

**RULE OF LAW
FOR
JUSTICE**

2018
ANNUAL REPORT



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2018

ANNUAL REPORT



Kingdom of the Netherlands

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*Promoting Rule of Law
in Georgia (PROLoG)*

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Dear members of GYLA!

For the first time this year, I am honoured to greet you in the capacity of the Chairman of the Georgian Young Lawyers' Association and tell you that this year has been a huge responsibility for me along with the great honour.

Everywhere we have fought, everyone who has hoped in us and everything we have achieved throughout the year has become possible only thanks to the team that represents GYLA today. GYLA's team often achieves success at the expense of their enthusiasm and sleepless nights. Frequently we engage in an unequal battle, the fate of which is already predetermined, but we are GYLA and we cannot do otherwise.

I know that many of you, who are reading these words, will recall the months or the years you have spent in GYLA. I also believe that I am not saying something new or extraordinary. I just would like to mention that everything we do is the outstanding contribution of the GYLA's team, who have brought the organization up to the present day and instilled their confidence in us.

The year 2018 was traditionally the period of many interesting events, challenges and the fight for human rights. However, the year was remarkable to us from another perspective as well. For the first time in our history, we have

started the reform of the organizational arrangement of GYLA, which has become a part of our everyday activities due to a number of reasons. For the first time this year, we organized meetings with Batumi, Kutaisi and Tbilisi members of GYLA and communicated to them the reasons for the necessity to bring on the agenda the issue of the organizational setup of the organization. We would love to have much more frequent and better relationship with you, the GYLA members, in parallel with the new organizational arrangement.

Apart from the GYLA's organizational reform, there have been various meetings, conferences, seminars and presentations on human rights, democratization of institutions, transparency and good governance; successful court cases both at the national and international level; the monitoring mission conducted by the GYLA's excellent team during the 2018 Presidential Election; reports submitted to international organizations and the GYLA's Media Support Center which has been renewed since the beginning of the current year.

A special appreciation should be expressed to the GYLA's Legal Aid Center, which has been a kind of a business card of the organization for years, as well as our regional offices, which are always there where GYLA is.

It was of utmost importance to us to carry out activities at the International Criminal Court; the campaign for the amendment of the Administrative Offences Code of Georgia; protection of women's rights; the work on domestic violence issues and provision of assistance to victims of violence. For the first time this year, we have started to work in a different format for environmental and cultural heritage protection issues. We have strengthened the parliamentary direction of GYLA's activities and we still continue to

work for the provision of qualified legal education and look forward to further novelties.

Of course, the year 2018 has not put an end to all problems. Surely, a lot of hard work and sleepless nights await us ahead. We know and believe that it is impossible to reach far without the protection of human rights, independent judiciary and impartial law enforcement agencies. We believe we can play an important role in building a better future for Georgia, which we have been doing actively for years.

In 2019, GYLA will celebrate its 25th anniversary. Time passes fast. Since the first team of GYLA, the organization has seen many generations arrive and leave, and the process still continues. But one thing was, is, and will always remain the same, and this is GYLA

With respect,

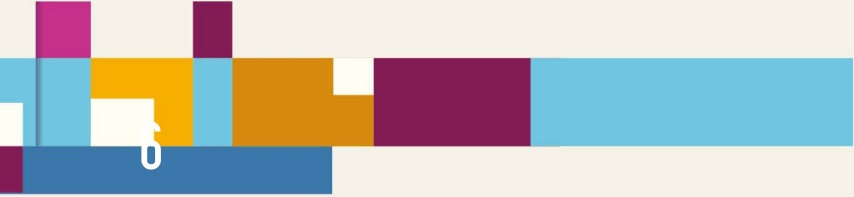
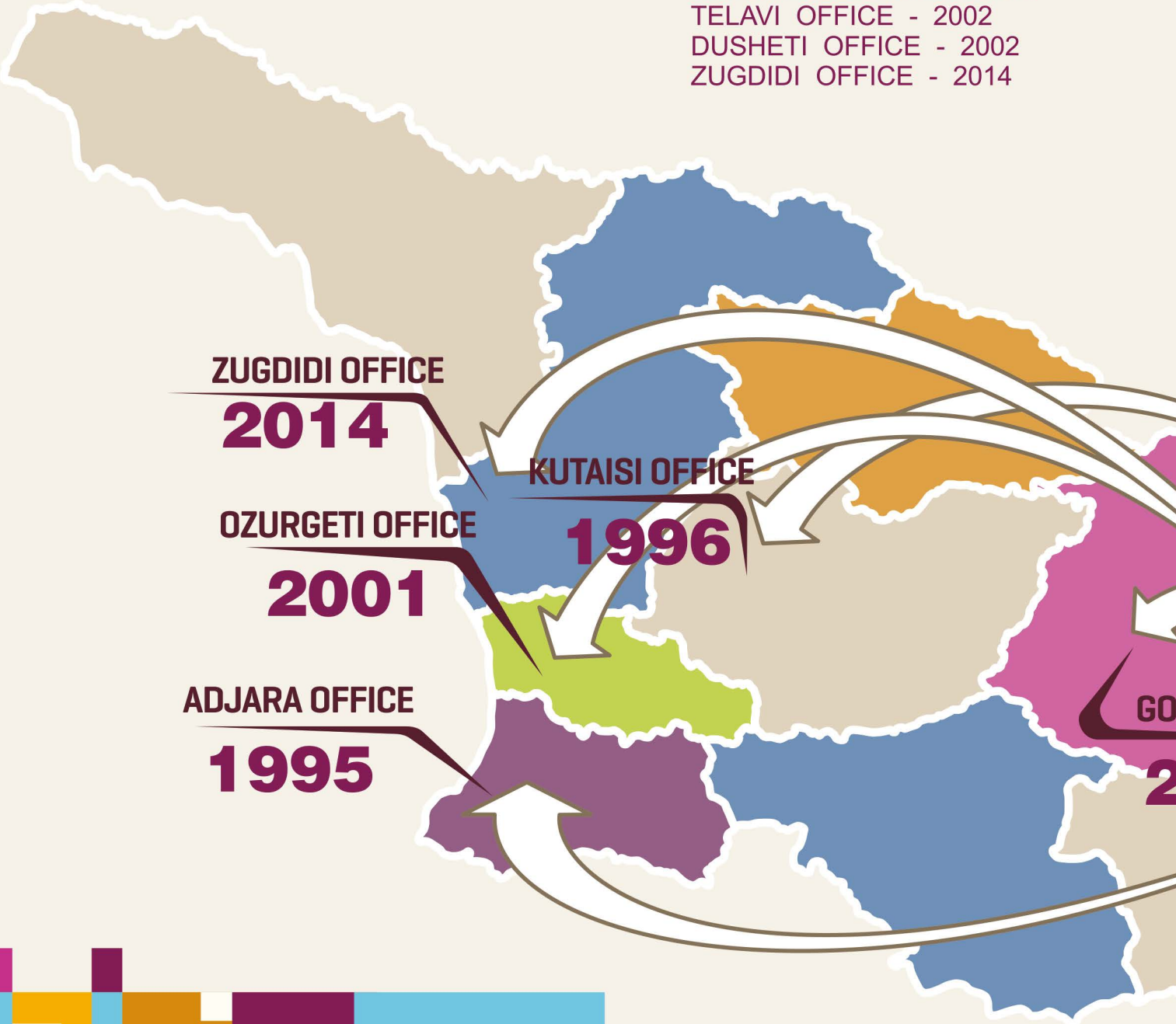
Sulkhan Saladze

Chairman of the Georgian Young Lawyers' Association



OFFICES OF GYLA

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



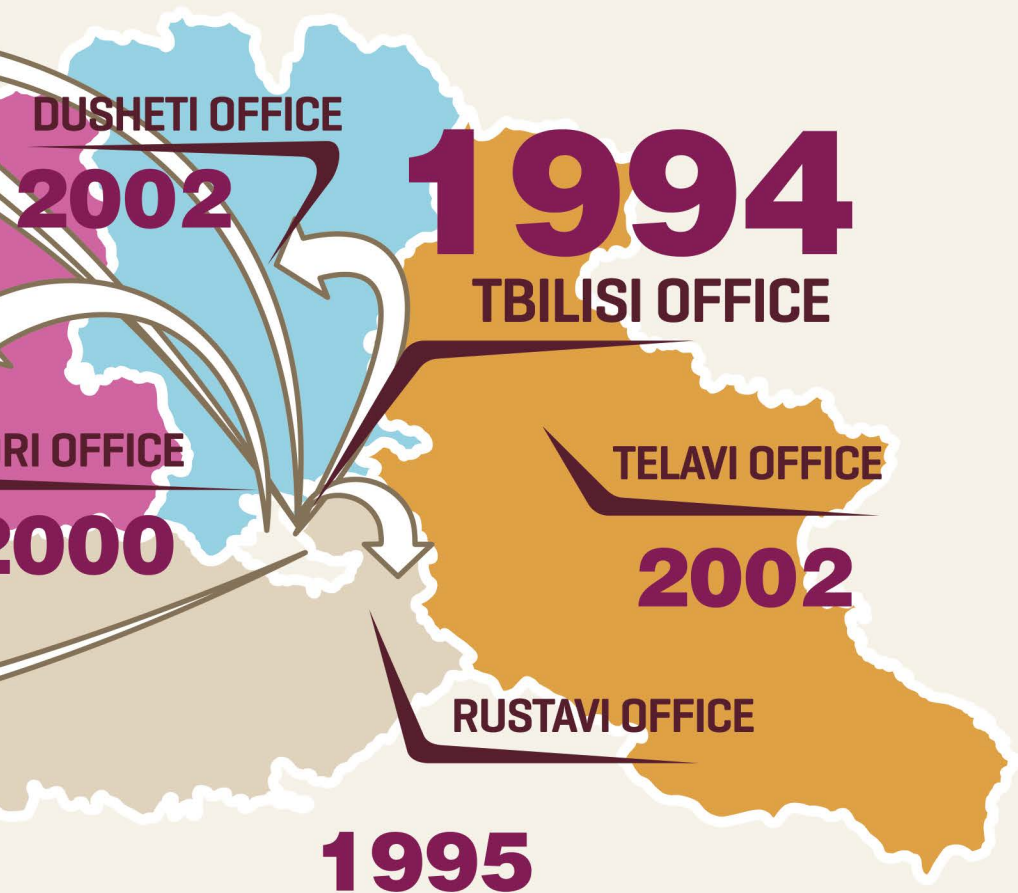
MISSION STATEMENT OF THE GEORGIAN YOUNG LAWYERS' ASSOCIATION

On 30 November 2014, the General Assembly of the Georgian Young Lawyers' Association adopted the Strategy and Action Plan 2015-2019. According to the document the organization will continue working to accomplish its founding goals and strategic objectives.

Based on the Charter and the long-standing tradition, we present to you the Annual Report 2018 of activities implemented by GYLA offices in Tbilisi and in 8 regions of Georgia (the report covers the period of 1 November 2017 - 1 November 2018).

OUR MOTTO

RULE OF LAW FOR JUSTICE



ASSESSMENT OF THE AMENDMENTS TO THE CONSTITUTION OF GEORGIA

Discussions over the constitutional reform and the monitoring of the process launched in Georgia in 2016 were practically held in non-stop mode throughout 2017 and continued intensively in 2018. In the previous reporting period, GYLA presented the initial assessment of the constitutional reform, but the necessity to provide an analysis/final conclusion of the overall process of the revision of the Constitution and to identify main trends has never been removed from the agenda.

Therefore, it is obvious that any process developed in that direction is of crucial significance, and it is important to analyze any events and subsequent conclusions and assess the whole picture.

THE CONSTITUTION, THE SUPREME LAW OF THE STATE, IS A PRIMARY FOUNDATION OF THE STATE'S DEVELOPMENT AND A CREDIBLE INDICATOR OF THE DEGREE OF DEMOCRACY REACHED BY THE SOCIETY.

THE STATUS OF A MEMBER OF THE STATE CONSTITUTIONAL COMMISSION ALLOWED GYLA THE POSSIBILITY TO DIRECTLY MONITOR THE ONGOING PROCESSES AND PROVIDE STAKEHOLDERS WITH A MORE IN-DEPTH ANALYSIS OF THE OBSERVATIONS AND FINAL ANALYSIS ALONG WITH THE ADDITIONAL INFORMATION THAT WE OBTAINED.



The analysis of the information and the assessment of the overall picture of the reform showed that the process of the revision of the Constitution was conducted with substantial shortcomings, which made it impossible, on the one hand, to achieve a common consensus on the Supreme Law of the country, and, on the other hand, made the text of the draft constitutional law a subject of criticism of many actors, including the Venice Commission.

The shortcomings of the process of revising the Constitution of Georgia accompanied the work of the State Constitutional Commission, as well as the stages of nationwide and parliamentary discussions.



In relation to the State Constitutional Commission, **an unreasonably insufficient timeframe** allocated for elaboration of the constitutional amendments must be noted, which even at the initial stage excluded the possibility of adoption of appropriate and well-thought decisions, especially in the case of starting the work from a clean sheet.



The essentially problematic circumstance was **the absence of the decision-making procedure in the working groups** that rendered the ongoing discussions formal and created the possibility to develop a draft law tailored to the interests of the parliamentary majority.

There were some complaints, in general, with regards to the composition of the State Constitutional Commission, in particular:



It is still unclear what criteria were used to select NGO and expert sector representatives as the commission members.



It is unknown why the interdisciplinary approach was not applied in order to make informative decisions.



Essentially negative assessment was given to the exclusion of the opposition parties from the composition of the Constitutional Commission with a complete ignorance of the provisions of the law, which certainly influenced the voting results at the Commission's final meeting.



THE STATE CONSTITUTIONAL COMMISSION

The lack of transparency in the work of the State Constitutional Commission, as well as unconstructive and insulting debates developed within the working groups, negatively affected such an important process for the country.

A rather destructive and characteristic part of the revision of the Constitution of Georgia was the confrontation between President of Georgia and Chairman of the Parliament, which began with the refusal of the President's Administration to participate in the work of the Commission and accompanied the whole process of the elaboration of the constitutional amendments.

UNIVERSAL-PUBLIC DISCUSSIONS

During the universal public discussions of the draft law, several problems emerged, namely: the inadequate legal base, the delayed publication of the predefined schedule of public discussions, the concentration of political party activists and persons employed in public sector, and attempts to drive discussions to the desired direction. This created the impression that the process was only formal in nature and was not intended to hear and consider public opinion.

PARLIAMENTARY HEARINGS

In terms of the parliamentary discussions, it should be noted an extremely fast adoption of the draft law of the constitutional amendments by two hearings, which practically excluded the possibility of achieving a common consensus. In addition, those interested in the participation

in the discussions were not allowed to analyze properly the opinions of the Venice Commission and formulate their own positions based thereupon.

A substantially negative aspect in the framework of the parliamentary discussions was the sudden decision made by the parliament majority prior to the first reading of the draft bill regarding the postponement of the introduction of the proportional election system, which deprived the processes of the universal consent and virtually led to the exclusion of all stakeholders. Thus, due to the high political polarization, it was impossible to find a solution even with the active involvement of the Venice Commission.

It still remains unknown why it became necessary to introduce additional amendments to the newly-approved Constitution when there had been all procedural-legal possibilities to reflect the necessary changes at the initial stage. In terms of the contextual side of the additional amendments, it is important to note the negative aspect of introducing additional provisions, which, on the one hand, rendered the preceding process meaningless, and on the other hand, contributed to the inclusion into the final version of the Constitution of such initiatives, which, due to the lack of time for analysis and comprehension thereof, remained still vague for stakeholders.

THE CONCLUSION OF THE VENICE COMMISSION

The Government of Georgia took into consideration the most part of the recommendations outlined in the conclusion provided by the Venice Commission. However, despite the introduc-

tion of additional amendments, some important recommendations were not reflected in the final text of the Constitution.

In conclusion, it should be noted that the revised text of the Constitution incorporates a number of positive initiatives and can be considered as a step forward in many directions. Nevertheless, due to the discrepancies at the various stages

of the elaboration of the draft law, the Supreme Law of the State was approved only by the decision of the parliamentary majority in the condition of a zero consensus, which obviously compromised the legitimacy of the approved legislative act, and most regrettably, all the improvements reflected in the final text of the constitutional law.



REPORTS SUBMITTED TO INTERNATIONAL ORGANIZATIONS



During this reporting period, the Georgian Young Lawyers' Association has submitted a number of reports to international organizations. In this regard, the most noteworthy are coalition and individual reports concerning a variety of important issues submitted to the United Nations Human Rights Council within the framework of the Universal Periodic Review (UPR), as well as a report sent to the OSCE Office for Democratic Institutions and Human Rights regarding the legal situation of representatives of ethnic minorities.

UNIVERSAL PERIODIC REVIEW (UPR)

The reports focus on the progress of implementation of the recommendations provided by various states within the Universal Periodic Review (UPR), and the current situation with respect to legal framework and human rights protection in Georgia.

The coalition report was prepared within the framework of the Coalition for Equality, and GYLA worked together with "Article 42 of the Constitution" on the issues related to discrimination on the grounds of ethnic, race and national origin.

As for the individual report submitted by GYLA, it encompasses issues such as justice, women's rights (political participation, domestic violence), media freedom, torture, and ill-treatment. The report highlights the significant accomplishments that have been achieved by the State in the field of good governance and human rights, but the report also points out challenges and problems that require further efforts.

The report submitted to the OSCE Office for Democratic Institutions and Human Rights provides the information on hate-motivated crimes that took place in 2017. The report



The report focuses on the following issues:



To improve the independent and effective mechanism for **investigating crimes** committed by law enforcement officers



To create an adequate **reparation system** for victims of torture and ill-treatment



The **low publicity and transparency** of the activities of the High Council of Justice, selection/appointment of judges



The necessity to have independent, **impartial and constructive media**



To increase the budget allocated to social workers who are responsible for the **provision of assistance to victims** of domestic violence



The necessity of introducing a compulsory **gender quota**



Criminal persecution of sexual violence in accordance with the requirements of the Istanbul Convention

focuses on one fact related to a violent act committed on the homophobic ground against the members of the non-governmental organization “Equality Movement” Levan Berianidze and Tornike Kusiani in Batumi. GYLA is defending the interests of the victims.

