and the citizen. In particular, the court explained it was up to the integrity of a police officer as a civil servant to timely inform the citizen about all the procedural measures being taken in relation to the citizen. The court further stated that public trust in information officially announced by an administrative body was weightier than the interest pursued by the administrative body.
- In the period between January and June 2012 inclusive, Citizen T.G. performed repair works worth GEL 25,629.70 under pressure from the prosecution office and at the instruction of the local government. He was not remunerated for the works conducted. With the assistance of GYLA's lawyers from the Kutaisi office, Public Law Entity "National State Property Agency" was ordered to pay part of the sum (GEL 17,656.30) to T.G.

STRATEGIC LITIGATION AT THE CONSTITUTIONAL COURT

For years, GYLA has been involved in strategic litigation before the Constitutional Court taking cases to the Court on issues of high importance to the public. In the reporting period, we lodged 8 lawsuits with the Constitutional Court. One case ended with success. In two completed cases (*Ucha Nanuashvili and Mikheil Sharashidze v. the Parliament* and *Giorgi Ugulava v. the Parliament*), GYLA submitted its *amicus curiae* briefs, which the Court took into consideration.

NEW CASES

1. *GIGA BARATASHVILI AND KARINE SHAKHPARONYAN V. THE DEFENSE MINISTER*

In this case GYLA asserts unconstitutionality of some of the ministerial orders that make it possible to put military servants of land forces and military police members into reserve for a period of 4 months without indicating any objective reasons and then to dismiss them without proper grounds. GYLA is of the view that the ministerial orders are breaching the right to occupy a position in public service as guaranteed by Article 29 of the Constitution.

2. *EDISHER GODUADZE V. THE INTERIOR MINISTER*

In the lawsuit we request declaring unconstitutional an order of the Minister of Interior that provides that personal data about perpetrators of administrative offenses can be stored in an electronic format in the database of the Interior Ministry for unlimited time. GYLA thinks storage of personal data for unlimited time violates the right to privacy prescribed by Articles 16, 20(1) and 41(2) of the Constitution.

3. *OLEG LATSABIDZE V. THE PARLIAMENT*

Through this lawsuit, GYLA is challenging the constitutionality of some of the provisions of the Local Self-governance Code and Law on Civil Service. In particular, these provisions envisage automatic termination of official tenure of the heads units of local government/mayor's office in case of election of a new governor/mayor. GYLA thinks the provisions contradict the right to be employed at civil service as guaranteed by paragraphs 1 and 2 of Article 29 of the Constitution.

4. *DAVID SINIKLADZE V. THE PARLIAMENT*

The matter of dispute is the prosecutors' right to challenge convicting judgments in the courts of appeal or cassation with a view to aggravating the legal qualification of the conduct in criminal cases even though the convicted person has already served the punishment imposed by a first instance court by the time the case is being examined by the court of



appeal or cassation. GYLA asserts that the impugned provisions make it possible as a result of examination of a case by courts of appeal or cassation to actually send a person who has already served a sentence back to prison for the conduct he/she once served a sentence for. This violates Article 42(4) of the Constitution, which prohibits double punishment for the same conduct.

5. *GIORGI BURJANADZE, LIKA SAJAJIA AND OTHERS V. THE PARLIAMENT*

GYLA and the “This Affects You Too” movement lodged a joint lawsuit with the Constitutional Court on 15 April 2015 for declaring the so-called two-key system of wiretapping telephone conversations unconstitutional. The plaintiffs claim that giving a key to the Ministry of Interior will create a danger of abusing official powers by the Ministry on the one hand and will turn the Personal Data Protection Inspector from a control body into an executive authority because the electronic consent issued by the Inspector will require additional verification. The plaintiffs are further challenging the constitutionality of blank copying and retention of identification data for 2 years. It is asserted that the impugned provisions contradict Articles 16, 20(1) and 41(2) of the Constitution.

6. *VALERIAN MIGINEISHVILI V. THE GOVERNMENT*

GYLA claims unconstitutionality of a provision of the Government resolution that says that individuals who were private insurance beneficiaries by 1 July 2013 have no right to use the full package of the Health for All insurance system even if their private insurance scheme has terminated after 1 July 2013. In its lawsuit, GYLA is asserting that individuals using private insurance schemes by 1 July 2013 are discriminated contrary to Article 14 of the Constitution.

7. *G.F. V. PARLIAMENT*

GYLA addressed the Constitutional Court on behalf of G.F., a citizen charged with a crime under Article 255(1) of the Criminal Code (illicit dissemination of pornographic materials). The law does not provide a definition of pornographic materials; nor does it determine when the dissemination of such materials is legal. The impugned provision fails to meet the requirement of legal foreseeability and creates the danger of imposing undue limitation upon the freedom of expression. GYLA asserts that the impugned provision contradicts Article 24 (freedom of expression) and Article 42(5) (no punishment without law) of the Constitution.

8. *NANA PARCHUKASHVILI V. THE MINISTER OF CORRECTIONS*

GYLA addressed the Constitutional Court on behalf of Nana Parchukashvili, a female prisoner at the penitentiary institution no. 5. The matter of dispute concerns an order of the Minister of Corrections that envisages overly-complete examination of prisoners on admission and discharge; in other words, prisoners have to get undressed completely. Moreover, in practice, prisoners are also requested to do a squat. GYLA asserts that

routine application of such security measure amounts to inhuman treatment and contradicts Article 17(2) of the Constitution.

SUCCESSFUL CASE

MAIA ROBAKIDZE V. THE PARLIAMENT

On July 31 2015, the Constitutional Court upheld GYLA's lawsuit in *Maia Robakidze v. the Parliament*. The Court found that a provision of the Criminal Procedure Code that declared evidence inadmissible if obtained in violation of only the Criminal Procedure Code was contrary to the Constitution. In particular, according to the provision, it was possible to declare evidence admissible if obtained in violation of the Law on Police or other laws. In its constitutional complaint GYLA asserted that the impugned provision contradicted Article 42(7) of the Constitution (which stipulates that evidence obtained in violation of law shall have no legal force). The Constitutional Court upheld this part of GYLA's complaint. It was the first time the Court applied the referenced provision of the Constitution.

STRATEGIC LITIGATION BEFORE THE EUROPEAN COURT OF HUMAN RIGHTS

In addition to a strategic litigation at the national level, GYLA is actively making use of international mechanisms for the protection of human rights. In particular, during the reporting period, GYLA and its partner organization – the European Human Rights Advocacy Center (EHRAC) lodged 4 new applications with the European Court of Human Rights. Also, proceedings in 6 previously lodged applications were completed in the reporting period.

NEW CASES

1. *CHELISHVILI AND SATSERADZE V. GEORGIA, APPLICATION NO. 6405/15*

The application is about failure by the State to perform its positive obligation of preventing a crime related to domestic violence.

On 23 January 2015, GYLA and Partnership for Human Rights, its partner organization, lodged an application with the European Court of Human Rights on behalf of Salome Jorbenadze's mother and child.

On 25 July 2014, Salome Jorbenadze was killed by Sergi Satseradze, her former husband and a member of the Ministry of Interior. Although Salome Jorbenadze timely addressed the law enforcement authorities with a request to protect her from her former violent husband, her request remained without a proper response.



In the application lodged with the European Court, GYLA is asking the Court to find that the Georgian Government is responsible for violation of Article 2 (right to life), Article 3 (prohibition of torture), Article 8 (right to respect for private life) and Article 14 (prohibition of discrimination) of the Convention.

2. *OCHIGAVA V. GEORGIA, APPLICATION NO. 14142/15 AND MAMULASHVILI V. GEORGIA, APPLICATION NO. 15355/15*

On 11 March 2015, GYLA lodged two separate applications with the European Court of Human Rights on behalf of A. Ochigava and Z. Mamulashvili.

The application is about acts of torture and inhuman and degrading treatment administered by the administrations of penitentiary institutions no. 8 and no. 18 against the applicants in 2011-2012 and the ineffective investigation by the Georgian investigation authorities into these allegations. Although investigation into the unlawful acts committed against the applicants was launched in December 2012, the applicants have not had the possibility of taking part in the investigation process this far as required under Article 3 of the Convention.

