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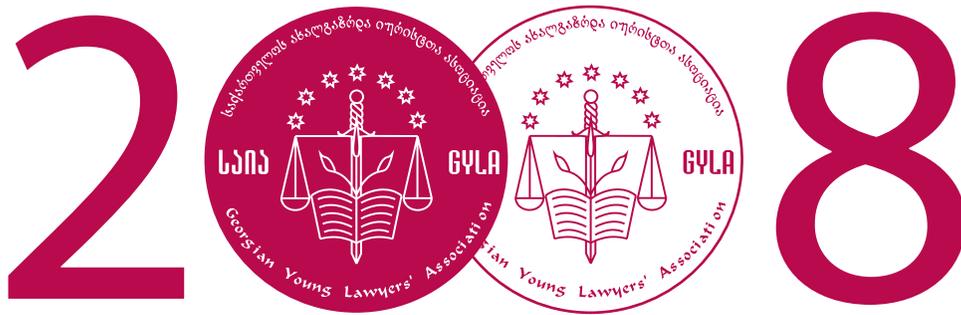
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Annual Report

Rule of Law for Justice

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Annual Report



Rule of Law for Justice



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



EURASIA FOUNDATION



commissioned by



Federal Ministry for Economic Cooperation and Development



British Embassy TBILISI



გერმანიის ფედერაციული რესპუბლიკის საელჩო თბილისში

Austrian Development Cooperation



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Dear Friends,

The Georgian Young Lawyers' Association is pleased to submit its next annual report to you.

This arduous year, thanks to the devotion shown by each of our member, employee, and activist, we managed to retain public confidence and effectiveness in our work.

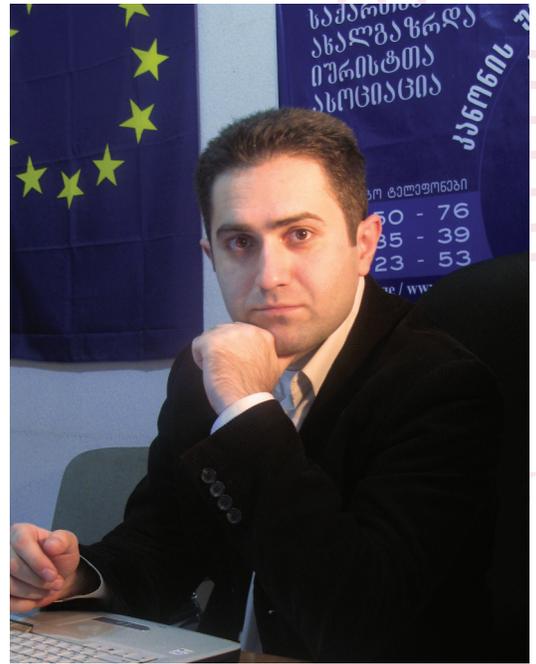
The Georgian Young Lawyers' Association paramount goal is to make a valuable contribution to the process of building a democratic and rule of law State in Georgia, to facilitate establishment of equality before the law and to inviolability of fundamental human rights and freedoms.

In 2007 GYLA General Assembly approved a four-year development strategy for the organization. During the past year, the organization, through its central and regional offices, has been working towards putting the defined strategic goals into reality. The current report provides information on these activities. We believe we have had many success stories in furtherance of our strategic directions.

The past reporting year proved to be very difficult in terms of implementing the organization's strategic goals. The breakup of the peaceful mass rally and the so-called November events were followed by extraordinary presidential and, later on, parliamentary elections; finally, we have had the display of the Russian aggression in August. You will probably agree that we all had gone through extremely difficult times. Nevertheless, the Georgian Young Lawyers' Association was trying to stand by rule of law and justice. We condemned the violent break-up of the peaceful rally and the closure of media outlets; with our human and organizational resources, by observing the presidential and parliamentary elections both during the pre- and after election process, we tried not to overlook various violations and to continue contributing to improvement of the election process. The public confidence declared to our activities was the most important to us.

After the tragic events of August, the Association's members and employees did not spare their efforts to alleviate the hardship experienced by the displaced population, by providing them with legal and other forms of aid. We are continuing strategic litigation on behalf of our citizens before the European Court.

Regardless of the arduous year, in furtherance of its strategic goals, the Association still managed to work successfully towards raising human rights awareness, protecting human rights and providing legal aid, fighting corruption, giving legal education to the new generation and implementing other interesting and effective projects.



Important processes are currently under way in Georgia. Everything must be done to actually strengthen democratic institutions and to create real mechanisms for the protection of human rights such as guaranteeing independence of the judiciary and developing consultation- and accountability based governance systems. GYLA plays a special role in this process. Each of our members is probably asking the question: what makes the Association strong? The answer is devotion to principles together with criticism and monitoring, expert knowledge, and care for the young generation.

Have a look on this report and make yourself ready to give even more power to our actions focusing on weak sides. Altogether we should be able to justify the motto of our organization – Rule of law for justice!

Respectfully,

Giorgi Chkheidze

Chairman of the Georgian Young Lawyers' Association

MAJOR STRATEGIC GOALS OF THE GEORGIAN YOUNG LAWYERS' ASSOCIATION

In the reporting period, the Georgian Young Lawyers' Association continued working towards the establishment of the rule of law principles in the country. To this end, the organization through its employees and members carried out activities to implement the strategic goals approved by the GYLA General Assembly on 28 October 2007.

GYLA's major strategic goals:

1. Raising legal awareness of and establishing respect for law among the society
2. Protection of human rights, development of human rights protection mechanisms and ensuring access to them without discrimination
3. Facilitating to effective, accountable and transparent governance
4. Qualified and permanent legal education and professional development



Fight for
your **Rights**
and we **Protect**
You!



STRATEGIC GOAL NO. 1:**RAISING LEGAL AWARENESS OF AND ESTABLISHING RESPECT FOR LAW AMONG THE SOCIETY**

Campaign for raising public awareness during the reporting period included seminars and trainings for public officials, practicing lawyers, non-governmental organizations and media representatives as well as site visits, newspaper add-ins and auto tours.

The aforementioned activities according to GYLA regional offices are presented statistically in the below chart:

	Kutaisi	Adjara	Gori	Rustavi	Ozurgeti	Telavi	Dusheti	Total
Seminars, round tables, meetings	239	40	34	8	15	11	16	363
Number of participants	3387	758	530	126	314	150	196	5461

TOPICAL ISSUES AND IMPLEMENTED ACTIVITIES IN 2008**Seminars and round tables**

Seminars and round tables were used to discuss almost all of the important legislative amendments adopted by the Parliament of Georgia during the reporting period. In particular, the following subjects of concern for the society were debated:

- Recognition of property rights to land plots possessed by natural persons and private law entities
- State Strategy on internally displaced persons
- Procedures to apply to the European Court
- Structural units within municipality governance bodies (Gangeoba) and territorial governance bodies
- Women's rights
- Freedom of expression
- Inviolability of private life
- Right to property
- Novelities in the legislation related to child adoption
- Rules of inheritance and issuance of a Certificate of Inheritance
- Minors' rights
- Labor relations
- Judicial way of and administrative proceedings for establishing the fact of belonging of a title document
- Social protection mechanisms for the beneficiaries participating in the Governmental Anti-poverty Program; entitlement to receive social aid and appellation procedures
- Amendments to the 2008 local budget of the Telavi municipality
- Freedom of information

- Protection mechanisms for victims of domestic violence
- Administrative proceedings
- Local self-governance
- Property restitution
- Registration of titles to immovable property
- Juvenile liability according to the Georgian legislation
- Rights of the Council of Trustees
- Rights and obligations of the charge d'affaires of local self-governance territorial bodies (Gangeoba); rules of case management
- State supervision over the activities of local self-governance bodies
- Administrative arrest



Informative brochures

During the reporting period, we have analyzed the information available to the Legal Aid Centre and prepared informative brochures on legal problems and topics that seemed important to the population. The Legal Aid Centre in Tbilisi prepared the brochures on the following issues:

- Rules of privatizing homes and other areas
- Legal grounds for acquiring title to an immovable property
- Measures to secure a lawsuit
- Recognition of property rights to land plots
- Plea agreement
- Establishment of facts of juridical importance
- For the purpose of informing prisoners of their rights and defense mechanisms according to the Georgian legislation, we printed two types of booklets and posters and disseminated them in libraries of all of the penitentiary institutions thus making them available to the prisoners
- Exercising the right to adequate housing

In addition, we published a research paper "Property right in Georgia," which tackles the specific cases of State's interference with the right to property in Georgia, in which the Georgian Young Lawyers' Association defended legal interests of the victims.

TV and radio programs

- During the reporting period, GYLA lawyers were taking part in TV and radio programs, in particular in “the Directory” on the Public Channel and “the Open Air” on the Public Radio. They were discussing various important legal issues and answering citizens’ questions live. Through the TV and radio programs, lawyers from the GYLA Legal Aid Centre were providing explanations on the following matters: registration of civil status, family relations, registration and rules of carriage of firearms, rules of inheritance, etc.
- We created a documentary film entitled “Labor trafficking: Reality.” This 25 minute-long film displays realities of labor trafficking and informs the society on how people fall in the trap arranged by trafficking perpetrators and their living conditions. A presentation of the film took place in December 2007.
- To raise public awareness of prisoners’ rights and increase the society’s tolerance, we created two social TV trailers displaying the importance of integrating a prisoner back into the society after he serves his sentence. At the same time, we emphasized that it is necessary to put minimum international standards into practice in places of detention (in terms of arranging minimum living conditions for the prisoners, protection of their basic rights such as the right to security, health, etc).
- Through Radio Hereti, we broadcasted programs prepared by the GYLA Telavi office on the following issues: social programs implemented by the State, rules and procedures of pardoning, State program for child adoption and children’s reintegration, plea agreement, and court practice.
- Through Radio Old City, we broadcasted programs prepared by the GYLA Kutaisi branch on the following issues: legal aid in Georgia, administrative proceedings and public involvement in the decision-making process, self-governance and citizens, how to appeal against court decision in criminal, civil and administrative cases, and women’s rights.
- Through Radio Trialeti, we broadcasted the following programs prepared by the GYLA Gori office: privatization of immovable property, partnerships of homeowners and property rights, how to avoid problems in acquiring title to property, recognition of title to land plots, and privatization of homes.
- Through Radio Marneuli, we broadcasted a program on labor rights of employees, which was prepared by the GYLA Rustavi office.

Newspaper add-ins

- In the newspaper “Peoples’ Newspaper” we published the following add-ins prepared by the GYLA Gori office: how to defend our rights before administrative bodies; the Civil Registry Agency; facts of legal importance.
- In the newspaper “Dusheti Herald” we published the following add-ins prepared by the GYLA Dusheti office: how to get a citizen’s ID card; how to receive property by inheritance through a testament; how to register immovable property.
- In the newspaper “Guria Messenger” we published the following add-ins prepared by the GYLA Ozurgeti office: what we should know about a contract of lifetime annuity; rights of persons employed in the private sector; juveniles and crime.
- In the newspaper “Progress” the GYLA Telavi office published an add-in entitled “Registration of immovable property”; the same office published the following add-ins in the newspaper “Spectrum”: how to received inheritance; the juvenile justice problems in Georgia.
- In the newspaper “Batumelebi” we published the following add-ins prepared by the GYLA Adjara branch: a jury panel and perspectives of introducing this notion in Georgia; novelties in the legislation concerning child care within a family environment – guardianship, care and

entrusted car; importance and rules of registration of enterprises; the Constitutional Court as the guarantor of protection of basic human rights and freedoms.

- In the newspaper “New Rustavi” the GYLA Rustavi office published an add-in entitled “Establishment of the fact of birth through the Civil Registry Agency.”
- The GYLA Rustavi office published an add-in entitled “Marriage relations” in Kvemo Kartli regional newspaper “Timer.”
- The GYLA Kutaisi branch published an add-in entitled “Prisoners’ rights” in the newspaper “New Newspaper.”

Auto tours

Through auto tours carried out during the reporting period, employees of the GYLA regional offices were informing local population on major legislative novelties. Success of the project is that the index of awareness of their rights of the village population living remotely from administrative centres increased. With the help of GYLA lawyers, the local residents were able to receive qualified legal assistance on the spot.



In October 2007, the GYLA Adjara branch held an auto tour in the following villages of the Keda, Kobuleti, Khelvachauri and Shuakhevi districts: Tsoniarisi, Zvare, Dandallo, Chaisubani, Khala, Sachino, Makho, Charnali, Tkilnari, Khutsubani, Uchamba, Gobroneti, Zendidi, Merisi and Mukhaestate. In total, 432 legal consultations were rendered. The population was interested in recognition of title to land plots, education reform, social issues, and consumer protection. To resolve problems with the electricity provider, lawyers of the GYLA Adjara branch drafted a lawsuit on the spot for the local residents to be filed with a court, for the purpose of writing off the unlawfully charged fees for electricity.

In October 2007, the GYLA Telavi office conducted an auto tour to the following villages of the Dedoplistskaro municipality: Kveda Kedi, Arkhiloskalo, Zemo Kedi, Arboshiki, Machkhaani, Ozaani, Tsiteltskaro and Gamarjveba. In total, 399 legal consultations were rendered on various legal issues. The population’s interest was focused on tax issues, property inheritance, division of family property in villages, labor rights of employees, privatization of land plots, and social assistance

to individuals below the poverty line. On many occasions, we found that various mistakes in labor record books and other official documents caused problems for the citizens in calculating their years of labor experience and being eligible for pensions. We rendered them assistance in ascertaining facts of legal importance.

In October 2007, the GYLA Gori office held an auto tour to the following villages of the Aspindza and Adigeni districts: Arale, Ude, Enteli, Bolajuri, Adigeni, Aspindza, Nijgori, Tsoloshi, Sari, Khizabavra, Khertvisi, Nakalakevi, Tmogva, Mirashkhani, Benara, Sholaveri, Didi Smati, Kakhareti, Zanavi, Patara Zanavi, Idumala, and Oshori. Meetings were taking place in the buildings of public schools. The population showed interest in school self-governance, functions of Councils of Trustees, powers of the local self-governance bodies, privatization of land plots, rules of inheritance, enjoyment of benefits offered by the State health program, benefits available for the residents of high mountainous areas, etc. The GYLA Gori office held another auto tour in July 2008 to the villages of the Borjomi and Bakuriani districts: Akhaldaba, Kortaneti, Zanavi, Vardgineti, Rveli, Kvibisi, Tsagveri, Tsemi, Tba, Bakuriani, Andeziti, Tsikhisjvari, Didi Mitarbi, Daba, Kvabiskhevi, and Chobiskhevi. The local population was interested in social aid to individuals below the poverty line, transfer of property to the local self-governance bodies, birth registration, social aid to internally



displaced persons, rules of obtaining license to use natural resources, and privatization of land plots. Meetings with the population revealed that especially problematic was recognition of the title to land plot as well as the difficulties usually experienced by natural persons and private law entities in communicating with appropriate bodies for the recognition of the title to land. During the meetings, informative brochures and booklets published by GYLA were disseminated to the population.

In October 2007, the GYLA Kutaisi branch carried out an auto tour to the Tsageri and Lentekhi municipalities of Racha – Lechkhumi – Kvemo Svaneti districts where they met both representatives of the local self-governance bodies and population. The meeting participants stated that GYLA was the first one who provided detailed information to the local residents on self-governance reforms. **Another auto tour was made in July 2008 to Abasha, Senaki, and Khobi municipalities of the Samegrelo-Zemo Svaneti region, mayor's office of the self-governing town of Poti, local governance bodies of village Lia of the Tsalenjikha municipality and the town of Jvari.** Meetings were conducted with the local population. Meetings were also held with the local

office of the Government of the Abkhazian Autonomous Republic and the local office of the Ministry for Refugees and Accommodation of Georgia. A series of problems related to the work of local self-governance bodies were identified.

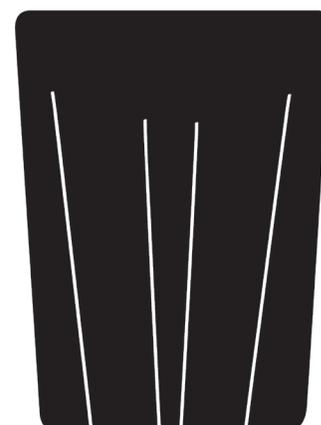
In July 2008, the GYLA Rustavi office held an auto tour to the following villages of the Bolnisi district: Akaurta, Zezvnaniani, Ratevani, Rachisubani, Khatisopeli, Samtredo, Vanati and Dzveli Kveshi. Population of this district belongs to a national minority; in particular, they are ethnical Azerbaijanis. The population was mostly interested in privatization of agricultural land, recognition of the title to land plots, and social and ecological problems. The local residents requested assistance in preventing an ecological catastrophe, which, in their view, is caused by pouring of water polluted by industrial wastes of the joint-stock company "Madneuli" into River Mashavera. The residents stated that their right to live in a safe environment was violated.

In September 2008, the GYLA Ozurgeti office held an auto tour to the high mountainous villages of the Chokhatauri district: Zotiveli, Papara, Baisura, Shedrekili, Chkhakaura and Nabeglavi. A total of 87 legal consultations were rendered. The population's interest focused on recognition of the title to land plots, registration of immovable property, privatization of land, benefits available to high mountainous regions, protection of consumer rights, rules of use of forest and natural resources, tax advantages and social issues.

The GYLA Dusheti office held auto tours to the Dusheti, Tianeti, Akhagori and Kazbegi districts. Meetings with the local population were held in 33 settlement areas, including the following villages: Totiaurni, Lausha, Manaseuri, Vashlobi, Nagvarevi, Vedzatkhevi, Khundavi, Kadoeti, Pichviani, Choporti, Bulachauri, Taniantkari, Tsivtskaro, Ananuri, Mleta, Lapanaantkari, Chinti, Mlashe, Kvavili, Zastava, Kvesheti, Lazviaantkari, Magaro, Chiriki, Mezvriaantkari, Zaridzeebi, Tushurebi, Jijeti, Mchadijvari, Baga and Tsilkani. Participants of the meetings received legal aid on recognition of the title to land, execution of court decisions, establishment of facts of legal importance, deprivation of the right to parenthood, imposing of child support, drafting of a testament, division of property during divorce, household issues, use of forest resources, and other issues.

Gender equality and anti-trafficking

- Together with publication of the informative brochures, GYLA employees were holding meetings with the population to inform them about the danger and consequences of the crime of human trafficking. Meetings were held in Kartli, Imereti, Adjara, Samegrelo and Guria. In total, about 300 meetings were conducted. Similar meetings were held with school students of the final grades. About 200 lessons were given in total.
- In July 2007, for the purpose of raising knowledge in anti-trafficking, the GYLA employees visited Svaneti. 7 meetings were held in various villages. The population received anti-trafficking booklets, posters, T-shirts, caps and pens with anti-trafficking messages on them.
- In July – August 2007, we had meetings in Patriots' Camps throughout Georgia. The meetings were aimed at informing the young people about the crime of trafficking and at preventing the crime as the youngsters are usually the immediate targets for human trafficking perpetrators. 7 meetings were held, in which about 1,500 young men and women took part.



- We prepared a banner containing anti-trafficking messages and GYLA's hotline numbers; the banner was placed on a website that advertises job announcements (www.jobs.ge). Furthermore, posters with anti-trafficking messages and GYLA's hotline numbers were placed in the Tbilisi Metro and in the city transport in Tbilisi, Batumi and Kutaisi. Billboards with anti-trafficking messages were displayed in Tbilisi and Adjara (on a way to Sarpi).
- In terms of gender equality, 4 informative booklets were prepared:
 1. Victims of domestic violence are protected by law
 2. Victims of domestic violence and the Georgian legislation
 3. Protective and restraining warrants
 4. Impact of domestic violence on juveniles
- For the purpose of further raising public awareness, we published an article entitled "The problem of domestic violence in Georgia" in the newspaper "Resonance," which is distributed in the whole of Georgia.



