



ANNUAL  
REPORT 2019

# 25 YEARS FOR HUMAN RIGHTS



# 25 YEARS FOR HUMAN RIGHTS



ANNUAL  
REPORT 2019

Responsible for publication: Irma Pavliashvili, Khatuna Kviralashvili

Design: Teona Kereselidze

© 2019 Georgian Young Lawyers' Association

# TABLE OF CONTENTS

<b>FOREWORD</b>	4
<b>HUMAN RIGHTS</b>	9
Women's Rights	10
Fighting against Discrimination	12
Justice	14
Environment	17
Healthcare	19
Media	20
<b>SUPPORTING DEMOCRATIC INSTITUTIONS</b>	21
Parliamentary Oversight	22
Justice Reform	22
Public Governance (transparency, public finance management, local self-government)	24
Elections	27
<b>LEGAL AID</b>	29
Successful Cases	31
Fighting against Torture and Other Inhuman or Degrading Treatment	38
June 20-21 Cases	39
Administrative Offences' Legal Reform	40
Investigation of Situation in Georgia by International Court of Justice (Hague Court)	41
<b>PARLIAMENTARY WORK AND ENGAGEMENT IN THE LAW-MAKING PROCESS</b>	43
<b>STRENGTHENING CIVIL SOCIETY</b>	47
Youth Engagement in the Decision-Making Process	47
Supporting Grassroots Civil Society	50
<b>MEDIA AND SOCIAL CAMPAIGNS</b>	51
<b>FINANCIAL REPORT</b>	55





## DEAR MEMBER OF GYLA,

Georgian Young Lawyers' Association is celebrating 25 years of work. Thus, the first thing you will read here is my heartfelt congratulation and gratitude, from the perspective of a GYLA member. We owe congratulations and gratitude towards everyone, who participated in the establishment of GYLA 25 years ago, amid very turbulent and difficult times for our country. We owe congratulations and gratitude to the entire generations, members and employees, who, for a quarter century, have dedicated important parts of their lives to GYLA and who firmly believed/believe that GYLA represents a lifestyle, where fighting for human rights is one's imperative.

From a simple glance it is clear that it is difficult to find another membership-based civil society organization in Georgia, which has carried on for 25 years, is still in the epicenter of developments and which enjoys high level of public trust. Naturally, this is the result of a huge work and effort, dedication, and maintenance of traditions throughout years. We try to be present everywhere, where we are needed, where sometimes we are not expected, but perhaps, our presence is crucial.

Every day, many people address GYLA offices in the efforts of finding justice. Very often, we are the last hope of those people. Thousands of legal consultations, legal documents and successful court disputes reflect the strong responsibility of GYLA employees. Those statistics and other important information are presented in this report – before you read it, let me express my gratitude to all those, who place their trust in us and who addresses GYLA for the legal aid program.

Naturally, it is not my intention to dedicate this foreword to self-praise. All things aside, so much has happened in the past year in the country, the events of milestone importance, that we have our largest battles yet to fight. With your patience, I will emphasize only few of them here.

It is not new that one of the most important issues we discussed throughout the year is justice, or rather, the Supreme Court of Georgia. The processes that started in December last year have clearly demonstrated that the independent justice system remains to be a serious challenge. From 2020 GYLA will dedicate even more efforts towards a more independent justice system. For this purpose, in the second half of this year we already made certain steps towards strengthening the human resources of GYLA's Program on Supporting Democratic Institutions.

One cannot omit the June 20-21/2019 night on Rustaveli, the developments in front of the Parliament of Georgia, which were so important that GYLA dedicated a separate report to those events – which is openly available to anyone. GYLA did not only prepare a report. Following the developments on Rustaveli that night, GYLA was defending the rights of dozens of persons in various court instances. This legal aid work has clearly demonstrated the problems, which, unfortunately are still characterizing various branches of the government.

Following the June 20-21/2019 night's events, as a result of the acute and fair protest of the society, the ruling party made a public promise that they would conduct the 2020 parliamentary elections through a natural threshold and proportional system. However, in November of this year, the following developments and the failure to pass the Constitutional Amendments in the very first Parliamentary Hearing have made it clear, that the society has yet to struggle for the proportional electoral system. The 2020 Parliamentary Elections are still under the risk of being held through unfair electoral system. Clearly, achievement of the proportional electoral system and 2020 Parliamentary Elections remain to be one of GYLA's top priorities.

Throughout the year, we often discussed the existing challenges in terms of human rights. We participated in numerous meetings, conferences and discussions. However, towards the end of 2019, one can say that unfortunately, even with the existing governmental strategies and action plans, the human rights protection remains to be reflected on paper only, while its practical implementation remains to be a challenge. Thus, strengthening GYLA's Human Rights Program will be one of the priorities of GYLA for 2020.

