



Georgian Young Lawyers' Association and Transparency International Georgia voice their position in terms of yesterday's developments in the Parliament of Georgia

Yesterday, on December 26, at the plenary session where MPs reviewed postponement of enactment of the new rule of witness interrogation for two years, representatives of the Transparency International Georgia and the Georgian Young Lawyers' Association were disallowed to express their silent protest through demonstration of banners in response to the government's initiative. The banners contained the following wording: "Human Rights cannot wait for Two Years", "Protect the Right of Defense" and "Say No to Postponement".

Although the conduct of the representatives of our organizations did not hinder activities of the Parliament, the security of the parliament has torn off the posters and forced our representatives to leave the territory. While our employees were being taken away from the session room, the chairperson of the plenary session Manana Kobakhidze announced that according to the Parliamentary regulation, visitors of the Parliament have to take the special advance permit for displaying the banners.

We would like to explain that **the representatives of TI -Georgia and GYLA acted within the scope of the freedom of expression and assembly enshrined in Article 24 and 25 of the Constitution** envisaging the right to express and disseminate the opinion orally, in writing or in any other means, as well as the right of

peaceful assembly either indoor or outdoor. Our representatives did not violate requirements of the legislation, or the public order in the process of the plenary session, nor have they obstructed the Parliament or MPs in fulfillment of the state functions. They exercised the opportunity to express their attitude to the draft, which in view of the expressed protest is fully observed in the process of reviewing drafts. As provided by Para 2, Article 290 of the regulation of the Parliament, the only case when such conduct is prohibited is the voting procedure.

According to the norm, in the voting process individuals present at the session should refrain from expressing their individual attitude to the stated results, however, the protest of our organizations took place at least two hours earlier than the voting process started. Nevertheless, the chairperson of the session, Ms. Kobakhidze indicated incorrectly that there was violation of the regulation from NGOs. The security service of the Parliament damaged the banners of our organizations and forced our representatives to leave the room.

Furthermore, Para 1, Article 9 of the Law on “Assembly and Manifestation” strictly defines the list of the state institutions where it is impossible to hold a protest action, the Parliament, though is not in the list. According to Para 4, Article 9 of the Law, the administrative agency (in the case concerned the Parliament) is entitled to demand conduct of the rally in a place distanced from the building if it blocks the building or hinders activities of the institution. Ms. Manana Kobakhidze fell short to substantiate that the posters displayed in the Parliament created risk to the smooth functioning of the Parliament.

We consider **impermissible interpretation of the Parliamentary regulation or the legislation in general in a manner that it can inhibit the parties involved in Parliamentary activities to express their different position**. Moreover, it is also intolerable to ignore the fundamental constitutional values and to violate grossly freedom of expression and assembly.

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Civil Society Representatives have voiced their extremely negative position towards the issue on the committee sessions as well. Furthermore, the NGO Coalition has released the special [statement](#) several times and called on the Parliament and the government to refrain from postponing the enactment of the new rule of witness examination. **Nevertheless, the Parliament voted for the government initiative and postponed the new, progressive rule of witness interrogation until December 31, 2015.**

Regretfully, the Parliament disregarded the concern of the NGO sector and did not consider any of the recommendations. **Such decisions will adversely affect establishment of the high standards of human rights and will prolong unequal condition of parties to the criminal process.**

In view of above, we appeal the President of Georgia to exercise the right to veto and to put an end to extension of application of the unfair norms.