In the applications submitted to the European Court of Human Rights, GYLA is asserting that applicants have been victims of violation of substantive and procedural requirements of Article 3 (prohibition of torture).

3. *JANJGAVA V. GEORGIA, APPLICATION NO. 15207/13*

On 22 July 2015, GYLA addressed the European Court of Human Rights on behalf of Citizen N.J. concerning unlawful detention of NJ and termination of criminal investigation/prosecution of the unlawful detention.

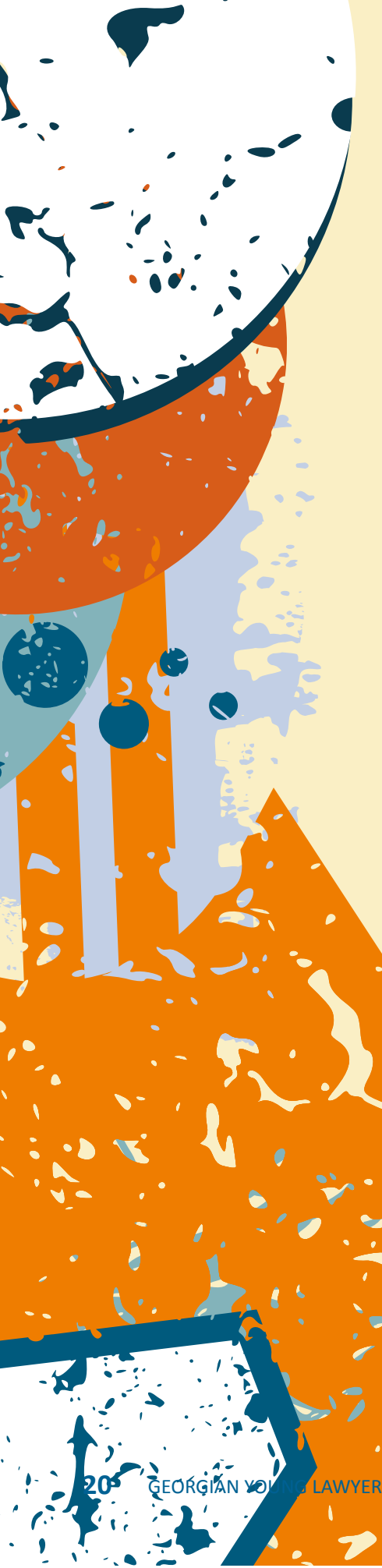
In the application lodged with the European Court, GYLA is asserting violation by the Government of Article 5 (right to liberty and security of person), Article 8 (right to respect for private and family life), Article 13 (right to an effective remedy) and Article 18 (prohibition of restricting of Convention rights for inappropriate purposes).

SUCCESSFUL CASES

1. *JAKELI V. GEORGIA, APPLICATION NO. 51247/10*

On 12 May 2015, the European Court of Human Rights made a decision striking the case of *Jakeli v. Georgia* out of the list of cases on the basis of a friendly settlement reached by the parties.

According to the friendly settlement proposal, the Georgian Government admitted breaching Article 6(3)(c) against Jakeli because the Government did not provide the applicant with the mandatory legal



services at the pretrial investigation concerning a criminal case against him. Based on the decision, the State paid EUR 1,500 to the applicant.

2. *TCHIKASHVILI AND OTHERS V. GEORGIA, APPLICATION NO. 61783/11*

By its decision of 30 June 2015, the European Court, based on a unilateral declaration submitted by the Georgian Government, struck out of its list of cases the case of *Tchikashvili and others v. Georgia*. Through the unilateral declaration, the Government admitted it had breached the freedom of gathering (Article 11 of the Convention) against the rally participants proposing to pay EUR 1,000 to each of the applicants.

In its application lodged with the European Court of Human Rights on 24 September 2011, GYLA was asserting that the applicants (the rally participants) became victims of violation of the freedom of expression and gathering, ill-treatment and procedural violations during judicial examination of the case at the national level (Articles 3, 5, 6, 10, 11 and 13 of the Convention on Human Rights).

3. *MAESTRO AND OTHERS V. GEORGIA, APPLICATION NO. 22318/10*

By its decision of 30 June 2015, the European Court struck the case of *Maestro and others v. Georgia* out of its list of cases based on the Georgian Government's unilateral declaration. Through the unilateral declaration, the Government admitted it obstructed the performance of their duties by the journalists at a peaceful rally in front of the Interior Ministry's Head Department of Tbilisi on 15 June 2009. Under the same declaration, the Government undertook to launch an effective investigation into the injuries sustained by the applicants and the obstruction of journalists' activities. The Government also undertook to pay compensation to the applicant.

In the application lodged with the European Court, GYLA asserted violation of Article 3 (prohibition of torture), Article 10 (freedom of expression), Article 11 (freedom of gathering and association), Article 13 (right to an effective legal remedy) of the Convention and Article 1 of Protocol 1 to the Convention (right to property) against the applicants.

4. *MIRTSKHULAVA V. GEORGIA, APPLICATION NO. 18372/04*

By its decision of 2 July 2015, the European Court struck the case of *Mirtskhulava v. Georgia* out of the list of cases.

The Georgian Government made a unilateral declaration to the European Court admitting violation of the following provisions of the Convention with respect to D. Mirtskhulava, former Minister of Georgia for Fuel and Energy: Article 3 (on account of inadequate medical assistance provided in prison), paragraphs 1 and 3 of Article 5 (on account of failure of a domestic court to pay attention to the procedural breaches at the time of arrest and to provide reasoning in its decision on the legal

ity of arrest), paragraph 2 of Article 6 (on account of a public statement made by then-President of Georgia in February 2005 breaching the applicant's right to the presumption of innocence). The Government undertook to pay the applicant EUR 5,000 as a compensation for his breached rights.

5. *GAMSAKHURDIA V. GEORGIA, APPLICATION NO. 59835/12*

On 15 September 2015, the European Court rendered a decision confirming that, according to the Georgian Government's unilateral declaration, Georgia admitting violation of Article 6 with respect to the fact that the national courts disregarded Tsothe Gamsakhurdia's claim made during the examination of his criminal case that he had become a victim of crime provocation. The Government undertook to pay EUR 2,500 to Gamsakhurdia as a compensation for his breached right. Moreover, Gamsakhurdia was given the opportunity to request the national courts to reopen his criminal case on account of new circumstances with a view to revising the judgment.

6. *BEKAURI AND OTHERS V. GEORGIA, APPLICATION NO. 312/10*

The European Court struck the case of *Bekauri and others v. Georgia* out of its list of cases on 15 September 2015 based on the Georgian Government's unilateral declaration.