The United Nations Human Rights Council, as well as the OSCE Office for Democratic Institutions and Human Rights, in their reports, alongside to other sources, will make reference to the data in alternative reports provided by NGOs.

The Georgian Young Lawyers' Association will traditionally continue the cooperation with the international organizations in the field of human rights protection in Georgia in order to facilitate the implementation of the recommendations and, in general, to support the improvement of various aspects in the field of law.



FREE AND FAIR ELECTIONS: LEGISLATIVE AND PRACTICAL CHALLENGES

IN AN EFFORT TO PROMOTE FREE AND FAIR ELECTIONS, THE GEORGIAN YOUNG LAWYERS' ASSOCIATION CARRIED OUT IMPORTANT ACTIVITIES IN THE REPORTING PERIOD IN THE DIRECTION OF IMPROVEMENT OF THE LEGISLATIVE FRAMEWORK, AND MONITORED THE PRESIDENTIAL ELECTIONS 2018, THE PARLIAMENTARY BY-ELECTIONS IN VANI AND KHONI AND BY-ELECTIONS OF SAKREBULO IN ZUGDIDI.

During the reporting period, GYLA worked on legislative amendments together with the partner organizations – “Transparency International – Georgia” and the “International Society for Fair Elections and Democracy”. The two packages of the recommendations were prepared, which included the amendments to the Election Code and the Organic Law of Georgia “On Political Associations of Citizens” aiming at the elimination of the gaps identified by the organizations in practice during the monitoring of the electoral process. Prior to submitting the recommendations to the Parliament, they had been discussed with various participants involved in the election process and interested groups. The discussions focused on the challenges identified during the 2016-2018 election cycle at the legislative level

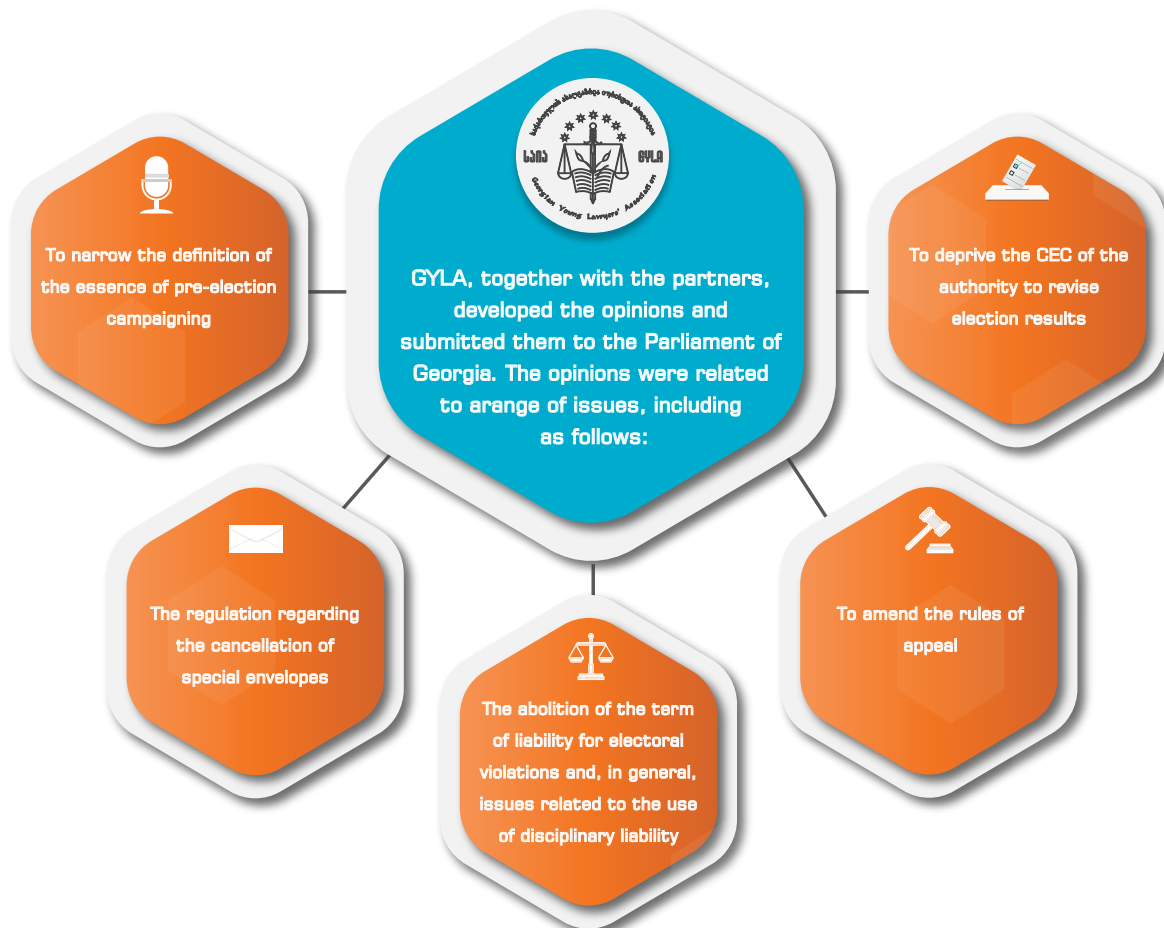


and problems existing in practice. The steps were elaborated in which direction to continue work in the 2020-2021 election.

THE ELECTION RECOMMENDATIONS PREPARED BY THE GYLA FOR THE IMPROVEMENT OF THE ELECTION LAW REFERRED TO THE FOLLOWING IMPORTANT ISSUES:

- FUNDING POLITICAL PARTIES**
- PRE-ELECTION CAMPAIGNING AND USE OF ADMINISTRATIVE RESOURCES**
- THE COMPOSITION RULE OF ELECTION COMMISSIONS**
- ELECTORAL DISPUTES**
- THE LISTS OF THE MOBILE BOX**

In parallel to the development of the recommendations, the organization presented its opinions regarding the legislative amendments proposed by the CEC. In particular, certain amendments included in the draft were obviously positive, however, some others could have had an adverse effect on the electoral environment. It was, for instance, an amendment according to which belonging to a political party was no longer considered pre-election campaigning, as well as the amendments the adoption of which could increase the possibility of hiring in the election administrations those commission members who violated the law, etc. In connection with the foregoing, GYLA, together with the partners, developed the opinions and submitted them to the Parliament of Georgia.



After the considerations and discussions with the CEC and the Legal Issues Committee of the Parliament of Georgia, the latter shared the most of the recommendations proposed by GYLA.

THE PARLIAMENTARY BY-ELECTIONS IN VANI AND KHONI

SAKREBULO ELECTIONS IN ZUGDIDI

During the reporting period, the Georgian Young Lawyers' Association monitored the **parliamentary by-elections in Vani and Khoni, as well as Sakrebulo elections in Zugdidi.**

In both elections, the voting process was mostly peaceful and no violent acts took place.

The problem identified in Vani and Khoni was related to transferring voters into the list of the mobile ballot box provided in case of ill health. In particular, 3% margin for adding voters into the mobile ballot box list set forth by the election law was violated.

During the Zugdidi Sakrebulo by-elections, the election administration implemented a pilot program of electronic counting of votes and summarizing the results. Special devices for counting votes and results were used at the precinct, which was a novelty in Georgia and may serve as the basis for making a decision on electronic ballots and counting of votes in the future.

Although there were some flaws detected into the process, overall, the electronic counting of votes proved to be successful. The polling results were publicized soon after the ballots, which eased the traditional tensions at the polling stations.

GYLA welcomes any initiative aiming to increase the effectiveness of PEC activities and improvement of the election processes. The organization supports the simplification of the voting procedures and the introduction of modern technologies at polling stations, including electronic vote counting.

PRESIDENTIAL ELECTIONS 2018

THE GEORGIAN YOUNG LAWYERS' ASSOCIATION CARRIED OUT THE MONITORING OF THE PRE-ELECTION PERIOD OF THE PRESIDENTIAL ELECTION 2018 FROM 1 AUGUST 2018 TO 28 OCTOBER 2018 WITH THE ASSISTANCE OF ABOUT 20 MONITORS THROUGH ITS HEAD OFFICE IN TBILISI AND 8 REGIONAL OFFICES IN ADJARA, GURIA, IMERETI, SHIDA KARTLI, KVEMO KARTLI, KAKHETI, MTSKHETA-MTIANETI, SAMTSKHE-JAVAKHETI, SAMEGRELO-ZEMO SVANETI, AND RACHA-LECHKHUMI.

In the pre-election period of the Presidential Elections 2018, the presidential candidates had the opportunity to conduct their pre-election campaign in a competitive environment and present their programs and promises to voters through direct meetings. However, the campaign did not go smoothly without any interference, hate speech, and xenophobic statements. Like in 2016-2017, dissemination of secret video recordings was still a serious issue.

Social networks were distributing hate speech and personal insult directed at various political subjects and non-governmental organizations.

Misleading information was disseminated through various sponsored pages/ accounts on Facebook. The information about the financing and funding sources of these pages is still unknown to the public.

The presidential election of 2018 was the last chance when citizens directly elected the president of Georgia. In 2017, the Parliament of Georgia amended the Constitution and introduced an indirect rule for electing the president.

The Presidential Elections 2018 was a way different from the previous presidential elections, as the ruling party (“Georgian Dream”), the first time in the history of the presidential elections of Georgia, did not nominate its own candidate and supported the independent candidate Salome Zourabishvili, nominated by an initiative group. In order to participate in the election, 46 election subjects / initiative groups applied to the election administration to be registered as candidates for the presidency. Ultimately, 25 candidates were registered.

On 1 August 2018, the President of Georgia announced the voting day to be on 28 October 2018, and the pre-election campaign regulations, according to the Election Code of Georgia, entered into force on 29 August 2018. It is notable that the media became even more polarized during the pre-election period. Xenophobic calls, attempts to spread inter-ethnic confrontation were disseminated through pre-election political advertisements on media.

GYLA OBSERVERS IDENTIFIED THE FOLLOWING VIOLATIONS DURING THE PRESIDENTIAL ELECTION:

USE OF ADMINISTRATIVE RESOURCES

UNLAWFUL CAMPAIGNING

ALLEGED VOTE BRIBERY

PHYSICAL CONFRONTATION

INTERFERENCE IN THE PRE-ELECTION MEETINGS OF CANDIDATES

DAMAGING ELECTORAL MATERIALS

INTERFERENCE WITH JOURNALISTIC ACTIVITY

THE ALLEGED PRESSURE

ILLEGAL DONATIONS



One of the identified trends was nominating the so-called “technical candidates” whose goal was not winning in the elections, but supporting a specific candidate and obtaining additional resources for an electoral subject (such as state funding and free advertising time).

We must especially emphasize the tendency of destructive, non-collegial, unjustified and groundless statements against the NGOs sector - especially the observer organizations – made by the institutions (election administration, Inter-Agency Commission and Georgian National Communications Commission) involved in the electoral processes. This created a reasonable assumption that it was an attempt to discredit and pressurize the organizations with many years of experience in human rights protection. The members of the delegation of the Parliamentary Assembly of the Council

of Europe also emphasized the importance of the contribution of the civil sector and their importance in the development of democratic processes.

In the pre-election period, GYLA published the monitoring report about the composition of election commissions, in which GYLA presented information about the persons temporarily elected in District Election Commissions, specifically about their relatives employed in the same institutions and their political bias. The report became the ground of the attack on GYLA both by the Chairperson of the Central Election Administration (CEC), as well as the Chairperson of the Inter-Agency Commission (the Minister of Justice), which, on the one hand, violated the “Code of Ethics of the Election Administration Servants,” and on the other hand - breached the scope of the authority determined by the Election Code of Georgia.

POLLING DAY

Georgian Young Lawyers' Association monitored the polling day of the Presidential Elections of 28 October 2018 in Tbilisi and 8 regions - Kakheti, Mtskheta-Mtianeti, Kvemo Kartli, Shida Kartli, Samtskhe-Javakheti, Samegrelo-Zemo Svaneti, Guria, Imereti, and Adjara.

Considering the monitoring experience, the special attention of the organization was focused on the following issues: problematic precincts identified during the previous elections, districts densely populated by national minorities and settlements with IDPs; events developing on the external perimeter of precinct election commissions and activities of law enforcement agencies (in terms of fulfillment of the Decree issued by the Minister of Internal Affairs). In addition, GYLA monitored the situation in terms of the inclusive election environment, such as

the possibility for persons with disabilities and representatives of ethnic minorities to exercise their political / electoral rights. The issue of female candidates' participation in the elections was also a priority.

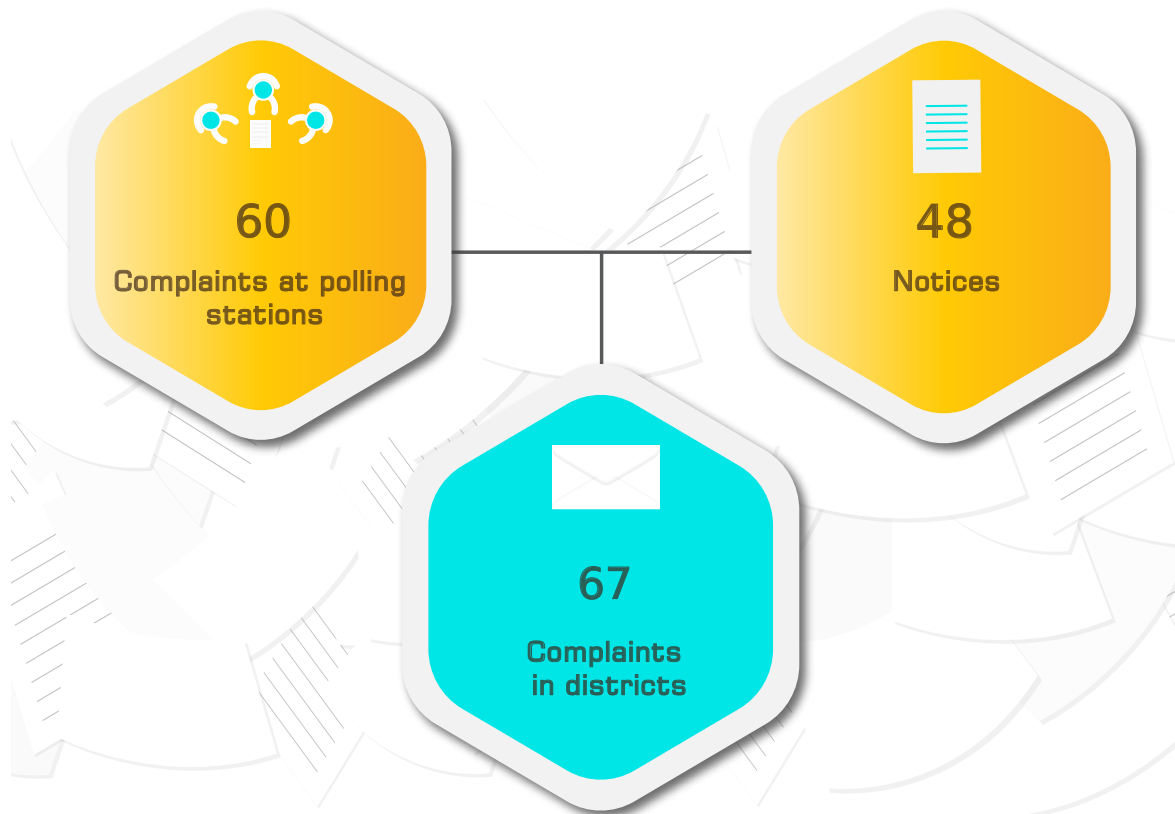
On the Election Day, GYLA was running the information headquarters in Tbilisi and in eight regional offices where the representatives of the Association were collecting and analyzing information into the electoral analytical database in real time with the help of observers and analysts from all the regions of Georgia.

On the polling day, Justin McKenzie Smith, Ambassador of Great Britain, visited the headquarters of the organization and learned about the methodology of the monitoring of





On the polling day, GYLA observers prepared:




the Presidential Elections and the ongoing processes.

On the voting day, a hotline was open in GYLA. Citizens and journalists had the opportunity to receive legal advice regarding voting procedures.

Overall, the voting process was held in a calm environment. Voters had the opportunity to express their choice freely. According to the GYLA monitors, the violations identified during the polling period (08:00 a.m.-20:00p.m.) did not have any significant impact on the polling process. During the whole day, the mobilization of the electorate and the alleged control of voters' will were high. In spite of the amendments introduced to the legislation, which regulates the issue of handling the personal information of voters at a polling

station, the cases of implementation of the above-mentioned action outside the polling stations still remain beyond the regulation. For years, GYLA has been reporting about the vicious practice that requires appropriate legislative regulation. It is noteworthy that the cases of alleged control of voters' will and handling personal information are a serious problem not only on the polling day but also throughout the whole pre-election period.

In addition to the foregoing, **significant violations were observed, including a fact of alleged bribery of voters, which may include the signs of a criminal offence, and the facts of withdrawal of ballot papers from the polling station and physical confrontation.**



At the stage of counting the ballot papers and concluding the polling results, in some cases (in Marneuli, Chugureti, Mtatsminda districts), GYLA monitors were prevented from entering the polling station after 20:00 p.m., namely, police officers did not allow them to enter the building, but after the communication with the Chairpersons of the respective precinct commissions, the problem was eliminated and the GYLA observers were able to monitor the process. There were a couple of cases of verbal and physical confrontations.

The elections once again demonstrated a range of legislative and practical issues that require systematic legislative and institutional amendments, including to the rule of transferring election documentations to the DEC's and improvement of relevant infrastructure in order to ensure the delivery of election documentation and inventory in one space to avoid chaos and disorder. This will facilitate the improvement of the transparency standards and, on the other hand, increase the possibility of monitoring.