Informing the society on integration of internally displaced persons

The Georgian Young Lawyers' Association, together with partner NGOs, launched a public information campaign on integration of internally displaced persons. In association with other organizations involved in the project, a working group on public information was created. The working group developed a strategy of keeping the public informed and a relevant action plan.

To facilitate integration of IDPs, 2 social advertisements were prepared, which had been broadcasted through the Public Broadcaster for three months since 1 November 2007.

Various visual materials (calendars, posters, stickers, bookmarks and T-shirts) were produced propagating integration of IDPs.

The aforementioned 3 social advertisements and a presentation on the project implementation were recorded on compact discs.

Through the 2nd Channel and various regional TV channels, a discussion program on accommodation and integration of IDPs was prepared and broadcasted.

In addition to non-governmental organizations and State structures, all of the visual materials were disseminated in IDP collective centres.

A campaign for raising voters' awareness

A campaign for raising voters' awareness for the 5 January 2008 extraordinary presidential elections and plebiscite

Within the project entitled "Voters' awareness raising" financed by the Eurasia Cooperation Foundation, in association with the Newspaper "Resonance," the Georgian Young Lawyers' Association was providing information to voters during the pre-election period of the 5 January 2008 extraordinary presidential elections, by systematically preparing and publishing special informative materials.



The informative materials focused on issues of importance for voters. The organization's lawyers were preparing qualified replies to questions in which voters were interested.

Within the project, we were arranging weekly meetings for non-governmental organizations working on election matters and media representatives to discuss various election-related issues of concern. Results of the meeting discussions were made available to voters through newspaper articles.

Several days before the Election Day, GYLA distributed to the Georgian, Armenian and Azerbaijani population its guidebook for the Election Day using which the voters were able to receive full and comprehensive information on specific procedures of the Election Day in their language.

A campaign for raising voters' awareness for the 21 May 2008 parliamentary elections

In the context of awareness raising, GYLA conducted an information campaign for voters during the parliamentary elections within the project "A campaign for informing the voters," which was financed by the Eurasian Cooperation Foundation.

About 10,000 voters were able to get acquainted with the results of discussions among the civil sector representatives organized within the project as well as the voters' awareness raising materials. As a result of relevant activities, voters were provided with qualified and timely information on election-related issues of interest. Several days before the Election Day, about 30,000 voters received detailed information on the procedures to be followed on the Election Day. Out of this number, about 5,000 voters received the information in Armenian and Azerbaijani – their native languages.

- **Media campaign on use of administrative resources**

Within the relevant project, in association with its partner organization “Fair Elections,” GYLA prepared a video trailer aimed at informing voters on rules and norms governing the pre-election campaigning. The trailer was broadcasted through major TV channels.

- **Auto tours to raise voters’ awareness**

Within the project “Facilitating the development of democratic institutes through civil society involvement” financed by the European Union (EU) and the United Nations Development Program



(UNDP), in association with its partner organization International Society for Free Elections and Democracy (ISFED), the Georgian Young Lawyers’ Association carried out a large-scale campaign to raise voters’ awareness in 25 regional Centres of Georgia¹.

Within the campaign, we prepared various materials (leaflets, posters, billboards, etc) containing detailed information on the Election Day procedures and calling for participation in the election.

Volunteers participating in the campaign were answering voters’ questions of interest, distributed awareness raising materials and staged a moot Election Day with participation of regular citizens.



¹ The voter’s awareness raising campaign took place in Tbilisi, Rustavi, Marneuli, Bolnisi, Gori, Khashuri, Borjomi, Akhaltsikhe, Akhalkalaki, Telavi, Sagarejo, Signagi, Lagodekhi, Zestaponi, Kutaisi, Samtredia, Ozurgeti, Zugdidi, Poti, Kazbegi, Ambrolauri, Mestia, Khulo, Keda and Batumi.

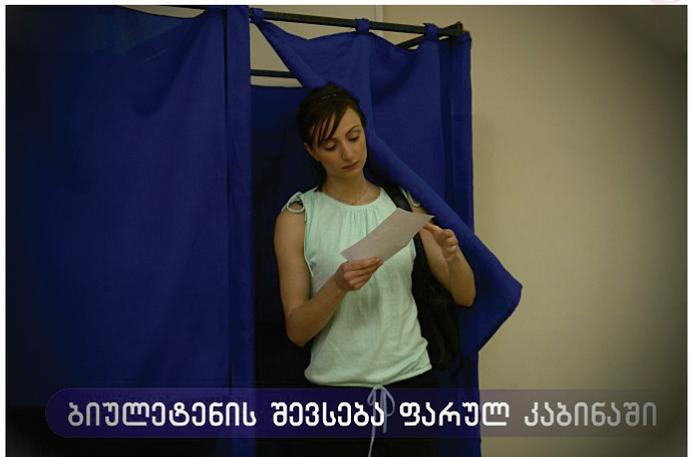
To raise the campaign's visibility and enhance the population's involvement in a staged moot Election Day, a popular group of young people "Prani" was taking part in the process as well.

- **Media campaign**

Within the project, we prepared 4 video and 3 audio clips, which were actively broadcasted through major TV and radio channels during the pre-election period.

The video and audio clips contained a call addressed to the voters to check their names in the voters' list in a timely manner as well as information concerning the Election Day and instructions on how to have their names checked in the list. The clips were also paying attention to the importance of each voter's participation in the election.

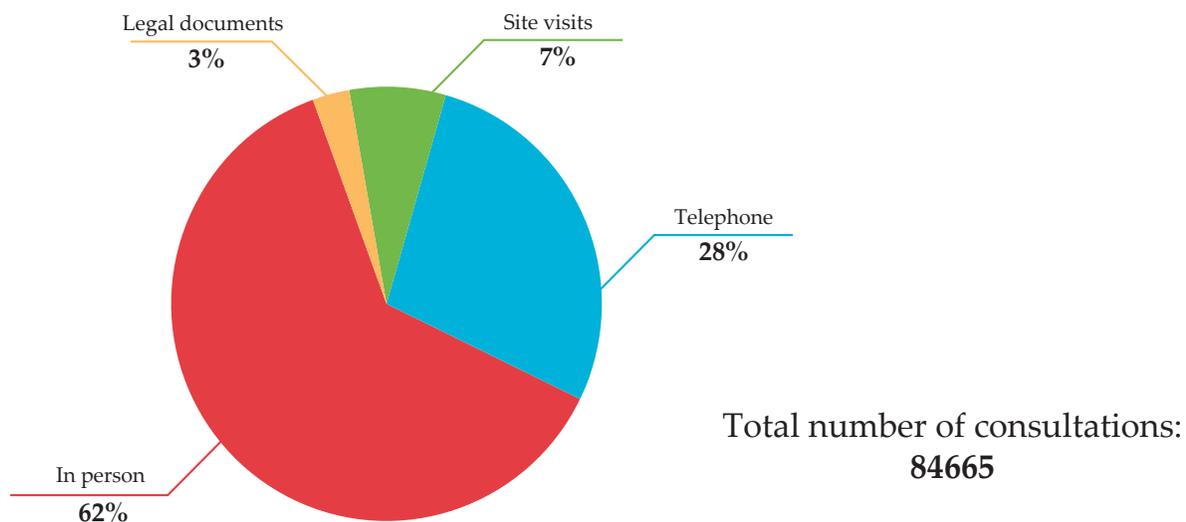
The afore-mentioned campaign was named as a successful election project in a brochure prepared by the OSCE Mission to Georgia in relation to international organizations' involvement in the 2008 presidential and parliamentary elections.



STRATEGIC GOAL NO. 2:**PROTECTION OF HUMAN RIGHTS, DEVELOPMENT OF HUMAN RIGHTS PROTECTION MECHANISMS AND ENSURING ACCESS TO THEM WITHOUT DISCRIMINATION**

Protection and effective implementation of human rights has been one of the most important goals of the Georgian Young Lawyers' Association since its creation. To-date, GYLA is an unconditional leader in terms of provision of free legal aid. Such popularity and a high confidence of the society to our organization is the result of the tireless work and high qualifications that GYLA lawyers have always been displaying in criminal, civil and administrative fields of laws, whether in the Constitutional Court or international courts.

During the reporting period, GYLA offices in Tbilisi and in the regions issued an unprecedented number of legal advices.

**PROVIDING FREE LEGAL AID TO SOCIALLY LESS PROTECTED POPULATION IN TBILISI AND REGIONS OF GEORGIA**

GYLA's Tbilisi Legal Aid Centre provides free legal aid to the population of Georgia through rendering legal advice, preparing legal documents, and, if the established eligibility requirements are met, also by providing free attorney services in certain categories of cases.

Eligibility requirements for GYLA's free legal aid (services)

In December 2007, the GYLA governing board approved requirements for eligibility for free aid (services) of the Georgian Young Lawyers' Association. GYLA will provide attorney services only if these requirements are met. The requirements are mandatory for all of the GYLA lawyers. When laying down the requirements, the following two criteria were taken into account: category of the case (matter of dispute) and the beneficiary's personal criteria. Meeting both criteria is required. The only exception is cases that have a strategic importance when, considering the contents of the case, the beneficiary's personal criteria may be moved into the background.

A contract of free attorney services between a GYLA lawyer and a beneficiary

Since 2008, a contract of free attorney services is concluded in GYLA Legal Aid Centres between a GYLA lawyer in charge of the case and a beneficiary. The contract is aimed at defining mutual obligations of the parties and articulating the scope of services to be rendered by a GYLA lawyer to the beneficiary.

Legal advice and legal documents

During the reporting period, the GYLA Legal Aid Centre in Tbilisi provided legal advice in person, over the phone and prepared various legal documents (lawsuits, applications, requests, complaints, etc).

	Consultations in person	Telephone consultations	Legal documents
Tbilisi	8503	12569	484

Attorney’s services

During the reporting period, the Legal Aid Centre in Tbilisi was actively providing attorney services to its target groups in criminal, civil and administrative cases. Information on successful stories of GYLA-led cases of litigation is available to any interested person through the GYLA’s website; the information is constantly placed and updated.



- **Administrative cases**

During the reporting period, the Legal Aid Centre in Tbilisi conducted 68 cases out of which 48 cases are at various stages and are still pending.

Among other successes of various cases, the following was achieved as a result of legal aid rendered by the Centre lawyers:

1. By decision of the Civil Registry Agency of 7 November 2007, our administrative complaint was upheld; the decision of the Mtatsminda-Krtsanisi Office of the Civil Registry Agency dated 24 September 2007 (refusing to issue a citizen's ID card to V.S.) was declared void; the mentioned local office was ordered to issue a citizen's ID card to V.S. according to the first and last names indicated in the birth registration notice.
2. By a court decision, the City Care Service of the Tbilisi Mayor's Office was ordered to issue to Newspaper "Resonance" the requested public information (concerning tenders announced in 2006 by the Service, names of the winning companies, and contracts concluded with them).
3. In the case of 7 individuals arrested by the Patrol Police under administrative rule, the court terminated proceedings on account of absence of elements of offences and released the arrested individuals from the courtroom (these individuals were arrested for making inscriptions on the building of the Ilia Chavchavadze University and on the edge of the pavement near the Georgian Technical University containing a protest against the violent breakup by the Government of the rally on 7 November 2007).
4. A court issued a protective warrant in favor of I.N. and her underage children as it was proved that they were victims of domestic violence by her spouse D.N.
5. A court issued a protective warrant in favor of M.O. who was a victim of domestic violence by his/her father V.O. Later, the court extended the term of the order.
6. Internally displaced persons were again granted exemption from payment of costs of consumed electricity. In particular, by decision of the Administrative Cases Panel of the Tbilisi City Court, the Ministry for Refugees and Accommodation of Georgia was ordered to reimburse the costs of electricity consumed by the internally displaced persons since 2006, according to living areas allocated for their temporary accommodation.
7. By decision of the Administrative Cases Panel of the Tbilisi City Court, an order of exclusion of students G.K. and M.M was declared void; the State Agricultural University of Georgia was ordered to study the circumstances of the case anew and to make a new decision in relation to the students thereafter.
8. By a court decision, a document of the 1st Department of the Old Tbilisi District evicting M.N. together with other people living with him (including his blind father) from his home was declared void on account of the fact that he was deceived by swindlers who registered his immovable property to another person's name in the Public Register.
9. Complaints of V.B., Z.B., L.B. and G.D. were upheld. The court approved an agreement on friendly settlement on the basis of which the housing partnership and the construction company assumed the obligation to pay for restoration and reinforcement of the foundation of the complainants' house. The defendants submitted a bank guarantee as a bond securing the performance of the aforementioned works agreed to in the agreement on friendly settlement.
10. The City Care Service of the Tbilisi Mayor's Office was ordered to pay to N.T., the representative of M.K., 1,840 Lari as a compensation of material damages and 5,000 Lari as a compensation of moral damages.
11. The Ministry for Refugees and Accommodation of Georgia, internally displaced persons temporarily settled in one of the hotels, and the hotel owner concluded an agreement on the basis of which part of the IDPs still living in the hotel were given monetary compensation in exchange for leaving the hotel.
12. The Ministry of Environmental Protection and Natural Resources of Georgia was ordered to pay salary to M.N.
13. Citizen T.L. was able to register himself in the Public Register as the owner of the land in his possession, based on the Law of Georgia on Recognition of Title to Land Plots Possessed by Physical Persons and Private Law Entities and the relevant presidential decree, regardless of numerous obstacles created by the Commission for Recognition of Titles.

14. Citizen L.S. was able to acquire, free of charge (through privatization), title to a living space possessed by him, regardless of many obstacles created by the Vake-Saburtalo District Gamgeoba.
15. A court approved an agreement of friendly settlement of the dispute on the basis of which the Vake-Saburtalo District Gamgeoba cancelled its Resolution dated 22 June 2007. As a result, validity of its Resolution No. 3.10.70 dated 30 April 2004 was restored based on which a home and the relevant ownership certificate was issued to citizen D.G. Thus, D.G. was registered as the proprietor of the immovable property in the Public Register. Accordingly, the immovable property remained D.G.'s private property.
16. In the case of E.D. and S.T., the court handed down an order terminating the proceedings, against the Vake-Saburtalo District Gamgeoba. The Tbilisi Mayor's Office cancelled the disputed act thus restoring a previous act on the basis of which the right to property was passed onto M.S. and S.T.

- **Civil cases**

During the reporting year, the Legal Aid Centre in Tbilisi conducted 36 cases. Out of this number, 21 cases are still pending at different stages.

With the help of the Centre lawyers, the following were achieved:



1. In six cases, the applicants' complaints were upheld by the court; marriage was terminated and the defendants were ordered payment of child support to their underage children. In one of these cases, our client was declared as the owner of 2/3 of the living apartment acquired during the marriage.
2. A fact of legal importance was established through judicial proceedings. In particular, it was found that the submitted military ID card and a document certifying the person's participation in the 2nd World War belonged to G.K. as shown in his citizen's ID card. On the basis of this fact, G.K. was granted social aid.
3. An agreement on friendly settlement of the dispute was approved by a court. According to the agreement, defendant Z.G. gave his consent to E.G. to obtain a passport of the citizen of Georgia and to leave Georgia. On this basis, N.K. will be able to take his underage child E.G. to the United States.

4. Based on the agreement on friendly settlement of the dispute approved by a court, I.P. (the grandmother) was allowed to see her grandchild in specific days. She was unable to do so before because of her son-in-law's (the child's father) refusal.
5. K.B. was able to inherit his deceased sister's property. To achieve this, we helped him in ascertaining two facts of legal importance: the fact of birth of his sister (confirming kinship between K.B. and N.B.) and the fact of belonging of a title document. Based on these documents, the relevant notary issued a certificate of inheritance.
6. An agreement on friendly settlement of a dispute was approved by a court. According to the agreement, a limited liability company hospital was ordered to pay to T.S. 5,000 Lari as a compensation for moral damages.

- **Criminal cases**

During the reporting year, the Legal Aid Centre in Tbilisi conducted 89 criminal cases, out of which 51 cases are still pending at different stages.

With the help of legal aid rendered by the Centre lawyers, the following were achieved:

(a) Assistance provided to accused and indicted persons

1. A plea agreement was concluded with underage M.M. on the basis of which he was released from the courtroom. He was imposed a conditional probation period for 1 year and 7 month instead of a fine as an additional measure of criminal punishment.
2. A plea agreement was concluded with A.S. He was freed from the courtroom and ordered 4 years of probationary period.
3. An application for pardoning convicted J.L. was upheld. J.L. was released from serving the rest of the sentence.
4. N.O. received his driving license back, of which he was deprived. A plea agreement was concluded with him on the basis of which he was ordered 2 years of probationary period and a fine in the amount of 3,000 Lari. In addition, his immovable property was released from civil arrest.
5. D.J., who is ill with the Down syndrome and is mentally retarded, was imposed a less strict forced measure during his pre-trial investigation. In particular, the pre-trial detention was replaced with a softer measure of being placed under his parent's supervision. Following that, a plea agreement was concluded with D.J., on the basis of which he was ordered a conditional probationary period (in this case, a fine as an additional measure of punishment was not imposed).
6. In case of indicted K.T., his charge of attempted intentional murder was replaced with intentional infliction of heavy health injury. A plea agreement was concluded with K.T. on the basis of which he was ordered 1 year of imprisonment.
7. A court approved a plea agreement conclude with prosecution based on which E.M. was imposed 2 year imprisonment and a fine in the amount of 10,000 Lari in favor of the State Budget.
8. A court approved a plea agreement concluded with prosecution based on which O.M. was imposed 2 year imprisonment and a fine in the amount of 2,000 Lari in favor of the State Budget.
9. A plea agreement was concluded on the basis of which underage R.M. was imposed a sentence less than the minimum punishment prescribed by the relevant provision of the Criminal Code; in particular R.M. was sentenced to 2 years, 3 months and 18 days (the term that he had already served by that date) and was immediately freed from the courtroom. In the case of M.M., the 7-year imprisonment term was reduced to 4 years.
10. A judge of the Criminal Cases Panel of the Tbilisi City Court terminated the criminal proceedings against indicted T.S. due to reconciliation with the victim. It is worth noting that despite the

- criminal proceedings against him, T.S. is not considered to have been convicted.
11. A court removed the record of previous conviction in favor of A.K.
 12. No criminal proceedings were instituted against M.A. who was summoned to the Isani-Samgori District Police Unit no. 7 due to his political views (as the participant of the 7 November 2007 rally).



(b) Assistance provided to victims

1. In the case of A.Z. and N.Z. who were legal successors of the victims, indicted I.B. was found guilty under Article 276(7) of the Criminal Code of Georgia (violation of traffic safety or transport exploitation rules that caused death of two or more individuals) and was sentenced to 7 years of imprisonment.
2. A pre-trial investigation was terminated due to expiry of statute of limitations; also, by a court resolution, the fact that the swindlers unlawfully misappropriated N.P.'s private living apartment was established. Based on the resolution, the victim has the right to demand reimbursement of damages under the civil procedure rule.
3. A pre-trial investigation started in the case of M.K. on account of drafting false court protocols.
4. In the case of victim D.R., a convicting judgment was passed; M.Ch. was found guilty under Article 1431(3)(d) of the Criminal Code of Georgia (human trafficking) and was sentenced to imprisonment for the term of 11 years.
5. In the case of victims M.K. and underage R.S., indicted E.I. was convicted of the crimes under Article 1431(3)(d) (human trafficking committed repeatedly by taking the victim out of the country) and Article 1432(3)(d) (child trafficking committed by taking the victim out of the country) of the Criminal Code of Georgia. E.I. was sentenced to imprisonment for the term of 26 years.