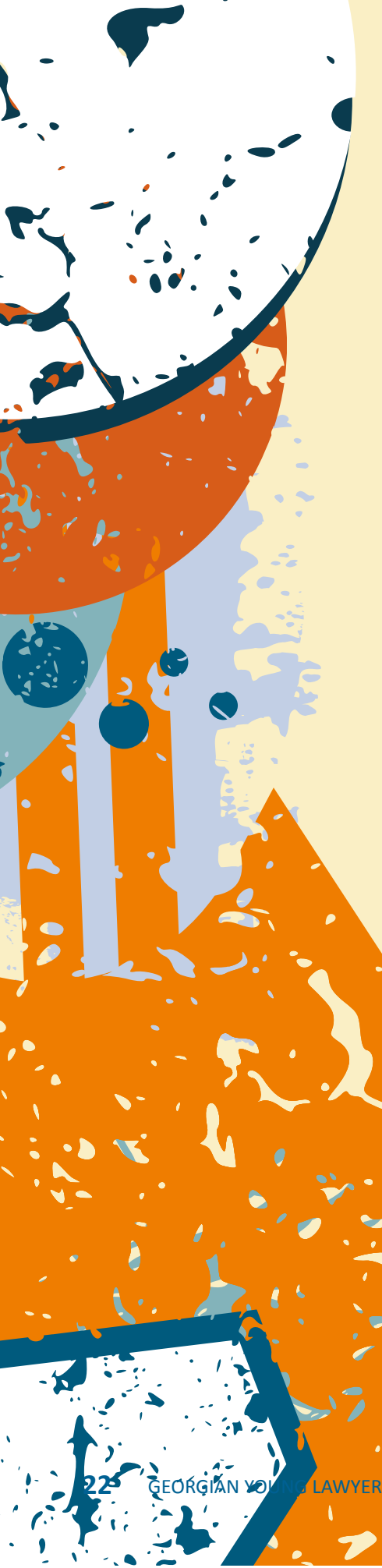
Through its unilateral declaration, the Government admitted having breached the following human rights of citizens participating in a peaceful rally in front of the Tbilisi Head Department of the Interior Ministry on 15 June 2009: procedural requirements of Article 3 of the Convention on account of the lack of effective investigation into the ill-treatment of Giorgi Bekauri, Mikheil Meskhi, Giorgi Chitarishvili, Vakhtang Maisuradze and Luka Tsuladze; Article 6 of the Convention (the right to fair trial) with respect to Merab Tchikashvili, Mikheil Meskhi and Giorgi Chitarishvili; and Article 11 of the Convention (freedom of gathering and association) with respect to all of the applicants. In addition, through its unilateral declaration, the Government undertook to launch an effective investigation into the physical injuries sustained by the applicants on 15 June 2009 and to pay the applicants compensatory amounts.

PARTICIPATION IN THE LAWMAKING PROCESS

In the reporting period, GYLA continued promoting human rights as a priority in the process of elaboration and implementation of State policies, including by taking part in the lawmaking process.

Within the ambit of both the ongoing reforms and Georgia's international commitments, numerous draft legislative proposals have been initiated in the Parliament of Georgia requiring a lot of effort on the part of both the legislature and interested parties. On a number of





occasions, GYLA had the opportunity to participate in the initial discussion of draft laws and to provide the relevant authorities with its recommendations.

In the reporting period, the Georgian Young Lawyers' Association submitted 8 written conclusions to the Parliament and 10 written opinions to various government agencies, expressed its views at committee hearings in relation to 5 draft laws and published 30 statements. All of the written conclusions submitted by GYLA were taken into consideration to some extent.

3 of the 8 written conclusions lodged with the Parliament concerned the following new draft laws:

1. Draft law on State Security Service
2. Draft law on civil service
3. Draft law on developing high mountainous regions

The remaining 5 written conclusions were submitted with respect to the following legislative initiatives:

1. Draft changes in the Code of Imprisonment and other related legislative acts
2. Draft changes in the Criminal Procedure Code
3. Draft changes in the Criminal Code
4. Draft changes in the Code of Local Self-Governance and other related legislative acts
5. Draft changes in the Law on the Legal Status of Foreigners and Stateless Persons and other related legislative acts

GYLA-authored written recommendations on various draft laws concerned a set of changes in the laws reforming the Code of Administrative Offenses, a new procedure of witness examination, draft law on labor migration, draft law on persons with disabilities, etc.

At the committee discussions, GYLA expressed its views about:

1. Reformation of the prosecution office and the new procedure of electing a Chief Prosecutor
2. Third-wave judiciary reform
3. Code of Juvenile Justice
4. New draft law on the protection of consumer rights
5. Contemplated changes in the Law on Suppressing Legalization of Illicit Proceeds

The statements we published concerned

1. Reduced jurisdiction of jury courts
2. A draft law concerning the fueling of animosity

3. Draft law on State secrets
4. Reform of the electoral system.

GYLA's recommendations were partially taken into consideration during the discussion of the following issues:

1. Law on State Security Service. In the reporting period, the Parliament of Georgia adopted a new Law on State Security Service that aims at reducing the powers of the Interior Ministry and forming an institutionally and functionally separate State Security Service. GYLA actively participated in both initial and subsequent committee discussion of the draft normative act. Although the final version of the draft law still gives grounds for criticism, which the lawmaking body rejected to accept, the interested parties' active participation helped significantly shrink the new Security Service's competences; a text that made overlapping of the functions of the Interior Ministry and those of the new State Security Service possible was deleted from the draft version; a provision governing the basic activities of the Service was made clearer, etc.

2. The Prosecution Office reform. The Law on Prosecution Office was amended in the reporting period. According to the changes, a new procedure of appointing a Chief Prosecutor was introduced. The Coalition for Independent and Transparent Justice (with GYLA elected as chairing organization) was an active participant of the draft law discussions. Together with its partner organizations, GYLA also participated in a Venice Commission meeting dedicated to examining the mentioned legislative initiative. The Venice Commission's recommendations contained in its initial report, most part of which was accepted by the draft law's initiator, largely coincided with the Coalition's views. Despite a series of improvements, critical remarks about the new procedure of appointing a Chief Prosecutor remain. This is particularly true in terms of the need for proper constitutional framework.

3. Third wave of the judiciary reform. In association with its partners within the Coalition for Independent and Transparent Judiciary, GYLA actively participated in both initial discussion and committee hearings on a set of legislative changes within the third-wave reform of the judiciary.

4. Civil service reform. The following of GYLA's proposals were taken into during the discussion of this draft law at both the Civil Service Bureau and the Parliament: a list of persons to be employed through administrative contracts was clearly determined; the 5-year period of limitation for civil servants dismissed for disciplinary misconduct was reduced to 1 year. A provision stipulating that State-funded graduates of foreign high education institutions were eligible for participation in internal competition of professional civil servants was deleted.

LEGISLATIVE PROPOSALS

The Parliament heard two of GYLA's legislative proposals during the reporting period:

1. **Changes in the Civil Procedure Code.** The draft changes were aimed at amending the provisions putting a certain category of defendants in unequal position compared to plaintiffs of the same category. In particular, the changes concerned abrogation of the obligation of sending a parcel to the party in judicial proceedings. The Parliamentary Legal Affairs Committee supported the GYLA-authored legislative initiative, with minor changes.
2. **Changes in the Law on State Compensation and State Academic Stipend.** The goal of the legislative proposal was to introduce a fair rule of calculating State compensation eradicating the inequality between different categories of beneficiaries. At the initial stage, it was contemplated to determine a unified rule of paying compensation to persons dismissed from the prosecution office and to judges of general jurisdiction. The legislative proposal authored by GYLA and the Public Defender's Office was turned into a legislative initiative by the Parliamentary Committee on Healthcare and Social Affairs. The draft changes have passed the first reading in the Parliament, this far.

The background is a collage of images. At the top, there's a globe. Below it, a person is shown in a white shirt, possibly in a courtroom or a formal setting. Another globe is visible in the lower right. The central text is overlaid on a dark blue banner.

**RAISING LEGAL AWARENESS OF THE
PUBLIC AND ESTABLISHING
RESPECT TOWARDS LAW**

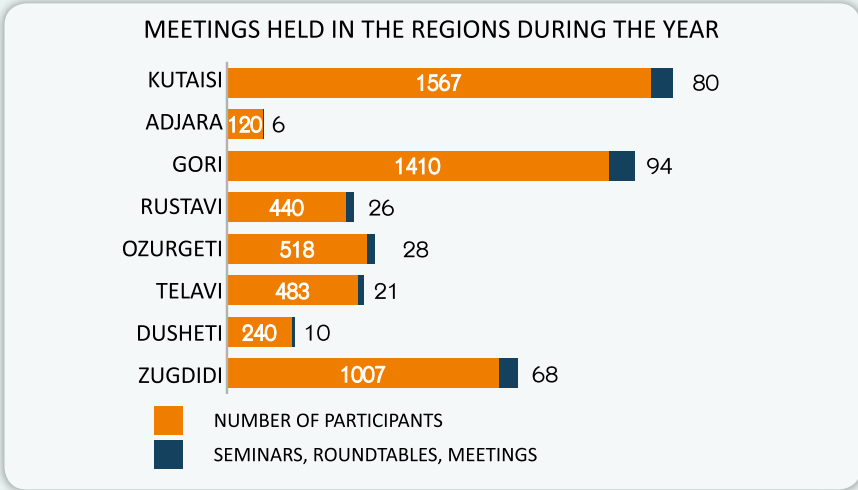


RAISING LEGAL AWARENESS OF THE PUBLIC AND ESTABLISHING RESPECT TOWARDS LAW

Raising legal awareness of the public and establishing respect towards law play a crucial role for a country that is on the way of building a democracy of its own. This is why GYLA has not only been protecting human rights but also making efforts towards empowering the citizens with the information and skills required for full-fledged exercise of their rights.

