

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



GYLA and Article 42 of the Constitution React to the Statement of Political Prisoners

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On November 15, 2012, Georgian Young Lawyers' Association and Article 42 of the Constitution held a press conference about activities of the working group on political prisoner and IDPs and the statement of political prisoners.

On November 1, 2012, a working group on political prisoners and IDPs was set up

under the human rights and civil integration committee of the parliament of Georgia. The group was manned by representatives of civil society, including Georgian Young Lawyers Association and Article 42 of the Constitution.

At the meeting of the human rights and civil integration committee, it was decided to determine status pursuant to the CoE standards.

During the working process a number of problems hindering effective work of the group were revealed. The group format and timeframes are inadequate for reassessing cases comprehensively. Us, Georgian Young Lawyers' Association and Article 42 of the Constitution, believe that the group must prepare a substantiated, objective and fair recommendations for every single case, in order to avoid any superficial evaluations, inaccuracies and unfair approaches. This offer did not imply detailed reassessment of all cases and dragging the process for years, but rather it implied assessment of all legal documents necessary for determining the status of an individual concerned. Despite a number of attempts on our end, agreement could not be reached in an effort to change the working format of the group.

Due to the fore-going reasons, Georgian Young Lawyers' Association and Article 42 of the Constitution left the group.

Different levels of society reacted differently to the leaving of the group by us. There were a lot of inaccurate reports claiming that GYLA does not recognize existence of political prisoners in Georgia, refuses to provide assistance to them and has not previously examined cases of political prisoners.

We would like to highlight that we have been working on cases of political prisoners for over the years now. We provide them with legal assistance in Georgia and before the ECHR. We have reviewed a number of cases of political prisoners, published reports and researches.

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For instance, in 2010 GYLA reviewed 24 cases of political prisoners and published subsequent report in 2011. Currently we are examining cases of individuals arrested in relation to the May 26, 2011 developments – total of 30 cases (including cases of Zaza Samkharadze, Gia Salukvadze, cases of individuals arrested in relation to the so-called Kintsvisi special operation, who to our surprise, have signed the statement against GYLA). Some of these cases are a collection of criminal cases of around 50 individuals.

Despite our decision to leave the group, we will continue our work in this direction and will update public about our activities on a periodic basis. Part of our findings has already been referred to the working group. We will continue to help the group in its activities by further providing such findings.