(c) Legal assistance provided to prisoners in penitentiary institutions

During the reporting period, we were periodically receiving requests for legal assistance from accused and convicted persons placed in penitentiary institutions. A total of 105 letters with such request have been received. In response to the letters, lawyers of the Tbilisi Legal Aid Centre visited

69 prisoners and provided legal advice to them on the spot. In addition, we provided written answers to 10 prisoners to their legal questions. We asked part of the convicted persons who applied to us to provide more information to get better acquainted with their individual cases.

Based on the requests for assistance received from the penitentiary institutions:

1. We picked one case to provide further legal assistance through attorney services;
2. We prepared applications for pardon for 8 convicted persons;
3. We prepared applications requesting medical examination for 4 convicted persons.

THE ROLE OF GYLA'S REGIONAL OFFICES IN HUMAN RIGHTS PROTECTION

Like its office in Tbilisi, GYLA's offices in the regions actively continued provision of legal assistance to socially less protected population, including free legal advice, free representation before the courts and administrative bodies, consultation during exit visits to regions and, upon request of interested citizens, drafting of various legal documents.

Statistics of legal assistance rendered by the GYLA regional offices to beneficiaries is provided below:

Regional office	Telephone consultations	Consultations in person	Exit visits	Newspaper consultations	Total
Kutaisi	8411	20999	2264	28	31702
Gori	1037	4782	1165	0	6984
Rustavi	2096	2094	201	2	4393
Ozurgeti	285	2629	413	0	3327
Telavi	709	2630	757	3	4099
Adjara	2368	5777	519	4	8668
Dusheti	278	725	213	0	1216

GYLA Kutaisi Branch issued 250 legal consultations on-line.

Drafting of documents

	Adjara	Kutaisi	Gori	Rustavi	Ozurgeti	Telavi	Dusheti	Total
Documents	209	389	731	199	373	190	182	2273

Representation before the courts and administrative bodies

	Gori	Ozurgeti	Telavi	Kutaisi	Rustavi	Adjara	Dusheti	Total
Total number of GYLA-led cases	16	16	12	28	24	34	16	146
Administrative cases	1	9	1	5	8	18	9	51
Criminal cases	8	4	6	13	5	11	2	49

Civil cases	7	3	5	10	11	5	5	46
Successful cases	6	7	10	10	12	8	15	68

As a result of the free legal advice rendered by the GYLA regional offices, socially less protected citizens were informed of their civil, social and economic rights. By means of representation before the courts, justice became more accessible for them. Demand for free legal aid is greatly increasing in the regions where the local residents are particularly exposed to social problems.

SUCCESSFUL CASES

1. R.S.'s appeals complaint was fully upheld; the Ozurgeti Registration Office of the National Agency of Public Register was ordered to register a property title to a land plot based on a handover certificate. **Success of this case turned out to be setting a precedent for future cases of similar nature. We were informed that, following the entry into force of the aforementioned court decision, residents of Village Dvabzu who had the same problem were able to have their property title registered by the Public Register Agency without the need to address a court.**
2. Fourteen former employees of the National Bank of Georgia were paid additional benefits due to their length of public service; the National Bank of Georgia was ordered to pay 23,918.30 Lari to them. The plaintiffs have already received compensation.
3. A lawsuit submitted by N.L. and 18 other plaintiffs was fully upheld; "The Georgian State Electrosystem" Ltd was ordered to pay them compensation in the amount of 10,710 Lari.
4. Payment of a pension to a disabled person, Mr. V.N., that was suspended because Mr. V.N. was unable to address the Medical and Social Examination Bureau due to his health conditions, was restored.
5. Payment of a pension to N.M. who was registered in the Unified Database of Socially Less Protected Families was restored.
6. V.L. received a compensation for damages inflicted by a criminal conduct in the amount of 9,240 Lari.
7. A pension for the loss of a breadwinner was granted to plaintiff I.S.
8. Administrative proceedings against L.N. who was unlawfully fined by the Kutaisi Tax Inspection were terminated. L.N. was released from the duty to pay the fine in the amount of 700 Lari.
9. L.N., a victim of domestic violence, got divorced from her spouse; the spouse was ordered to pay child support money in the amount of 150 Lari to his underage child.
10. I.P. who was charged with the crime under Article 177 of the Criminal Code of Georgia, was imposed a conditional sentence of 4 years by the Telavi District Court; he was released immediately from the court room.
11. M.T. was refused by the Ozurgeti Registration Service of the Public Register to have his land plot registered on the ground that the land plot was a State property and was added to a list of objects for privatization. The Ozurgeti District Court abolished the decision of the Ozurgeti Registration Service of the Public Register and ordered the Service to register M.T.'s property title to the land plot.
12. M.K.'s request was partly upheld; payment of moral damages suffered by M.T. due to unlawful conviction was ordered.
13. With the help of the GYLA office in Telavi, the Revenue Service of the Ministry of Finance of Georgia upheld G.Ch.'s complaint and abolished the Notice of the Regional Customs Service "East" No. 4-3562 dated 20 November 2007. G.Ch. was released from the duty to pay an unlawfully imposed fine in the amount of 800 Lari.
14. With the help of the GYLA office in Telavi, I.K.'s administrative complaint addressed to the

- National Agency of Public Register was upheld; the Telavi Registration Service of the Public Register was ordered to register I.K.'s property title.
15. With the help of the GYLA office in Gori, eight students who are internally displaced persons from Abkhazia and South Ossetia attending the Gori State University were released from the obligation to pay the University tuition fee.
 16. With the help of the GYLA office in Gori, Sh.T. who worked for the Gori Branch of the Unified State Fund of Social Security and was unlawfully fired was restored to his job.
 17. With the help of the GYLA office in Gori and based on a court decision, N.Z., a victim of domestic violence, was granted the permanent right to raise her underage children; before the decision, her former spouse had taken away the children from her and had not been allowing her to visit them.
 18. With the help of the GYLA Adjara branch, based on a court decision, A.Sh., who became disabled while performing his official duties and who was not receiving pension, will receive a monthly social assistance for 3 years, 3,500 Lari in total.
 19. With the help of the GYLA Adjara branch, the Khelvachauri Department of the Subsidies' Agency of Georgia was ordered to pay the outstanding debt of 4 months to pensioner I.V.
 20. With the help of the GYLA Adjara branch, based on an interim resolution, G.P. was granted the right to raise her underage children.
 21. With the help of the GYLA office in Rustavi, M.G.'s lawsuit was upheld; her former spouse was ordered to pay child support to her 3 underage children.
 22. With the help of the GYLA office in Rustavi, P.Ch.'s lawsuit was upheld; her former spouse was ordered to pay child support to her underage children, 150 Lari for each child.
 23. With the help of the GYLA office in Dusheti, J.L.'s administrative complaint addressed to the Sakrebulo (local legislative body) of the Dusheti Municipality was upheld; the Gamgeoba of the Dusheti Municipality was ordered to pay outstanding salary to J.L.
 24. With the help of the GYLA office in Dusheti, K.Kh.'s lawsuit was upheld; her former spouse was ordered to pay child support to her underage children.
 25. With the help of the GYLA office in Kutaisi, a lawsuit of the pensioners of JSC "Chiaturmanganumi" was upheld; JSC "Chiaturmanganumi" was ordered to pay 14,700 Lari as a compensation for the inflicted industrial trauma.
 26. Kh.J., an ethnic Chechen, was wanted by the Russian law enforcement bodies on charges of coup-d'état and resistance to law enforcers. The Russian Federation was requesting his extradition. The Prosecutor General's Office of Georgia agreed to extradite Kh.J. to the Russian Federation prosecution office. GYLA appealed against the Georgian Prosecution Office's resolution before the Tbilisi City Court, which left the resolution unchanged and in force. We challenged the decision of the Tbilisi City Court before the Supreme Court of Georgia under the cassation rule. We provided the cassation court with a document issued by the European Court recommending Georgia not to extradite Kh.J. until the European Court would reach its final decision. By decision of the Supreme Court of Georgia, the Russian Federation was refused in its request to have Kh.J. extradited.
 27. With the help of the GYLA office in Kutaisi, the Administrative Cases Panel of the Kutaisi Appeals Court abolished the well-known administrative act issued by the Racha-Lechkhumi-Imereti Department of the State Property Registration and Privatization Service of the Georgian Ministry of Economic Development; the act was violating the property rights of A.D., among others.

STRATEGIC LITIGATION AT THE CONSTITUTIONAL COURT OF GEORGIA

Strategic litigation at the Constitutional Court of Georgia remains one of the priority directions for the Georgian Young Lawyers' Association. We believe that, despite its limited powers, the Constitutional Court of Georgia is a strong tool in the hands of the civil society and the broad society in general for the protection of fundamental human rights and freedoms.

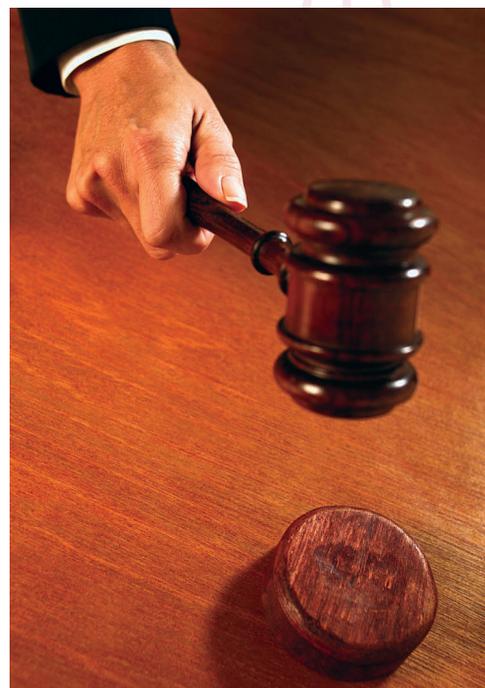
During the reporting year, the Constitutional Court of Georgia upheld two constitutional lawsuits, declared three constitutional lawsuits admissible and rejected the admissibility of only one constitutional lawsuit; all of these lawsuits were authored by the Georgian Young Lawyers' Association.

Citizen of Georgia Salome Tsereteli-Stevens vs. the Parliament of Georgia (Case No. 425)

In this case, the Georgian Young Lawyers' Association represented interests of Ms. Salome Tsereteli-Stevens, a citizen of Georgia who married Mr. Mathew Ryan Stevens, a citizen of the United States, on 9 September 2006. In the plaintiff's view, Article 44(5) of the Law of Georgia on Registration of Civil Status contradicted Article 36 of the Constitution of Georgia, which declares freedom of marriage. In particular, the disputed provision was making registration of a Georgian citizen's marriage with a foreign citizen dependent on a permission of an administrative body – the Civil Registry Agency. The Constitutional Court of Georgia declared the case admissible on 27 September 2007. By its decision dated 23 June 2008, the Constitutional Court fully upheld the lawsuit prepared by the Georgian Young Lawyers' Association and declared the mandatory requirement of Civil Registry Agency's consent for marriage registration as unconstitutional. The Court critically assessed the legitimacy of the disputed provision and concluded that **“by introducing the Agency's mandatory consent, the State created an obstacle for the enjoyment of the plaintiff's freedom of marriage”** without providing a justification of which legitimate purpose necessary for a democratic society did the Civil Registry Agency's consent serve for.

The Georgian Young Lawyers' Association and Ekaterine Lomtadze vs. the Parliament of Georgia (Case No. 407)

As stated in our 2007 report, on 14 November 2006, the Constitutional Court of Georgia declared admissible the lawsuit by the Georgian Young Lawyers' Association and Ms. Ekaterine Lomtadze requesting that Article 9(2) of the Law of Georgia on Criminal Intelligence and Investigative Activity be declared unconstitutional. The disputed provision empowered a public official to carry out criminal intelligence and investigative activities without a judicial warrant and in circumstances that might not have been named as “pressing need”. In our view, the disputed provision contradicted Article 20 of the Constitution of Georgia, which stipulates that restriction of the right to inviolability of private life is permissible only on the basis of a court decision or in case of a pressing need. The Constitutional Court of Georgia fully agreed with our assertion and concluded: **“The [disputed] provision fails to meet transparency and accessibility requirements; if interpreted reasonably**



by legal methods, its one of the possible meanings contradicts the Constitution.” Accordingly, by its decision of 27 December 2007, the Constitutional Court of Georgia upheld the Georgian Young Lawyers’ Association’s lawsuit and declared Article 9(2) of the Law of Georgia on Criminal Intelligence and Investigative Activity unconstitutional.

The Public Defender of Georgia and the Georgian Young Lawyers’ Association vs. the Parliament of Georgia (Case No. 408)

The Georgian Young Lawyers’ Association and the Public Defender of Georgia, independently from each other, addressed the Constitutional Court of Georgia with the request to declare Articles 122, 101(7) and 39(1)(m) of the Tax Code of Georgia unconstitutional. Oral hearings in the Constitutional Court took place on 24, 25 and 26 June 2008. In our view, the notion of “tax secret” contained in the disputed provisions of the Tax Code provides a presumption of secrecy of any information concerning the taxpayer thereby excluding the possibility for the members of the public to request the tax authorities release of information that has no commercial or privacy value but may be important to ensure accountability of public officials and public institutions. On these grounds, we believe the disputed norms contradict and violate the fundamental right to freedom of information guaranteed in Article 41 of the Constitution. We shall see in the nearest future whether or not the Constitutional Court of Georgia is in agreement with our position.

The Georgian Young Lawyers’ Association vs. the Parliament of Georgia (Case No. 452)

By amendments dated 21 March 2008 to the Election Code of Georgia, the Parliament of Georgia stated that vide records made at election precincts “for the prevention of and responding to violations” do not constitute “public information defined in the General Administrative Code of Georgia.” The Georgian Young Lawyers’ Association is of the view that the above-referenced provision is a clear-cut restriction of informed participation by the public in the public governance and contradicts Article 41 of the Constitution of Georgia, which declares any information kept in a public institution that does not include State, professional or commercial secret to be public information. On 20 May 2008, the Constitutional Court decided to review GYLA’s constitutional lawsuit on merits.

The Georgian Young Lawyers’ Association vs. the Parliament of Georgia

We filed this constitutional lawsuit in relation to another legislative novelty in the Administrative Procedure Code. In particular, according to the novelty proposed by the Parliament of Georgia, “A court shall not admit a lawsuit against an administrative body if the plaintiff has not used his right to submit an administrative complaint first under the procedure prescribed by the General Administrative Code of Georgia” (Article 2(5) of the Administrative Procedure Code). The recent amendment seems to have been aimed at establishing a fast and effective mechanism for the review of complaints against administrative bodies; however, our study shows that submission of a complaint to an administrative body first is so ineffective that this procedure limits a person’s right to address a court, as guaranteed by Article 42 of the Constitution. Our constitutional lawsuit was sent to the Constitutional Court of Georgia on 6 August 2008.

Kakhaber Khundadze vs. the Parliament of Georgia (Case No. 437)

The case is about a possible inconsistency of Article 499(2) of the Criminal Procedure Code of Georgia with the right to defense guaranteed by Article 42(3) of the Constitution of Georgia. In particular, the disputed provision posits that if an indicted person was mentally sane during the commission of a

crime but became mentally ill after the commission of the crime, he may be found guilty anyway. In our view, finding a mentally insane person guilty violates the principle of a fair trial; in such case, a trial of the person can continue only if and after the person recovers from insanity. On 4 April 2008, the Constitutional Court decided to hear our constitutional lawsuit on merits.

Shalva Ramishvili vs. the Parliament of Georgia

Our above-mentioned constitutional lawsuit was declared inadmissible by the Constitutional Court of Georgia by its Order dated 31 March 2008. The Georgian Young Lawyers' Association was representing Mr. Shalva Ramishvili's interests. In our and Mr. Ramishvili's view, the stipulation of Article 5(2) of the Election Code of Georgia depriving convicted persons serving their sentence in a penitentiary institution of their right to participate in elections, regardless of the crime they committed and the term of their sentence, contradicted Article 28(2) of the Constitution of Georgia and the case-law of the European Court. Unfortunately, the Constitutional Court of Georgia rejected our lawsuit and stated: **"The disputed provision is analogous to the provision contained in Article 38(2) of the Constitution and the matter of its constitutionality implying judgment of constitutionality of a constitutional provision is not within the jurisdiction of the Constitutional Court."**

STRATEGIC LITIGATION AT THE EUROPEAN COURT OF HUMAN RIGHTS



During the reporting period, there has been an increasing interest of the citizens towards the procedures for filing an application with the European Court of Human Rights. 229 citizens addressed GYLA for legal aid in this respect. In addition to 8 cases submitted to the Strasbourg Court in the past years, we added 6 more applications during the reporting period.

1. Jugeli and others vs. Georgia

The applicants live in the apartment block located near JSC "TboElectroCentral." The enterprise was built in 1939. For years, it has been burning coal as a fuel until it was replaced with natural gas. The enterprise was and remains an object with high risk of explosion. In addition, water leaking from the

pipes of the factor penetrates through the foundations of the applicants' apartment block causing a serious damage to the building.

The applicants argued before the national courts that the composition of the hazardous chemicals and the noise emitted from the enterprise exceeded the marginally permissible limits established by the Georgian legislation. Further, they argued that the power generators and the nearby-passing high voltage cables created a strong magnetic field dangerous for human health. Finally, they argued that the water flow from JSC "TboElectroCentral" into the foundation of their apartment block damages the walls of the building and turned the cellar into a source of infection.

The applicants are asserting that their rights under Article 8 of the Convention (the right to respect for personal and family life) and Article 1 of the Protocol No. 1 to the Convention (the right to property) is violated because the Government did nothing to neutralize the pollution and to assume the responsibility for the health injury and property damages inflicted to the applicants as a result of the pollution. The application's registration number is 38342/05.

2. Bagaturia vs. Georgia

Based on the contract dated 30 May 1999, Mr. Tengiz Bagaturia (hereinafter, "the applicant") paid the entire price for the construction of a living apartment in advance. The construction company undertook to hand the apartment over to the applicant immediately after the completion of the construction. The company failed to fulfill its obligation under the contract. The applicant thus had to go to the domestic courts.

The domestic courts decided in favor of the applicant. The applicant has been asking the Executions Department for the execution of the legally valid court decision for many times but the decision remains unenforced to-date.

On this ground, the applicant is arguing before the European Court referring to Article 6 of the Convention (the right to a fair trial), Article 1 of the Protocol to the Convention (the right to property) and Article 13 of the Convention (the right to effective remedies) in conjunction with Article 6. The application is registered under the number 46365/06.

3. Jangurazov vs. Georgia

Khakim Jangurazov (hereinafter, "the applicant") is a citizen of the Russian Federation residing in Nalchik (Kabardino-Balkania). He was arrested in Georgia. On 16 April 2007, the Prosecutor General's Office of the Russian Federation requested the Prosecutor-General's Office of Georgia to extradite the applicant. The applicant was charged with various crimes under the Russian Federation Criminal Code such as complicity in the activity of a criminal group, brigandage, terrorist act, murder, active participation in a rebellion to violently change the constitutional order and infringe the territorial integrity of the Russian Federation, etc.

On 28 March 2008, the Prosecutor-General's Office of Georgia passed a resolution enabling the applicant's extradition. Mr. Jangurazov's lawyer appealed against the resolution before the Tbilisi City Court. On 16 April 2008, the Tbilisi City Court left the Georgian Prosecution Office's resolution in force. On 29 April 2008, in addition to submission of an appeal against the resolution of the Tbilisi City Court before the Supreme Court of Georgia, a request for an interim measure was lodged with the European Court of Human Rights. It was requested to order, as an interim measure, suspension

of the extradition until the European Court would hand down a final judgment. The main ground on which the request for the interim measure was based was that, if extradited to the Russian Federation, the applicant would be subjected to a treatment prohibited by Article 3 of the Convention (freedom from torture).

On 6 May 2008, the European Court agreed to order the interim measure. On 4 June 2008, by its order, the Supreme Court of Georgia rejected the request for extradition of the applicant to the Russian Federation. The application with the European Court was registered under number 21547/08.