THE ANALYSIS OF THE ELECTION CYCLE 2016-2018

During the reporting period, GYLA analyzed and assessed the election cycle of 2016-2018 in terms of the challenges which still remain in the country during electoral / political processes and the actions that should be taken to ensure a fair, free, competitive and inclusive electoral environment. To this end, representatives of the organization studied and observed:

- Criminal and administrative cases against politically active persons or anyone associated with them;

- Electoral disputes conducted by GYLA and other subjects;
- Inclusive electoral environment - whether the equal and supportive environment was created for women, persons with disabilities and ethnic minority to exercise their political / electoral rights.

Monitoring of criminal and administrative cases - The monitoring of criminal cases has shown that the most common problem (25 cases have been monitored in total) is delaying of the investigation. Depending on the special nature of some offences, the possibility to conduct an adequate investigation decreases after the expiration of a relevant timeframe (evidence can be lost; witnesses may forget the details of a case, etc.).

With regards to conducting an impartial, independent and effective investigation, the following issues remain a major challenge:

- In accordance with the Criminal Procedure Code of Georgia when notified of the commission of an alleged offence, an investigation shall be initiated. However, law enforcement agencies still pursue the vicious practice when they conduct the so-called "preliminary examination" or "preliminary inquiry";
- The Criminal Procedure Code does not provide for the possibility to appeal before the Court any decision on non-initiation of an investigation;
- Law enforcement agencies are still reluctant to identify discrimination motivation in practice;
- In the cases related to electoral issues, investigations are still unreasonably de-


laid, thus preventing the identification and persecution of perpetrators. In addition, an ineffective investigation paves the way for the development of the syndrome of impunity.

Monitoring of electoral disputes - The electoral disputes conducted by the GYLA and monitoring of the election disputes of other subjects revealed the problem of misinterpretation of a range of legal norms by the Election Administration and courts. In addition, despite the confirmation of the violations of the law, the Election Administration and the courts, under the pretext that the violations did not significantly impact the results, refused to satisfy complaints to invalidate final protocols and recount precinct results, and resorted themselves to only imposing disciplinary liability. The orders issued by Election Administrations did not contain any appropriate substantiation, and evidence was

not fully examined / evaluated. It is important to note that in some cases there was a problem of competence of judges. Prior to appointing as judges to review administrative cases, candidate judges do not take a special course in electoral issues, which is the reason for their low qualification in terms of electoral disputes.

Inclusive election environment - In recent years, a number of positive steps have been taken to create an inclusive electoral environment in Georgia, but the country has not yet achieved any significant progress in this regard so far. The participation of women in electoral / political processes is still low. Despite the constitutional amendments, which are based on the principle of equality of women and men, the ruling party has not passed the initiated draft law on the introduction of gender quotas as a temporary mandatory measure.





Still problematic is the low index of participation of persons with disabilities and ethnic minorities in electoral/political processes, non-accommodated environment, the absence of a complex policy of the Election Administration to increase the electoral involvement of ethnic minorities, lack of communication with the local community by central and local authorities, as well as the absence of the information policy of media aimed at increasing public interest in political processes.

The analysis of the electoral cycle and the legislative changes implemented in 2016-2018 has shown that there are still challenges in the country in terms of ensuring a fair, competitive and inclusive election environment, in particular:

- The government does not show the political will to introduce important electoral amendments;
- Involvement of women, ethnic minorities and persons with disabilities in electoral / political processes is still low;
- The procedure for composing election commissions has deteriorated. Instead of one appointed member, a political union may appoint more than one member in the election commission and this right is granted based on the results a party obtains in parliamentary elections. In this respect, the ruling party is in an advantageous position, as it has 3 appointed members out of 6 in election commissions at all levels;
- There is great inequality in terms of attracting financial resources by political parties. Again, in this regard, the ruling party is non-competitive, which gained 91.1% of the total donations in the local self-government elections in 2017;
- There still have been the cases of using administrative resources for the benefit of the ruling party. This particularly refers to the facts of mobilization of human resources;
- The election commissions and courts often review electoral disputes superficially, interpret the election code narrowly and in contrary to the essence of the law;
- The facts of unlawful campaigning and the use of social media as an instrument in the electoral process still remain a challenge.

SELF-GOVERNANCE




At the end of August 2018, a government commission on the local self-government reform and decentralization started its activities with the aim to:

- Elaborate and support the implementation of the state policy for the development of local self-government and decentralization, as well as to coordinate the development and implementation of the concept and the inter-agency processes;
- Facilitate the stages of planning and implementation of the local self-government reform for the purpose of improvement of the local self-governance;
- Develop proposals and recommendations for the refinement of the management system, separation, and redistribu-

tion of powers between central and municipal authorities, as well as the actions to be taken in local financial-economic and social areas to this end.

According to the areas included in the scope of the authority of the Commission, working groups have been created to establish reliable, accountable, transparent and result-oriented self-governance, and to enhance its powers and financial decentralization.

The Commission has to complete its activities by the end of the current year. Ultimately, the decentralization strategy 2018-2025 will be developed, which will serve as the basis for the implementation of the process of development of the actual local self-governance and decentralization.



GYLA'S REPRESENTATIVES WERE ACTIVELY ENGAGED IN THE ACTIVITIES OF THE WORKING GROUPS, AND BASED ON THE ANALYSIS OF THE LEGISLATION AND PRACTICE, PRESENTED THEIR RECOMMENDATIONS THAT AIM AT INCREASING CITIZENS' PARTICIPATION AND FORMATION OF ACCOUNTABLE, TRANSPARENT, POLITICALLY AND FINANCIALLY INDEPENDENT LOCAL SELF-GOVERNMENT.

PARLIAMENTARY ACTIVITIES AND GYLA IN THE LAWMAKING PROCESS

In the reporting period, GYLA was actively involved in parliamentary activities and lawmaking process, which was manifested in the preparation of conclusions on draft laws and submis-

sion of legislative proposals to the Parliament. In addition, GYLA's lawyers regularly attended meetings of the committees and publicly voiced the views of the organization.



During the reporting period, GYLA prepared written conclusions on **more than ten legislative packages** and presented them to the Parliament. The conclusions dealt with the following issues:



Harmonization of the legislative acts with the Constitution of Georgia



Improvement of the regulatory framework for eliminating all forms of discrimination



Enhancement of the mandate of the resource officer into the Law "On General Education"



To increase the amount of the fine for distorting the appearance of Tbilisi municipality in the Administrative Offences Code of Georgia



To regulate social work and activities of a social worker



To create a regulatory framework on agricultural land



The draft organic law "On Prosecutor's Office" and any other subsequent draft laws



To develop a legislative framework on marijuana consumption



The process of reforming the regulation of the Parliament of Georgia



The draft regulation of the Supreme Council of the Autonomous Republic of Adjara



The accumulative pension scheme



Creation of the State Inspector's Service




Labor safety



To improve the rights of persons with disabilities



The Child Code



In most cases, the legislative body of Georgia took into consideration GYLA's opinions. This included, for example, harmonization of the Constitution with the legislation, labour safety, the power of the resource officer, the law on social work, the child code, etc. However, the opinions submitted by the organization with regards to some serious issues - such as granting the State Inspector's Service the right of criminal persecution, the unconstitutional nature of the pension reform, etc - were rejected.

GYLA actively participated in the process of reforming the regulation of the Parliament of Georgia. The views presented by the organization concerned the issues such as the refinement of the legislation and improvement of the supervisory function of the Parliament, as well as to increase the transparency and accountability of the latter. During the consideration of the draft regulation, the majority of the GYLA's considerations were taken into account.

The Georgian Young Lawyers' Association also participated in the process of refinement of the new regulation of the Supreme Council of the Autonomous Republic of Adjara. In this connection, the organization submitted to the Supreme Council written observations, most of which was reflected in the draft prior to the registration of the initiative, and many other remarks were taken into consideration at committee hearings and during the meeting with members of the Supreme Council.

In the reporting period, GYLA addressed the Parliament with a legislative proposal for the improvement of women's property rights. According to the proposal, spouses were entitled to register any property acquired during the joint co-existence without the consent of the other spouse. Unfortunately, the Georgian Parliament declined the proposal.

During the reporting period, the organization was actively involved in the "Open Parliament" consulting group which elaborated the action plan 2018-2019. Many suggestions offered by GYLA were reflected in it.

There are still shortcomings in the implementation of legislative activities by the Parliament of Georgia. The main challenge still remaining is the consideration of a large number of draft laws in an accelerated manner, which hinders the possibility of effective involvement in the legislative process and timely submission of written opinions to the Parliament. In addition, the committees accept opinions only when working on draft laws or if initiatives are presented by parliamentarians, but when the author or the initiator of a draft law is the government of Georgia, the opinions are hardly or never accepted.

The rate of acceptance of politically sensitive proposals by the parliamentary committee is quite low in general. However, especially in less sensitive cases, GYLA's proposals have been adopted on a number of occasions.

THE COURT

Neither did the year 2018 prove to be a turning point for the real independence of the judiciary. The legislative reform implemented by the Parliament failed to improve the transparency of selection/ appointment of judges and activities of the High Council of Justice.


The fragmentary approach of the legislative authorities to the reforms highlighted the necessity to develop a draft law on the fourth

wave of judicial reforms, but the process was delayed. Under the obscure circumstances, the Chairperson of the Supreme Court and the High Council of Justice left the office prematurely, which may serve as the indication of unhealthy situation existing inside the judiciary system. There have been a number of high-profile cases that have raised doubts about the existence of selective justice.

Consequently, the Georgian Young Lawyers' Association traditionally continues to monitor the court and promote its independence. For this purpose:

During the reporting period, GYLA, like in the previous years, monitored the activities of the High Council of Justice and published the sixth court monitoring report together with the "Transparency International –Georgia". The monitoring revealed that the selection / appointment process of judges is characterized by the same deficiencies as prior to the judicial reforms. The number of closed interviews with candidate judges has increased sharply, and judges are still appointed according to the biased procedure. Decisions made by the Council on the appointment or refusal to appointment of certain judges still raise questions in the society, which negatively affect the independence of the judiciary and the confidence of the public to the court. The report indicates the legislative or practical gaps existing in terms of the transparency of the Council's activities, the disciplinary liability of judges, and appointment of court chairpersons. On account of the report, GYLA presented to the Council the recommendations which suggest selecting judges on the principle of merit and





transparency within the scope of the current legislation. A part of the recommendations, such as publication of the information about candidates, the rule for requesting information and competition procedures, has been taken into consideration. GYLA continues to advocate the recommendations relating to the openness of interviews with candidates and the substantiation of assessments.

- In order to eliminate the gaps in the selection / appointment process of judges, GYLA was defending the interests of a judge participating in the lifelong appointment of judges before the Board of the Experts of the Supreme Court of Georgia. Based on the mentioned case, GYLA filed a constitutional appeal to the Constitutional Court of Georgia.
- GYLA, individually and within the Coalition “For Independent and Transparent Judiciary”, made public statements to respond to a number of significant events ongoing in the judiciary. Among them, particularly alarming was the fact of intolerance expressed by individual judge members of the High Council of Justice to different opinions, which affected the principle of pluralism of views in the collegiate body and hindered the process of conducting constructive discussions on the issues under question. It is noteworthy that after demonstrating the unwillingness to accept diverse opinions in a range of ways, one of the judge members of the Council proposed an initiative to introduce the rule of conducting closed sessions of the Council, to which GYLA objected by publishing a public statement. In a number of cases, unjustified use by the Council of the mechanism of recusal for the purpose of preventing conflicts of interest in the process of selecting judges was also problematic, as it led to the exclusion of a member of the Council with critical

opinions from the process of appointment of judges. These approaches contradict the essence of the High Council of Justice, which shall be based on the principle of representation and collective management. In addition, GYLA is protecting the interests of a non-judge member of the Council into two cases: the dispute over an unsubstantiated recusal of the member of the Council and the dispute over the dissemination of defamatory statements about the Council member with critical views.

- GYLA, within the framework of the Coalition “For Independent and Transparent Judiciary,” prepared and participated in the development of five draft laws which are intended to propose a comprehensive reform of the judicial system to competent authorities and focus on the following issues: **selection / appointment of judges, disciplinary responsibility, the reform of the High Council School of Justice, the procedure of appointment of court chairpersons and the regulation of the work of the High Council of Justice.** The draft laws were presented to the Parliament of Georgia. GYLA continues to advocate the adoption of the draft laws within the framework of the fourth wave of judicial reforms.
- The Georgian Young Lawyers’ Association has published legal assessments of the facts that raised doubts about judicial independence and impartiality, namely: the decision on the imposition on a detainee of a preventive measure for the resistance against police officers during the incident which took place nearby the night club “Basiani” raised questions on selective justice; also, the decision on the restriction of the right to strike for subway operators was unsubstantiated and not in line with the Constitution of Georgia and international standards of

human rights, which raised questions about politically motivated court decisions.

- In the reporting period, the problem of non-enforcement of court decisions was also observed, in particular, the bodies under the subordination of the Ministry of Justice failed to enforce the court decisions in effect to reinstate Ana Subeliani and Tamaz Akhobadze to their positions, regarding which GYLA published a legal assessment. The independent court is impossible to exist without the real and effective mechanism of execution of court decisions. Moreover, non-execution of court judgments undermines the possibility to realize the right to fair trial.
- Shortcomings within the court and the Prosecutor's Office in terms of implementation of justice were also revealed in the case of Tamar Khachapuridze, conducted by GYLA,

in which Giorgi Mikautadze, a high ranking official of the judiciary, is one of the persons involved. The obvious signs of the selective investigation, procedural gaps, and neglecting the rule of law were the prerequisites why GYLA requested Giorgi Mikautadze to resign from the office of Secretary of the High Council of Justice.

- Within the framework of the Fifth Global Summit of the Open Government Partnership (OGP) held in Tbilisi on 17-19 July, GYLA organized a discussion on the topic of the open court, which was attended by Georgian and foreign high ranking officials. One of the reporters was Nino Gvenetadze, Chairperson of the High Council of Justice and Supreme Court of Georgia. GYLA continues to advocate on the involvement of the court in the Open Government Partnership before the High Council of Justice. 0602



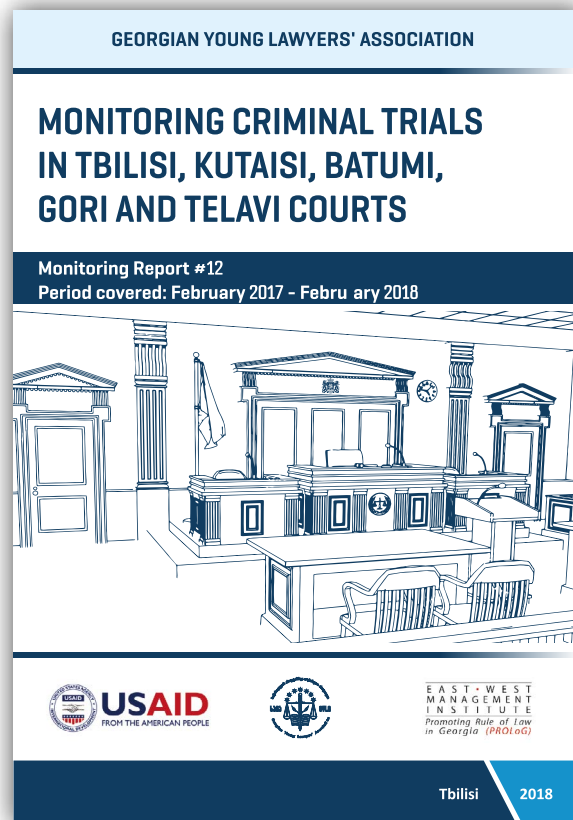
CRIMINAL JUSTICE

The reform of the criminal legislation has been going on for several years already in Georgia and the amendments to the Criminal Code and Procedure Code of Georgia are being elaborated. However, significant challenges in the area are still unresolved.

The Criminal Procedure Code of Georgia contains a number of provisions that do not comply with the adversarial model of the Criminal Law applicable in Georgia and/or human rights principles. At the same time, the definition of some offences is vague, which gives the Prosecutor's Office a wide discretion in a criminal prosecution and contradicts the foreseeability of the law.

Some important changes have been planned in order to create a new system of the Prosecutor's Office. The system of the Prosecutor's Office of Georgia will be transformed into an independent body and it will no longer be under the subordination of the Ministry of Justice.

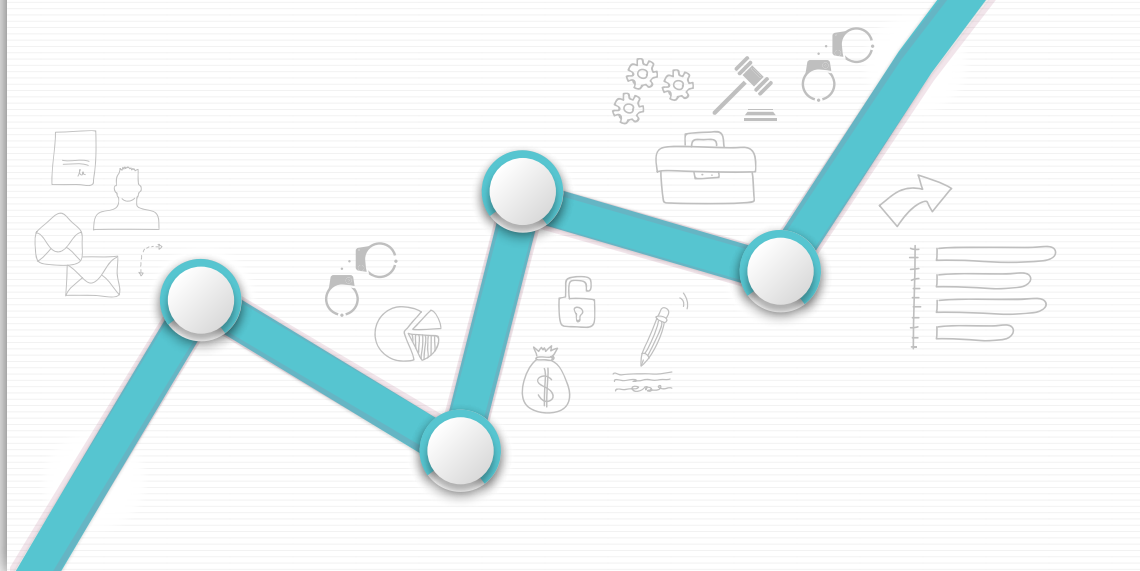
THE GEORGIAN YOUNG LAWYERS' ASSOCIATION RESPONDED TO THE NECESSITY OF IMPLEMENTING AN IN-DEPTH REFORM IN ORDER TO DEPOLITICIZE THE PROSECUTOR'S COUNCIL AND INTRODUCE STRUCTURAL CHANGES INTO THE SYSTEM OF THE PROSECUTOR'S OFFICE. GYLA REQUESTED THE INVOLVEMENT OF ALL STAKEHOLDERS AND THE TRANSPARENCY OF THE PROCESS.