INFORMATION SEMINARS, MEETINGS AND ROUNDTABLES

Similar to the previous years, GYLA's campaign for raising public awareness during the reporting period included conducting seminars and training sessions for interested groups as well as holding information seminars, roundtable discussions and public meetings.



During the year, the seminars and roundtables organized by GYLA offices in the regions and Tbilisi were devoted to discussing almost all of the issues the public had been interested in that coincided with the project topics. In particular, these issues were domestic violence, gender-based discrimination at workplace, the right to live in a safe environment, prisoners' rights, a diversion and mediation program, topics related to imposing administrative liability, the State Program on Social Assistance, provision of forcibly displaced persons with housing, obligations of local governments, inclusion of citizenry in the decision-making process, etc.

VISITS TO THE REGIONS OF GEORGIA

In the reporting year, in addition to holding roundtables and seminars, GYLA's lawyers were travelling to the regions of Georgia to not only actively work to raise awareness of the local population, but also to help the local residents resolve the issues identified during the meetings with them.

Here are some of the successful advocacy examples:

- Roads leading to villages were repaired with the assistance of GYLA's offices in Dusheti and Ozurgeti;
- Background radiation level was explored in the Anaseuli territory, Ozurgeti, with the help of GYLA's office in Ozurgeti. Based on the test results, the Ministry of Environment officially confirmed existence of radiation and promised the population to remove the radioactive waste;
- During their exit visits to the Tskaltubo municipality, GYLA's branch in Kutaisi revealed that part of the residential area in Village Tskaltubo was not being supplied with potable water. As a result of our advocacy measures, the Tskaltubo municipality and the local service center of the water supply company repaired the damaged water pipe restoring potable water supply to 30 families.



TV AND RADIO PROGRAMS

With a view to raising public awareness, in addition to the seminars and meetings, GYLA's lawyers were actively cooperating with the broadcasters in the capital city and the regions by taking part in TV and radio programs on various legal matters.



In the reporting period, memoranda of cooperation have been concluded with the Adjara Television and Rioni TV&Radio Company. Based on the memoranda, GYLA's offices in Adjara and Kutaisi will be able to produce talk shows together with the broadcasters during one year.



Lawyers from GYLA's office in Tbilisi participated in a number of important TV and radio programs on health right-related issues.

GYLA is actively cooperating with the "Communicator" TV program run by the Public Broadcaster to render legal advice to citizens on issues of their interest. In particular, the citizens can ring up the "Communicator" every week to ask about issues they wish to know more about. The questions are collected during the week and GYLA's lawyer answers them every Friday live on air.

INFORMATION BROCHURES

We printed information brochures to be distributed to the local residents during our consultative visits and meetings. The brochures were tackling various topics such as social assistance, recognition of the single parent-hood status, enjoyment of the right to vacation, rules of concluding loan and mortgage contracts, liability for polluting the environment, release from sentence and sentence adjournment, and victims' rights in criminal proceedings.



PUBLIC SERVICE ADS

This year, as part of various projects, GYLA produced several public service videos. One of the videos was aimed at informing the public about GYLA's free Legal Aid Center. The other ad was about threats posed by trafficking and illegal migration, which included practical tips on how to avoid commonly encountered problems. Two more video ads were produced informing the citizens about their right to participate in the decision-making by the local government bodies.

Another social ad was informing young people about the launching of the "Central Election School" encouraging the youth to actively get involved in the project. We also created a cartoon entitled "Elect-Land" describing the pre-election period and the progress of elections in an amusing manner.

We sent these public service ads out to TV companies, which broadcast them as social advertisements. The ads are also uploaded to GYLA's online platform.

Additionally, in February and May, GYLA produced two social ads based on citizen stories. The first one describes the situation of forcibly displaced persons who have not received housing from the Government yet. The other social video describes everyday lives of the residents of Village Jariasheni located near the so-called South Ossetia occupation line.

INFORMATION BULLETIN

In May 2015, GYLA introduced its first online information bulletin to the public. The bulletin is a monthly publication describing all the activities conducted during the month. It is also a multi-functional publication viewable by readers in different formats (news article, video ad, photo gallery). The bulletin is accessible online both on the organization's webpage and various social media platforms.

PUBLIC STATEMENTS, RALLIES AND OTHER ACTIVITIES

16 DAYS OF ACTIVISM AGAINST GENDER-BASED VIOLENCE CAMPAIGN

In the reporting period, GYLA joined the 16 days of activism against gender-based violence campaign that takes place in the whole World between November 25 and December 10. Within the campaign, events related to violence against women and women's discrimination were held at GYLA's offices in Tbilisi and in the regions for public awareness raising purposes. Within the same campaign, GYLA joined the rally organized by the Women's Movement in different Georgian towns.



PUBLIC STATEMENT ABOUT THE INTERNATIONAL ANTI-CORRUPTION DAY

GYLA reacted to the December 9 2014, the International Anti-Corruption Day, by making a public statement on the successes and achievement in combating corruption in the country. In the statement, we also emphasized the challenges that remain to be resolved and that need proper attention of the Government.

DECEMBER 10, THE INTERNATIONAL HUMAN RIGHTS DAY

On December 10 2014, following its already-established tradition, GYLA commemorated the International Human Rights Day. We made a public statement giving a short overview of the human rights situation in the country during the year. Through the same statement, we also informed the public about activities undertaken by the organization in the direction of human rights protection.

ONE BILLION RISING TO CONFRONT VIOLENCE AGAINST WOMEN

On 14 February 2015, GYLA's offices in Kutaisi and Zugdidi joined the worldwide campaign entitled One Billion Rising Revolution.

Individuals involved in the campaign are coming together in the fight for women's rights. The rally initiators were urging millions of women to come out of homes and workplaces to show a united force for restoring justice, condemning violence and achieving gender equality.

THE WORLD HEALTH DAY

On 7 April 2015, rallies were held in Tbilisi, Kutaisi and Zugdidi on occasion of the World Health Day. GYLA's brochures on healthcare issues were disseminated. We conducted street interviews to find how well the citizens are aware of their healthcare rights. A video ad produced on this topic was then disseminated through the social media.

1 MAY, THE INTERNATIONAL WORKERS' DAY

On 1 May, the International Workers' Day, GYLA disseminated a special announcement emphasizing the challenges in the area of labor rights protection in Georgia.

26 JUNE, INTERNATIONAL DAY IN SUPPORT OF TORTURE VICTIMS

GYLA echoed the 26 June, International Day in Support of Torture Victims, with a special public statement expressing solidarity to victims of torture. In the statement, we called upon the Government to take effective measures aimed at restoring the breached rights of torture victims, preventing torture and trying the perpetrators.



CAMPAIGN AGAINST TRAFFICKING AND ILLICIT MIGRATION

Within a Diaspora Week arranged by the Office of the State Minister on Diaspora in October 2015, GYLA and Caucasus Institute held a campaign against trafficking and illicit migration. Various trafficking-related information materials were disseminated and a short video ad was produced within the campaign.

One of the components of the campaign was “Migrant news”; within this component, we prepared interesting materials about our compatriots in foreign countries and uploaded them to GYLA’s page on Facebook to better inform the public about emigrants in abroad and to thus alleviate the stereotypical attitude to emigration and emigrants.

MONITORING THE MEDIA

It has been several years already since GYLA has been working with IPM to monitor GYLA’s coverage by the media sources.