4. Malania vs. Georgia

On 20 March 2002, in Tbilisi at Khetagurov Street No. 3, a 24-hour shop belonging to Mikheil and Nino Sulava was attacked by two armed persons. As a result of the attack, Ms. Nino Sulava was deadly wounded and died. On 20 March 2002, a criminal case was opened on this fact in the Chugureti District Prosecution Office of Tbilisi. Investigation lasting for years was stopped several times due to impossibility to identify the suspects.

On 24 June 2005, in Tbilisi, I. Malania (hereinafter, “the applicant”) was arrested, based on criminal intelligence information, for carriage of firearms. The matter was aired by one of the television channels. On 26 June 2005, after the broadcast of the program through the television, Mr. Mikheil Sulava filed an application with the Ministry of Internal Affairs of Georgia stating that he identified the applicant to be the one who killed his wife.

National courts found the applicant guilty without paying attention to the violations indicated by the applicant’s counsel in the defense speech. The courts referred to certain evidence as proofs of the applicant’s guilt without explaining and substantiating why the given evidence could prove the would-be commission of certain actions by the applicant. In addition, the applicant was defended by a counsel appointed by a third party without giving him the chance to be defended by a counsel of his choice. During a series of investigative measures, the applicant did not even know that he had a defense lawyer.

The applicant asserts that the following articles of the European Convention were violated in relation to him: 6(1), 6(3)(b), 6(3)(c) and 6(3)(d). The application number is 5702/08.

5. L and 18 others vs. Georgia

The applicants live in Village Digomi. In the beginning of the 90s, non-agricultural land plots were divided among them by a local self-governance body. In 2006, based on a lawsuit lodged by the Mtskheta-Mtianeti Regional Prosecution Office, the Mtskheta District Court found all of the applicants’ property unlawful and unjustified as the property belonging to a public official, his family members, close relatives and related persons.

In 2007, the Tbilisi Appeals Court left the District Court’s decision in force unchanged. The Supreme Court found the applicants’ cassation appeal inadmissible. The applicants assert that Article 13 of the European Convention on Human Rights in conjunction with Article 6 of the Convention and Article 1 of the Additional Protocol to the Convention as well Article 1 of the Additional Protocol to the Convention separately have been violated in relation to them. The national courts did not allow the applicants to properly submit and have their evidence reviewed. The judges disregarded the fact that some of the applicants were not anyhow related to the public official whose unlawful actions

became a basis for depriving them, as if related persons, of their property. The courts disregarded the fact that some of the applicants have acquired title to their land plots on the basis of contracts of sale. The courts made no distinction between “unlawful” and “unsubstantiated” property. The State failed to stay within its allowed margin of appreciation and unlawfully interfered with the property rights of citizens. The application number is 6852/08.

6. N.Sh. vs. Georgia

N.Sh. (hereinafter, “the applicant”) is a citizen of Georgia. On 16 August 2004, on A.M.’s proposal, the applicant, V.B., V.K. and A.M. founded a company “N” Ltd. I.M. was the accountant and the applicant was the director of the company. The company was importing various goods from Azerbaijan.

In 2007, the applicant was found guilty for the commission of the crime under Article 210(2)(a)-(b) of the Criminal Code of Georgia: “Creation of a false tax document (other than a precious papers) for the purpose of its endorsement, endorsement of use of such a document, committed repeatedly and by a group.” The applicant was not able to exercise the right to a fair trial guaranteed by Article 6(1) of the European Convention on Human Rights (hereinafter, the Convention). The national courts did not examine motions, arguments and evidence submitted by the applicant and violated their obligation under Article 6 of the Convention (Kraska vs. Switzerland, Application no. 13942/88, judgment dated 19 April 1993; Van de Hurk vs. The Netherlands, Application no. 16034/90, judgment dated 19 April 1994).

In addition to the above-listed cases, GYLA is actively involved in collecting evidence on the violation of fundamental human rights and freedoms during the Russian-Georgian conflict. A number of applications were identified that will be sent to the European Court of Human Rights in the nearest future.

IMPROVING THE HUMAN RIGHTS PROTECTION IN GEORGIA

Since 2006, GYLA together with a British organization European Human Rights Advocacy Centre (EHRAC) is implementing a joint project the aim of which is to facilitate rule of law in Georgia, improve human rights protection and establish European standards in national litigation.

Professor Bill Bowring and Professor Phillip Leach, Director of EHRAC, are directly involved in the preparation of applications to be submitted to the European Court of Human Rights. Both professors are practicing lawyers specialized in human rights. The project includes activities in other dimensions too.

Training in submission of applications to the European Court of Human Rights

On 11-13 April 2008, the Georgian Young Lawyers’ Association (GYLA) and the European Human Rights Advocacy Centre (EHRAC) conducted 3-day training in Bakuriani entitled “Submission of applications to the European Court of Human Rights.” 22 practicing lawyers from various non-



governmental organizations and private law firms who were selected from the participants of the trainings in 2006 – 2007 attended the training in Bakuriani.

The training was interactive and in addition to discussing sessions on various provisions of the European Convention included short sessions of legal clinic. The training participants were able to discuss their real cases and perspectives of sending them to the European Court with experts. One of the important parts of the training was a moot court for which the participants had to prepare in advance.

Legal Skills Development Programme

In 2007, Ms Rusudan Tabatadze, a lawyer from the Georgian Young Lawyers' Association, attended a 2-weeks long intensive legal skills development training programme in London. The programme was organized by EHRAC.

The programme participants attended intensive sessions concerning the European Convention on Human Rights. The sessions included both practical work such as drafting of applications and theoretical teaching on various provisions of the Convention. Sessions on administering skills and legal English were also part of the programme.

The programme participants had the chance to pay a 2-day study visit to Strasbourg where they met judges of the European Court of Human Rights, lawyers and other officials.

GYLA website updated with materials of practical importance on the European Convention

Within the project, we made a translation of the judgments of the European Court passed against Georgia and articles concerning rights enshrined in the European Convention and the case-law of the European Court. All of these materials in Georgian language are placed on GYLA's website and can be accessed by practicing lawyers and students.

FACILITATING THE DEVELOPMENT OF THE GEORGIAN PENITENTIARY SYSTEM

Assistance to the penitentiary reform remains one of the priorities for the Georgian Young Lawyers' Association. The Association has been implementing the project with the financial assistance of the the Organization for Security and Co-operation in Europe (OSCE) Mission to Georgia. The project aims at improving human rights standards, raising prisoners' awareness of their rights and accessibility to protection mechanisms, and informing the society on the functioning of the penitentiary system; the project goals are achieved by means of reporting on the penitentiary institutions and financial side of the penitentiary system.

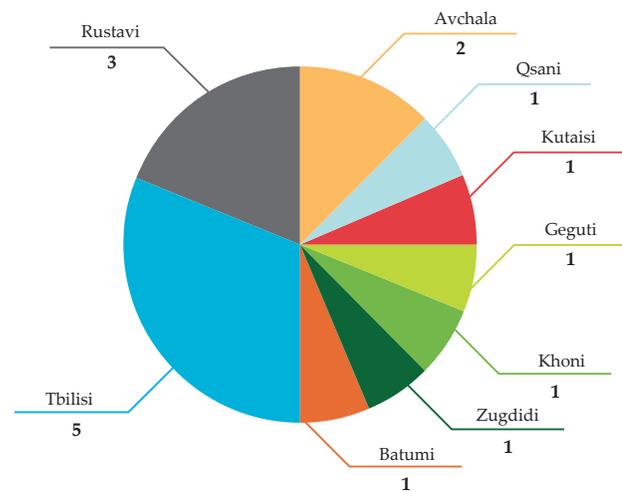
To study the situation existing in the penitentiary institution and to draft appropriate recommendations, we are inspecting places of detention and recording information according to a special questionnaire. Such monitoring is carried out in 16 penitentiary institutions:

The conducted monitoring helped us to examine the following issues:

- Basic rights of prisoners, through individual interviews;
- Living conditions in the places of detention
- Management of rendezvous

- Conditions in investigation rooms
- Religious corners
- Management of parcel delivery
- Implementation of disciplinary punishments
- Progress of educational and labor programmes
- Interviewing the employees of the penitentiary institutions
- Maintenance of the prison records
- Conditions in the cells
- Conditions in the kitchens, bathrooms and toilettes

Such monitoring is carried out in 16 penitentiary institutions:



The monitoring results show that the following issues remain a problem in the penitentiary system: hygienic conditions, lack of artificial ventilation, overloaded prisons, inadequate and untimely medical assistance, shortage of electricity at night, lack of educational and labor programs, etc.

These and other findings per each institution monitored will be comprehensively provided and analyzed in a unified report which will be presented to the public by the end of this year.

By Order of the Minister of Justice of Georgia No. 390 dated 14 December 2007, “A Code of Ethics for the Officials of the Penitentiary Institutions of the Ministry of Justice of Georgia” was approved. To popularize the Code, within the project we published various brochures and posters and made them available to prison officials and prisoners in all penitentiary institutions.

A set of recommendations to the Government of Georgia concerning various problems revealed through multiple monitoring activities of the Georgian penitentiary institutions were prepared by the United Nations Committee against Torture, the Committee for the Prevention of Torture, Inhuman and Degrading Treatment and Punishment, and other international organizations. To determine how effectively these recommendations are being implemented as well as how results-oriented and adequate the measures undertaken for their implementation are, we are monitoring implementation of the recommendations within the above-referenced project. A report on the findings of our monitoring will be presented to the public for information in November this year.



LEGAL AND HUMANITARIAN AID TO INTERNALLY DISPLACED PERSONS AND REFUGEES

As a result of the Russia-Georgia armed conflict in August 2008, thousands of people were forced to flee the territory of the conflict and the nearby areas. At that time, the Georgian Young Lawyers' Association functioned in a special regime. In addition to the GYLA employees, volunteer groups were created to help those who suffered from the war. Although GYLA is not a typical humanitarian organization, we were actively involved in providing humanitarian assistance to internally displaced persons. Because immediately after the conflict most humanitarian organizations were busy assessing the needs of the IDPs, delivery of humanitarian aid to collective centres of IDPs was a bit hindered. In fact, people had nothing to eat and were short of things of first necessity. To help alleviate the situation effectively and rapidly, we obtained permission from our donor Oxfam-Novib to spend about 30,000 Lari from the budgets of the projects to purchase food and things of first necessity. These items were distributed to collective places where IDPs were accommodated.

From 15 to 19 August, the Georgian Young Lawyers' Association was providing food and basic items of hygiene to about 2,500 internally displaced persons in 9 collective centres.

We actively cooperated also with the Ministry for Refugees and Accommodation of Georgia, local non-governmental organizations and international organizations working on refugee and IDP issues. The Office of the United Nations High Commissioner for Refugees was coordinating the work of organizations working on this matter. Several groups of volunteers from GYLA were regularly visiting the collective Centres of IDPs and recording their needs.

In addition to these activities, GYLA continued, as usual, provision of legal aid to internally displaced persons and facilitation to their involvement in the decision-making process.

The project **“Models of integration in Georgia”** financed by the Danish Ministry of Foreign Affairs is implemented by the Danish Refugee Council together with the Georgian Young Lawyers' Association. Three other partner organizations are also involved in the project: Charity Humanitarian Centre “Apkhazeti”, Association of Women IDPs “Tankhmoba” and the Cultural and Humanitarian Foundation “Sokhumi”. The project consists of the following three components:

- Facilitating the implementation of the State strategy and integrations of IDPs;
- Passing the property title of two selected collective centres to the IDPs living in those centres and assisting them in organizing their own independent economic activity;
- Provision of information to State structures, internally displaced population and non-governmental organizations; helping them in acquiring necessary skills.

Determination of criteria for selecting collective centres to implement a pilot project

To implement a pilot project, the Danish Refugee Council established criteria based on which 30 collective centres were selected. Lawyers from the Georgian Young Lawyers' Association obtained information on the legal status of these centres. The project lawyers are providing legal aid to representatives of the collective centres selected for the pilot project in privatizing the immovable property.

Mobilizing the representatives of the collective centres

Within the project, 91 collective centres of IDPs were selected in the Samegrelo region. Each collective Centre accommodated at least 50 internally displaced persons. After information meetings conducted by pre-prepared moderators, a total of 1,536 internally displaced persons were mobilized in the Samegrelo region. Of the selected persons, 87 active groups were created, each consisting of 3 to 5 individuals. The group representatives took part in trainings and networking meetings organized specifically for them within the project.

Trainings for representatives of the collective centres

To reinforce advocacy skills, in the period during 20 March – 14 May 2008, 18 two-day trainings were held for 354 representatives of active groups from 87 collective centres. Out of 354 representatives, 235 were women. Trainings revealed the following problems:

- Change of address: IDPs who are not registered according to their place of residence may not be eligible for benefits prescribed by the legislation;
- Data stored by the Ministry for Refugees and Accommodation of Georgia do not reflect reality. A large number of IDPs is not registered according to their factual place of residence.
- To register at the address of an already-privatized collective centre, the owner's consent is necessary. Getting such a document is impossible for IDPs.
- Compensation/alternative refuge: there are no criteria based on which IDPs will be offered a compensation or alternative refuge when forced to live their collective centres
- Involvement of IDPs in the process of negotiations with the investors
- IDPs are not informed about privatization of their collective centres.



Meetings between the internally displaced population and Government representatives

On 14 and 15 July, representatives of the Young Lawyers' Association and partner organizations met active groups from collective centres. On 16 and 17 July, 3 regional networking meetings were held between IDPs and local governance and self-governance officials. The attendees discussed problems in the collective centres located in the Samegrelo region.

Legal aid to collective centres selected within the project

Lawyers of the Georgian Young Lawyers' Association provide legal assistance to IDPs residing in collective centres selected within the project. A total of 92 mobile visits were paid and 1,289 legal consultations were rendered. Within these figures, 330 IDPs were interested in accommodation issues, 262 in registration and change of address, and 697 in various legal questions. In addition to accommodation and registration / change of address, we rendered legal advice on the following matters:

- Pension appointment
- Privatization of agricultural land
- Social assistance
- Participation in health and social programs
- Restoration of lost documents
- Inheritance of property
- Divorce.

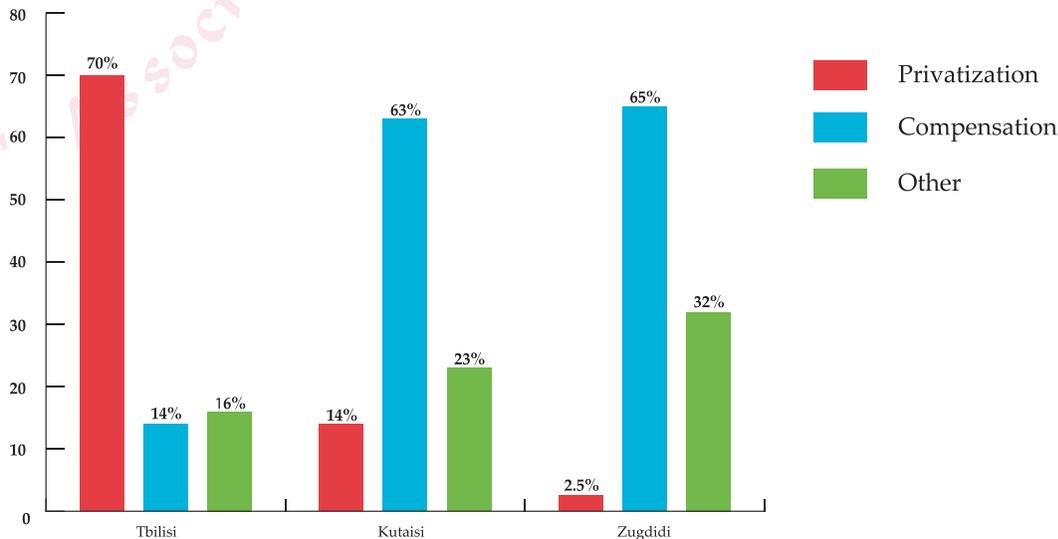
The project entitled **“Strengthening dialogue between the State and civil sectors for the resolution of housing problems of internally displaced persons”** was financed by the European Union and implemented by the Danish Refugee Council together with the Georgian Young Lawyers' Association



and 4 other partner organizations. The project was carried out within the period of 1 January 2007 and 1 March 2008. 9 other non-governmental organizations working on IDP issues also took part in the implementation of the project. The main goal of the project was the search for stable solutions for internally displaced persons by means of deepening a dialogue on accommodation matters between the civil sector and the Government and raising public awareness.

Mobilizing internally displaced persons on accommodation matters

Within the project, 60 objects of compact settlement of IDPs in Tbilisi, Imereti and Samegrelo were selected. All of these objects had a high privatization value or were dilapidated accommodating at least 100 internally displaced individuals in each case. Following informational meetings, “active groups on accommodation” were created in each object consisting of 3 to 5 persons. The groups partook in trainings and networking meetings organized specifically for them within the project.



To reinforce advocacy skills, we conducted 36 trainings in which 262 representatives from the active groups on accommodation from 60 collective centres took part. Of these people, 161 were women. During the trainings, interviews were conducted concerning possible models of resettlement. According to the interview results, a majority of IDPs residing in Tbilisi want to privatize their collective centres while IDPs accommodated in the regions prefer to be paid a monetary compensation and be involved in the program of vouchers.

Dialogue with the Government concerning the closure of IDP collective centres

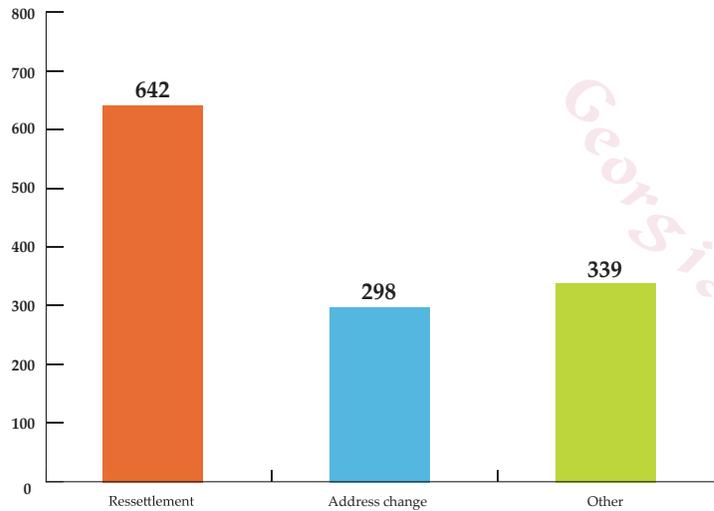
Within the project, 6 regional and 2 central networking meetings were conducted on resettlement of IDPs from their collective centres and various problems in the protection of IDP rights. Representatives of the collective centres, the Ministry for Refugees and Accommodation of Georgia, local self-governance and governance bodies and various international and local non-governmental organizations took part in the meetings. The main goal of the meeting was to resolve IDP problems by means of a dialogue with the Government. IDPs had the chance to take part in the decision-making on issues of concern for them, to offer specific solution to problems to Government representatives and to receive answers directly from decision-makers.

Legal advice on resettlement of internally displaced persons

Within the project, our lawyers by regions were providing legal assistance to IDPs living in the collective centres. Periodically we are paying mobile visits to collective centres selected within the project. To-date, at total of 71 visits were made, 35 legal documents were prepared and 1,279 legal consultations were rendered. Of these, a majority concerned resettlement and registration / change of address-related issues.



Statistics of the legal aid rendered is shown in the chart below:



In addition, we published a brochure tackling the resettlement issues entitled “What IDPs should know about their resettlement”. The brochure describes different models of resettlement and the rights of IDPs in the process of their resettlement. 4,500 copies of the brochures were distributed in collective centres located in Tbilisi, Imereti and Samegrelo.