In the reporting period, GYLA published the 12th Criminal Court Monitoring Report, which encompassed the results of the monitoring of criminal proceedings in five courts across Georgia. The monitoring has revealed a number of shortcomings. One of the serious challenges still remaining is the formal role of the judge in the implementation of judicial control over the protection of human rights. This particularly refers to the response of judges to alleged ill-treatment cases, examination of the lawfulness of detentions, revision of imprisonment imposed as a restriction measure, checking the lawfulness and legality of a sentence when signing a plea agreement.



It is still very high the application of strict measures of prevention, imprisonment and bail and remand detention with bail, the necessity of which is not substantiated in all cases and thus represents an unjustified use of the relevant measure. These cases can be considered as the example of the so-called "clandestine detention."



The flawed criminal law creates problems into narcotic drug proceedings, which ultimately result in the application of inadequate sentences by the court. Nevertheless, the process of implementation of relevant legislative amendments is delayed.

It must be positively assessed that a part of the recommendations issued in the previous year based on the results of the court monitoring of the cases of domestic violence, domestic offences, and violence against women has been fulfilled, in particular: specific amendments providing for more guarantees for the protection of victims have been introduced to the law, the Interior Ministry has established a special mechanism, which is equipped with the authority to monitor investigations into the crimes.

The criminal court monitoring report prepared by GYLA has been cited in a number of reports of international organizations as a reliable source of information on the current situation in Georgia. GYLA participated in the annual meeting of the organizations involved in the monitoring of court proceedings, which was organized by the OSCE Office for Democratic Institutions and Human Rights. The purpose of the meeting is to share the experience of OSCE observation missions and monitoring organizations across the world.

PROTECTION OF VICTIMS OF TORTURE AND ILL-TREATMENT



In the reporting period, GYLA, together with the partner organization “The Georgian Center for Psychosocial and Medical Rehabilitation for Torture Victims” (GCRT), carried out a range of activities to protect victims of torture and ill-treatment. The organizations assisted the individuals who became victims of such acts:

- in penitentiary facilities;
- in preliminary detention centers;
- by employees of law enforcement agencies;
- during the August War or later in the post-conflict period.

The Georgian Young Lawyers’ Association took part in the discussions and platforms arranged on the above-mentioned topics to advocate the issues of victims. At the same time, the organization provided free legal assistance to individuals who were/are subjected to torture and ill-treatment.

LEGAL ASSISTANCE

DURING THE REPORTING PERIOD, GYLA:

STARTED THE ADMINISTRATION OF 7 NEW CASES OF TORTURE AND ILL-TREATMENT;

PROVIDED LEGAL CONSULTATIONS TO 12 PERSONS IN TOTAL

ADVOCACY

The Georgian Young Lawyers’ Association was involved in the work of the inter-agency councils implementing the criminal justice reform and the activities against torture, inhuman, cruel and/or degrading treatment or punishment.

Together with the partners, the organization prepared recommendations on the draft law on the State Inspector’s Service. The recommendations focused on the authority, scope and institutional arrangement of the State Inspector. Furthermore, GYLA additionally and independently presented its views on the necessary changes to implement, in order to strengthen the role of the judge in the fight against torture and ill-treatment. The opinions envisaged the possibility of direct appeal to the State Inspector for launching an investigation, the obligation of initiation of an investigation, determination of the obligations of the head of a penitentiary facility in case of receiving a court order, and the possibility of imposing criminal liability.

- GYLA presented its opinion regarding the implementation of the amendments to be introduced to the Criminal Code of Georgia.
- The organization also participated in the activities of the working group elaborating the penitentiary system reform, which discussed the Action Plan of the reform.

In addition to the participation in the discussions and platforms locally in the country, the organization also employed international mechanisms to advocate the issues related to the flaws of independent investigative mechanisms and the lack of state programs for rehabilitation of victims of torture and ill-treatment. GYLA has submitted the coalition and individual reports

within the format of the United Nations Human Rights Council (HRC).

The Association, in cooperation with the European Center for Human Rights (ECHR), submitted to the Committee of Ministers of the Council of Europe the written opinions on the implementation of the obligations undertaken by the Government of Georgia in connection with the Tsintsabadze Group cases.

The Georgian Young Lawyers' Association continues to actively advocate for creating a mechanism at the international and local level that will ensure comprehensive and impartial investigation of torture and ill-treatment cases.

THE ORGANIZATION HIGHLIGHTED THE PROBLEMS THAT WERE STILL OBVIOUS DESPITE THE POSITIVE STEPS TAKEN BY THE STATE IN TERMS OF PREVENTION OF ILL-TREATMENT, INCLUDING:

THE EXISTING LAW ON THE INVESTIGATIVE JURISDICTION OF CRIMINAL CASES STILL ALLOWS AN OFFENCE TO BE INVESTIGATED BY A BODY WHOSE EMPLOYEES MAY BE PERPETRATORS. ACCORDINGLY, THE EXISTING REGULATIONS DO NOT ENSURE THE INDEPENDENCE AND IMPARTIALITY OF INVESTIGATIVE BODIES;

WHERE THE STATE INSPECTOR'S SERVICE DOES NOT HAVE THE POWER TO CARRY OUT ALL IMPORTANT INVESTIGATIVE ACTIVITIES, CRIMINAL PERSECUTION, AND REPRESENTATION IN THE COURT, THE SERVICE CANNOT ENSURE AN EFFECTIVE INVESTIGATION OF ALLEGED OFFENCES COMMITTED BY LAW ENFORCEMENT OFFICERS;

THE APPLICABLE LEGISLATION DOES NOT ENSURE ADEQUATE INVOLVEMENT AND INFORMING OF VICTIMS DURING THE INVESTIGATION STAGE OR COURT PROCEEDINGS;

DESPITE THE FACT THAT PROVIDING EFFECTIVE LEGAL ASSISTANCE TO VICTIMS OF TORTURE AND DEGRADING TREATMENT IS A KEY ASPECT TO COMBAT ILL-TREATMENT, NEITHER RELEVANT STEPS HAVE YET BEEN TAKEN IN PLACE IN THIS REGARD NOR THE STATE HAS ENSURED THE PROTECTION AND REHABILITATION OF VICTIMS.

INDEPENDENT INVESTIGATIVE MECHANISM



In the reporting period, with a view to eliminating the problem of ineffective investigation of alleged offences committed by law enforcement agencies, the Georgian Young Lawyers' Association, together with the Coalition "For Independent and Transparent Judiciary", was advocating actively the idea of the creation of an independent investigative mechanism. The organization participated in the discussions over the draft law specifically designed for the foregoing purpose, as well as in the meetings with various interested groups that were held regarding the issue.

The Coalition "For Independent and Transparent Judiciary" responded to the draft law on an independent investigative mechanism elaborat-

ed by the Ministry of Justice. In the statement, the Coalition noted that the draft law required certain improvements in a number of important areas. Ultimately, the Parliament passed the law by largely ignoring the opinions of the Coalition.

The adoption of the Law of Georgia "On the State Inspector's Service" and the establishment of the independent investigation mechanism should be assessed positively since this has been a public demand for years. However, GYLA and the partner organizations have indicated significant shortcomings in the Law of Georgia "On the State Inspector's Service", which in practice may hinder the independence of the new agency, namely:

ACCORDING TO THE LAW, THE INSPECTOR'S SERVICE SHALL CARRY OUT ONLY INVESTIGATIVE ACTIVITIES AND SHALL NOT IMPLEMENT CRIMINAL PERSECUTION, WHICH MAY PREVENT THE BODY FROM PROVIDING EFFECTIVE WORK IN THE FUTURE. FURTHERMORE, TAKING INTO CONSIDERATION THE ESSENCE OF THE PROSECUTOR'S SUPERVISORY SYSTEM APPLICABLE IN GEORGIA, THE INVESTIGATION SHALL BE PRACTICALLY CONDUCTED BY THE PROSECUTOR, AND THE INVESTIGATORS OF ALL INVESTIGATIVE BODIES SHALL BE EQUALLY SUBJECTED TO PROSECUTOR'S INSTRUCTIONS GIVEN IN THE PROCESS OF THE INVESTIGATION.

IT IS STILL THE DISCRETION OF THE PROSECUTOR TO TERMINATE AN INVESTIGATION, CHANGE THE ARTICLE OF THE INVESTIGATION (IF THE ARTICLE OF THE CASE IS CHANGED, IT MAY NOT FALL INTO THE JURISDICTION OF THE INDEPENDENT INVESTIGATION MECHANISM ANYMORE.) THE FUNCTION OF CRIMINAL PROSECUTION IS STILL IN THE SCOPE OF THE CHIEF PROSECUTOR'S OFFICE OF GEORGIA, AND THE PROSECUTOR GIVES MANDATORY INSTRUCTIONS TO AN INVESTIGATOR OF THE INDEPENDENT BODY WITHIN THE INVESTIGATION.

According to GYLA, in order to allow the newly established Investigative Body to carry out the undertaken responsibilities effectively, it is at least necessary to equip the service with the authority to conduct all important investigative activities independently.

Furthermore, the establishment of the independent investigative mechanism integrated with the Personal Data Protection Inspector is also problematic. It has not been substantiated why it was decided to unite these two bodies with absolutely different functions. The Personal Data Protection Inspector is a body independent from the law enforcement process, whereas an investigative agency shall investigate offences committed by law enforcement officers. For in-

stance, on the one hand, the Inspector will be obligated to monitor the lawfulness of personal information handling by the Prosecutor's Office, and on the other hand, cooperate with/ obey the Prosecutor's Office in the investigation.

The newly established independent investigative mechanism – the State Inspector's Service – shall start the implementation of its activities on 1 January 2019.

GYLA will actively monitor the work of the Service and inform the public about any issues and challenges identified in practice.

INTERNATIONAL CRIMINAL COURT



On 27 January 2016, the International Criminal Court (The Hague Court) granted the permission to the Office of the Prosecutor to launch an investigation into alleged crimes committed in Georgia against war and humanity in the context of the international armed conflict between 1 July and 10 October 2008.

THE GEORGIAN YOUNG LAWYERS' ASSOCIATION ACTIVELY ENGAGED IN DOCUMENTING VIOLATIONS THAT TOOK PLACE DURING THE WAR AND PROTECTION OF THE INTERESTS OF VICTIMS AT THE NATIONAL AND INTERNATIONAL LEVEL IMMEDIATELY AFTER THE AUGUST WAR 2008.

Upon the issuance of the motion of the Prosecutor on the launch of the investigation, several dozen victims, with the GYLA's assistance, submitted their positive statements to the Court on the issuance of an authority to initiate an investigation in Georgia.

During the reporting period, GYLA was still actively involved in promoting the activities of the International Criminal Court and supporting the victims in the process of the investigation conducted by the Office of the Prosecutor of the Court. Since November 2017, GYLA, along with other NGOs, has been involved in the implementation of the project - "Civil Society Engagement in the ICC Georgia Investigation".

Within the framework of the project, GYLA's main objective was to promote the activities of The Hague Court regarding the ongoing investigation into the situation of Georgia and to facilitate the communication with the victims of war. In addition, one of the priorities of GYLA was to raise awareness among the victims on the activities of The Hague Court, inform them of the investigation launched by the Office of the Prosecutor and the rights of the victims into the process. In addition, the organization recorded socio-economic problems of the victims, crimes committed and damage inflicted against them during the war.



FROM THE DATE OF THE LAUNCH OF THE INVESTIGATION BY THE OFFICE OF THE PROSECUTOR, GYLA HAS BELIEVED THAT ONE OF THE IMPORTANT CHALLENGES IS THE LACK OF INFORMATION PROVIDED TO THE VICTIMS ON THE COURT ACTIVITIES AND ITS MANDATE. THE INITIATION OF THE INVESTIGATION BY THE OFFICE OF THE PROSECUTOR IN GEORGIA IS AN ENTIRELY NEW PROCESS FOR BOTH THE GENERAL PUBLIC AND FOR THE VICTIMS. HENCE, REPRESENTATIVES OF THE COURT SHOULD IN A TIMELY MANNER PROVIDE AWARENESS-RAISING ACTIVITIES TO THE SOCIETY, ESPECIALLY TO THE COMMUNITY OF THE VICTIMS.

At the end of 2017, The Hague Court opened a local office in Tbilisi, whose main duty is to inform the public about the activities of the Court and the ongoing processes. The opening of the local office has been the result of the active advocacy of the NGOs, including GYLA. As of today, mainly one person - the head of the local office of The Hague Court- works in the office. The office is the cornerstone for information



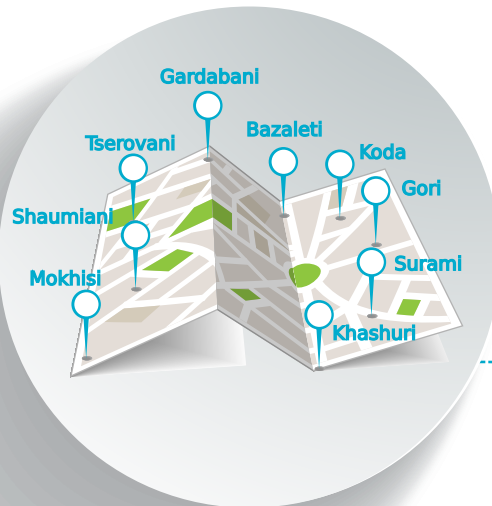
In the reporting period, GYLA also carried out the following activities:

The newsletter **brochure** - "International Criminal Court and Investigation of the **August 2008 War** " was published.



Individual and information meetings were held with victims of the 2008 War, in order **to increase their awareness** on the ongoing processes

By means of the **specially developed questionnaires**, the socio-economic problems of the victims were **studied and crimes committed** against them during the war were documented



GYLA's lawyers **conducted public and individual meetings in 11 settlements of IDPs**. The IDPs were provided with information about The Hague Court and the progress of the investigation of Georgia's issue



In the frames of the individual meetings held with the victims, **GYLA representatives completed 600 questionnaires** which were used to identify the socio-economic problems of each settlement and to document the crimes committed against the victims during the war

Based on the analysis of the questionnaires, a special report is scheduled to be released in December 2018, which will reflect the condition of the IDPs **10 years after the 2008 August War**



and awareness raising activities. However, this is practically impossible to implement if taken into consideration the existing resources.

EXISTING CHALLENGES

Insufficient human resources of the local office of The Hague Court - During the reporting period, the Georgian Young Lawyers' Association, along with other partner organizations, highlighted the necessity of strengthening the local office and equipping it with additional resources (including human resources). GYLA repeatedly voiced its position concerning the above issue with the representative of the local office, as well as at the meetings held between the court and NGOs in Hague on 14-18 May 2018. As a result of the advocacy, at the end of 2018, the local office will hire a new employee at the position of the assistant of the local office, and also several more employees will be added in 2019.

Information vacuum of victims - More than 2 years have passed since the Office of the Prosecutor started the investigation. However, the victims and GYLA lawyers (as well as representatives of the victims) remain in the informational vacuum about the ongoing investigation. Due to the confidentiality of the investigation, very little is known about the progress of the investigation. The lack of the information is one of the most serious challenges, as it may cause the risk of losing the trust of victims to the Court and the Office of the Prosecutor, and create uncertainty regarding the process. Therefore, it is important that the Office of the Prosecutor should periodically inform the victims about the progress of the investigation. In addition, in the condition that Russia is not a member of the Rome Statute and does not cooperate with the Office of the Prosecutor, there is a risk of conducting the

investigation inadequately. Furthermore, there is a danger that in case of issuing a court order on the detention of any high ranking Russian official, the order may remain unfulfilled.

The victims still do not have sufficient information about the Court's activity, mandate and their rights into the ongoing process. Although the local office has already held meetings in several settlements, one-time interaction with the victims is not enough. Consequently, it is important that the Court continue regular awareness-raising activities.

The lack of support programs - The Trust Fund for Victims (TFV) is entitled to provide support services (psychological, medical, and/or material). The victims of the 2008 August War obviously fall within the scope of the Fund, but at this stage, the Fund has not implemented yet any programs in Georgia to assist the victims of the war despite the hard situation of the latter.

International organizations show little interest in the situation of Georgia – relevant activities are not supported. This is somehow triggered by the inadequate progress of the processes concerning the situation in Georgia. Ten years have passed since the 2008 August War, but the violated rights of the victims have not been restored yet and the perpetrators have not been punished. Under these conditions, it is important that, on the one hand, the Office of the Prosecutor should carry out a timely and effective investigation, other judicial bodies increase their efforts to the situation in Georgia and on the other hand, international and local actors provide support for the victims.

ADMINISTRATIVE OFFENCES CODE OF GEORGIA

Georgia still retains the Administrative Offences Code of Georgia of 1984, which is unconstitutional and violates the fundamental human rights.

