



GYLA is Summarizing the Results of its Work, Aiming at Protection of IDP Rights in the Past Three Years (2012-2015)

On June 30, 2015 GYLA finalized the project it has been implementing since May 1, 2012. The project aimed at providing legal aid to Internally Displaced Persons. The project was financed by the Swedish International Development Agency (Sida) and implemented by the Danish Refugee Council (DRC).

The project has produced the following results:

- Over 9200 IDPs were provided with individual consultations;
- Up to 350 mobile visits were conducted in various IDP settlements;
- Over 5000 IDPs have received legal consultations during the mobile visits;
- ∇ Up to 1100 legal documents were prepared for IDPs (complaints, applications, etc.);
- Legal representation before the court was provided in 86 cases;
- 1 complaint was submitted to the Constitutional Court of Georgia;
- 6 round tables were conducted for IDPs on various acute issues;
- 6 informational brochures were prepared;
- 2 research papers were published;

As a result:

∇ 53 cases ended successfully (related to provision of housing, provision of monetary compensation, reimbursement of damages, granting IDP status, etc.);

- 13 cases are currently pending before the court;
- 8 cases ended unsuccessfully;
- In 12 cases, beneficiaries initiated termination of the litigation;

Strategic Litigation

GYLA's engagement in elaboration of state policy on IDP issues

The lawsuit, submitted to the Constitutional Court resulted in successful outcome. Specifically, the ruling has recognized unconstitutionality of the discriminative provision under the Law on the Displaced Persons - IDPs from the Occupied Territories of Georgia. On the basis of the ruling, every individual, whose house is not located within the Occupied Territories, but is located within the territories, over which the Government of Georgia is not in a position to exercise effective control, will be granted the IDP status.

In addition to the activities under the project, GYLA has been actively engaged and continues its involvement in the process of elaboration of the state policy on the IDP issues. Among others, GYLA participates in several work groups of the Ministry of the Internally Displaced Persons from the Occupied Territories of Georgia, Accommodation and Refugees.

Despite the fact that in the past years, significant steps were made for the improvement of the legislative environment for the IDPs, a number of shortcomings remain, which negatively affect the rights of the IDPs. Taking the abovementioned into account, GYLA believes that it is important to:

Continue work towards harmonization of national IDP-related legislation of Georgia with the international standards;

Ensure that the IDPs, residing in buildings that are subject to privatization, are informed of the privatization process, its outcomes and other available alternatives in a timely manner;

Analyze the shortcomings, revealed in the privatization process and elaborate recommendations on the mechanisms for overcoming existing challenges;

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Based on the analysis of the existing experience, review the criteria and the scoring system, based on which the housing is provided;

The Ministry must perform its legally binding obligation of providing IDPs with written decisions and effectively informing them about relevant appeal mechanisms.