Monitoring of the legislative process

Synthetic report: “Legal problems of internally displaced persons”

Within the project, a report on legal issues concerning internal displacement was prepared. The report is based on problems revealed during privatization of collective centres that took place after the State Strategy on IDPs was adopted.

The report discusses problems encountered by GYLA lawyers most frequently in the course of the implementation of the project. It also gives an analysis of the current legislation on internally displaced persons as well as evaluations and recommendations serving to the elimination of shortcomings in this field.

Raising awareness of the internally displaced persons on their rights in the course of their resettlement can be regarded as a serious achievement. Judging from the activeness of the working groups and the number of legal consultations rendered on this matter, we can say that the IDPs living in the collective centres selected within the project are actively involved in the process of searching for stable solutions for them.

GENDER EQUALITY AND PROTECTION OF WOMEN'S RIGHTS

During the reporting period, GYLA has been paying a great deal of attention to gender issues. In particular, the following activities were undertaken in the direction of preventing domestic violence:

- Within the project, we monitored progress of domestic violence cases in law enforcement and judicial bodies. The research aimed at revealing how effectively the new Law on Prevention of Domestic Violence and Protection and Assistance of Victims of Domestic Violence started to function in Georgia; in particular, how often victims of domestic violence resort to the defense mechanisms prescribed by the Law (protecting and restraining warrants). The research was translated in the English language and printed in the form of a booklet.
- During the reporting period, the Georgian Young Lawyers' Association, together with the Centre for the Protection of Constitutional Rights and the National Network for Protection from Violence, implemented a project entitled "Police and domestic violence." Within the project, a guidebook for police officers entitled "Police and domestic violence" was prepared. The guidebook reflects our society's approach to the problem of domestic violence, discusses forms of violence and legal mechanisms of defense, and shows the role of police in successful implementation of the law. The guidebook articulates the obligations of the police in cases of domestic violence. Further, it describes methods of interviewing persons involved in a conflict, choosing priorities, identifying the victim and the perpetrator, and ways to determine risks. In addition to the guidebook, a training module was prepared and 10 training sessions were conducted for police officers in various regions of Georgia within the project.
- In 2008, within the framework of the project financed by the Oxfam-Novib, a research entitled "Gender equality in Adjara" was prepared. The research contains an analysis of current situation in terms of gender equality in Adjara region. It is worth noting that Adjara was not chosen randomly. Focus of our attention on this region is warranted by the following factors: In autumn 2008, election of the High Council of Adjara is planned; accordingly, our goal is to provide the newly elected members of the High Council with documentary materials on gender problems existing in the region enabling them to plan and implement appropriate measures for the resolution of the identified problems more effectively. The research is aimed at both broad public and people working on these matters or simply interested people. It is primarily aimed at self-governance bodies to help them respond to the problems locally in order to improve conditions for women and ensure their active involvement in the decision-making process.

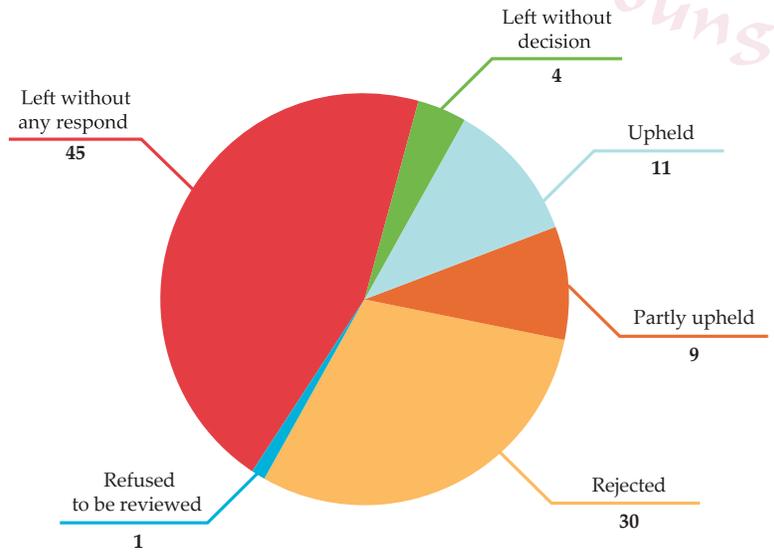
STRATEGIC GOAL NO. 3:

FACILITATING EFFECTIVE, ACCOUNTABLE AND TRANSPARENT GOVERNANCE

During the reporting period, GYLA successfully continued activities to facilitate establishment of effective, accountable and transparent governance. Donors have become increasingly interested in successes and results of activities in this direction. To-date, GYLA remains the only organization in Georgia, of a few organizations working on this matter that has both a public confidence and the ability to effectively monitor transparency of governance, spending of budgetary resources, and the activity of State and public bodies.

DATABASE OF DECISIONS OF ADMINISTRATIVE BODIES (*www.gyla.ge/foiadmin*)

Since December 2007, it has become mandatory first to launch a one-time appeal with an administrative body before initiating judicial proceedings. To reveal shortcomings and improve the practice, the Georgian Young Lawyers' Association created a database of decisions on freedom of information made by administrative bodies. The database allows any interested person to get to know the best practices accrued to-date in an easy manner and free of charge. The database includes decisions made by various public bodies throughout Georgia.



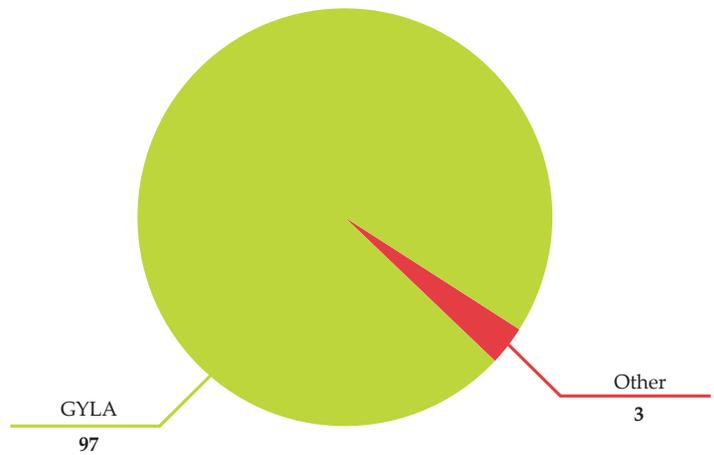
Analysis of the administrative decisions makes it clear that the administrative complaint mechanisms functions with shortcomings and requires improvement because a great majority of administrative complaints lodged in the past are still pending without response.

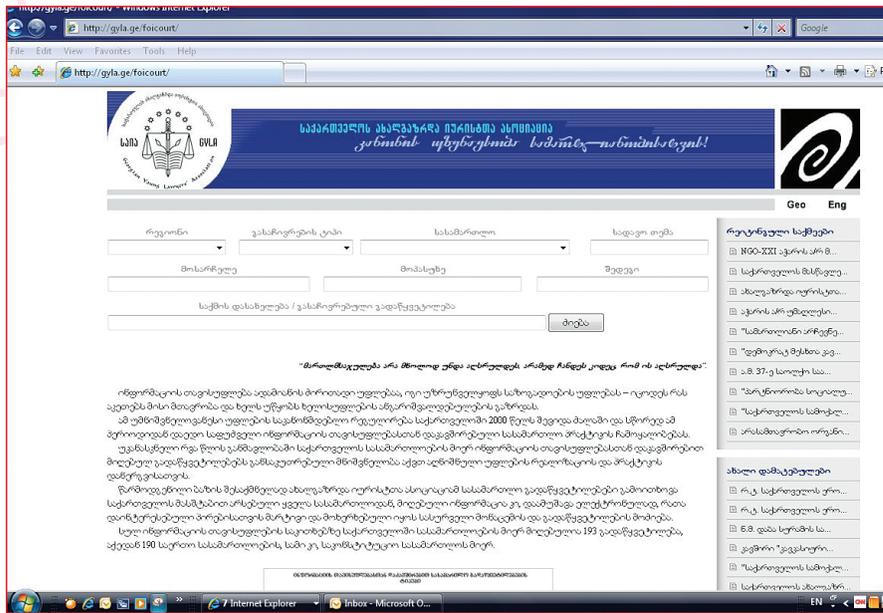
When it comes to GYLA's role in the decision-making by the administrative bodies concerning freedom of information, almost an absolute majority of complaints on freedom of information have been led by GYLA.

DATABASE OF JUDICIAL DECISIONS (*www.gyla.ge/foicourt*)

GYLA has processed court decisions concerning freedom of information made during the last 8 years in Georgia.

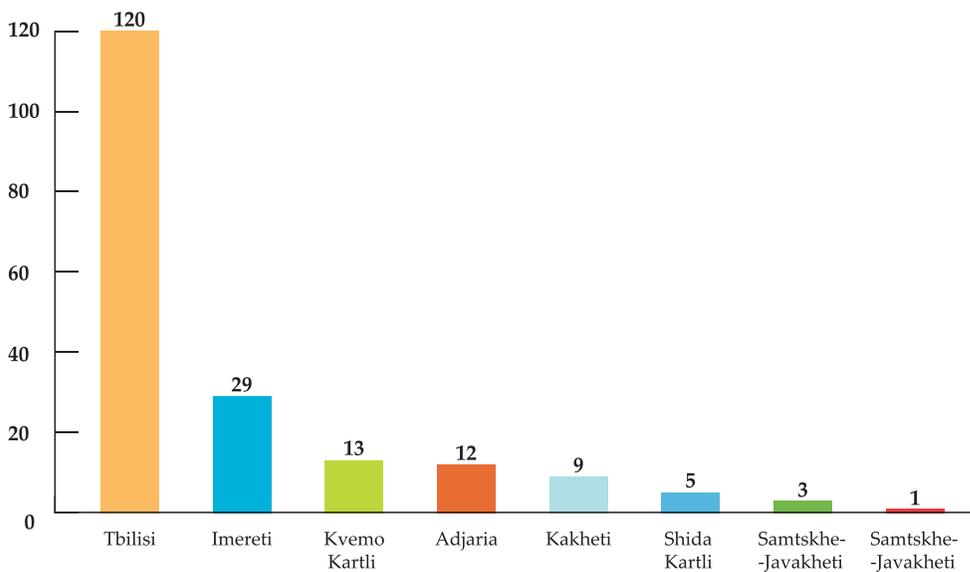
These decisions are gathered in the database. To create the database, the Georgian Young Lawyers' Association obtained copies of court decisions from all of the Georgian courts. We processed



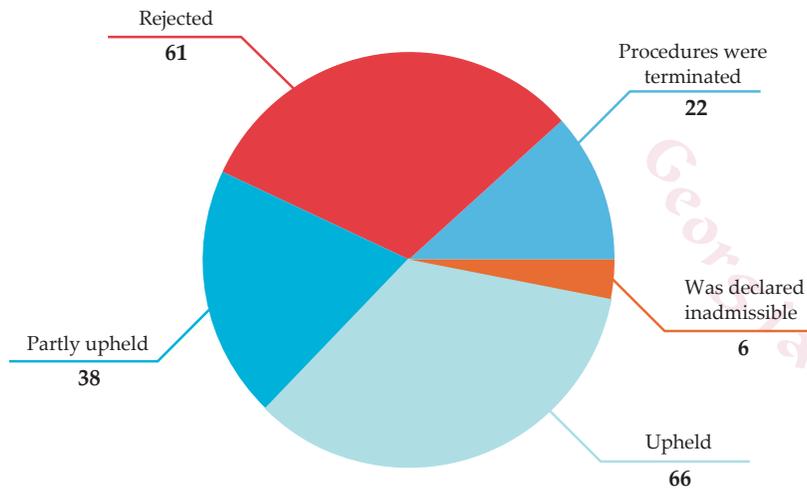


the information electronically to make a search of desirable information and decision easy and convenient for interested persons. In total, the Georgian courts have passed 193 decisions on freedom of information issues; of this figure, 190 decisions were handed down by courts of general jurisdiction and 3 by the Constitutional Court.

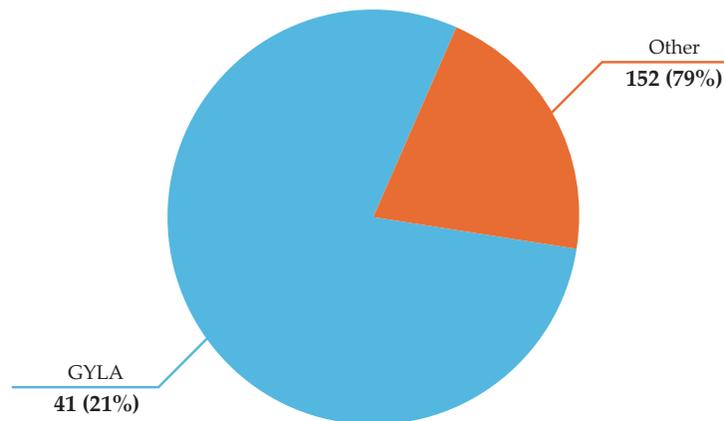
Although decisions on freedom of information are being taken on the entire territory of Georgia, Tbilisi is the most active city in this regard:



The court decisions resulted in upholding of 66 lawsuits, partial upholding of 38 lawsuits and rejection of 61 lawsuits. Proceedings were terminated on 22 lawsuits. 6 lawsuits were declared inadmissible.



In 98 court cases on freedom of information, plaintiffs were legal entities; in 95 cases plaintiffs were physical persons. In total for Georgia, in 41 cases of all of the court decisions concerning freedom of information the Georgian Young Lawyers' Association was the plaintiff.



MONITORING OF FULFILLMENT OF GEORGIA'S NATIONAL AND INTERNATIONAL OBLIGATIONS

Within this project, we monitored the implementation of the recommendations of international organizations and the Georgian National Anticorruption Strategy. The research includes:

1. Analysis of implementation of recommendations for Georgia issued by the OECD (Organization of Economic Cooperation and Development) anticorruption network;
2. Analysis of implementation of recommendations for Georgia issued by the GRECO (Group of States against Corruption) during its second evaluation round;
3. Monitoring of the Anticorruption Action Plan approved by the President of Georgia.

Results of the research showed that despite certain positive changes Georgia still stands far from elimination of corruption; an important part of recommendations and assumed obligations remains unfulfilled. The research can be accessed through Internet at www.gyla.ge/foi

Analysis of case law on freedom of information

Since the adoption of the General Administrative Code, the Georgian Young Lawyers' Association has been conducting cases concerning freedom of information in courts. Furthermore, we have processed and analyzed all the judicial decisions made so far. This time, our research aimed at emphasizing the importance of freedom of information and facilitating the formation of a uniform practice. The research includes judicial cases on freedom of information that were decided during the period of 2005 and February 2008. Despite the significant developments toward the unification of the court practice on freedom of information, the following problems are still taking place:

- Protection of personal data and interpretation of personal secrets; transparency of personal data of public officials;
- Transparency of private law entities established by the State; discharge of public functions by such entities;
- Liability for not issuing public information; reimbursement of damages;
- Non-substantiated court decisions.

Analysis of the practice established for the review of administrative complaints on freedom of information

Within the project, we carried out a research to evaluate the effectiveness of the administrative complaints' mechanism. The research was warranted by the last amendments; in particular, the amendments adopted in December 2007 made it mandatory to address a complaint to the relevant administrative body before going to court.

Within the research, GYLA lodged 100 requests and, later on, 83 complaints with administrative bodies. 65% of our administrative complaints were left without any response. The research was focused on the following:



- How effective the administrative complaints' mechanism is and whether the administrative bodies were prepared for such legislative amendments;
- Whether the mandatory character of the one-time administrative appeal violates the right to receive information and the right to address a court;
- Whether the procedural violations made in the course of review of a complaint may increase the case load of the courts even more;
- How elimination and prevention of these violations is possible.

It is worth noting that, based on the research, GYLA lodged a lawsuit with the Constitutional Court of Georgia requesting declaration of unconstitutionality of the provision that forces a potential plaintiff to submit an administrative complaint first before addressing a court (see www.gyla.ge/foi).

Freedom of information week, 1-7 August 2008

Through 1 – 7 August 2008, GYLA arranged a freedom of information week. During the week, we held various events which the public found to be interesting:

- Public discussion on the draft Council of Europe Convention on Access to Official Documents

During the freedom of information week, the Georgian Young Lawyers' Association and the UK – Georgia Professional Network (UGPN) arranged a public discussion on the draft European Convention on Access to Official Documents. The discussion was participated by representatives of the Georgian Delegation to the Council of Europe: Ms. Chiora Taktakishvili, Magda Anikashvili and a representative of the Head of the Delegation Mr. Petre Tsiskarishvili; Ms. Maia Kopaleishvili, First Deputy Minister of Justice of Georgia; Ms. Natia Tskepladze, Judge of the Supreme Court of Georgia; Mr. Shalva Kvinikhidze, Chief of the International Public Law Department of the Ministry of Justice of Georgia; representatives of the Office of the Public Defender of Georgia Ms. Salome Vardiashvili and Mr. Giorgi Mshvenieradze; other public officials,



experts, journalists and interested persons. The participants discussed the expected results in case of adoption of the Convention and its impact on the Georgia legislation. The members of the Georgian Delegation to the Council of Europe were urged to support the draft Convention more strongly.

- Seminar on freedom of information for the representatives of the Government of Abkhazia

Within the freedom of information week, the Georgian Young Lawyers' Association, with the organizational support of the Government of the Autonomous Republic of Abkhazia, conducted a seminar for the representatives of the Government of Abkhazia on 1st August 2008. The topic of the seminar was freedom of information.

Representatives of the Government of the Abkhazian AR, ministries, departments, and offices responsible for public relations, including the specific persons responsible for the release of public information, took part in the seminar.

During the seminar, the participants discussed the importance of freedom of information, contemporary challenges and problems, role and functions of public relations offices, actions that are mandatory to perform when dealing with a request for information, 10th of December reports, and difficulties related to payment of the fee for making copies of public information. The participants showed their particular interest during the discussion of secret information and protection of personal data. Another matter of hot debate was the mechanism of an administrative complaint and proceedings related to administrative complaints because, as the participants explained, the practice of reviewing administrative complaints within their respective institutions is very scarce.

- Seminar for the representatives of the Tbilisi local self-governance

Within the week, on 3 August 2008, the Georgian Young Lawyers' Association arranged a seminar on freedom of information for the representatives of the Tbilisi local self-governance. Employees and persons responsible for the release of public information from the Tbilisi Mayor's Office, Sakrebulo and district Gamgeobas participated in the seminar. The participants discussed procedures for the release of public information, fee for making copies of information, the 10th of December reports, categories of secret information, procedures of reviewing administrative complaints and other matters of concern.

- Presentation of databases

As part of the freedom of information week, on 4 August 2008, the Georgian Young Lawyers' Association gave a public presentation of databases of judicial and administrative decisions in the field of freedom of information (www.gyla.ge/foicourt and www.gyla.ge/foiadmin). The databases accumulate information on all of the decisions made by courts and administrative bodies throughout Georgia on issues of freedom of information.



- Presentation of research papers

On 2, 5 and 6 August 2008, we gave a public presentation of the following research materials:

1. Analysis of the court practice on freedom of information cases;
2. A report on the fulfillment of the international recommendations by OECD and GRECO and of the Georgian National Anticorruption Strategy Action Plan;
3. A research on the review of administrative complaints.

28 September – the international Freedom of Information Day

On 28 September 2008, the international day of freedom of information, the Georgian Young Lawyers' Association, the Green Alternative and the Transparency International – Georgia held a roundtable in Gori entitled "Transparency, Accountability and Participation in Democratic Support."

The decision to commemorate the international freedom of information day in Gori was made in view of the latest events in Georgia. Following the August 2008 tragic events, many international financial organizations such as the World Bank, the Asian Development Bank, the European Bank for Reconstruction and Development and the International Monetary Fund as well as the European Union, the United States of America and other donors are planning to allocate significant amounts of money as assistance to Georgia. These funds will significantly help to reduce the material damages entailed by the war and boost the future development of the country. However, to ensure that the money is correctly allocated, purposefully spent and able to bring about positive results, it is necessary that these procedures be conducted in a transparent manner with the involvement of the public.