WITH A VIEW TO REFORMING THE LAW ON ADMINISTRATIVE OFFENCES, GYLA CONTINUES THE ADVOCACY ON THE LOCAL AND INTERNATIONAL LEVEL, PROVIDES AWARENESS-RAISING CAMPAIGNS AND STRATEGIC LITIGATION IN THE CONSTITUTIONAL COURT.

ADVOCACY AT THE LOCAL LEVEL

In the reporting period, GYLA held a number of working meetings with MPs, government and court officials, and presented its views concerning the reform of the Administrative Offences Code. The lawyers of the organization focused on the need for the timely introduction of amendments to the legislation.

GYLA negatively evaluated and presented the written opinions to the Parliament of Georgia regarding the draft laws that led to the tightening of sanctions on several Articles of the Administrative Offences Code of Georgia.



ADVOCACY AT THE INTERNATIONAL LEVEL

The Georgian Young Lawyers' Association and the European Center for Human Rights (ECHR) have addressed the Committee of Ministers of the Council of Europe with a joint written submission. The document pointed out the failure of the State to fulfill the undertaken obligations, which resulted in maintaining the current edition of the Law on Administrative Offences.



On behalf of the Coalition for Independent and Transparent Judiciary, a letter was prepared and sent to the UN Special Rapporteur on the rights to freedom of peaceful assembly and association.

STRATEGIC LITIGATION

GYLA carries out the strategic litigations in the Constitutional Court to replace the unconstitutional application of the Code of Administrative Offences. To this date, the organization has filed six applications to the Constitutional Court.

The Administrative Offences Code of Georgia provides for the possibility to impose liability on those administrative violations which are of criminal nature. That is why it is important that all standards of fair trial be applied to such crimes.



The Administrative Offences Code provides for severe sanctions, including administrative detention, which requires the application of procedural safeguards related to criminal offences.



The existing legislation ignores the presumption of innocence and does not require the judge to apply the standard "beyond the reasonable doubt."



The limited procedures of criminal proceedings do not ensure effective protection. Actually, according to the current case-law, the case deliberation in the court may take about 10-15 minutes.



When considering an offence, the Court does not examine the lawfulness of the detention.

Thus, the application of the Administrative Offences Code leads to violation of the fundamental rights of Georgian citizens and breaches the obligations of Georgia undertaken under international agreements.

WOMEN'S RIGHTS



Ensuring the improvement of women's rights in Georgia still remains one of the strategic areas of the Georgian Young Lawyers' Association.

During the reporting period, GYLA finalized the elaboration of a special document which is the instrument allowing a police officer to assess the risks of violence against women and / or domestic violence. The document must be filled out by a police officer who responds to an act of violence. The data obtained through the document will help the policeman to make a decision on the issuance of a restraining order.

At the same time, GYLA has developed a program for rehabilitation of abusers' behavior, which is gradually introduced into practice with the active participation of the Ministry of Corrections and Legal Assistance of Georgia.

The organization was again actively involved in the activities supporting women's economic empowerment, within which 17 beneficiaries received professional training.

PARTICIPATION OF WOMEN IN POLITICS

ECONOMIC EMPOWERMENT

*PROTECTION OF VICTIMS OF
VIOLENCE*

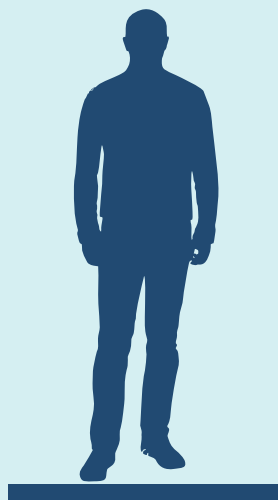
*TO INCREASE ACCESS TO JUSTICE FOR
CRIMINALIZED WOMEN*

*THESE WERE
THE MAIN
TOPICS UPON
WHICH THE
ORGANIZATION
CARRIED OUT
VARIOUS
ACTIVITIES*

PSYCHOSOCIAL REHABILITATION OF VICTIMS OF DOMESTIC VIOLENCE



538



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GYLA carried out relevant activities to create the precedents for eliminating gender violence and to increase access to justice for criminalized women. In particular:

- Together with the partners (“Tanadgoma”, “ACESO”), GYLA conducted awareness-raising campaigns for sex workers and drug abuser women on the legal remedies available for protection of their rights;
- An application was prepared to address the Office of the Personal Data Protection Inspector to inspect those provider clinics involved in the Methadone program, where drug abusers receive the service.

The application was accompanied by the statements of drug abusers;

- A statement was submitted to the Public Defender of Georgia requesting the issuance of a recommendation to eliminate the discriminatory practice established in the provider clinics involved in the Methadone program (while in the queue, drug abuser women suffer from harassment and humiliation from drug abuser men);
- The research “Gender-Based Violence against Sex Workers and Barriers to Accessing to Justice: International Standards and the Experience in Georgia” was pre-

pared based on the results of the focus groups conducted in 2016, public information obtained from public institutions, the analysis of the Georgian legislation and international experience.

- Within the framework of the Coalition for Equality, the documents were developed on the rights of drug abuser and sex worker women;
- The information was requested from the Ministry of Foreign Affairs, the Ministry of Justice and the Ministry of Healthcare of Georgia regarding the actions taken by each of them in response to the recommendations set forth in the Final Opinion 2014 of the United Nations Committee for Elimination of All Forms of Discrimination against Women (CEDAW) concerning women's rights in Georgia. The information will be utilized to prepare an alternative report.
- In order to protect sex workers from gender violence and increase their access to justice, a statement was submitted to the Public Defender. The statement requests the Public Defender to appeal to the Parliament of Georgia and the Government of

Georgia to develop and implement legislative amendments to remove the articles related to prostitution from the Administrative Offences Code of Georgia;

- Two training courses were conducted with the participation of the community representatives as well as lawyers and journalists. The training covered the problems of sex worker and drug abuser women, the rights of a person in case of the detention, healthcare services and their accessibility for sex workers and drug abusers, protection of personal data, access to justice and subsequent barriers;
- A joint meeting was held with officials of the Ministry of Internal Affairs of Georgia, GYLA and "Tanadgoma" and sex workers, during which the officials of the General Inspection and Human Rights Department of the Ministry of Internal Affairs were informed of the problems which sex workers encounter on a daily basis when communicating with police officers. At the meeting, specific examples were reviewed, regarding which the General Inspection expressed its readiness to monitor and investigate each case.

CHILDREN'S RIGHTS



For the protection of children's rights and identification of the forms of violence against children, as well as the challenges, GYLA carried out the research "Violence Against Children" in the reporting period.

The study revealed the following forms of violence against children in Georgia according to the areas, namely: family, school, and society and media space. As a result of the analysis of the challenges, the organization has prepared relevant recommendations. In particular, for the selection of appropriate measures for the protection of children and their rehabilitation, the State should take the following steps:

- **Improve the mechanisms of protection of children from violence, provide a periodical revision of all relevant legislative acts and ensure their harmonization to international standards;**
 - **The criminal sanctions on child abuse cases should be tightened;**
 - **For the improvement of preventive mechanisms, parents should be provided**
- with information and educational campaigns on the impact of violence against children. Furthermore, parents should be informed of the primary identification signs of violence against the child in order to determine and implement further actions;
- **The media coverage of child abuse facts shall be provided in accordance with the ethical norms established by the Journalistic Charter in order to avoid secondary victimization of minor victims;**
 - **The educational programs should be revised in order to reflect relevant information on protection against child abuse, as well as to eliminate stereotypes in school curricula;**
 - **The role of the resource officer should be strengthened to ensure the prevention of violence against children in school, as well as the identification and reference of child victims;**
 - **The role of patrol officers and district inspectors should be further enhanced. Relevant training courses and activities should be provided to develop their skills, as well as to regularly inform them of any legislative amendments or new trends;**
 - **The Institute of psychologist should be introduced and strengthened in the Social Service Agency in order to promote relevant communication with children who are victims of violence.**

MEDIA ENVIRONMENT AND JOURNALISTS' RIGHTS

Since February 2018, the Georgian Young Lawyers' Association has been actively involved in media direction.



GYLA FOR THE PROTECTION OF JOURNALISTS' RIGHTS

During the reporting period, GYLA lawyers provided legal advice to journalists on the following issues: withdrawal of public information, issues related to the Law of Georgia "On Broadcasting" and "On Electronic Communications", the Labour Code.

JOURNALISTS OFTEN ADDRESSED THE ORGANIZATION WITH REGARD TO THE ISSUES RELATED TO THE WITHDRAWAL OF PUBLIC INFORMATION. IN THIS RESPECT, GYLA IS REPRESENTING THE INTERESTS OF JOURNALISTS BEFORE THE COURT.



During the reporting period, GYLA carried out a number of activities in order to protect journalists' rights, namely: representations in the court, opinions submitted on the amendments to the Law of Georgia "On Broadcasting", monitoring of the activities of the Public Broadcaster and the Georgian National Communications Commission.

AMENDMENTS TO THE LAW OF GEORGIA "ON BROADCASTING"

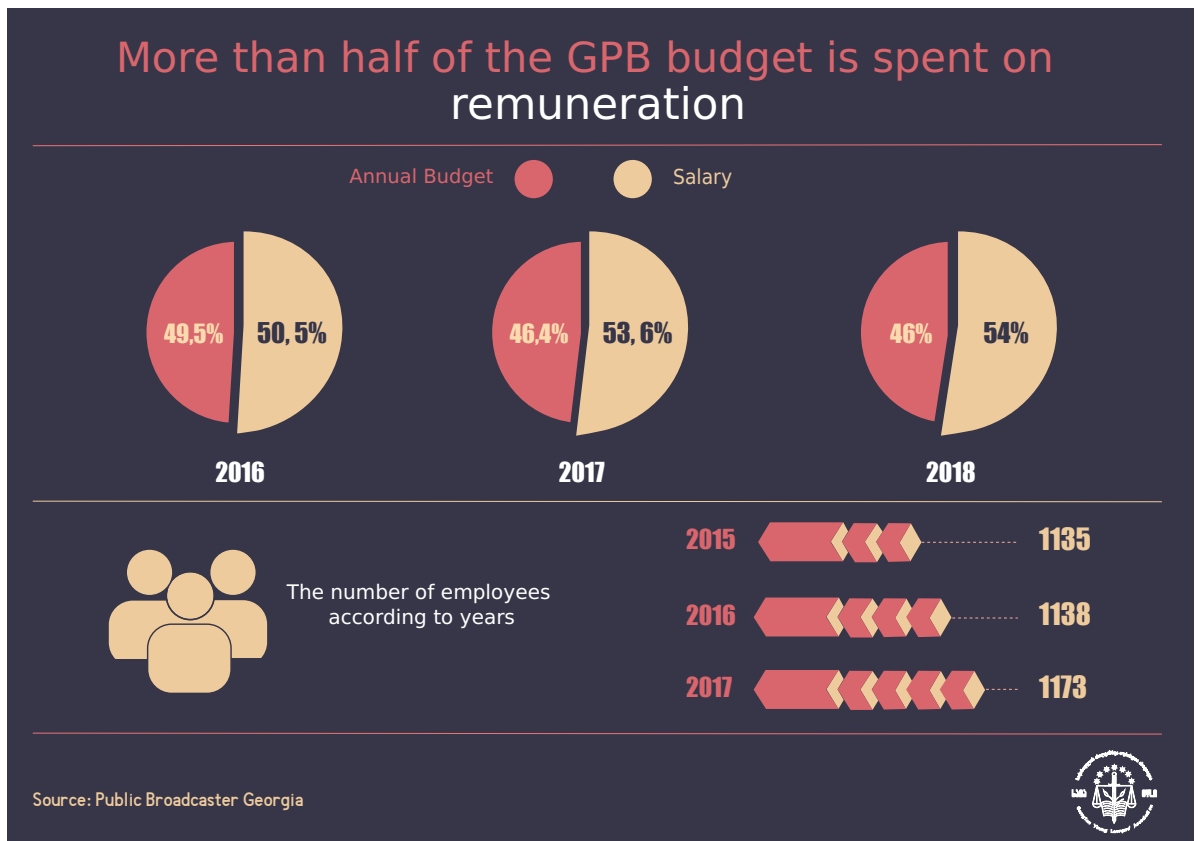
GYLA negatively assessed the amendments introduced to the Law of Georgia "On Broadcasting" in February 2018, under which the Georgian Public Broadcaster (GPB) has become an even more non-transparent institution, and the risks of corruption and commercial influence has increased.

MONITORING OF THE PUBLIC BROADCASTER'S ACTIVITIES

During the reporting period, GYLA conducted the research "How much does the Public broadcaster cost?," which dealt with the following issues: whether the Georgian Public Broadcaster needs additional income, how GPB

disposes allocations from the state budget, how effectively the Board of Trustees works and the way the Board makes decisions on amending the budget of the Public Broadcaster.

The organization was also involved in the processes around the Georgian Public Broadcaster's labour policy.



MONITORING OF THE GEORGIAN NATIONAL COMMUNICATIONS COMMISSION

In the reporting period, the Georgian Young Lawyers' Association carried out the monitoring of activities of the Georgian National Communications Commission (GNCC). The monitoring identified a number of problems. Among them, it was revealed that the Georgian National Communications Commission was not entitled to grant "NTV Plus" registered in Russia an authorization for the satellite-transit broadcasting services in Georgia.

GYLA, together with NGOs and media organizations, presented to the Georgian National Communications Commission the opinions regarding the acts adopted on media-literacy.

During the reporting period, the organization was actively monitoring and studying the developments in the field of media and made public statements if detected any violations, namely, GYLA has assessed and responded to the following issues: the ongoing processes in the GPB - staffing and editorial policy, tenders; the fact that occurred in the Broadcasting Company Rustavi 2 LLC - the attack on the journalists; an alleged violence against the journalists of the N (N)LP Media Union Obiektivi; unlawful interference and violence against journalists of the Broadcasting Company Rustavi 2 LLC in Khashuri; the situation around the TV Company "Pirveli".

EXISTING CHALLENGES

The Public Broadcaster - The Public Broadcaster should be free from any political and commercial influences, and become more independent, transparent and accountable to the public. To this end, one of the preconditions is to change the regulations introduced by the amendments to the Law of Georgia "On Broadcasting" in February 2018.

A comprehensive and impartial investigation of offences committed against media and media representatives. It is necessary to investigate timely and thoroughly any alleged criminal acts against media representatives and the initiation of the investigation must not have merely a formal character. For the purpose of planning preventive measures, it is important that media representatives should openly and publicly speak about specific cases of pressure they have been subjected to.

The Georgian National Communications Commission - it is important that the Georgian National Communications Commission carry out specific actions in terms of media literacy in accordance with international practice and local needs.



ANTI-CORRUPTION ACTIVITIES

In the reporting period, GYLA's work was traditionally focused on anti-corruption direction. Throughout the year, representatives of the organization were actively involved in various activities and meetings in this regard, including in the work of the Anti-Corruption Inter-Agency Coordination Council.

The Georgian Young Lawyers' Association, together with its partners, presented the opinions regarding the two draft amendments to the law "On Conflict of Interests and Corruption in Public Service", which implied the introduction of several important changes in terms of submission, publication, and monitoring of assets declarations of public officials.

The draft laws initiated in the Parliament significantly weakened the applicable standards of prevention and sanctions, increased the risks

of conflicts of interest and reduced the possibility of public control of public officials. In this regard, the particularly noticeable amendment was the one which abolished a penalty on a violation detected by the Civil Service Bureau in an assets declaration of an official.

Currently, the deliberation of the proposed amendments is suspended. It should be noted that such changes essentially make meaningless the property declarations monitoring system which became effective last year and which has proved to be the most significant anti-corruption reform in recent years. Ensuring the effective functioning of the monitoring system is the obligation of the Georgian Government according to the agenda of the Association Agreement 2017-2020 between the European Union and Georgia.

DURING THE REPORTING PERIOD, THE ORGANIZATION ALSO WORKED ON STRENGTHENING THE PARLIAMENTARY CONTROL OVER THE SECURITY SECTOR, WHICH IMPLIES THE IMPROVEMENT OF THE ANTI-CORRUPTION MECHANISMS, PROTECTION OF CULTURAL HERITAGE IN TBILISI AND ANALYSIS OF THE CHALLENGES EXISTING IN TERMS OF ENVIRONMENT PROTECTION. THIS MEANS TO STUDY AND LITIGATE ANY CORRUPTION ELEMENTS IN THE IMPLEMENTATION OF LARGE INFRASTRUCTURAL PROJECTS AND THE CONSTRUCTION OF HYDROPOWER PLANTS.

IMPROVEMENT OF THE ANTI-CORRUPTION MECHANISM BY STRENGTHENING THE PARLIAMENTARY CONTROL

For the improvement of the parliamentary control and anti-corruption mechanisms, GYLA carried out a range of activities in the reporting period.

GYLA's work covered the following activities in terms of the security sector:



Research and analysis of the existing regulations, their economic, political and social impact, and transformation of these mechanisms



The study of the established practice and challenges in this regard



Based on the results of the research, to prepare relevant recommendations for the Parliament of Georgia and the institutions involved into the Security Sector



Research and analysis of international practice



In this respect, GYLA further develops the possibilities to research the legal base, and elaborates innovative approaches that involve studying the legal framework not only in the context of human rights protection standards, but also in terms of the political will expressed by the State in the normative acts. This means an in-depth analysis of the implementation of the existing legal framework in practice and the investigation of the social, economic, and political effect of the same.

As for the activities already implemented in terms of strengthening the parliamentary

control mechanism, it should be noted that the Parliament of Georgia, in the course of elaboration of the Parliament regulation, took into consideration the recommendations presented by GYLA, in particular with regards to the supervision of the security sector.

Despite the support declared by the Parliament of Georgia, the main challenge is the possible refusal of state actors to cooperate, especially against the background of the unsubstantiated accusations made against NGOs by individual politicians.