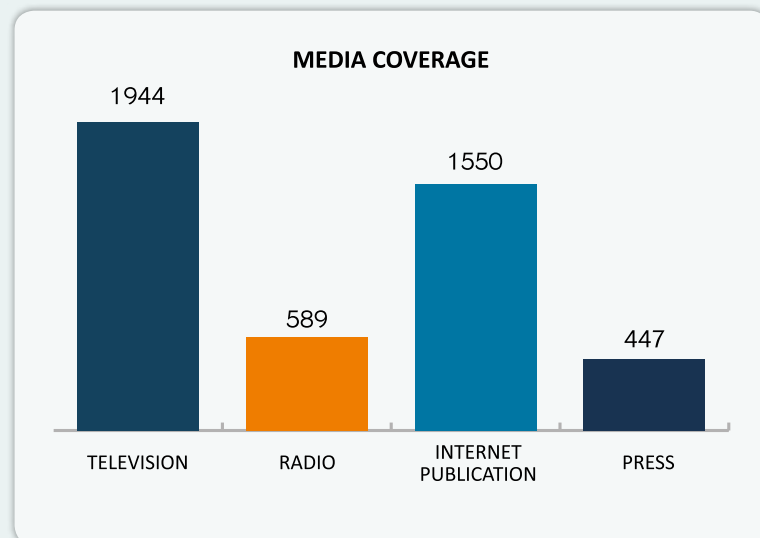
According to the IPM-provided statistical data, GYLA was mentioned in 4,520 articles and TV/radio programs during the year.

Ten (10) television stations broadcast 1,944 stories and programs about GYLA with Rustavi 2 TV Company taking the lead (581 programs).

Eight (8) radio stations broadcast 589 stories, of which Radio One aired the largest number (223 stories).

1,550 articles were published in the publication on the Internet during the year. The largest number of articles (179) were published by www.interpressnews.ge.

As regards the printed media, 447 stories were published about GYLA during the year. The Messenger occupies the first place with 62 stories.





**PROMOTING AN EFFECTIVE,
ACCOUNTABLE AND
TRANSPARENT GOVERNMENT**

PROMOTING AN EFFECTIVE, ACCOUNTABLE AND TRANSPARENT GOVERNMENT

One of the priorities of the Georgian Young Lawyer's Association is to promote an effective, accountable and transparent government. As in the previous years, during the reporting period GYLA implemented important activities in this direction. In particular, we tried to achieve this goal through conducting anticorruption and other thematic research and analyzing the problems in the judiciary. We did so by monitoring trials, looking into issues of administration of courts and working on other topics of concern.

ENSURING ACCESS TO PUBLIC INFORMATION

In association with the Institute for Development of Freedom of Information (IDFI), during the reporting period, GYLA produced a review discussing the public institutions' obligation of releasing and proactively publishing public information. The review also analyzed foreign countries' best practices related to access to information.

ANTICORRUPTION RESEARCH AND MONITORING

TRANSPARENCY AND ACCOUNTABILITY OF STATE OWNED COMPANIES

State-owned enterprises (or state-owned companies) have been a matter of serious discussion for several years already. The significance of the problem is highlighted by the fact that Georgia's new Anticorruption Strategy devotes a separate section to state-owned enterprises aiming at ensuring their transparency and reducing corruption risks, as well as naming GYLA as a major partner in achieving this goal. GYLA produced two (2) reports on this matter during the reporting period. The first one focuses on the transparency and accountability of State-owned enterprises, while the other one discusses the Croatian anticorruption program for enterprises partially owned by the State.

GYLA is continuing to work in this direction and has scheduled a number of activities.

PUBLIC-PRIVATE PARTNERSHIP

Public-Private Partnerships (PPP) as a special form of cooperation between the public and private sectors are not well known in Georgia. GYLA devoted two more reports to this issue in the reporting period, discussing, on the one hand, Georgia's meager experience and, on the other hand, the international practice.



SAKDRISI-KACHAGHIANI: DESTRUCTION IN THE NAME OF LAW

This is a second document, which GYLA prepared about Sakdrisi-Kachaghiani describing this ancient gold mine-related events since the second half of 2014. The research examines two major issues: revocation of the Status of the Cultural Heritage Site and extension of the company's license. The research clearly shows that the legal procedures related to Sakdrisi-Kachaghiani were performed in grave violation of the legislation.

SIMPLIFIED STATE PROCUREMENT

The research is about the simplified procurement procedures applied for the purpose of conducting events of public significance in a limited time. The research was prepared on the basis of the 2013-2014 practices of the Georgian Parliament and Georgian government ministries. It underlines the problematic nature of the simplified procurement procedure referring to the issues such as increased risk of unreasonable expenditure of public funds, lack of a proper competition in the State procurement process, possible discriminatory attitude to those participating in the procurement and insufficient transparency of the simplified procedure.

PROMOTING JUDICIAL INDEPENDENCE AND IMPARTIALITY

MONITORING CRIMINAL CASES AND THE ACTIVITIES OF THE HIGH COUNCIL OF JUSTICE

Within the Judicial Independence and Legal Empowerment Project (JILEP) sponsored by the USAID and supported by the East-West Management Institute, the Georgian Young Lawyers' Association has monitored criminal trials since 2011. Since March 2012, we have also been observing the work of the High Council of Justice. Since June 2015, we have been monitoring trials and the activities of the High Council of Justice within "Promoting Rule of Law in Georgia" (PROLOG) – a new project also funded by the USAID and supported by the East-West Management Institute.

TRIAL MONITORING

During the current year, GYLA presented the 6th and 7th reports of its trial monitoring activities. We also informed the public about the results of our three-year work of monitoring court cases in the period between 2011 and August 2014.

The three-year report shows the dynamics of changing trend in hearing and decision-making in criminal cases by courts. Particularly conspicuous is how the plea agreement hearing practices have been changing during these years and how the court was treating the parties from the perspective of adversarial nature of proceedings.

The periodic reports no. 6 (covering the period of January-August 2014) and no. 7 (covering the period of August 2014 – January 2015) describe the results of the monitoring activities undertaken in these respective periods. As



in the previous year, the monitoring reports have attracted a lot of interest on the part of international and local non-governmental organizations. The reports have been cited in many of the international organizations' reports.

At this moment, we are working on the 8th report. In the future, GYLA will offer the public evaluations and reports produced applying the new methodology and containing a more comprehensive analysis of various thematic issues.

MONITORING THE WORK OF THE HIGH COUNCIL OF JUSTICE

In the reporting period, GYLA and Transparency International Georgia published a joint report no. 3 on the work of the High Council of Justice covering the results of 2014 observation. We also prepared a report summarizing the three-year work of the Council (2012-2014).

Like in the previous years, the monitoring covered issues of concerns such as appointment, secondment and disciplinary liability of judges. The monitoring also covered the new procedure of Council staffing and transparency of the staffing process, in general. As regards the summarizing report, it describes the three-year dynamics of both shortcomings and positive changes in the work of the Council as an important actor in the field of judiciary.

GYLA and Transparency International Georgia are continuing to monitor the Council activities and will keep the public informed about the effectiveness of the Council.

MONITORING FEMICIDE CASES

Since February 2015, the Georgian Young Lawyers' Association has been implementing a project entitled "Raising public awareness and monitoring the State' activities to combat femicide in Georgia". The project is funded by the Government of the Netherlands.

- Within the project, we produced a research containing a legal analysis of cases concerning killings of women (femicide) committed in 2014 and a research of the international law and practice on femicide cases.
- A documentary movie was produced about the femicide cases occurred in 2014. The movie will be publicly presented in December 2015.

GYLA'S PARTICIPATION IN THE COMMISSION ON DISMISSALS OF THE EDUCATION SYSTEM EMPLOYEES ON ACCOUNT OF THEIR POLITICAL VIEWS

GYLA has been a member of the *Commission on dismissals of employees of the Education Resource Centers and public schools under the Ministry of Education and Science on account of the political views held by the employees* since the day of the Commission's founding in 2012.