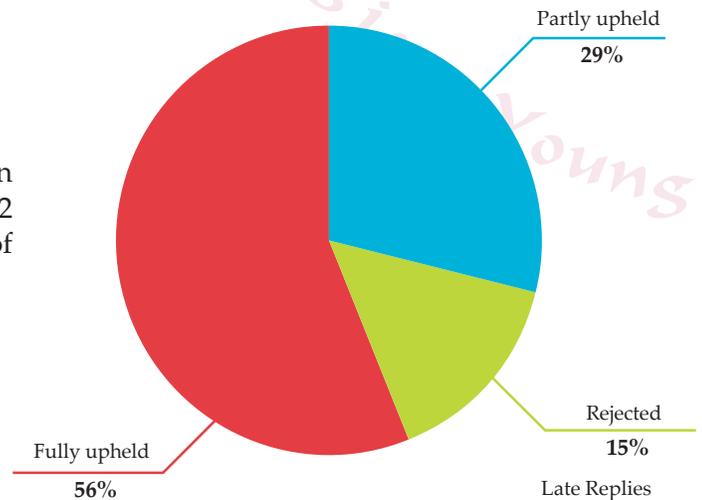
Freedom of information is a fundamental right. Any citizen must have the right to receive information on the assistance provided. Importantly, the assistance should be distributed and spent under public monitoring. This very matter was discussed by the organizer of the round table and the participating organizations. A joint declaration on "Distribution of the international assistance allocated to Georgia according to priorities and the transparency of its use" was signed.

Members of the diplomatic corps, international organizations, local non-governmental organizations and the media took part in the meeting.

Statistical data

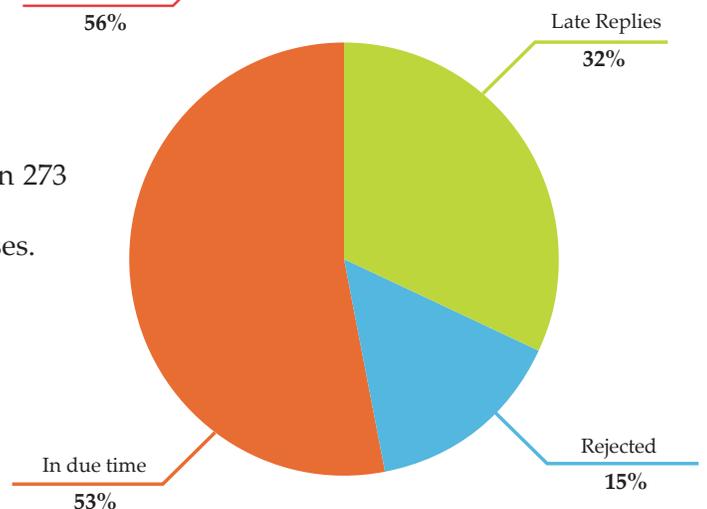
1. **Requests for public information.** Within the project, we submitted a total of 512 requests for public information, out of which:

- 285 were fully upheld;
- 149 were partly upheld;
- 78 were rejected.



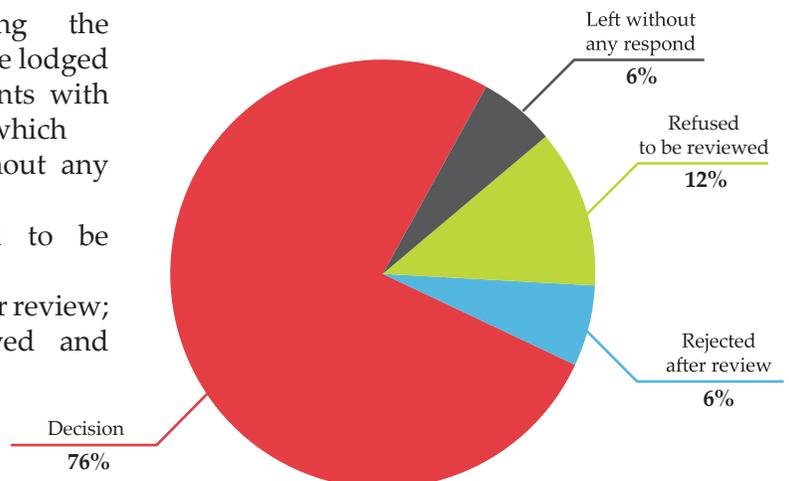
Of the requests upheld,

- We received replies in due time in 273 cases;
- We received late replies in 161 cases.



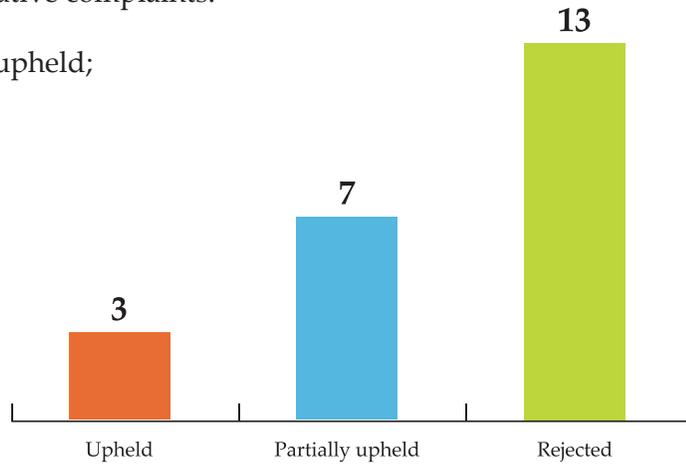
2. **Administrative complaints.** During the reporting period, within the project, we lodged a total of 82 administrative complaints with various administrative bodies, out of which

- 52 complaints were left without any respond;
- 4 complaints were refused to be reviewed;
- 2 complaints were rejected after review;
- 26 complaints were reviewed and resulted in a decision.



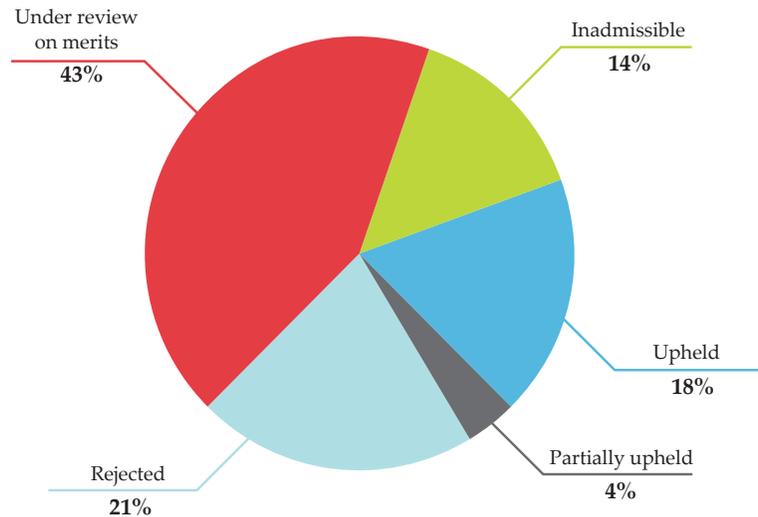
Of the decisions made on our administrative complaints:

- 3 complaints were upheld;
- 7 complaints were partially upheld;
- 13 complaints were rejected.



3. **Lawsuits.** During the reporting period, within the project, we lodged a total of 28 lawsuits in various judicial instances, out of which

- 5 lawsuits were upheld;
- 1 lawsuit was partially upheld;
- 12 lawsuits are currently under review on merits;
- 6 lawsuits were rejected;
- 4 lawsuits were declared inadmissible.



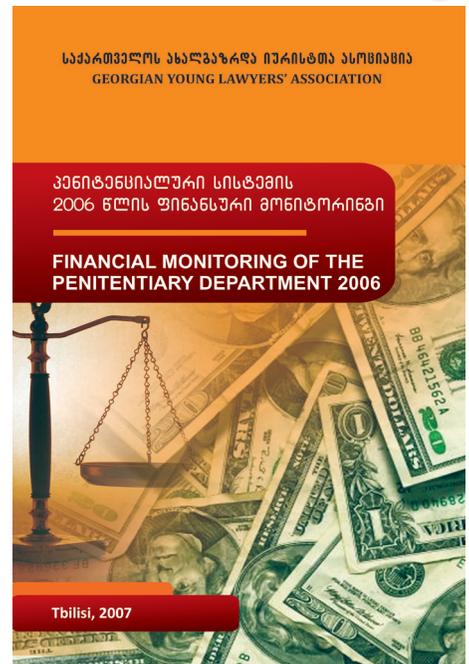
Within the project,

- Of the 16 lawsuits filed with the first instance courts, 5 were upheld, 1 was partially upheld, 2 were rejected, 4 were declared inadmissible and 5 are under review.
- 7 appeals were filed with appeals instance courts, out of which 4 were rejected and 3 are under review.
- Of the 2 cassation appeals filed with the cassation court, both are under review.
- Both lawsuits filed with the Constitutional Court are under review.

	Upheld	Partially upheld	Rejected	Declared inadmissible	Currently under review on merits
1st instance courts	5	1	2	4	5
2nd instance courts			4		3
3rd instance court					2
The Constitutional Court					2
Total	5	1	6	4	12

FINANCIAL MONITORING OF THE PENITENTIARY SYSTEM

In 2007, GYLA implemented “Financial monitoring of the penitentiary system in 2006.” The research is a novelty in terms of checking the lawfulness of use of financial / budgetary resources within the penitentiary system. The research was conducted in accordance with the Georgian legislation. Based on the freedom of information chapter of the General Administrative Code of Georgia, we obtained relevant financial documentation from various State authorities. The monitoring revealed violations of the Georgian legislation concerning rules of carrying out financial operations and maintaining appropriate financial records by the Penitentiary Department. Currently GYLA is continuing the work on the 2007 financial monitoring a report on which will be presented in November 2008 to Governmental and non-governmental bodies and international organizations.



FACILITATING ACCOUNTABLE AND TRANSPARENT GOVERNANCE IN THE REGIONS

Access to information

During the reporting period, our **Ozurgeti Office** monitored transparency and accountability of the Sakrebulo in Ozurgeti municipality.

As in the last year, failure to publish information required by the legislation concerning the upcoming session of the Sakrebulo a week prior the session remained a problem this year too. The information specified in the law was usually published two or three days before the session and only within the premises of the Sakrebulo administrative building.

A periodic monitoring showed that the public register which was introduced in the Ozurgeti municipality Sakrebulo in 2007 with the efforts of our Ozurgeti Office continued to be maintained in full accordance with the law.

Our **Telavi Office** encountered problems in getting the requested public information. While monitoring the pre-election period of the 2008 presidential elections, the Telavi Office addressed the person responsible for the release of public information in the administration of the State Representative (Governor) in Kakheti Region with a request to provide information on public officials who took a vacation during the last one month. The person responsible for the release of public information rejected our request for public information and thereby violated the terms prescribed by the General Administrative Code.

On this ground, on 15 May 2008, the GYLA office in Telavi lodged an administrative complaint with Mr. Levan Bezhashvili, State Representative in the Kakheti Region (the Governor) and, with reference to Article 37 of the General Administrative Code of Georgia, requested review of the complaint and release by the relevant public official of the public information asked for in our letter #11 dated 10 April 2008. On 6 June 2008, the administrative complaint of the Telavi Office was upheld; on 9 June the requested information was received from the administration of the State Representative (Governor) in Kakheti Region.

GYLA'S ROLE IN SOLVING REGIONAL PROBLEMS

Kutaisi Branch

In the reporting period, the Kutaisi branch was, *inter alia*, focused on monitoring of the budget of the local self-governance body, in order to raise the population's awareness of the rights and obligations of the local self-governance body and to ensure civil society's involvement in the decision-making on local budget issues. Within the project:

- 2007 budget process in Kutaisi was monitored and an expert analysis was produced on the following stages of the process: formation, approval, implementation, and evaluation.
- Invited experts conducted two-day training for the project participants and representatives of the local media on "Protection of civil interests and the budgetary process."
- One-day trainings were conducted for public officials on "Budgeting and protection of civil interests."
- Meetings were held with the population from different districts of the town.
- Meetings were held with specialists and representatives from the budget spheres (infrastructure, health protection, education, culture, sports, and youth matters).
- Meetings with the population helped us to reveal the main problems of special important for the time being for the city population. Groups for the protection of civil interests were created (9 groups of which 5 were formed according to territorial areas and 4 according to areas of activity). Each group consists of 10 individuals. In total, 90 citizens have joined the group. When selecting the members of the groups, attention was paid to their activeness, political neutrality, education and skills.
- To equip the groups for the protection of civil interests with required knowledge, we organized a 1-day informational meeting with them. Members of the groups were informed about the importance of budgetary monitoring and society's involvement in the budgetary processes.
- Concerning the 2008 budget, we prepared a package of recommendations and lobbied them. Budgetary recommendations drafted by the project experts were discussed at a meeting with the town mayor that was attended by representatives of relevant units. As it was mentioned at the meeting, the local government was, in general, of positive view of a majority of the recommendations. Further, specific ways to implement the recommendations were identified.
- Part of the recommendations were included in the Resolution of the Kutaisi Sakrebulo on the

2008 budget (rehabilitation of internal roads, repair of roofs, costs for open billboards, publication of informative brochure about the city, etc). On other part of the recommendations, we are continuing the work with representatives of the local self-governance.

- Several radio and television programs were prepared and broadcasted.
- Concerning the 2009 budget, we also prepared a package of recommendations and lobbied them. A short-term anticorruption programme was prepared and lobbied for the Kutaisi self-governance. The package of recommendations has been submitted to the Kutaisi Sakrebulo and mayor's office for their response.

During the reporting period, the GYLA Kutaisi branch remained focused on local self-governance problems. Their recommendations concerning the improvement of the local governance bodies were submitted to municipalities of the Imereti and Samegrelo regions.

Adjara Branch

In Adjara region, the problem of interference with private property remained on the agenda. Despite the already existing legislative guarantees, the number of interferences by the representatives of the Georgian Government with the right to private property increased. A clear example is the administrative act issued by the Khelvachauri Sakrebulo on the basis of which residents of villages Mejinistskali, Jochi, Angisa, Chiquneti, Todogauri and Akhalsopeli were deprived of their property rights. The population addressed the GYLA Adjara branch for legal assistance.

Adjara branch lodged a lawsuit with the Khelvachauri District Court against the Gamgeoba of the Khelvachauri municipality and requested that the aforementioned individual legal act were declared void. The political events and the civic activeness in November 2007 were probably an important factor leading to the fact that **the Sakrebulo of the Khelvachauri municipality cancelled its own unlawful administrative act that previously served as a reason for depriving tens of proprietors of their property rights.**

Ozurgeti Office

In January 2007, a memorandum of cooperation was concluded between the GYLA Ozurgeti Office and the Sakrebulo of the Ozurgeti municipality.

By virtue of the memorandum, GYLA expressed its readiness to elaborate and provide to the Sakrebulo its proposals and recommendations on various matters of the activity of self-governance bodies. It further undertook to render legal advice to representatives of both the local legislative and local executive bodies. **The cooperation proved to be successful and the duration of the memorandum was extended to cover the year of 2008.**

During the reporting period, the Ozurgeti Office was providing advice to Sakrebulo representatives, Bureau members and their lawyer. It was preparing and delivering to each member of the Bureau conclusions and recommendations on draft administrative acts discussed at the Bureau meetings. Noteworthy, Sakrebulo took most of GYLA's recommendations into consideration. For instance, at the meeting of 9 July 2008, Gamgeoba presented a draft normative act – draft amendments to the statute of the Gamgeoba of the Ozurgeti municipality. The draft was overlooking the requirement of Article 123(4) of the Law on Registration of Civil Status. At the meeting of the Sakrebulo, GYLA raised the issue on the necessity to comply with the requirement of the Law. Sakrebulo took account of GYLA's recommendation and an appropriate provision was added to the draft.

In addition, 7 conclusions and recommendations were prepared on administrative acts presented by the Sakrebulo commission and the Gamgeoba of the Ozurgeti municipality. In total, we provided recommendations concerning 67 draft administrative acts.

Finally, seminars were conducted for the representatives of the municipality Gamgeoba on “Powers of the representative of a Gamgeoba – territorial body of a local self-governance”. Notably, the seminars were held for the representatives of territorial bodies of all the three municipalities in Guria: Ozurgeti, Lanchkhuti and Chokhatauri. 78 representatives and deputy representatives attended the seminars.

Telavi Office

During the reporting period, protection of the freedom of information was a priority for our Telavi Office. On 19 November, Radio Hereti broadcasted a piece of information that Gocha Mamatsashvili (former Gamgebeli of Telavi and currently Deputy Minister of Environment Protection and National Resources), together with David Adeishvili, brother of the Prosecutor-General (former deputy Representative of the President of Georgia in the Kakheti region) was heading the election headquarters of Mikheil Saakashvili in Telavi. Along with this information, the radio broadcasted a critical commentary by Nika Vardoshvili, Chairman of the Telavi Office of the Georgian Labor Party. Mikheil Saakashvili’s election headquarters refused to comment on the above-mentioned piece of information and the refusal was clearly mentioned in the radio program. Members of Radio Hereti have a latent recording of a conversation between Ramaz Samkharadze, Director-General of the broadcasting company Hereti and Isako Tskipurishvili, a person closely related to the United National Movement. The recording makes it clear that Isako Tskipurishvili was asking Ramaz Samkharadze not to criticize the ruling party through Radio Hereti otherwise he was threatening on behalf of the Government that a broadcasting license would not be issued to Hereti and Hereti would stop functioning.

The National Communications Commission became interested with the fact that Radio Hereti was broadcasting without a license right after this event. The Commission officials were saying that Radio Hereti failed to pay 20% of the licensing fee within the term determined by the commission and that therefore no license had never been issued to Radio Hereti. Two days prior to the deadline, on 18 May 2007, Radio Hereti did make a wire transfer of the required amount to the bank details indicated in the Commission’s decision, in favor of the State Treasury; the company has all the appropriate documentation confirming the fact of transfer of funds. The National Communications Commission stated that Radio Hereti did not submit a paper confirming the payment of the licensing fee to the Commission’s accounting office; following the submission of the paper, Radio Hereti would be awarded a broadcasting license within 7 days. However, as the Commission official explained, the company could not avoid the legal liability for unlicensed broadcasting anyway.

Our Telavi Office is protecting the interests of the Radio Hereti. We drafted an administrative complaint against the National Communications Commission and submitted it to the Administrative Cases Panel of the Tbilisi City Court on 22 December 2007. By decision of the court, our complaint was rejected. GYLA will appeal against the court decision in the appeals court.

Another important activity for the Telavi Office was the **cooperation with the Family Support and Child Trusteeship Council** of the Telavi Social Service of the Ministry of Education and Sciences of

their consumer rights by EnergoPro-Georgia and Rustavi Gas. According to the consumers, the companies were unlawfully charging extra fee for the supply of electricity and gas. The consumers were demanding conclusion of contracts between them and the utility suppliers. The Rustavi Office drafted lawsuits for them to the effect of writing off the unlawfully charged extra fee. A meeting was held with the representatives of the companies to solve the matter. For now, the problem is solved and the companies did write off the unjustifiably charged bills. However, conclusion of individual contracts is still on the agenda.

Dusheti Office

During the reporting period, social questions were the one of the priorities for the GYLA Dusheti Office. Our lawyers were approached by pensioners residing in the Mtskheta-Mtianeti region in relation to whom the Agency for Social Subsidies either suspended pensions or refused to grant pension add-ons according to years worked. The Dusheti Office provided legal aid to a total of 160 pensioners. As a result, their pensions were restored or the pension add-ons were granted according to the number of years worked, respectively.