PROTECTION OF CULTURAL HERITAGE IN TBILISI



In order to improve protection and management of cultural heritage in Tbilisi, Georgian Young Lawyers' Association carried out the monitoring of N(N)LP "Tbilisi Development Fund" in the reporting period. One of the main objectives of the monitoring was to increase the transparency and accountability of the Fund's activities.

In parallel, GYLA studies the instruments of protection of cultural heritage in the management process of Tbilisi, and monitors whether the re-

habilitation process is conducted through the right methodology. For the achievement of this goal, GYLA is working with the partner - "Tiflis Hamkari" to develop joint recommendations and advocate them with decision-makers.

GYLA and "Tiflis Hamkari" are planning to conduct intensive awareness-raising campaigns to gain public interest and support and arrange the tours throughout Old Tbilisi in the spring of the next reporting year.

ENVIRONMENT PROTECTION



Environmental issues are a major challenge and difficulty facing the country. Due to the urgency of the problem, during the reporting period, GYLA's activities were focused on the identification of severe ecological problems and the exploitation of the legal mechanisms to address them. The organization worked in several directions for this purpose. One of the areas intended to conduct research on the State's environmental policy and the challenges in this regard, including the identification / analysis of the elements of corruption.

Along with the analysis of the regulatory legislative framework applicable at this stage, the strategy and policy documents have been

also studied. A special emphasis has been made on the possibility to implement these regulations and strategies in practice, the challenges and issues which the State encounters in the process of implementation of the declared state policy. Given the problematic nature of the issue, GYLA is working to create a platform to solve the environmental issues.

STRATEGIC LITIGATION

For the purpose of exercising the constitutional right to life in a healthy and safe environment, GYLA conducts disputes of strategic importance in the court. The organization demands the prohibition of constructions in recreational zones, as well as the protection of the interests of citizens who are under the impact of large infrastructural projects and refusing hydropower plants construction companies to implement their harmful projects.

RAISING AWARENESS

In the reporting period, GYLA tried to increase citizens' awareness on environmental issues. Unfortunately, the environment is often damaged and human health is threatened for the benefit of business interests in Georgia. Construction companies and governmental bodies make decisions without the involvement of the citizens who are directly affected by adverse impacts of the implementation of such infrastructural projects.



GYLA, for the purpose of raising awareness of beneficiaries, discussed the following issues during the field meetings held in the regions of Georgia:



Aarhus Convention - On the availability of information on environmental issues, participation of public in the decision-making process and access to justice in this field.



The regulations provided for in the new Code of Environmental Assessment and their application in practice.



The rules on how to conduct public discussions, involvement of public, and access to relevant information for this purpose.

ADVOCACY

GYLA's Rustavi Office conducted a successful advocacy campaign in the region of Kvemo Kartli for the purpose of addressing the environmental problems created by the company RMG GOLD through the implementation of mining industrial activities. The company extracts gold through

open-cut mining in Bolnisi municipality. The waste generated by the manufacturing process flows into the rivers which irrigate land plots and agricultural premises. The studies have confirmed that the waste is contaminated with heavy metals that get from the irrigation canals to food products, and then into the bodies of people consuming these foods.



As a result of the advocacy campaign and the protest rallies organized by the local population, the company “RMG GOLD”, which was planning to expand its activities in village Tandzia, Bolnisi municipality and to open new quarries, has stopped the operations on the above-mentioned location at this stage.

OPEN GOVERNANCE

ONE OF THE IMPORTANT COMPONENTS OF BUILDING A DEMOCRATIC AND FAIR STATE IS THE PROMOTION OF OPEN AND TRANSPARENT MANAGEMENT PROCESS.


Since 2011, Georgia has been a member of the Open Government Partnership (OGP). Last year the country faced a major challenge - the Prime Minister of Georgia undertook the OGP chairmanship from the French president in 2017. In 2018, the country hosted the fifth global summit of the OGP. The chairmanship of the “Open Government Partnership” is a significant success for the State, but at the same time - great responsibility. Unfortunately, the expectations that the innovative and ambitious action plan would be elaborated soon faded away due to the unconstructive activities of the Ministry of Justice and other state agencies. In connection with this, GYLA released a special statement with its partners and called upon the Prime Minister to engage in the process.

Georgia failed to justify the expectations of the chairmanship of the Partnership. The Fourth Action Plan presented by the Government of Georgia lacked the ambitious commitments. Despite the fact that the fight against corruption was one of the declared priority directions of the Global Summit, the Government did not include into the Action Plan an important recommendation provided by the civil society on the necessity to create an independent anti-corruption agency.

Apart from the content of the Action Plan, the

concern of the civil society was related to the development of the National Action Plan for the 2018-2019 “Open Government Partnership”. The civil society was given a very short time period to submit their remarks and recommendations on the draft plan, whereas the discussions within the government had been on for several months. The most alarming was the fact when the government agencies rejected alternative proposals suggested by the civil society in the last moment when the time for the negotiations was no longer left. This affected the most





important principle of the “Open Government Partnership”: open and transparent partnership between state agencies and NGOs.



IN THE PROCESS OF THE DEVELOPMENT OF THE FIFTH ACTION PLAN OF THE OGP, GYLA SUBMITTED RECOMMENDATIONS /PROPOSALS ON THE IMPROVEMENT OF TRANSPARENT AND ACCOUNTABLE MANAGEMENT IN THE FIELD OF STATE PROCUREMENT AND STATE ENTERPRISES. THE PROPOSALS WERE TAKEN INTO ACCOUNT AND REFLECTED IN THE ACTION PLAN BY THE NATIONAL AGENCY OF STATE PROPERTY.

Georgian Young Lawyers’ Association was actively involved in the discussions held within the framework of the OGP Global Summit. Public discussions organized by and with the participation of GYLA were held in the most important panels of the OGP for the creation of fair, open and accountable judicial system. GYLA discussed the same issue on the OGP Civil Society day.

The organization actively continues to work in terms of the “Open Government Partnership” (OGP) on the local self-governance level. GYLA is involved in the working group at Tbilisi City Council and its activity is focused on ensuring that the second action plan in the frames of Open Governance of Tbilisi 2018-2020 will be developed / implemented as a mechanism ensuring governance principles and bringing real tangible results to the public.

ICHANGE.GOV.GE

Ichange.gov.ge - an official state petition platform - has been created for the introduction of the fundamental principles of the Open Governance Principles (OGP), for ensuring openness, transparency, and accountability of governments, public participation in decision-making process, and the implementation of strategic values by the Georgian government. The purpose of the platform is to support civil participation in public politics, guarantee the transparency of decisions and activities of the government, and facilitate the interaction of the Georgian government and the public.

WITH THE ADVANCED TECHNOLOGIES AND INNOVATIONS, TRANSPARENCY AND ACCOUNTABILITY, GEORGIA AIMS TO RAISE PUBLIC CONFIDENCE, EMPOWER CITIZENS AND ENSURE EFFICIENCY OF THE GOVERNMENT.

The responsibility to create the platform was undertaken by the administration of the Government of Georgia in the framework of the second action plan of Georgia's Open Government Partnership (OGP) approved by the Decree №557 of the Government of Georgia in 2014.



For the purpose of increasing citizens' involvement and raising public awareness of the electronic petition platform, GYLA started to actively participate in the information campaign to raise awareness of the operation of the platform, procedure of submission, receipt, and review of an electronic petition by the Government of Georgia. The organization planned and implemented several important activities. The three key directions were identified: to conduct research, provide an awareness-raising campaign and promote the platform, in the implementation of which together with GYLA participated the partner organizations- Analysis and Consulting Team - ACT, and Action Global Communication - AGC.

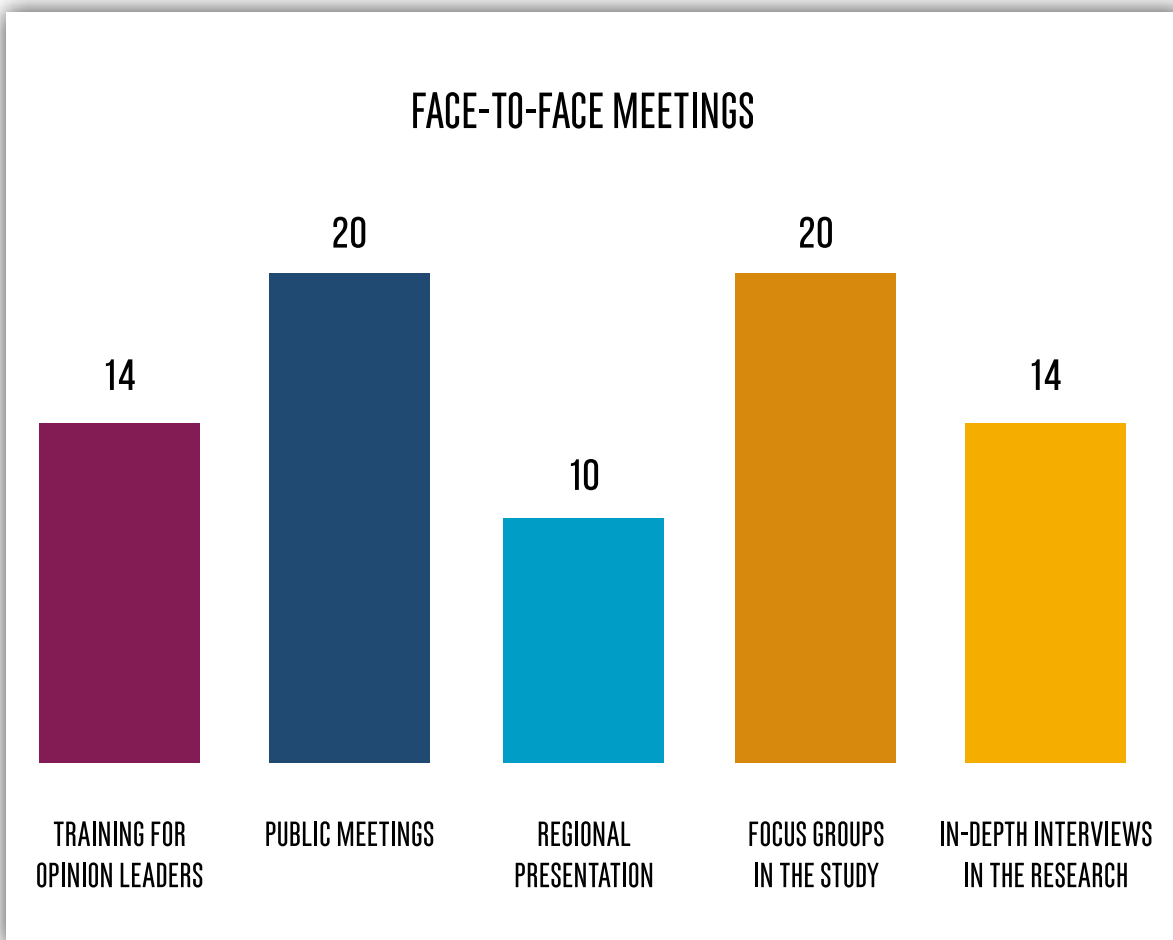
DESPITE THE FACT THAT THE DECREE REGARDING THE PLATFORM WAS ISSUED AND ENACTED IN MAY 2017, THE PLATFORM STARTED ITS COMPREHENSIVE OPERATIONS LATER WITH THE EFFORT OF THE PROJECT TEAM. GYLA WAS ACTIVELY INVOLVED IN THE UNINTERRUPTED FUNCTIONING OF THE FACEBOOK PAGE OF THE PLATFORM.



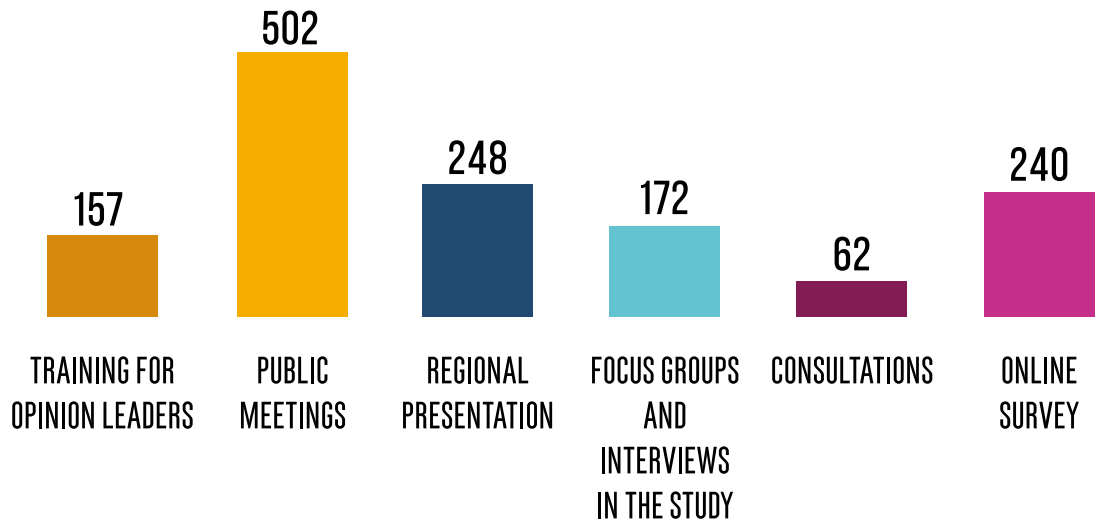
Consequently, GYLA presented to the Government of Georgia the research-based recommendations focusing on several important issues. In particular, the main challenges still remaining were as follows: the indifferent attitude of the Government towards the platform; a large number of the required

signatures; technical shortcomings of the platform; difficulty in registration on the portal for a part of the public; the absence of a mobile version (not adapted for persons with disabilities as well), etc. All of the above-mentioned as a whole constitutes a significant obstacle to the effective involvement of citizens in public policy.

Quantitative results:



NUMBER OF PARTICIPANTS



2000
PRINTED
MANUALS

1 VIDEO
MANUAL

1 TV ADVERTS
IN 7 TV
COMPANIES

1 RADIO ADVERTS
IN 8 RADIO
OUTLETS

120 STENCILS

5 PODCASTS

10 PHOTO
STORIES

10 ARTICLES

POP-UP
BUNNERS IN 3
INTERNET MEDIA

5 INFO GRAPHS

2000 POSTERS

400 BRANDED
T-SHIRTS

400 BRANDED
BAGS

GYLA – FOR THE PROTECTION OF HUMAN RIGHTS

Protection of human rights is still one of the main strategic goals of the Georgian Young Lawyers' Association. During the reporting period, through the Tbilisi and 8 regional offices of GYLA, citizens were able to receive free and quality legal advice and legal assistance, including through the strategic litigation by means of the local and international mechanisms. Traditionally, the particular attention of the organization was focused on problems of vulnerable groups.

In the reporting period, more than 35 000 persons received free legal advice, including during the visits in remote and mountainous regions of Georgia. Within the framework of the field visits, GYLA lawyers provided legal assistance to citizens and prepared legal documents on various urgent issues such as domestic violence, premature marriage, anti-discrimination law, minority rights, social-economic rights, the right to live in a healthy environment, etc. During the meetings, the attention of the organization was



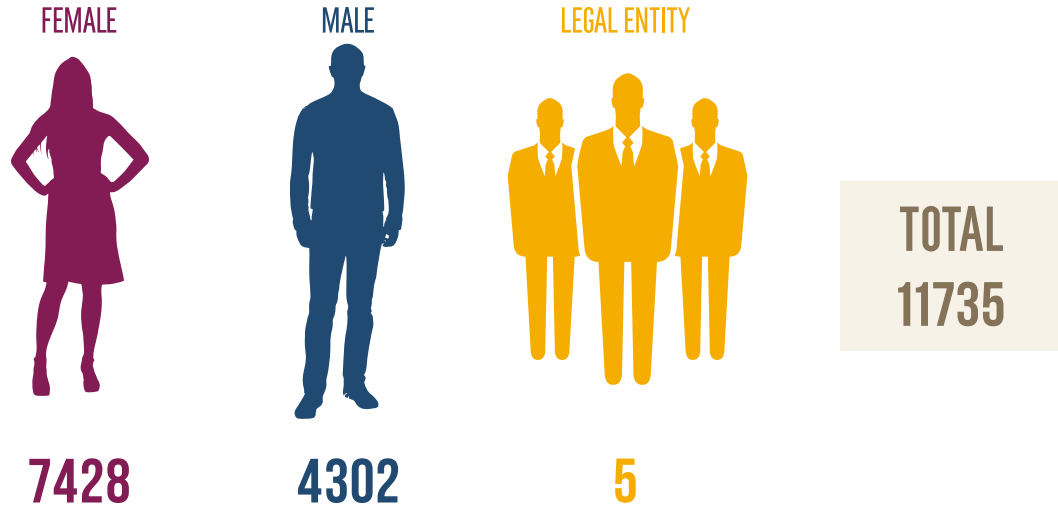
MEETINGS ORGANIZED BY EWMI ACCESS

also focused on the study and settlement of the problems of citizens through advocacy with local self-governing bodies.