The Commission has been set up to look into the complaints concerning allegedly unlawful dismissal of the education system employees lodged with



the Ministry of Education and Science after the 2012 Parliamentary Elections. After a two-year hard work, the Commission published a report co-authored by GYLA on the findings of examination of the hundreds of complaints lodged with the Ministry and the Commission.

MONITORING THE ENFORCEMENT OF THE ANTIDISCRIMINATION LEGISLATION

Since 2014, GYLA has been a member of the Coalition for Equality. The Coalition's member organizations are monitoring the enforcement of the antidiscrimination legislation. A joint report analyzing the effects of practical implementation of the regulations was prepared. The report covers a period between May 2014 and May 2015.

LONG-TERM SOLUTION TO THE PROBLEMS RELATED TO FORCED DISPLACEMENT

In the reporting period, GYLA produced a research paper entitled "State Policy on Providing Housing for the Internally Displaced Persons". The issue remains one of the major challenges despite the fact that a number of steps have been taken in the recent years to provide such persons with long-term accommodation. The research paper analyzes the effectiveness of measures taken by the State and proposes recommendations, which, if implemented, would help to resolve the shortcomings in this field.

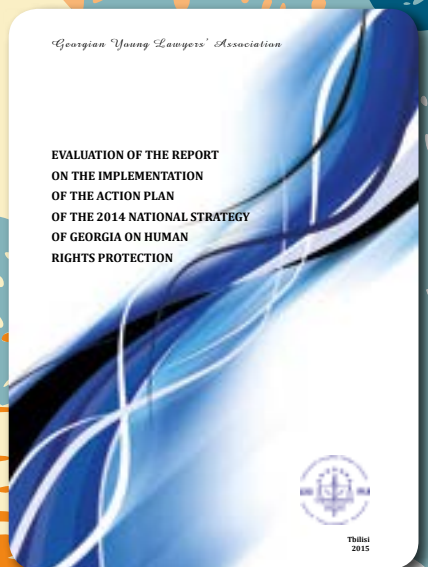
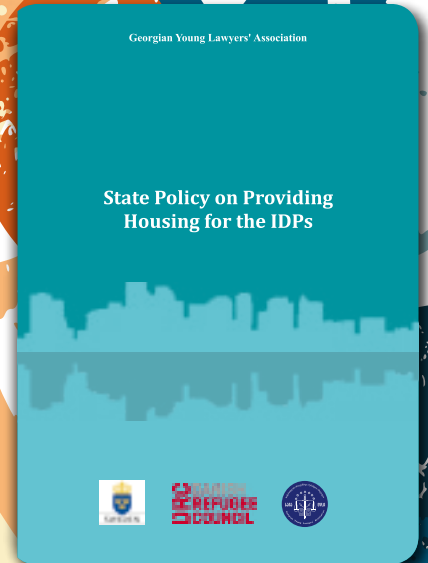
REPORT ON THE IMPLEMENTATION OF THE 2014 ACTION PLAN OF THE NATIONAL HUMAN RIGHTS PROTECTION STRATEGY

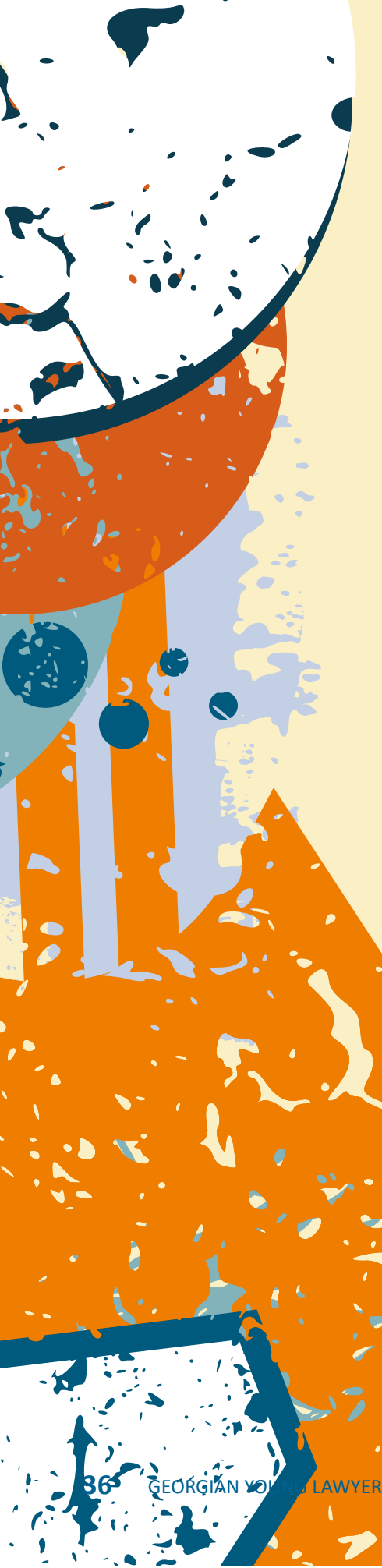
In the reporting period, GYLA prepared an analytical document titled "Evaluation of the Report on the Implementation of the 2014 Action Plan of the National Human Rights Protection Strategy". The evaluation paper discusses the shortcomings, identified by GYLA in the Governmental Action Plan on the Protection of Human Rights for 2014-2015, the ongoing process and the annual monitoring report. On this basis, GYLA has proposed its recommendations. We are continuing to work on the draft version the Action Plan for the Implementation of the National Human Rights Strategy for the coming years.

SUBMISSION OF SHADOW REPORTS TO THE UN WITHIN THE UNIVERSAL PERIODIC REVIEW (UPR) MECHANISM

Along with its partner organizations, GYLA submitted four Coalition-authored reports to the United Nations. The report covers the period of 2010-2014 and relates to the following topics:

1. Judiciary, law enforcement and corrections systems;
2. Labor rights, cultural heritage;
3. Freedom of expression, freedom of the media, freedom of information, personal data protection, freedom of gathering;
4. Healthcare.





The Coalition also sent a report on the protection of discriminated and vulnerable groups to the UN.

A RECOMMENDATION SUBMITTED TO THE UN HUMAN RIGHTS COMMITTEE CONCERNING RUSSIA

At the UN session on 31 March 2015, GYLA and the National Institute of Human Rights (NIHR), in cooperation with the Human Rights Priority (HRP), submitted a shadow report. The report describes human rights violations committed in the territory of the conflict zones. The report findings were in part incorporated in the opinion adopted by the Committee at the same session.

PROMOTING MIGRATION POLICY AND LAW

This year, several publications were prepared with the project entitled “Promoting Well-Managed Migration between EU and Georgia”:

- “Daly Law: Legal Guide for Migrants” – Based on the topics of legal consultations provided to migrants within the project, we identified a series of legal issues that migrants, particularly returning migrants, are often addressing GYLA with. We collected these topics and issued a legal guidebook on the bases of the frequently asked questions.
- Research on Trafficking and Illegal Migration – the research on the issues of trafficking and illegal migration were conducted as part of the project. The research analyzes the performance of the Georgian Government’s Action Plan for Combating Trafficking in Human Beings for 2013-2014 and the recent judicial practice in trafficking-related cases. The research also contains the survey of public perception on these problems.

In November 2015, a summarizing conference will be held with participation of the members of the State Commission on Migration Issues, as well as international and non-governmental organizations. The three-year project results will be presented at the conference and further cooperation plans on migration matters will be discussed.

GYLA’S EFFORTS TO IMPROVE THE ELECTION ENVIRONMENT

ELECTION REFORM

One of GYLA’s priorities in 2015 was to improve the election legislation for the upcoming 2016-2018 electoral cycle. For that purpose, in cooperation with its partner organizations (International Society for Fair Elections and Democracy and Transparency International Georgia), GYLA developed and presented to the public the recommendations on the following issues: proportional election system for parliamentary elections, election disputes, staffing of the election administration, administrative resource, institutional independence of the State Audit Office, voter bribery and media regulations.

The recommendations were discussed in the roundtable format countrywide allowing all the stakeholders to express their views.