Another priority for the Dusheti Office in the reporting period was cooperation with the local self-governance bodies. To help put the freedom of information principle in practice, the Dusheti Office held trainings for public officials. As a result, a majority of public institutions in Dusheti now have specific persons tasked with release of public information upon request. With the great efforts of the Dusheti office, first precedents of administrative proceedings have emerged in the public institutions of the Mtskheta-Mtianeti region. Trainings conducted for public officials on administrative proceedings also facilitated the achievement of this result.

Through the assistance provided by the Dusheti Office, individuals possessing land plots were able to register their title to the land. This became possible also due to the effective cooperation between our Dusheti Office and the Commission for the Recognition of Titles to Land Plots of the local self-governance body.

PUBLIC MONITORING OF THE GRANT PROGRAM AGREED BETWEEN THE BAKU-TBILISI-CEYHAN PIPELINE COMPANY AND THE GOVERNMENT OF GEORGIA (Phase 2)

During the reporting period, we monitored the spending of the 40-million-grant program of the Baku-Tbilisi-Ceyhan Pipeline Company by the Georgian Government. We were constantly requesting information from the following public institutions: the Ministry of Finance, the Treasury, the Ministry of Labor, Health and Social Protection, the Ministry of Justice, the Ministry of Education and Sciences, and the Unified Fund of Social Security. We were requesting information also from the Baku-Tbilisi-Ceyhan Pipeline Company and the audit company Deloitte & Touche LCC; the latter is responsible for audit check of the grant funds. Based on the received information, we determined a list of public institutions and areas that required phase-by-phase monitoring of the purposeful spending of the grant funds and correct accounting within the program.

Having analyzed the information gathered in the course of monitoring, we prepared and published a report entitled “The Century Project: Monitoring the Spending of the 40-Million Grant”, which contains a detailed analysis of the collected information and recommendations on how to mitigate the shortcomings revealed in the course of monitoring.

Two expert legal conclusions were prepared:

- A legal analysis of the “Agreement between the Baku-Tbilisi-Ceyhan Pipeline Company and the Government of Georgia on the creation of a 40-million grant program for Georgia, as amended and updated on 26 July 2006”; the analysis discusses the inconsistencies of the 40-million grant agreement with the Georgian legislation and its positive and negative sides;
- A legal analysis of the “International treaty among Georgia, the Republic of Azerbaijan and the Republic of Turkey on the transportation of oil through the main export pipeline through the territories of the Republic of Azerbaijan, Georgia and the Republic of Turkey”; the document analysis the international treaty from the perspective of the year of 2007. It also focuses on the quality of performance of their obligations by the parties to the treaty.



Another research, of economic type, was also prepared:

- An expert conclusion on economic results of the “Agreement between the Baku-Tbilisi-Ceyhan Pipeline Company and the Government of Georgia on the creation of a 40-million grant program for Georgia”. The conclusion also discusses consistency of the 40-million grant program with the State Budget.

In addition, on 14 December 2007, the Georgian Young Lawyers’ Association and the coalition of organizations “For transparency of public funds” made a presentation to the public of a collection of expert conclusion prepared within the project. The publication includes all of the three expert conclusions.

In the reporting period, GYLA was holding meetings with the institutions related to the spending of funds under the 40-million grant agreement to discuss the expenditures and its accompanying

ACTION PLAN FOR THE STATE STRATEGY FOR IDPS

GYLA monitored the State Strategy for internally displaced persons. An action plan of the strategy was developed in 2007. The Georgian Young Lawyers' Association along with other non-governmental organizations was periodically preparing conclusions and recommendations concerning the action plan.

Presidential programme "My Home"

Within the project, we monitored the presidential programme "My Home." At this stage of the programme, only filling out of the declarations was required. By 2008, about 48,000 internally displaced persons fill out the property declarations.

The central networking meetings clearly showed that the major goal of the project – ensuring a dialogue between the civil society and the Government – was successfully achieved. The networking meetings were attended by the Ministers for Refugees and Accommodation of Georgia (the Government composition was reshuffled before the date of our second central networking). Representatives from 60 collective centres of IDPs raised their resettlement problems before the actual decision-making governmental officials and offered them their view of possible solutions.

Representatives of the collective centres selected within the project actively participated in all events planned. A number of requests for legal advice from IDPs increased.

With the joint efforts of the GYLA lawyers and our partner organizations, an amendment was made to the Order of the Minister of Internal Affairs No. 495 dated 31 March 2007 "on measures for the suppression of infringement upon or other hindrance of an owned immovable property". The amendment helped to stop numerous proceedings of evicting IDPs from collective centres at various locations.

In parallel to the aforementioned activities, we held a training course on the implementation of the State Strategy in relation to internally displaced persons for the representatives of the local self-governance and governance bodies on 5 April 2008. The training was aimed at increasing the capacity of local self-governance and governance officials of better solving IDP problems.

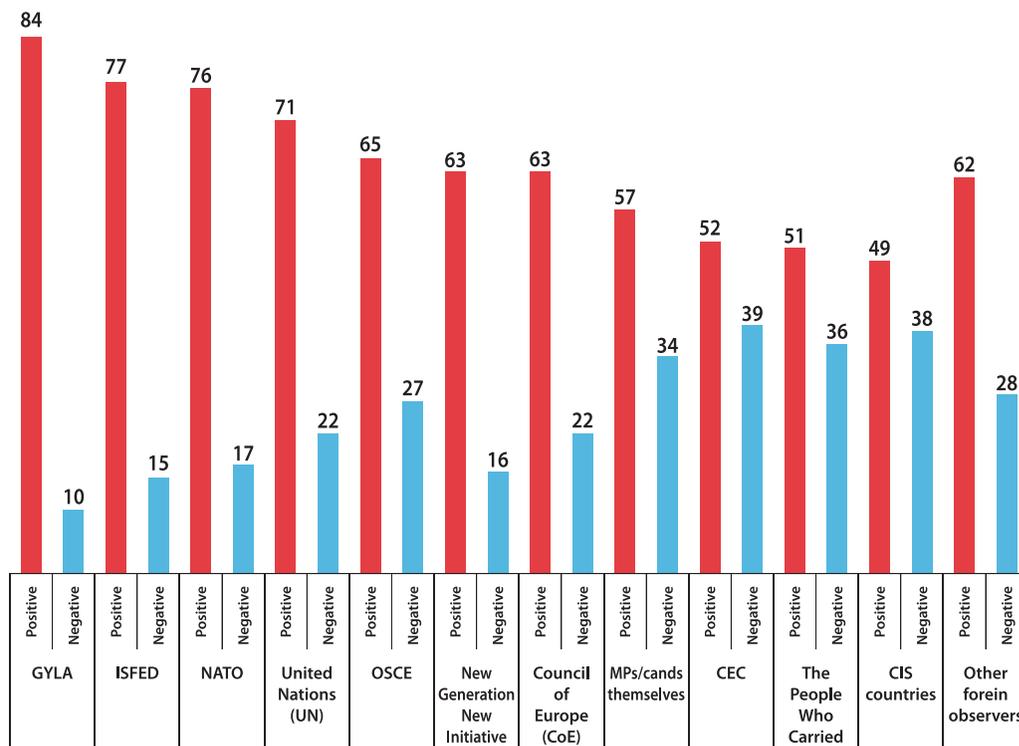
Since March 2008, when we have selected four IDP collective centres that may be privatized by the IDPs residing there, GYLA is actively involved in developing an experimental model of integration. The model is being developed phase-by-phase based on experience, and will be completed after the collective centres are actually privatized by IDPs.

Monitoring of presidential and parliamentary elections

Within the dimension of securing proper and transparent governance, during the reporting period, GYLA observed the 5 January 2008 extraordinary presidential and the 21 May 2008 parliamentary elections.

It is particularly noteworthy that as a result of the election observation, public (voters') confidence towards GYLA increased even more. According to the survey conducted by the National Democratic Institute (NDI), when asked "How would you evaluate the activity of these organizations – positively or negatively?", the interviewees gave the highest evaluation to GYLA. It means that the voters trust GYLA the most among all of the international and local organizations involved in the elections.

Do you evaluate these organizations positively or negatively (Q14B)



Monitoring of the 5 January 2008 extraordinary presidential elections

- **Monitoring of the pre-election campaign**

On 12 November 2007, the governing board of GYLA made a decision to the effect that GYLA would be monitoring the 5 January 2008 elections pre-election period in Tbilisi and 7 regional centres (Kutaisi, Batumi, Ozurgeti, Telavi, Rustavi, Gori and Dusheti) as well as the Election Day in Tbilisi, Kutaisi, Batumi, and Khelvachauri.

Observation of the pre-election campaign of the 5 January extraordinary presidential elections was made possible with the financial support of the National Endowment for Democracy (NED). Monitoring of the Election Day and the period following the Election Day was financed by the embassies of the United Kingdom, the Netherlands, and the German Federative Republic.

GYLA representatives were permanently informing the election administration (through applications and complaints), other appropriate authorities, and the media of violations revealed in the course of the monitoring.

On 3 January 2008, GYLA published a preliminary report of the “5 January 2008 Extraordinary Presidential Elections and Plebiscite Observation Mission” concerning the violations during the pre-election period (see <http://www.gyla.ge/?display=news&view=627>). A final report of the pre-election campaign monitoring was published on 17 January.

Within the pre-election monitoring format, GYLA also monitored election funds. A final report of the election funds’ monitoring was published on 11 March 2008 (see <http://www.gyla.ge/?display=news&view=646>). The report focuses on cases of neglect of legislative procedures by the election subjects as well as on shortcomings and ineffectiveness of the applicable legislation. With a view of eliminating these shortcomings, GYLA approached both the Parliament of Georgia and the Central Election Commission with a number of proposals.

- **The Election Day of the 5 January 2008 extraordinary presidential elections**

About 350 lawyers (including law students) from GYLA were engaged in the Election Observation Mission in Tbilisi, Batumi and Khelvachauri. The observation format envisaged permanent monitoring at election precincts, use of mobile groups, and observation in the district and the central election commissions.

GYLA observers were monitoring and documenting the election process. In case of observing violations, they were drafting and lodging complaints (on the Election Day and in the following period, GYLA submitted about 230 complaints; of this figure, 35 complaints were about cancellation of the precinct election protocols or cancellation of election results due to serious violations at the relevant election precincts). A final report of the Election Day monitoring was published on 17 January 2008.

- **Monitoring of the procedures following the Election Day of the 5 January 2008 extraordinary presidential elections**

GYLA observers also observed the process of counting votes made under additional lists. Throughout its election observation practice, it was the first time during the 5 January 2008 presidential elections when GYLA encountered the following general trend: **of the extremely important complaints concerning results of specific precincts, only one was comprehensively reviewed and upheld.** A significant part of the complaints lodged with the district commissions and the Central Election Commission was simply declared inadmissible.

On 17 January 2008, GYLA published a final report on the monitoring of the 5 January 2008 extraordinary presidential elections and plebiscite. The report combines results of monitoring of both the Election Day and its following period.

GYLA’s activities to improve the election environment

Monitoring of the 5 January 2008 out-of-turn presidential elections clearly showed that for the improvement of pre-election campaigning and turning it into a fair and democratic process, it is necessary to make certain significant amendments to the Election Code. Accordingly, the Georgian

Young Lawyers' Association expressed its readiness to actively cooperate with legislative and executive authorities, the election administration, political subjects and local and international organizations to improve the legislation and the election process for the coming parliamentary elections.

- **“10 preconditions for holding fair and free elections in Georgia”**

Based on the experience gained during the monitoring of the presidential elections, GYLA together with four other non-governmental organizations – Transparency International – Georgia (TI Georgia), the International Society for Fair Elections and Democracy (ISFED) and the New Generation New Initiative (NGNI) – drafted and submitted to the relevant authorities 10 preconditions, which, in our view, were indispensable for holding the 2008 parliamentary elections in furtherance with internationally recognized democratic standards. In addition to describing the problems, our joint declaration was offering possible solutions to them².

- **Work on legislative amendments**

In addition to elaborating recommendations, in March 2008, GYLA representatives were actively involved in the parliamentary working group on the amendments and addenda to the Election Code through participation in meetings within both formats – the parliamentary committee and direct meetings.

GYLA presented to the relevant representatives of the Georgian Parliament a package of amendments to the Election Code of Georgia focusing primarily on improvement of provisions governing the pre-election campaigning and complaints review procedures as well as on perfecting ambiguous provisions.

On 21 March 2008, the Parliament of Georgia passed the amendments to the Election Code taking into consideration part of GYLA's proposals. However, many vague and ambiguous provisions still remained in the Election Code³.

- **Round table for the election administration and the non-governmental sector**

On 21 March 2008, before the parliamentary Election Day was determined, within the project “Fair and transparent 2008 parliamentary elections in Georgia” financed by the Canadian Embassy, a working meeting was held with participation of the following persons: members of the Central Election Commission, members of the Legal Department of the Central Election Commission, members of the parliamentary committees, the Council of Justice, the Public Defender's Office, political parties, judges dealing with administrative cases, independent experts and representatives of international and local non-governmental organizations working on election issues. The goal of the meeting was to formulate a single approach to specific problematic issues in the upcoming elections, by means of sharing views.



²The document can be viewed at <http://gyla.ge/?display=news&view=638>

³GYLA's assessment of the Election Code of Georgia in view of the 21 March 2008 amendments can be viewed at <http://gyla.ge/?display=news&view=648>

Monitoring of the 21 May 2008 parliamentary elections

The Georgian Young Lawyers' Association monitored the pre-election campaigning, the Election Day and the post Election Day period of the 2008 parliamentary elections.

- **Monitoring of the pre-election campaign of the 21 May 2008 parliamentary elections**

In January 2008, the governing board of GYLA decided that the Georgian Young Lawyers' Association would monitor the May 2008 parliamentary elections through its observers at precincts and mobile groups in a total of 40 election districts in Tbilisi and in the regions. These election districts were the following: Mtatsminda, Vake, Saburtalo, Krtsanisi, Isani, Samgori, Chugureti, Didube, Nadzaladevi, Gldani, Mtskheta, Kutaisi, Zestaponi, Samtredia, Tskaltubo, Bagdati, Batumi, Khelvachauri, Kobuleti, Khulo, Keda, Poti, Ozurgeti, Lanchkhuti, Chokhatauri, Gori, Khashuri, Kareli, Rustavi, Marneuli, Bolnisi, Gardabani, Telavi, Gurjaani, Akhmeta, Kvareli, Dusheti, Tianeti, Kazbegi and Mestia.

As decided, GYLA observed the pre-election period in Tbilisi and 7 regional centres (Telavi, Rustavi, Dusheti, Gori, Kutaisi, Ozurgeti and Batumi). GYLA lawyers and media monitoring specialists were involved in the observation.

Monitoring of the pre-election campaign was made possible with the financial assistance of the National Endowment for Democracy (NED).

The monitoring made it clear that participation of public officials in the pre-election campaigning like during the recent presidential elections remained one of the pressing problems. Both the applicable legislation and the practice proved to be full of defaults in this respect.

For this reason, on 17 April 2008, a memorandum was concluded between the Central Election Commission and four non-governmental organizations – the Georgian Young Lawyers' Association, Transparency International – Georgia (TI Georgia), the International Society for Fair Elections and Democracy (ISFED) and the New Generation New Initiative (NGNI). In the memorandum, the parties agreed on a single interpretation of provisions of the Election Code of Georgia governing the pre-election campaigning⁴. In addition to the monitoring of the fulfillment of the Election Code requirements, GYLA was systematically watching for the use of the arrangements agreed in the memorandum in practice.

On 30 April 2008, GYLA published an interim report on the monitoring of the pre-election campaign. The second interim report was published on 19 May, several days before the Election Day.

- **Training for journalists**

Within the same project, on 22, 23, 24 April and 5 May, GYLA organized training sessions in Tbilisi, Batumi, Kutaisi and Telavi for journalists working on election issues.

The goal of the trainings was to inform the journalists of the provisions governing the pre-election campaigning, recent amendments to the Election Code, and rights and obligations of media sources during the pre-election period, to be used by them in the course of their activities.

⁴ See the memorandum signed by the Central Election Commission and four local election-observing organizations dated 17 April 2008 at <http://www.gyla.ge/?display=news&view=657>

- **Monitoring the Election Day of the parliamentary elections – 21 May 2008**

Unlike the presidential elections, GYLA's observation format during the parliamentary Election Day was broader. Activities of the GYLA Observation Mission on the Election Day were financially supported by the European Union (EU), the Open Society – Georgia Foundation (OSGF), and the Embassy of the United Kingdom in Tbilisi. On the Election Day, GYLA sent 716 observers to election precincts, district election commissions and the Central Election Commission. Of them, 580 individuals were observing the elections in the regions and 136 in Tbilisi.

As always, GYLA's observation was based on the following principles: observation at the election precincts during the entire Election Day; observation by means of mobile groups who were travelling from precinct to precinct in the same district to identify whether violations were taking place; and representatives in district election commissions and the Central Election Commission who were drafting legal documents, taking part in the decision-making and providing legal advice. Before the closure of the election precincts, the mobile groups selected relatively problematic precincts and stayed there to observe the ballot counting and the summarizing process. In addition, GYLA maintained a hotline all day long through which citizens were able to inform us on violations taking place at election precincts. When necessary, the relevant mobile groups were responding to the calls by paying a visit to the reported site.

On the Election Day, several briefings were given in the Media Centre established by the local observing organizations. Representatives of the press and other sources of media were provided with information on election violations identified by the GYLA observers and through the hotline for the appropriate specific time of the day.

GYLA published its final report on the pre-election and the Election Day monitoring on 5 June 2008 (see the report at <http://www.gyla.ge/?display=news&view=666>). By GYLA's assessment, violations identified during the pre-election period, which were not adequately responded by the Election Administration and judicial organs did have a material impact on the general environment existing on the Election Day.

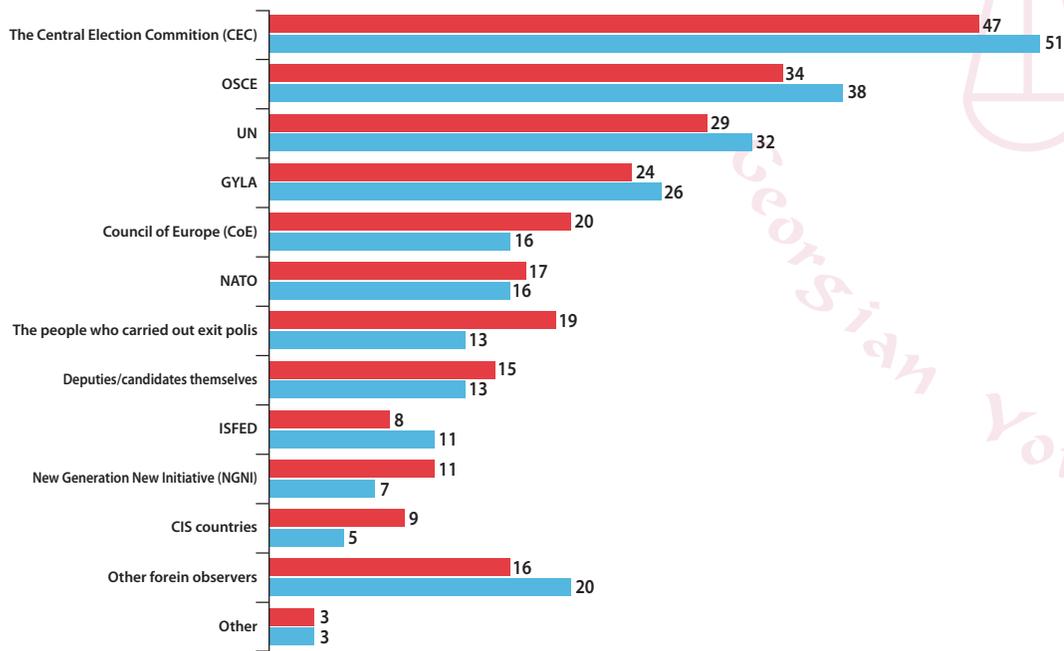
Facts of pressure upon the observers and sometimes their eviction from the precincts on the Election Day played a role in the final assessment of how transparently and democratically the elections were held.