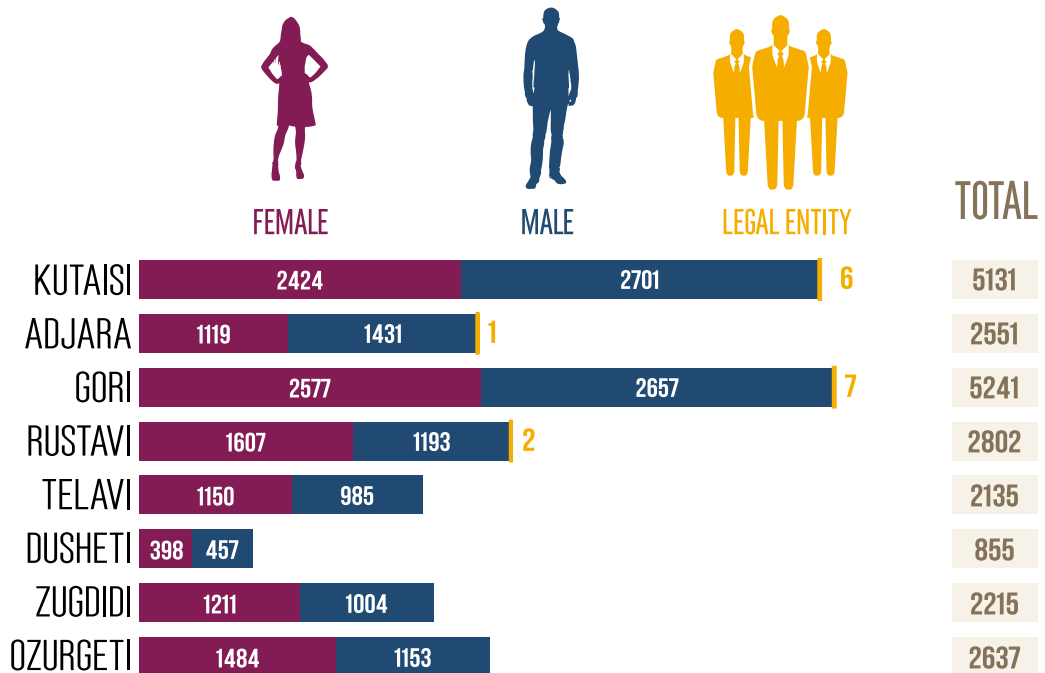


LEGAL CONSULTATIONS IN TBILISI AND REGIONAL OFFICES OF GYLA

NUMBER OF THE BENEFICIARIES IN TBILISI OFFICE



NUMBER OF THE BENEFICIARIES IN REGIONAL OFFICES



NUMBER OF THE CONSULTATIONS ACCORDING TO THE TYPES

	TBILISI	KUTAISI	ADJARA	GORI	TELAVI	DUSHETI	RUSTAVI	OZURGETI	ZUGDIDI
FIELD VISITS			5	57	1	36	1	371	120
ONLINE	491	41	5	3	5		5	19	63
FACE-TO -FACE	5389	3942	1511	3661	1845	612	2392	1542	1543
LEGAL DOCUMENTS	751	639	992	1223	185	85	260	278	277
TELEPHONE	5096	504	38	297	98	122	119	427	212
WRITTEN	8	2			1		25		
TOTAL	11735	5131	2551	5241	2135	855	2802	2637	2215

NUMBER OF THE CONSULTATIONS ACCORDING TO THE ISSUES

	TBILISI	KUTAISI	ADJARA	GORI	TELAVI	DUSHETI	RUSTAVI	OZURGETI	ZUGDIDI
INTERNATIONAL	172		2				4		
CONSTITUTIONAL	25	3	1			1	1	2	2
SOCIAL	158	7	12	115	23	36	28	88	96
CRIMINAL	877	729	245	951	276	31	146	145	999
ADMINISTRATIVE	2936	576	352	952	506	405	579	834	844
CIVIL	7975	3196	1147	2079	1168	298	1787	1293	3401
OTHER	22	1				1	16		
TOTAL	12165	4512	1759	4097	1950	772	2542	2362	5342

STRATEGIC LITIGATION



The Georgian Young Lawyers' Association, through the cases of strategic advocacy, on the one hand, seeks to restore citizens' rights, and on the one hand, promote the introduction of the judicial practice in line with the international standards both by using the national (administrative bodies, including the Public Defender's Institute and the courts), as well as international mechanisms.

Below you will find several cases that were noteworthy not only with regard to the restoration of the legal rights of the GYLA beneficiaries, but also for changing of the existing case-law.

STRATEGIC LITIGATION AT THE NATIONAL LEVEL

● Ill-treatment

During the reporting period, GYLA started to handle 6 cases concerning an alleged ill-treatment (physical violence, coercion to crime confession, etc.) committed by law enforcement agencies. In addition, GYLA undertook 5 cases concerning the recognition of 5 persons as offenders by police and appealed the cases before the court. The cases of administrative

offences deal with the penalties for the violation of various articles of the Administrative Offences Code of Georgia.

● Domestic violence

During the reporting period, the GYLA offices across Georgia conducted dozens of cases to provide the support for victims of domestic violence. GYLA lawyers assisted beneficiaries not only in the cases requesting primary response to physical / psychological violence (issuance of restraint and protective orders), but also persecution of abusers under criminal law.

Along with the protection of the interests of victims (**for example, the murder case of Tako Gamrekelashvili**), the organization also carried out the cases requesting the compensation of inflicted damages due to an ineffective response of the State to domestic violence, for example, coercion of a victim to suicide in 2015. In the given case, it was established that the victim had reportedly appealed to the police 16 times concerning the domestic violence, however, the law enforcement agencies failed to provide a proper response. On one of the facts of domestic violence from the above, the criminal investigation was initiated, which was conducted ineffectively and ultimately was terminated. The State's improper response was one of the factors provoking the victim to the suicide. In the given case, GYLA requests the compensation for moral damages inflicted by the death of the family member.

● Discrimination

Discrimination by a birth place - A veteran of the World War II was denied to a monthly supplement of the pension in the amount of 200 GEL because of his IDP status. The discriminatory

provision was included in the budget of the Zugdidi municipality. **GYLA appealed to the court and requested the abolition of the discriminatory provision, as well as the compensation for material and moral damages inflicted. As a result, the Zugdidi Municipality budget was amended and the discriminatory provision was cancelled, as a result of which, not only the GYLA's beneficiary, but all other IDPs were given the opportunity to receive the pension supplement of veterans of the World War II.**

Discrimination on the grounds of citizenship

- GYLA defended the interests of an IDP from Abkhazia since March 2015. The application was submitted to the court requesting the partial invalidation of the normative acts issued by the Government of Georgia, as well as the Minister of Internally Displaced Persons from the Occupied Territories, Resettlement and Refugees of Georgia, which caused the direct discrimination on the ground of citizenship of one group of the IDPs. In particular, pursuant to the regulation applicable at that time, the Ministry was not obligated to review an issue of settlement of the IDPs whose family member (members) were citizens of any foreign country along with the Georgian citizenship (the dual citizenship). At the moment of filing the submission, the applications of 218 IDPs families had been left unresolved merely because their family members were foreign citizens. **After the submission of the GYLA's complaint, the**

Government of Georgia and the respondent Ministry replaced the disputed acts and canceled the restrictions.


Discrimination on the ground of age - GYLA's beneficiary, a woman who worked as an office cleaner for a private company, was dismissed on the grounds of improper performance of the undertaken responsibilities. The examination of the case revealed that the reason of the removal was actually the age of the person as the GYLA's beneficiary was 59 years old. **The Court granted the complaint of the Association, established the fact of discrimination and imposed the compensation in the amount of 10 000 GEL to the GYLA beneficiary.**

Discrimination on the grounds of disability

- 1) The registration of V.K in the database of socially vulnerable persons was cancelled on the ground that he had provided incomplete information to the social agency when filling out a declaration. After the examination of the case, it became clear that V.K. had provided detailed information to a social agent when filling out the declaration, however, due to V.K's blindness he was not able to personally check the document completed by the agent and signed it based on the trust. **GYLA applied to the Public Defender who established the discrimination into the case and addressed to the relevant Ministry with a recommendation: to ensure that the declaration form to be filled out on a household's social state, which is required for the registration in the Unified Database of Socially Vulnerable Families, is available in the Braille font or other alternative means.**

2) GYLA was addressed by a person with significant disability, who encountered serious obstacles in terms of communication with the environment - due to the parking regulation of vehicles in the Tbilisi administrative boundaries applicable at that time. In particular, as a result





of the amendments introduced on 27 December 2016, it was prohibited to issue a special identification sign to persons with severe and less severe forms of disabilities for using parking areas within the city areas. **Based on the GYLA's application, the Public Defender established the fact of the discriminatory treatment by the Sakrebulo, and a relevant recommendation was issued.**

- **Protection of environment**

The case of Digomi Forest-Park. In June 2018, the Architecture Service of Tbilisi Municipality issued an order permitting the construction company "Anagi" to build a multifunctional

complex on the territory of Digomi Forest Park, Tbilisi. Along with that, the Decree of the Tbilisi City Council issued on 31 March 2006 which imperatively prohibits carrying out any construction activities on the territory of Digomi Forest Park is still in effect.

With the GYLA's assistance, Ana Gabriadze, Head of N(N)LP "Safe Space" filed an administrative complaint to the Tbilisi Mayor and requested the invalidation of the order issued by the Architecture Service.

Tbilisi City Hall did not satisfy the GYLA's complaint. GYLA will appeal the decision in Tbilisi City Court.





STRATEGIC LITIGATION IN THE CONSTITUTIONAL COURT

The case of Davit Malania - In the given case, GYLA argued the unconstitutionality of Articles 271 and 272 of the Administrative Offences Code of Georgia in reference to Article 42 (1) of the Constitution of Georgia. According to the disputed norms, the decisions made by the First Instance Court into some administrative offences were final and may not be appealed. GYLA believed that in certain cases, the person should have had the right to appeal any decision of an administrative body in the court of two instances. However, the absence of such possibility violated the right to a fair trial guaranteed by Article 42 of the Constitution of Georgia. **According to the judgment of the Constitutional Court of Georgia, any restriction to file an appeal was considered unconstitutional if: 1) a decision is issued for the commission of a grave offence (the act envisages an administrative detention as a sanction) although the administrative body applied a penalty as a sanction. 2) The courts of the first instance differently interpret the legal norms. In such cases, the appeal procedure**

shall be allowed, regardless of the severity of the offence.

The case of Nana Parchukashvili- On 26 July 2018, the Constitutional Court of Georgia announced the judgment under which the provision of the Decree №200 of the Minister of Corrections and Legal Assistance of Georgia of 1 August 2013, which allowed undressing prisoners, was considered unconstitutional. In the given case, GYLA argued that detection of any unlawful object (knife, narcotic drugs, etc.) in the body of a prisoner is possible by means of the scanner without undressing the prisoner. In addition, the disputed provision did not provide how many times daily a prisoner could have been undressed. Moreover, the Decree did not determine in what circumstances the director of a penitentiary facility had the right to undress a detainee. **The Constitutional Court held that the disputed provision violated the right guaranteed under Article 17 (2) of the Constitution of Georgia on the prohibition of inhuman and degrading treatment, and the right to private life recognized by Article 20 of the Constitution of Georgia.**



STRATEGIC LITIGATION IN THE EUROPEAN COURT OF HUMAN RIGHTS

Ramishvili v. Georgia - On 31 May 2018, the European Court rendered a positive decision on an application submitted by GYLA in 2008. In the given case, the applicant argued that he, as a convict, did not have the right to take part in the parliamentary elections of 21 May 2008, as the legislation in effect at that period deprived prisoners of the right to vote despite the gravity of the crime committed and the length of sentence.

The Court held that the legislation that prohibited prisoners to vote was general, automatic, and indiscriminate in nature and could have been applied to all convicts regardless of the severity of crime committed or the length of sentence. In 2011, the Constitution of Georgia and the Election Code were amended and prisoners convicted for less serious crime were allowed to

vote, but the amendments did not change the applicant's situation in relation to the elections of 21 May 2008. **Consequently, the Court held that the applicant's right guaranteed under Article 3 of the Additional Protocol (the right to free elections) was violated.**

Enforcement of the decisions rendered into the Cases of Tsintsabadze Group. The Committee of Ministers of the Council of Europe is currently overseeing the enforcement process of 4 decisions and 11 judgments rendered by the European Court of Human Rights against Georgia (the so-called "Tsintsabadze Group Cases"). **Among them, GYLA is conducting 3 cases: *Tsintsabadze v. Georgia, Bekauri and others v. Georgia and Studio Maestro and others v. Georgia.*** These three cases concern the deprivation of applicants' life, inhuman and degrading treatment, interference with journalistic activities, and ineffectiveness of the ongoing investigations into the case.

GYLA, in collaboration with the European Human Rights Advocacy Center (EHRAC), has submitted a written opinion to the Committee of Ministers of the Council of Europe on the fulfillment of the obligations undertaken by the Government of Georgia on the Tsintsabadze Group cases as individual and general measures. In the written opinion, GYLA discussed the actions carried out by the Government of Georgia in relation to the cases, the effectiveness of the ongoing investigation at the national level, the issues of effective enforcement by the State of the decisions / judgments rendered into the cases and the correction of the flaws at the investigation stage. In addition to the general measures to be implemented, GYLA emphasized the necessity to amend the Administrative Offences Code of Georgia preserved in the country since the Soviet period and to implement the reforms in terms of prohibition of inhuman and degrading treatment.

The case of Giga Otkhзорia - On 11 January 2018, in collaboration with the European Human Rights Advocacy Center (EHRAC), GYLA filed a complaint with the European Court of Human Rights against the Russian Federation concerning the case of Giga Otkhзорia who was murdered at the occupation line. In the submission, GYLA substantiates the violation of Article 2 of the European Convention (Right to life) and Article 13 (Right to effective remedy) by the Russian Federation against the applicants.

According to the reasoning part of the submission, the responsibility for the violation of the rights guaranteed under the European Convention on the territory of occupied Abkhazia, as well as for the actions of representatives of the de-facto authorities of Abkhazia shall be imposed on the Russian Federation as the State exercising an effective control over the territory.

The case of Rustavi 2- During the reporting period, the European Court of Human Rights fully granted the GYLA's request to get involved as amicus curiae in the court proceedings into the case of Rustavi 2 and allowed the organization to present its position on some legal issues. In addition, the Court explained that views of the Georgian Young Lawyers' Association should not have dealt with the factual circumstances of the case and the substantive part of the dispute. In the written observations sent to the European Court, GYLA reviews the decisions of the Supreme Court of Georgia rendered in relation to Articles 85 and 89 of the Civil Code of Georgia (the term of withdrawal of transactions made by duress), as well as international standards and the Georgian legislation concerning the principle of distribution of cases.

A. G. v. Georgia. On 9 August 2018, in collaboration with the EHRAC, GYLA filed an application to the European Court of Human Rights concerning the fact of bringing a female victim of domestic violence to suicide.

In the submission, GYLA has established the violation of Article 2 (right to life), Article 3 (prohibition of torture) and Article 14 (prohibition of discrimination) of the Convention. In particular, the State failed to prevent the death of the woman, despite the fact that the victim had appealed to the police 16 times before her death but the police failed to protect her from continuous violence from her spouse / ex-spouse. In addition, the State did not investigate the fact of bringing the woman to suicide from the perspective of femicide, did not take into consideration gender sensitive approaches and aggravating circumstances into the case in the course of the investigation and persecution.

EFFECTIVE AND EFFICIENT COMMUNICATION



One of the priorities of the Georgian Young Lawyers' Association is to provide timely and impartial information to the local and international society.

#GYLA's team #HereIam #Speak Up

The organization introduced a number of innovations in the communication with external actors during the reporting period, namely:

- Face-to-face communication with citizens;
- Institutional communication with state and non-state agencies at local, national and international level;
- Communication with media outlets at national and international level.

The organization's communication was based on the principle of providing open, comprehensive, timely and reasoned information and included the following three key aspects: informing / support at individual level, public advocacy at the institutional level, and increasing awareness / education.

For the implementation of the above communication effectively, GYLA has intensified public relations and communication by adding human resources, developed both external and internal communication forms and started exploiting new communication channels, namely:

- **Regular communication with international organizations, foreign media and diplomatic corps accredited in Georgia.**



This aimed at informing the international community about any major political and legal issues in the country, including within the frame of the State's strategic goals such as the Euro Atlantic integration and the occupied territories of Georgia. This allowed GYLA, on the one hand, to strengthen relations with the above actors in order to increase confidence and support into the organization, and on the other hand, to analyze the current position of the organization on the international scene. The information received through the interaction with the above target groups will significantly assist GYLA to properly develop the communication strategy in the framework of the planned organizational reform as well as within the five-year action cycle.

- **“GYLA’s Newsletter” / “GYLA Magazine”- the organizational newsletter has been created.** For the better communication of the progress of the GYLA’s team, the

organizational newsletter was elaborated last year, which is published periodically - every 3 months. In addition, special thematic editions have been published: “GYLA for Women’s Rights” and “GYLA for Better Governance.” The bilingual format - Georgian-English - of the newsletter enables the organization to reach a larger audience, and maintain close ties with GYLA members for keeping them updated on GYLA’s news.

- **The website of the organization has been developed, and the English version is updated on a daily basis.** The timely access to publications of GYLA’s activities in English language helps the organization to maintain effective and efficient communication with foreign partners or donors, as well as with all other interested international actors. Last year GYLA’s website published:

225 STATEMENTS,
INCLUDING 120 INDIVIDUAL,
AND 105 - COALITION AND / OR JOINT
STATEMENTS

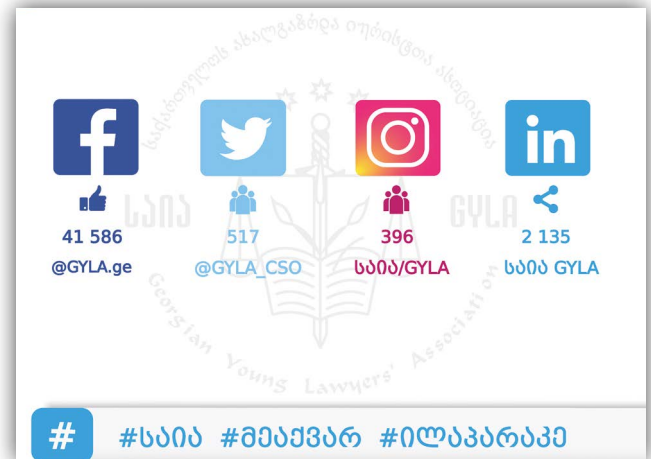
11 NEWSLETTERS,
INCLUDING 6 ORGANIZATIONAL,
AND 5 – ELECTORAL

6 BLOGS

12 REPORTS / RESEARCH

THE GYLA'S WEBSITE HAS OVER 10000
UNIQUE VISITORS PER MONTH

- **GYLA's position in social media has been increased** by the addition of new online platforms - **Twitter** and **LinkedIn**. In terms of the most popular social media in Georgia -Facebook, GYLA is in the leading position with the number of subscriptions - 41 546. Moreover, **the administration of the Facebook and Twitter accounts in English language** launched last year, allowed the organization to deliver its message to a larger audience.