After the discussions were over, the recommendations on improving the election environment and creating equal and fair conditions for various election subjects were submitted to the Parliament. Together with partners, GYLA continues the advocacy efforts in this regard.

For the purpose of increasing women's representation and eliminating gender imbalance in the Parliament and local governments, GYLA and other members of the Working Group on Women's Political Participation addressed the Parliament with a legislative proposal that envisages a fifty-percent election quota for women in the proportional lists in parliamentary and local government elections.

2015 BY-ELECTIONS

GYLA's Observers' League members observed the by-elections of the Sakrebulo, a representative body of the local government, and the Parliament on 31 May and 31 October 2015. GYLA's election observation mission monitored not only the pre-election campaign, but also the Election Day and announcement of results.

This election showed once again that a whole series of steps remain necessary to be taken before the 2016 parliamentary election to improve the electoral legislation and the election environment. This is particularly valid for issues such as precincts created in exceptional circumstances, use of administrative resource, staffing of electoral administration and other important matters.

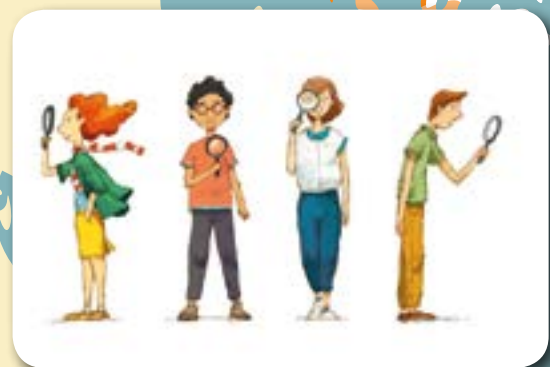
ELECTORAL DEVELOPMENT SCHOOL 2015

In cooperation with GYLA and the International Foundation for Electoral Systems (IFES) and with the financial support of the Council of Europe and the USAID, the Central Election Commission implemented a successful pilot project for young people entitled "Electoral Development School 2015".

The teaching course comprised three stages in 10 regions: Telavi, Gurjaani, Akhaltsikhe, Marneuli, Gori, Rustavi, Kutaisi, Zugdidi, Ozurgeti and Batumi. 627 young people aged between 17 and 25 were able to acquire knowledge of significant issues related to the election process. The Georgian Young Lawyers' Association produced the information video and a curriculum for the teaching course of "local observing organizations".

In support of the project, GYLA implemented another project titled "New Generation Vision" together with the Local Democracy Agency Georgia. The project was aimed at actively involving young people in the country's electoral and political life. Information meetings were conducted country-wide. Later on, debates on the ongoing electoral process in Georgia were held with active participation by the young people.

GYLA produced a special documentary movie within the project. The movie describes the activities carried out, the expectations of the youth and the successful outcomes the project that the organizers managed to achieve.



SUPPORTING THE LOCAL GOVERNMENT REFORM

OBSERVING CERTIFICATION AND COMPETITIONS IN LOCAL GOVERNMENTS

After the local government elections in 2014, the Georgian Young Lawyers' Association monitored civil servants' certification and competitions in the local governments. The goal of our observation purpose was to evaluate publicity, objectiveness and transparency of the recruitment interviews and protect the rights and legal interests of the participants.

The observation was carried out in 16 municipalities.

Based on the observation results, GYLA developed recommendations on how to improve the legal framework on competitions and certifications.

CITIZENS INVOLVEMENT IN THE DECISION-MAKING PROCESS BY THE LOCAL GOVERNMENTS

With the support from the Eurasia Partnership Foundation and NDI, in the reporting period, GYLA monitored the budgeting process in 11 self-governing towns. We also conducted a research/analysis to evaluate citizens' involvement in the local government decision-making process and to elaborate the respective recommendations.

LOCAL GOVERNMENT AND CRIMINAL IMMUNITY

In the reporting year, with the financial support by the Open Society Georgia Foundation, GYLA implemented an interesting project entitled "Protected Choice as a Guarantee for Effective Self-Governance". The purpose of the project was to improve the quality of local self-governance by helping increase the independence of local self-government elected through universal, direct and equal election.

With this goal in mind, a research was conducted addressing the issue of criminal immunity. Within the survey, we analyzed the existing international practice, foreign states' experience and reports, judgments and opinions of international organizations and bodies (such as GRECO, the Venice Commission, the European Court of Human Rights). The issue was examined in the context of the environment in Georgia, in terms of both legal framework and doctrine. The relevant recommendations are presented at the end of the research.





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

QUALIFIED LEGAL EDUCATION AND DEVELOPMENT OF THE LEGAL PROFESSION



Producing the pool of skilful young lawyers, developing the legal profession and helping construct a legal and civic education system in pursuance of international standards have been and remain some of the important strategic goals of the Georgian Young Lawyers' Association. In the reporting period, GYLA has been actively engaged in education activities both at the central and regional levels. Offering young people opportunities of alternative and continuous legal education, helping the students master their specialized skills (such as constructive debating, practical aspects of trial advocacy, legal writing, techniques of drafting legal documents), organizing targeted training courses and public discussions, and constantly providing updated information and publications – this is a brief list of activities the GYLA's Legal Training Center and the GYLA's Foundation for the Support of Legal Education (FSLE) are offering individuals, interested in the legal profession.

TRAINING COURSES OFFERED BY THE GYLA'S FSLE



Fifty-two (52) students have successfully completed the six-month training courses in the 2014-2015 academic year. During the six (6) months, the students were trained in public law, civil law and criminal law.



On July 21 2015, the FSLE celebrated successful completion of the academic year and its 10th anniversary together with the professors, teachers, lawyers, local and international organizations and the FSLE members.

With the support of the FSLE and GYLA, some of the successful graduates were sent to the Tbilisi Legal Aid Center for internship.

During the training course, the FSLE followed its tradition of holding moot court competitions at the premises of the Supreme Court of Georgia. The students were evaluated by the jury, which included judges, lawyers, civil servants and the relevant sector specialists.

ART OF DEBATES



Supporting law students in mastering the constructive debating skills remains one of the priorities for the FSLE's offices both in Tbilisi and in the regions. During the reporting period, the FSLE organized debate courses in Tbilisi, Kutaisi and Batumi; the course was offered in the Zugdidi office as well, which was established in 2014. At the end of the courses, the FSLE's debate tournament was held. Like in the previous year, the civil law group of the FSLE has won the tournament.

Through the debates, the students are able to master the art of constructive discussion, learn about the culture of debate, and deepen their thinking and analytical skills; moreover, the students learn how to look

for information on the relevant legal and other issues and how to process the obtained information.

The best debaters and winning teams were awarded with various law-related books and valuable gifts.

THE OLYMPIAD – “YOUNG LAWYERS FOR CONSTITUTIONAL RIGHTS”

Following its tradition, the FSLE organized the Olympiad titled “Young Lawyers for Constitutional Rights” during the Human Rights Week in December 2014. With the financial assistance of the German Foundation for International Legal Cooperation (IRZ) and the support of the Constitutional Court of Georgia, the Olympiad was held in the building of the Constitutional Court in Batumi.

Based on the predetermined criteria, eight (8) teams were selected out of forty-two (42) teams that applied for taking part in the Olympiad. Throughout December 5-7, the Constitutional Court hosted selection rounds, semifinals and finals. The judge of the Constitutional Court presided over the moot court hearings; the relevant sector specialists and a judge from Germany were part of the bench as well.

During the closing ceremony of the Olympiad, the Constitutional Court offered a 6-month paid internship at the Court to those participants, who were the most knowledgeable in the constitutional law. IRZ, the donor of the event, awarded the winning team with the main prize – a week-long visit to Germany. All the participants of the Olympiad received books and other valuable gifts.

CIVIC EDUCATION WEEKEND SCHOOL

The FSLE continues to organize Weekend Schools in Tbilisi, Batumi, Kutaisi and Gori. During the reporting period, a civic education Weekend School was additionally launched in Zugdidi.

