



## Successfully Litigated Cases in May

### **With assistance of GYLA's Kutaisi branch court found an individual innocent**

T.G. was accused as per Para 5, Article 276 of the Criminal Code of Georgia (violation of the traffic safety rules that caused death of an individual). Specifically, according to the indictment, T.G. has violated traffic rules while driving a car in Zestaphoni region, village Shrosha and hit a pedestrian. The court upheld position of the defense, as well as evidences submitted by the defense and concluded that it was impossible to avoid an accident by T.G. In view of this, there was no necessary standard beyond the reasonable doubt to render a convicting judgement and the court found T.G. innocent.

### **With GYLA's assistance, L.M. was dismissed from the court room**

The Supreme Court dismissed GYLA □□ beneficiary from the court room. The lower instance court found him guilty in false notification about the fact of terrorism and was sentenced to three years of imprisonment. According to the prosecution, on September 12, 2012 service 112 received false notification about existence of the bomb in TV Company Rustavi 2. The Supreme Court of Georgia ruled that the case had incorrect qualification and it was changed to Para 1, Article 331 and the defendant was dismissed from the court room.

### **With GYLA □□ assistance, individuals were relieved from administrative liability**

GYLA Kutaisi branch represented in the court Z.Sh. interests. Patrol police drafted report of administrative offence and fined him GEL 700 for transfer of vehicle to an individual with no driving license. With assistance from GYLA Kutaisi office, Z.M. appealed the protocol. Consequently, the court annulled the decision on imposition of fine.

GYLA Kutaisi branch represented in the court T.J. interests fined GEL 1000 for avoidance of compulsory military service and failure to appear before the conscription commission. Kutaisi Appellate Court shared position of the defense on committing of misdemeanor by T.J. As a result, he was relieved from administrative liability and only reprimand was issued.

GYLA Kutaisi Branch represented G.N. interests. Patrol police drafted protocol of administrative offence and fined him GEL 500 for driving a car without a driving license. With assistance from GYLA Kutaisi branch G.N. appealed the administrative protocol in a court. Consequently, the court invalidated the report and the proceeding has been terminated for absence of offence.

### **With GYLA assistance one more illegally dismissed individual was restored to the office**

GYLA Kutaisi branch represented in a court I.A. interests dismissed from the position of a manager of the Dimi village kindergarten #2 as per January 9, 2015 order of a director of Baghdati pre-school institutions. Kutaisi city court annulled I.A. dismissal order. She was restored in the office and Baghdati pre-school institution became obliged to compensate GEL 288 a month for the missed period.

### **GYLA was successful to protect labor right of another individual**

GYLA Telavi office represented in the court O.M. interest who worked as a specialist in Gamgeoba of Gurjani municipality and was dismissed illegally from the occupied position. Allegedly he was fired for failure to fulfil his duties systematically. The fact of O.M. illegal dismissal was confirmed at the trial and his claim on compensation of the missed salary was also satisfied.

**With assistance from GYLA [ ] Ajara branch, beneficiary [ ] title on immovable property was recognized**

GYLA [ ] Ajara branch protected in the court K.Kh. [ ] interests who in 1994 procured an apartment in Batumi, though for some objective reasons failed to register a title. With GYLA [ ] assistance he filed a case to the court and claimed recognition of a title. By April 22, 2015 decision of Batumi City Court, K.Kh. [ ] claim was fully satisfied and his title was recognized on the property.

**With GYLA [ ] assistance perpetrators were prohibited to abuse the victims of domestic violence physically, verbally and psychologically**

In May, 2015 the court satisfied three applications of the victim of domestic violence in terms of issuing protective order. GYLA [ ] Kutaisi branch and lawyers from Rustavi office represented their interests in a court. Facts of violence were confirmed at the trial and according to the court decision perpetrators were prohibited to abuse victims of domestic violence verbally, physically and psychologically as well as to approach the house and to have phone communication with them. Protective order was issued for 6 months period.

**With assistance from GYLA [ ] Tbilisi office IDP status of an individual placed in Tskhinvali prison has been restored and he was compensated for the damage suffered as a result of terminated status**

GYLA represented J.M. [ ] interests whose status has been terminated by the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia when he was placed illegally in Tskhinvali prison. According to the Ministry, the status was terminated for failure of the applicant to appear at the registration. It should be noted that in the moment of IDPs registration, J.M. was in Tskhinvali prison with no chance to undergo registration process. GYLA applied to the court on behalf of the applicant and requested restoration of IDP status, as well as compensation for the damage suffered as a result of terminated status. After filing the case to the court, the Ministry restored illegally terminated status. As a result, the Ministry was ordered to compensate for the damage suffered from termination of the status.

**With assistance from GYLA ☐ Tbilisi office a parent became obliged to pay alimony and to compensate for additional expenses**

GYLA protected interests of a minor N.L. who is disabled and requires permanent medical treatment. Father refused to take care of a child, while the only income of a family was pension. According to the court decision father became obliged to pay alimony and additional expenses. Moreover, rights of a parent were also restricted.