- **Monitoring the period following the 21 May 2008 parliamentary Election Day**

Due to the unprecedented number of violations identified in the period following the presidential elections, GYLA paid special attention to monitoring the procedures after the parliamentary elections.

Monitoring of the period following the elections was carried out within the project entitled "Restoring public confidence toward election procedures" financed by the National Democratic Institute (NDI) and supported by the Swedish International Development Agency (SIDA).

A major goal of the project was to ensure 24-hour monitoring of district election commissions. The target of observation was the activity of the election commissions following the Election Day and the process of review of complaints, decision-making and summarizing of district results.



Monitoring of the post-election monitoring was carried out by 75 observers from GYLA in 35 election districts and the Central Election Commission. These election districts were: Mtatsminda, Vake, Saburtalo, Krtsanisi, Isani, Samgori, Chugureti, Didube, Nadzaladevi, Gldani, Mtskheta, Kutaisi, Zestaponi, Samtredia, Tskaltubo, Bagdati, Batumi, Khelvachauri, Kobuleti, Keda, Poti, Ozurgeti, Lanchkhuti, Chokhatauri, Gori, Khashuri, Kareli, Rustavi, Marneuli, Bolnisi, Gardabani, Telavi, Gurjaani, Akhmeta, Kvareli, and Dusheti.

On the Election Day, our observers produced 147 complaints. 69 complaints were submitted to the commissions. In relation of 29 election districts, decisions of the district election commissions were appealed in the courts. 5 complaints were lodged with the Central Election Commission concerning decisions of the district election commissions.

Based on the complaints lodged by GYLA, results of 11 precincts were cancelled, results of 7 precincts were re-counted, in 10 cases summary protocols were amended and in 12 cases the issue of liability of election officials was upheld.

GYLA published its report on the period following the Election Day on 9 July (see the report at <http://www.gyla.ge/?display=news&view=674>).

Strengthening the role of agricultural associations in the development of democratic processes in Georgia (STAGE)

For further development of democratic process, with the financial support of CARE, GYLA implemented a project for the strengthening the role of agricultural associations. The goals of the project were: legal analysis and assessment of organizational basic documents of the agricultural associations that were targeted in Kvemo Kartli and Samtskhe-Javakheti region within the project; drafting packages of amendments to the internal documents; registration and implementation of the amendments; elaboration and implementation of internal regulations; assistance in drafting, conclusion and implementation of memorandums of cooperation between agricultural associations and the relevant municipalities.

The following activities were carried out during the reporting period:

- A legal analysis of internal documents of 16 agricultural associations targeted within the project was made. Together with the governing board members of each association, we discussed and analyzed various documents, especially statutes. Packages of amendments to the statutes were prepared.
- In each association, a general meeting of members was organized to discuss and decide on amending the governing statutes of the associations;
- Registration of amendments to the statutes started in case of the target associations in the Kvemo Kartli region. Amendments were actually registered in case of 3 associations in Kvemo Kartli.
- Meetings of the governing boards of the associations were convened at which the organizations' internal regulations were adopted and approved.
- Draft memorandums of cooperation between the target associations and the relevant municipalities were prepared. Memorandums with the municipalities in Kvemo Kartli (Gardabani, Marneuli, Tetrtskaro and Tsalka) and Samtskhe-Javakheti (Akhaltsikhe, Adigeni and Aspindza) regions were drafted. During the drafting process, meetings and consultations were held with representatives of the relevant municipalities and local associations.
- In the reporting period, memorandums of cooperation were concluded between 6 target associations and the municipalities of Akhaltsikhe, Adigeni and Aspindza municipalities in the Samtskhe-Javakheti region. The memorandums of cooperation ensure the agricultural associations' more active and effective involvement in the decision-making on local issues.
- During the reporting period, a total of 4 roundtables were held in the Kvemo Kartli and the Samtskhe-Javakheti regions. The roundtables were attended by the target associations and representatives of the local governments. At the roundtables, legal problems existing at the local level were discussed and their solutions with all parties' involvement were identified.
- Trainings continued in the reporting period. In total, 23 trainings were held – 16 for the target associations and 7 for the representatives of the local governments. A total of 230 persons were trained. GYLA provided the training participants with training materials. The participants also received collections of legislative acts.



STRATEGIC GOAL NO. 4:

QUALIFIED AND PERMANENT LEGAL EDUCATION AND PROFESSIONAL DEVELOPMENT

GYLA AS THE HEARTH OF ALTERNATIVE LEGAL EDUCATION AND RAISING OF QUALIFICATIONS

Development of the legal profession is GYLA’s one of the statutory goals. Since the day of its establishment, GYLA has been trying to achieve this goal. Through the Foundation for the Support of Legal Education and the Legal Training and Information Centre, GYLA has been raising lawyers’ professional skills and qualification in specific matters for various interest groups, and arranging conferences, roundtables and working meetings on issues of concern. The Legal Training and Information Centre remains a hearth of alternative legal education and professional growth for students and interested persons.

Foundation for the Support of Legal Education

For the academic year 2007-2008, 220 individuals applied for various courses to the Foundation. Through testing, 120 students were selected. Courses continued 6 months in the following areas:

- Introduction to law (for beginning students) (43 students)
- Civil law (37 students)
- Criminal laws (22 students)
- International law (18 students)

At the end of the academic year, 100 students have successfully fulfilled requirements and were admitted to the final examination (test) of which 52 graduates received certificates, 47 graduates received diplomas and 1 graduate failed to received a certificate or a diploma.

Certificates and diplomas were handed over at a solemn ceremony in which the Foundation’s graduates and teachers had the leading role. In their speech, the teachers and the managers of the Foundation reminded the students of the difficulties inherent to the legal profession and of the goals at which GYLA’s alternative education is aimed at. They wished the students success in their career and urged them to become members of the Georgian Young Lawyers’ Association to help jointly achieve GYLA’s goals.



Most students who received diplomas also received recommendations for vacancies at various positions in both private and public sectors. 3 graduates were hired by GYLA within the Legal Aid Programme (in Telavi) and the Public Information Transparency Programme (in Tbilisi).

During the 6 months of study, the students were learning theory and acquiring practical skills. Together with the American Bar Association, the Foundation gave 90% of the students the chance to participate in the training course entitled “Acquiring court skills” which was held in 3 phases. The students have excellently managed to deal with aspects of a jury trial and held 3 moot courts. As a

result of the training and moot courts, each student received a joint certificate from the American Bar Association and the Foundation.

At the end of the 6-month course, three groups (international law, criminal law and civil law) held moot courts according to their specialization in the building of the Supreme Court of Georgia. At the moot proceedings, the students' performance according to their roles was assessed by a jury composed of judges, lawyers, representatives of various public institutions and experts by specialty.



The students showed high level and successfully presented the results of their 6-month study.

For the development of practical skills, the students were trained in debates as part of the study course during 5 months. At the debate courses, the students were perfecting their debating skills, culture of debate, quick thinking and skills of searching information on global and law-related issues and novelties. After 5 months, students from all of the groups took part in the debate competition where 4 winning groups and 28 best speakers were identified.

A new discipline introduced during the courses in the 2007-2008 academic year, was the legal writing skills through which the students were familiarized with the research methods required for producing legal documents and standards and techniques used in this process. At the end of the course, each student produced various documents prepared by using such methods and techniques.

Activities of the Foundation for the Support of Legal Education in the regions

- In addition to Tbilisi, the Foundation was carrying out activities in the GYLA regional offices, however, in a relatively small dimension. During 5 months, a course of debates was taking place in Rustavi, Gori, Kutaisi, Telavi and Batumi. In these regions, in April 2008, local tournaments were held that revealed the winning teams and the best speakers. Each winning team (from both the central and the regional offices) participated in a national tournament held under the auspices of the Foundation in May 2008. The criminal law team became the winner of the final tournament.
- In February, the GYLA Legal Training and Information Centre gave a presentation in the Batumi State University for students. The students learnt about the current educational programs at GYLA, teaching methods and achievements. The students were offered participation in a short-term 3-month pilot course to be held in Batumi. This endeavor would be a smaller model of the educational activities carried out in Tbilisi. The pilot course would show the appropriateness of launching a large-scale educational activity next year in Batumi.

In March, a competition was announced and 60 students were selected in criminal, civil and constitutional law dimensions through testing. During 3 months, the students were lectured by highly-qualified experts from Tbilisi in criminal law, law of criminal procedure, entrepreneurial law, administrative law and constitutional law. In July, a final examination was held and certificates were awarded to successful graduates.

Activities under the auspices of the Legal Training and Information Centre

On 8 November 2008, within a joint project of the Robert Shuman Foundation and the GYLA Legal Training Centre, a conference entitled “The European system of legal education: how it works” was arranged. The conference was attended by deans and professors of legal faculties from almost all of the high education institutions accredited in Georgia and representatives of the Ministry of Education and the National Accreditation Centre. Colleagues from Poland participated in the conference in the capacity of experts.

The conference addressed the following issues:

- Legislative base of legal education in Poland and its interaction with the Bologna process;
- The Georgian legislation on high education; The Georgian Education Ministry’s stance on high legal education; draft Law on High Legal Education;
- Programme-based accreditation of Georgia’s high education institutions;
- Legal education in Poland;
- Legal education in Georgia on the example of the Ivane Javakhishvili State University and the Caucasus Law School;
- GYLA’s role in the legal education / a concept on the legal education

The conference was preceded by the following activities within the framework of the project financed by the Open Society Georgia Foundation:

Interviews were conducted in the following institutions to select professors and teachers: Ivane Javakhishvili Tbilisi State University, David Agmashenebeli University, Georgian-American University, Grigol Bakradze University, Tbilisi Law and Economy University, Georgian Technical University, Georgian Aviation University, Akaki Tsereteli Kutaisi State University, Kutaisi Law and Economy University, Gori Small Academy and the Tskhinvali State University.



The questionnaires filled out by law students in 15 law schools (50 questionnaires were filled out in each education institution) showed how satisfied the students are with the teaching process and methodology in their respective institutions, the number of teachers at the faculty who use western-type teaching methods and what these methods are, and what the students would like to change to receive western-level legal education in their institutions.

Based on the questionnaires, 30 individuals were selected of whom the first part consisted of deans or deputy deans of law faculties and the other part were professors and teachers. The selected individuals were sent to Warsaw in two stages to get acquainted with the Polish experience in high legal education matters at both legislative and teaching methodology levels as well as other technical questions. During the visits, meetings were held in the Warsaw University and 2 private education institutions, the Constitutional and the Supreme Courts, the Bar Council, private law firms and non-governmental organizations. Each of these organizations presented their activity and approach to high legal education and turning young lawyers into professionals.

The Polish experience concerning the Bologna process proved to be important. In particular, what was or was not taken into consideration in Poland and why; why Poland adhered to a single stage education system in the field of legal education; how practical skills are developed after completion of legal studies and what are the possibilities for graduates to find a job by profession.

The visits to the educational institutions enabled the Georgian participants to see the healthy competition in legal education in Poland. The technical equipment, libraries, premises and teaching methods made many of our educational institutions reassess how far Georgia still has to go to achieve the western education system standards and healthy competition.

The visit to Poland and the issues raised by the Georgian high education institutions during the discussion made it clear that next meetings within the project to be held in Georgia had to address, as much as possible, presentation of individual education institutions (in the part of legal education) and review of specific problems in legislation and the teaching process to ease the further work of the education institutions in the regions.

To that effect, 2 meetings were held for the education institutions from the western and the eastern Georgia. Representatives of almost all of the high education institutions took part in the meeting, 45 individuals in total, who made presentations on the following matters:

- Organizational structure of faculties;
- Bachelor-level programs;
- Management of the teaching process;
- Masters-level programs;
- Doctor-level programs.



Presentations and the following discussion revealed that some of the high education institutions either operate beyond the relevant rules envisaged by law or use the same programs and models as the Javakhishvili Tbilisi State University; part of these institutions even do not properly follow these programs and models and there are problems that undoubtedly require prompt resolution. We hope these meetings will allow the institutions, especially those in the regions, to resolve their problems at least partially.

The meetings showed the necessity of holding similar meetings with the Quality Management Service of educational institutions in which members of the Ministry of Education Quality Management and Licensing Departments would participate. The same was recommended by the high education institutions. Such meetings would make it possible to raise the specific problems, to find answers to questions of interest and to draft joint recommendations.

GYLA offered active cooperation and assistance within its capabilities to the education institutions in terms of lobbying high-profile issues at the legislative level, organizing meetings similar to those mentioned above and provision with GYLA publications.



The aforementioned project and the education institutions' willingness to cooperate with GYLA enabled our Legal Training and Information Centre to implement a project for the creation of the www.legaleducation.ge website, which was financially supported by the British Council.

The website's objective is to gather information and make it easy for people interested in law to search for desirable materials and assist them in making fit-for-purpose decisions. The website will regularly display information on the novelties in terms of legal education and will play a role of a mediator among law schools, scholarship programs and interested persons.



The website contains information for individuals interested in legal education on issues they will find interesting such as legislative basis governing the high legal education, a list of all of the high education institution accredited in Georgia that have law faculties (or humanitarian faculties where law is taught among other subjects), and information on scholarships available to students and other interested persons to continue legal education abroad. Furthermore, the website allows those interested to access, without going out, the electronic catalogue of GYLA legal library and receive information on literature according to fields of law in Georgian, English, Russian, and French and German languages. Through the website, users are able to view GYLA publications in electronic format and find updated information about the courses offered by the Foundation for the Support of Legal Education.

To raise the public awareness about the website, we prepared video and audio trailers that were broadcasted during one month at various television channels, radio channels and 5 web portals with the highest rating. In addition, small-size stickers, bookmarks and calendars were printed and distributed among the high school students of final grades and the students of high education institutions. Large-size posters were placed on information boards in educational institutions and other organizations.

On 1 April, we held a presentation of the website to which representatives of almost all of the high education institutions, the Ministry of Education and other public authorities were invited. Representatives of the scholarship programmes advertised on the website attended the presentation as well. The presentation was aired by almost all of the media outlets. In addition to Tbilisi, presentation of the website was held and information materials were distributed also in high education institutions in Telavi, Gori, Kutaisi and Batumi.

FINANCIAL REPORT

Reporting Period: 1 October 2007 – 30 September 2008

GYLA's financial report covers the period between the Association's 14th and 15th General Assembly meetings. In this period, we received a total of 2,707,316.48 Lari from various sources in the form of grants, contributions and membership fees. A breakdown of this amount according to sources is shown below:

UNICEF	3,031.15 lari
British Embassy	45,251.15 lari
OSCE	118,075.49 lari
CRI	15,894.20 lari
GTZ	195,813.00 lari
British Counsel	13,443.00 lari
Canadian Embassy	12,320.45 lari
DRC	172,150.98 lari
Adam Smith International	15,868.41 lari
EHRAC	23,489.00 lari
Embassy of the Netherlands	48,807.52 lari
UNDP	627,961.98 lari
Counsel of Europe	7,138.34 lari
NDI	78,561.49 lari
European Commission	441,864.02 lari
US Embassy	28,545.90 lari
German Embassy	14,811.99 lari
NED	108,028.41 lari
Oxfam	5,435.00 lari
OSGF	117,914.73 lari
OSI	81,525.00 lari
EURASIA	50,383.99 lari
Oxfam NOVIB	160,814.55 lari
USAID	318,259.73 lari

Membership fees	1,897.00 lari
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Contributions by various legal entities and physical persons	30.00 lari
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During the reporting period, 135 employees were hired to perform other than one-time jobs, of which 48 individuals were employed in the regions. A total amount of reimbursements paid to such employees equals 1,129,879.19 Lari. One-time honorariums were paid to 629 individuals amounting to a total of 471,496.38 Lari.

The aggregate amount of income tax withheld from compensations, salaries and honorariums of private persons equaled 205,790.36 Lari.

During the reporting period, GYLA spent 69,553.05 Lari to purchase capital assets, of which 25,763.02 Lari was spent on regions.

On various low value items purchased during the reporting period, a total of 27,783.09 Lari was spent, of which 12,378.89 Lari was spent on regions.

8,532.23 Lari was spent to purchase books and various periodicals for the central office and regional offices' libraries.

160,598.45 Lari was used to organize seminars and meetings in both Tbilisi and regions.

315,452.49 Lari was spent on business trips of GYLA employees and members.

82,415.38 Lari was paid for rent of GYLA's office spaces.

71,710.53 Lari was spent on communication costs throughout the organizations, including 31,235.73 Lari for the regions.

During the reporting period, total expenditures equaled 2,999,657.93 Lari. A breakdown of the expenditure according to sources is shown below:

UNICEF	3,031.15 lari
British Embassy	34,432.41 lari
OSCE	103,491.90 lari
GTZ	17,637.91 lari
British Counsel	13,350.28 lari
Canadian Embassy	13,152.44 lari
DRC	252,040.01 lari
Adam Smith International	9,609.76 lari
EHRAC	16,059.67 lari
Embassy of the Netherlands	38,080.17 lari
UNDP	570,179.31 lari
Counsel of Europe	5,337.35 lari
NDI	68,585.81 lari
European Commission	467,820.56 lari
US Embassy	983.17 lari
German Embassy	14,812.00 lari
NED	65,341.44 lari
Oxfam	20,260.33 lari
OSGF	107,439.82 lari
OSI	73,530.05 lari
EURASIA	44,275.41 lari
Oxfam NOVIB	722,165.44 lari
USAID	245,736.35 lari
ABA	13,412.65 lari
CRI	14,820.11 lari
CARE	25,969.48 lari
CORDAID	15,509.75 lari

GYLA's own funds	22,593.20 lari
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Georgian Young Lawyers' Association Summary Balance Sheet As of September 30, 2008

	<u>Sep 30, 2008</u>
ASSETS	
Fixed Assets	834 924,17
Other Assets	2 000,00
Current Assets	
Accounts Receivable	541 286,02
Current/Savings	400 668,32
Total Current Assets	<u>941 954,34</u>
Current Liabilities	
Other Current Liabilities	-3 962,34
Total Current Liabilities	<u>-3 962,34</u>
NET CURRENT ASSETS	<u><u>945 916,68</u></u>
TOTAL ASSETS LESS CURRENT LIABILITIES	1 782 840,85
NET ASSETS	1 782 840,85
Equity	1 858 901,63

Executive Director

Chief Accountant



[Handwritten signatures and initials in black ink over the seal and to its right]

The Board Members

Giorgi Chkheidze - Chairman
 Tamar Kaldani – Deputy Chairman
 Besarion Abashidze
 Diana Berekashvili
 Eka Beselia
 Zurab Burduli
 Tamar Gurchiani
 Anna Dolidze
 Giorgi Zedelashvili
 Tamar Kordzaia
 Paata Kikvidze
 Ketevan Kvinikadze
 Tamar Metreveli
 Lasha Maghradze
 Levan Mosakhlshvili
 David Usupashvili
 Ekaterine Pavlenishvili
 Lali Chkhetia
 Irakli Tsnobiladze
 Tinatin Khidasheli
 Tamar Khidasheli

Heads of Regional Offices

Adjara Branch – Nino Tavlalashvili
 Kutaisi Branch – Lasha Gvenetadze
 Rustavi Office – Ekaterine Pavlenishvili
 Gori Office – Ketevan Bebiashvili
 Telavi Office – Lela Taliuri
 Ozurgeti Office – Tamaz Trapaidze
 Dusheti Office – Sergo Isashvili

Georgian Young Lawyers' Association

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Annual Report

Rule of Law for Justice