The Weekend Schools opened in October. As in the previous period, they were led by the successful graduates of the FSLE’s lecture courses. During the reporting period, up to 240 school students from all of the five (5) towns took part in the Weekend School program. The students were awarded the certificates of completion, Civic Education dictionaries and case-books titled “The Town of Law”.

The FSLE arranges meetings between the Weekend School participants and many famous and successful people to discuss issues that are interesting for the students.

TRAINING CIVIC EDUCATION TEACHERS FROM THE GENERAL EDUCATION INSTITUTIONS

In 2015, for the purpose of supporting civic education, GYLA’s FSLE implemented an important three-month training project for teachers, titled





“Supporting Civic and Legal Education at General Education Institutions”, with the financial support of the German international cooperation society (GIZ), in partnership with the legal entity of public law “Teachers’ Home” and the legal clinic (master’s degree program) of the Ivane Javakhishvili Tbilisi State University. The project became necessary for the effective implementation of the “Street Law Textbook” published by the FSLE in 2014.

The project was aimed at helping civic education teachers develop their professional skills and raising the teachers’ legal awareness through intensive training sessions. 100 teachers from 80 schools of Tbilisi and Kutaisi were trained within the project. As a result, a long-term training program for civic education teachers has been introduced that will help improve qualifications of teachers specializing in civic education and will ultimately improve the quality of teaching civics at Georgian schools.



SEMINARS, TRAINING SESSIONS, ROUNDTABLES

GYLA and the FSLE are continuing to raise the qualification of its employees and other interested groups by raising their awareness on the recent developments and problematic legal issues.

Throughout the December 26-27 2013, with the financial support of the East-West Management Institute (EWMII), GYLA’s lawyers in the criminal sphere were trained in the problematic issues related to the practical implementation of the Law on Police. During the training sessions, GYLA’s lawyers discussed various provisions of the Law on Police that they thought were creating difficulties in practice.

The Crime Prevention Center, a legal entity of public law, in association with GYLA’s FSLE, implemented a week-long project “Human Rights Seminars” for the participants of the youth program titled “Leaders’ House”. The goal of the project was to raise juveniles’ awareness on law through informal education. 25 pupils, selected on the basis of their applications participated in the project.

On May 15 2015, the FSLE organized a public lecture by Ana Dolidze, former GYLA Chairperson and incumbent Deputy Minister of Defense. The lecture covered the acute topics of international law. The public lecture was attended by the FSLE students, GYLA employees and other interested individuals.

On July 30, Tamar Metreveli, the FSLE Director, made a presentation on findings of the research, relating to the quality of a higher legal education in Georgia at GYLA’s office in Zugdidi. The research was conducted by GYLA’s FSLE and its partner organizations, within the project titled “Quality Education for Strong Institutions”.

On July 31, the FSLE organized a seminar in tax law for up to 20 bachelor’s and master’s level students in GYLA’s Batumi regional office.

In the reporting period, training sessions in trafficking and illicit migration were held in 6 regions (Batumi, Kutaisi, Rustavi, Gori, Zugdidi and Tbilisi). More than 100 students participated in the training sessions and



moot court competitions. The sessions and the competitions were aimed at increasing students' awareness of the relevant topic.

THE INFORMATION CENTER AND PUBLICATIONS

GYLA's law library continues to function for students and readers of law books.

The library is enriched with law books every year. During the reporting period, the library received additional 250 pieces of publications (both newly bought and donated). In addition, we started stocktaking at the library in order to produce electronic catalogs and upload them to the www.legaleducation.ge webpage.

On July 9, the FSLE held an information meeting with the Lexis Nexis representatives to discuss potential cooperation as well as the possibility of granting GYLA's employees and FSLE students access to the Lexis Nexis databases.

One of the priorities of the FSLE is to translate high-rating law publications into the Georgian language and help Georgian authors produce and publish new textbooks.

With the financial support of GIZ and IRZ, the FSLE participated in publishing two textbooks during the reporting period: problem-solving methods in civil law and problem-solving methods in criminal law. One thousand (1'000) copies of each textbook have been printed. The copies will be made available to teachers of all the education institutions and, if possible, to the students as well. There is a plan for conducting intensive training sessions for teachers and professors on how to apply the textbooks in a uniform manner.

Finally, we are continuing to work on a textbook on problem-solving in administrative law, which will be published in the near future.

INTERNSHIP AT LEGAL AID CENTERS

The Legal Aid Centers operating in our offices in Tbilisi and in the regions are greatly contributing to the development of the legal profession, raising young lawyers' qualification and turning them into professionals by offering a successful student internship program.

With a duration of six (6) to eight (8) months, the internship program allows the students working under the supervision and guidance of experienced lawyers to draft legal documents and represent the interests of citizens along with practicing lawyers before courts. Interns are selected on the highly competitive basis.

In the reporting period, a total of 130 new lawyers have had a chance to undergo the internship at GYLA's Legal Aid Centers in its offices in Tbilisi and regions.

We wish to note that nine (9) interns from the previous year were then hired in GYLA's headquarters and in the regions, following their internships.



FINANCIAL REPORT

ACCOUNTING PERIOD: NOVEMBER 1, 2014 – NOVEMBER 1, 2015

GYLA's accounting period covers the period from November 1, 2014 to November 1, 2015. Throughout this time, GYLA received total of 3,557,314.00 GEL from various sources, as grants, donations and membership fees. Breakdown of the total sum received through various sources is shown below:

EWMI	697,058.00
Sida	237,087.00
BFDW	951,688.00
SRT	637,098.00
DRC	60,055.00
NDI	121,998.00
CIDA	10,067.00
EHRAC	141,840.00
The government of Netherlands	475,836.00
NED	103,163.00
COE	19,752.00
EURASIA	33,977.00
British Embassy	20,773.00

Membership fees

1,449.00

Donations from various individuals and legal entities

29,808.00

Various income

15,665.00

During the accounting period, GYLA employed 112 persons on non-single jobs, including 55 in the regions. Total expenses paid in remuneration was 1,525,429.00 GEL. Single payments of was paid to 202 persons, totaling 158,651.00 Gel.

Reimbursements for single services, salaries and payments amounted to 370,296.00 Gel.

Material assets purchased during the accounting period were 49,893.00 GEL, including 12,850.00 GEL paid for purchasing various office equipment for GYLA's regional branches.

GYLA also paid total of 25,784.00 GEL for purchasing various low-value office items, including 25,784.00 GEL for purchasing various low-value office items for its regional branches.

At the same time, GYLA spent 57,408.00 Gel in organizing seminars and meetings in Tbilisi and other regions.

Travel expenses of the staff amounted to 121,248.00 Gel.

Office rent amounted to 110,408.00 Gel.

Cost related to communication was 31,991.00 Gel, including 9,618.00 Gel in the regions.

During the accounting period, GYLA made total expenses of 2,464,736.00 GEL which is broken down by the sources below:

BFDW	144,110.00
CIDA	9,089.00
COE	8,110.00
DRC	89,630.00
EHRAC	40,482.00
EU	621,557.00
EURASIA	3,862.00
EWMI	741,443.00
The government of Netherlands	107,159.00
NDI	86,049.00
NED	48,389.00
OSGF	131,576.00
Sida	166,948.00
SRT	239,977.00
Donations	26,144.00
Membership fees	211.00

MANAGING BODIES OF THE GEORGIAN YOUNG LAWYERS' ASSOCIATION

As of November 2015

THE BOARD MEMBERS

Ana Natsvlishvili-Chairwoman
Natia Katsitadze-Deputy Chairwoman
Besarion Abashidze
Besarion Bokhashvili
Eka Gogichaishvili
Tamar Gurchiani
Mikheil Daushvili
Nino Tvaltvadze
Natia Kapanadze
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Levan Mosakhlshvili
Tamar Revazishvili
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Tinatin Shelia
Parmen Jalaghonia
Sopo Japaridze
Mikheil Jakhua
Tamar Khidasheli

EXECUTIVE DIRECTOR

Tamar Gvaramadze

HEADS OF REGIONAL OFFICES

Adjara Office – Giorgi Khimshiashvili
Kutaisi Office - Giorgi Santuriani
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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