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საია GYLA
Leading NGO in Georgia, protected the rights of over one million & has changed policies & laws.
View full profile
+ Follow
2,054 Followers

როგორ მივიღოთ საია-ში უფასო სამართლებრივი კონსულტაცია?
- საქართველოს ახალგაზრდა იურისტთა ასოციაცია
gyla.ge

1 Like · 1 Comment

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Add a comment...

Nino Nizharadze · 2nd
Project Implementation Support
5mo ...

საიას მთელ ჯგუფს, პროფესიონალური მიდგომის, დაულალავი მუშაობის და უწყვეტი სანდოობისთვის, მადლიერება ჩემგან, და დარწმუნებული ვარ არაერთი მოქალაქისგან. 🙌🏻 თქვენ მართლაც მანდომებთ, რომ დავიმატო ერთი პროფესიაც და გავხდე იურისტი.. 😊 (edited)

Like Reply | 1 Like

UK in Georgia @UKinGeorgia · Oct 28
Very impressive Presidential #election observation operation @GYLA_CSO office in #Tbilisi. #Georgia Civil Society playing full part in delivering successful Democratic elections. #GVote2018 @JustinMcKenzie5



Jos Douma @Jos_Douma
Follow

@DutchMFA strongly committed to more effective oversight
@parliament_ge @ChugoshviliMP

GYLA @GYLA_CSO
Very pleased to announce that #GYLA starts a new project thanks to the support from the Embassy of the #Netherlands in #Georgia 🇳🇱 The project aims to enable Parliamentary Oversight over Executive's Security Sector Secret Procurement. Thanks for your precious collaboration 🙌🏻 @Jos_Douma

7:43 AM - 4 Jun 2018 from Georgia

GNDEM Exchanges @gndemexchanges
Following

GNDEM member @GYLA_CSO also observed the presidential election in #Georgia! Read their evaluation of election day below!
#Gvote2018

GYLA @GYLA_CSO
#Elections2018 #GVote2018
Find #GYLA's General Evaluation of the Election Day of the 2018 Presidential Elections of #Georgia bit.ly/2PvxDCK

11:07 AM - 29 Oct 2018

Shalva Tsiskarashvili @tsiskarashvili
Follow

Georgia's Young Lawyers' Association @GYLA_CSO & European #HumanRights Advocacy Centre @EHRAC_hq have filed a lawsuit against #Russia in the European Court of #HumanRights over a murder case committed by occupying RUS "border guard" in 2016 #Georgia #occupation @UNHumanRights

7:10 AM - 12 Jan 2018

MEDIA

The organization has been the leader of media coverage for years now. According to the statistics provided by the research organization “IPM Research”, GYLA’s media presence in the reporting period was as follows:

INTERNET 2 700

PRESS 260

RADIO 801

TELEVISION 2 850

IN TOTAL
6 611

PUBLIC CAMPAIGNS

- **Fight against Domestic Violence** - For the second year already, GYLA has been conducting the campaign **#SpeakUp**, within which public meetings and discussions have been held, videos and information posters have been prepared, and short films are planned to be screened. *Within the framework of the campaign, GYLA implemented a photo project aimed at informing the wider society with the help of the photos of the emotional state of victims of domestic violence and the reality which they have to live in.*
- **The request to amend the Administrative Offences Code of Georgia** - GYLA is also conducting the advocacy campaign for introducing the amendment to the Administrative Offences Code. Within the framework of the campaign, public meetings and discussions were held and a social video was prepared, which was transmitted by all broadcasting companies of the country for three months. In addition, posters and info graphs have been prepared which





are actively circulated through the organization's social channels.

In addition to the above-mentioned, within the framework of the internal organizational communication:

- **Several trainings were provided for employees of the regional offices on how to conduct communication effectively** via traditional and modern media outlets.
- **Employees were provided on a regular basis with the information on international practice in the field**, including research / statements made by international organizations;
- In order to increase the awareness of the GYLA's team, **the organization has launched the online campaign "GYLA's Team"**. With this format, expert experience and vision of the GYLA's team on various urgent issues have been shared and communicated to a wider public or relevant responsible persons.

- The handbook of the organization's communication plan has been created.
- The concept of management of the social channels has been developed.
- The document of the organization's position analysis in the traditional and modern media outlets has been elaborated.
- Specific recommendations have been developed how to strengthen the organization in terms of communication.
- Trainings have been conducted in public relations and media relations.
- Information meetings have been held with media representatives providing them with the detailed information about the organization's advocacy campaigns.

GYLA will further continue to work actively in order to implement modern standards of efficient communication at the local organizational level, as well as with various external actors.

QUALIFIED LEGAL EDUCATION AND PROFESSION DEVELOPMENT



In the reporting period, the Georgian Young Lawyers' Association was actively involved in the development of the qualified legal education and promotion of the profession with the assistance of the Foundation for the Support of Legal Education. It is also noteworthy the activities implemented by

GYLA in the direction of civic education and its promotion among schoolchildren.

The organization launched a series of public lectures conducted by experts of various fields who shared their knowledge about interesting topics with participants. In total three public lectures were held:

*IRAKLI KHVADAGIANI REPRESENTATIVE DEMOCRACY DURING THE
FIRST REPUBLIC (1918-1921)*

ZVIAD KORIDZE GEORGIAN CRIME AND PUNISHMENT

LASHA BUGADZE CENSORSHIP IN LITERATURE

The media coverage of the lectures and communication to a wider society was provided by the Internet Agency “Netgazeti”.

Under the auspices of the GYLA’s Legal Education Foundation, a range of activities were implemented to promote high quality legal education at the central and regional level, in particular:

<i>TRAINING COURSE</i>	<i>33 GRADUATES</i>
<i>DEBATES</i>	<i>TBILISI, KUTAISI, BATUMI AND ZUGDIDI</i>
<i>IMITATED COURT TRIALS</i>	<i>IN CITY COURT AND SUPREME COURT</i>
<i>OLYMPIAD</i>	<i>YOUNG PEOPLE FOR CONSTITUTIONAL RIGHTS</i>
<i>CIVIL EDUCATION</i>	<i>SAKVIRAO SKOLIS 100 KURSDAMTAVREBULI</i>
<i>PUBLIC DISCUSSIONS / LECTURES</i>	<i>3 PUBLIC DISCUSSIONS, 150 PARTICIPANTS. THE TOPICS:</i> <ul style="list-style-type: none"><i>• THE BIOGRAPHY OF THE CONSTITUTION OF GEORGIA</i><i>• THE ROLE AND IMPORTANCE OF NGOS</i><i>• FINANCIAL PYRAMIDS - ECONOMIC AND LEGAL SECURITY PROBLEM IN GEORGIA</i>
<i>TRENINGEBI</i>	<i>2 TRAINING COURSES. THE TOPICS:</i> <ul style="list-style-type: none"><i>• THE LEGAL BASIS REGARDING IMMOVABLE PROPERTY.</i><i>• THE EUROPEAN CONVENTION OF HUMAN RIGHTS</i>

TRAINING COURSES

In the academic year 2017-2018, more than 40 applicants applied to the Foundation and expressed the desire to take the training course, but 33 of them obtained the status of the law student.

The course in public and private law was conducted for 6 months. During the period, students were able to acquire practical experience along with the theoretical knowledge. The participants of the educational course of the Foundation were actively involved in public discussions, mock court trials and debates organized by the Foundation.



Service. Furthermore, successful graduates have been nominated who will be able to conduct trainings on pre-defined topics in 2018-2019 in the Sunday school of the Civic Education of the Foundation.

The successful graduates were awarded certificates and diplomas. Moreover, pursuant to the initiative of the Foundation and GYLA, three best students were identified who were granted the opportunity to take an internship course in civil and administrative law in Tbilisi Legal Aid



DEBATES

Promotion of constructive debates, development of quick thinking and analytical skills, acquiring the skills for withdrawal and handling of information on global and legal matters - these are the issues that still remained the priority of the GYLA's activity during the reporting period.

The debate clubs were held in Tbilisi, Kutaisi, Zugdidi and Batumi. The format allowed young people to engage in social and political life, identify legal issues and problems and come up with solutions.

The internal competition qualifying for the debates was held at the regional level. The winners took part in the national tournament held in Tbilisi. On 10 June 2018, the national tournament of parliamentary debates organized by the Legal Education Foundation was held, in which Tbilisi, Kutaisi, Batumi and Zugdidi teams participated. The debates tournament was won by the Batumi team.





IMITATED (MOCK) COURT TRIALS

With the aim to developing the presentation and speech-making skills at court trials, an imitated court hearing was held in the Supreme Court of Georgia with the participation of the students of the Foundation. The course participants together

with their trainer distributed and prepared cases, drafted legal documents (applications, counter appeal, expert conclusion, etc.). The trial was attended by a competent jury that assessed the participants in terms of the skills of legal argumentation and the ability to conduct a court trial.



OLYMPIAD – YOUNG LAWYERS FOR CONSTITUTIONAL RIGHTS

In order to popularize the constitutional law, enhance the knowledge in the field of the constitutional law, promote decisions of the Constitutional Court and develop practical skills in students, the organization implemented the project “Young Lawyers for Constitutional Rights” in the reporting period with the support of the German Foundation for International Legal Cooperation (IRZ).

Eight teams participated in the Olympiad from the following higher institutions: Ivane Javakhishvili Tbilisi State University, Akaki Tsereteli Kutaisi State University, Free University of Tbilisi and Georgian Institute of Public Affairs.

On 10 December 2017, the final Olympiad was held and the team of Free University of Tbilisi was announced as the winner of 2017.





Civic education Sunday schools were operating in Tbilisi, Kutaisi, Zugdidi and Batumi during the reporting period. In all schools of the four cities, approximately 100 schoolchildren participated in the Sunday school activities, who were awarded certificates after the completion of the academic year.

Apart from the discussion of theoretical issues, students of the Sunday school directly acquainted with the role and importance of different state institutions through various visits. The visits were paid to the National Bank of Georgia, Georgian National Museum, the Constitutional Court, the Museum of Justice at the Supreme Court of Georgia and the Parliament of Georgia, as well as the representative of the Public Defender in Samegrelo-Zemo Svaneti and the Legal, Mandate and Human Rights Commission of Zugdidi Municipality Sakrebulo.

CIVIL EDUCATION

Promotion of civic and legal education in schoolchildren is important not only for the development and enhancement of the theoretical knowledge and skills of pupils, but also for the personal growth and development of the active civil society.





PUBLIC DISCUSSIONS / LECTURES ***TRAINING***

During the reporting period, three public discussions were held, which were attended by more than 150 students.

- “The Biography of the Constitution of Georgia” - The discussion focused on the legal and political issues that had preceded the revision of the Constitution of Georgia.
- “The Role and Importance of NGOs” - The participants discussed the role of NGOs in the establishment of democratic values.
- “Financial Pyramids, Economic and Legal Security Problems in Georgia” - The financial pyramid schemes, consumer rights and legal or financial problems encountered by victims were discussed.

Educational courses and trainings accredited by the Bar Association were provided for lawyers and practicing attorneys.

In the training course “Legal Issues on Immovable Property”, participants received information about the legislative base analysis and challenges in practice.

In addition to the accredited training course, the Foundation organized and conducted a short-term educational course “European Convention of Human Rights”. The course included several meetings which focused on the decisions rendered in terms of human rights by the European Court of Human Rights.

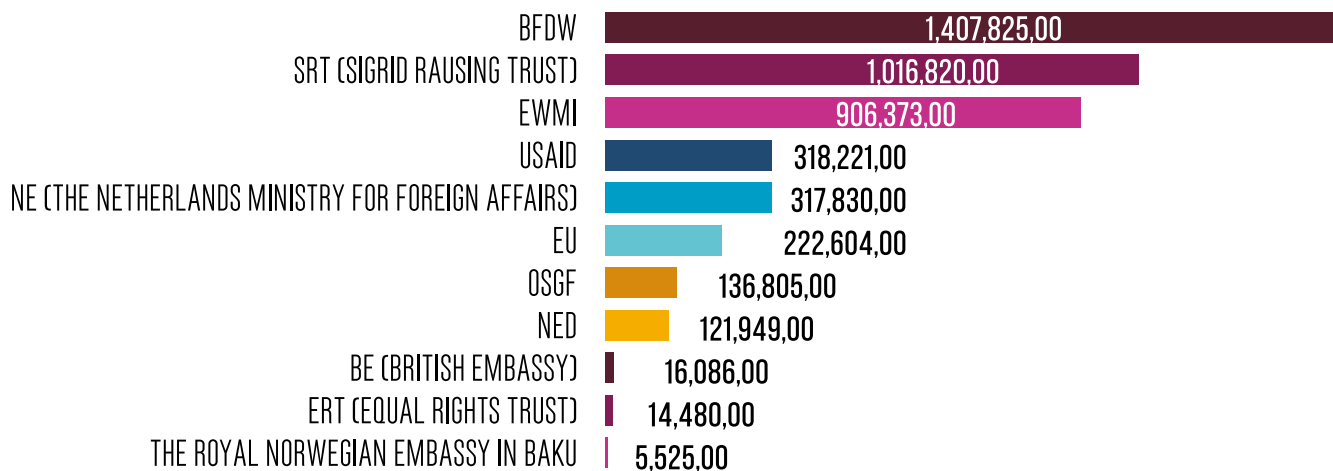
FINANCIAL REPORT

THE REPORTING PERIOD: 1 NOVEMBER 2017 - 15 OCTOBER 2018



The financial report reflects the funds received from donations, membership fees and grants from various sources, as well as the expenditure. It should be noted that during the reporting period, the organization was actively involved in strengthening the NGO sector. In this respect, the priority was given to the issuance and administration of sub-grants according to thematic directions.

The GYLA's financial report covers the period from 1 November 2017 to 15 October 2018, during which 4,507,431.00 GEL was received as donations, membership fees and grants from various sources. The amount according to the sources is as follows:



Membership fees	7,752.00
Donations	4,556.00

Other income	10,605.00
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In the reporting period, 127 persons were employed at non-onetime positions in the Association, including 55 in the regions, the total amount of the remuneration accounted for 1,851,059.00 GEL. One time fees were issued to 276 persons - totaling 306,193.00 GEL.

The income tax - 463,650.00 GEL was withheld from the remuneration, salaries and royalties paid to private individuals.

202,838.22 GEL has been issued as a sub-grant to a number of organizations.

In the reporting period, the Association purchased the fixed assets of 50,479.00 GEL, including various types of office equipment for the regions worth of 13,250.00 GEL.

At the same time, various low-cost office items were purchased amounting to 31,412.00 GEL, including 3,115.00 GEL worth items for the regions.

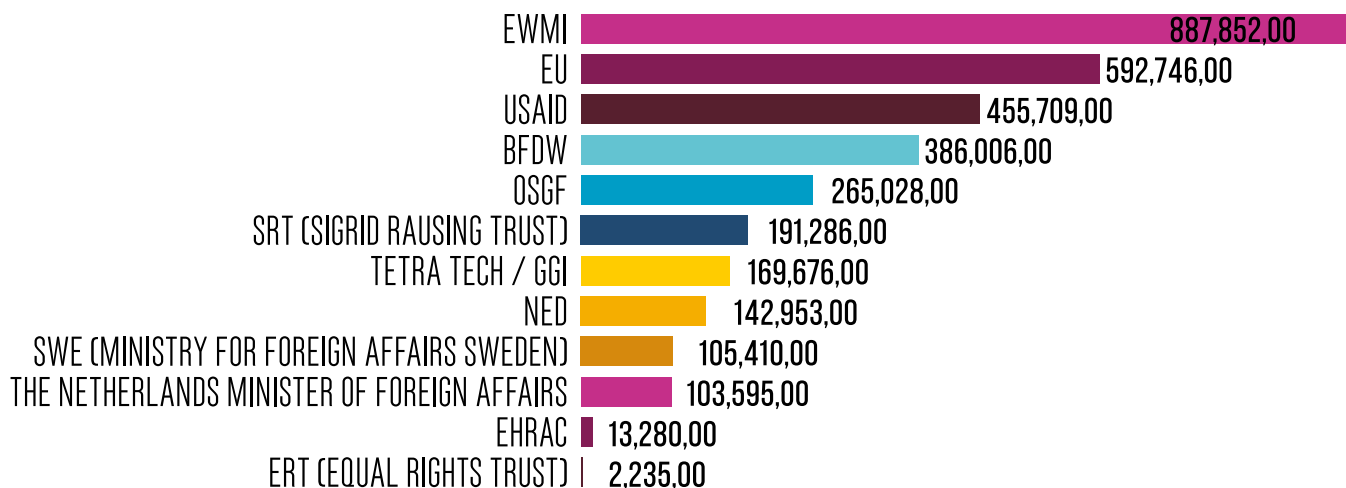
159,607.00 GEL was spent on various seminars and meetings arranged by the Association in Tbilisi and the regions.

The transportation expenses of the Association employees, members and invited guests in the reporting period amounted to 236,245.00 GEL.

The amount of the rental fee of the offices of the Association was 114,190.00 GEL.

In the same period, the total communication expenses of the organization were 34,939.00 GEL, including in the regions - 7,501.00 GEL.

During the reporting period, the total amount of the expenditure from the Association assets amounted to 3,318,186.00 GEL. The above-mentioned expenditure, according to the sources, is as follows:



Membership fees	2,338.00
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Donations	72.00
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MANAGING BODIES OF THE GEORGIAN YOUNG LAWYERS' ASSOCIATION

AS OF NOVEMBER 2018

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