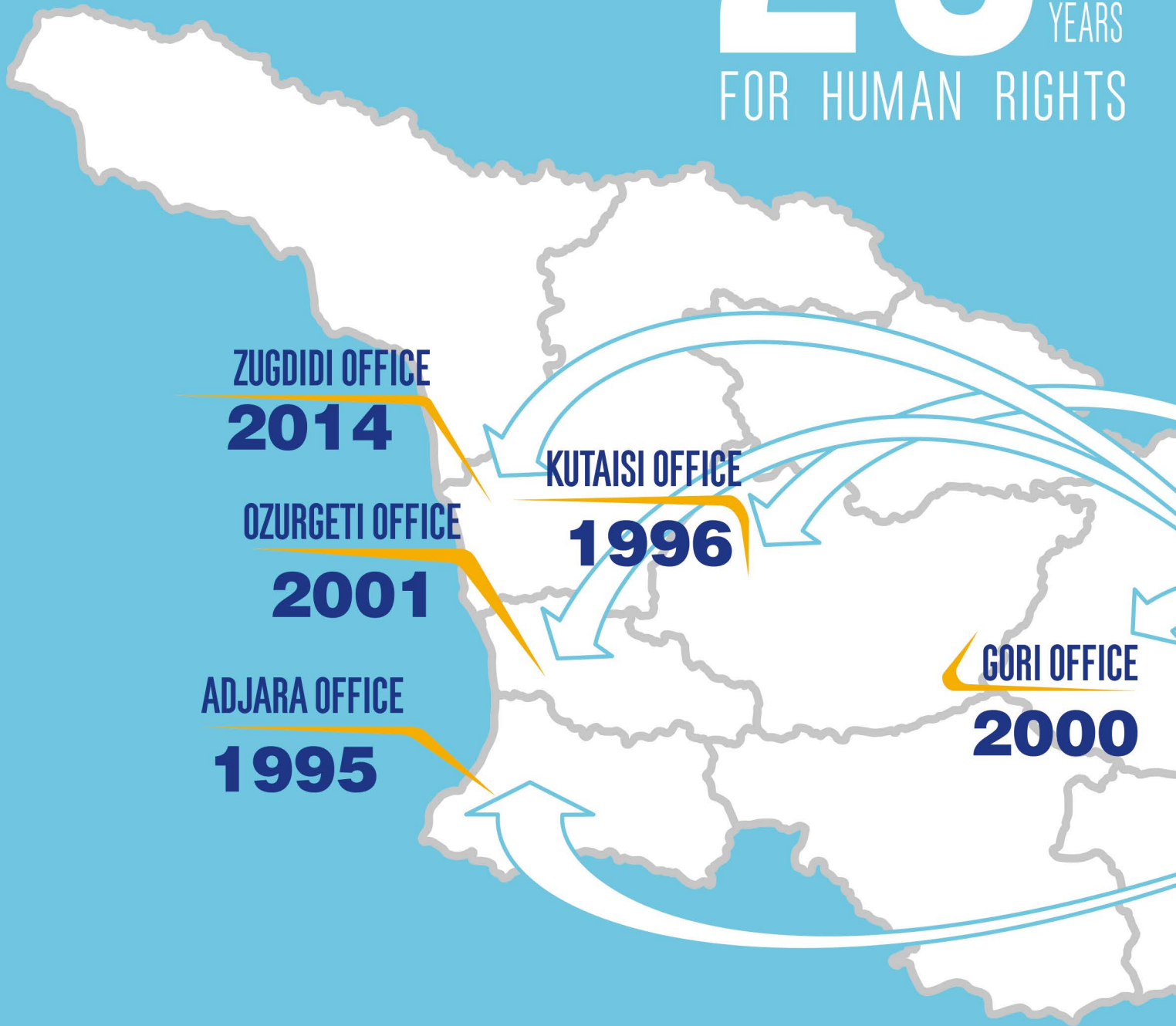
Simultaneously, we are trying to complete GYLA's governance and organizational reform. From this perspective, the trust, expressed by GYLA members in last year's General Assembly, was a huge support for us. We know very well how difficult the reform can be, however, with dedication and hard work together, we believe it is not impossible.

Once again, I want to express my heartfelt gratitude towards each and every member and employee of GYLA and wish you all success.

Sulkhan Saladze

Chairman of the Georgian Young Lawyers' Association (GYLA)

# 25 YEARS FOR HUMAN RIGHTS



ZUGDIDI OFFICE  
**2014**

OZURGETI OFFICE  
**2001**

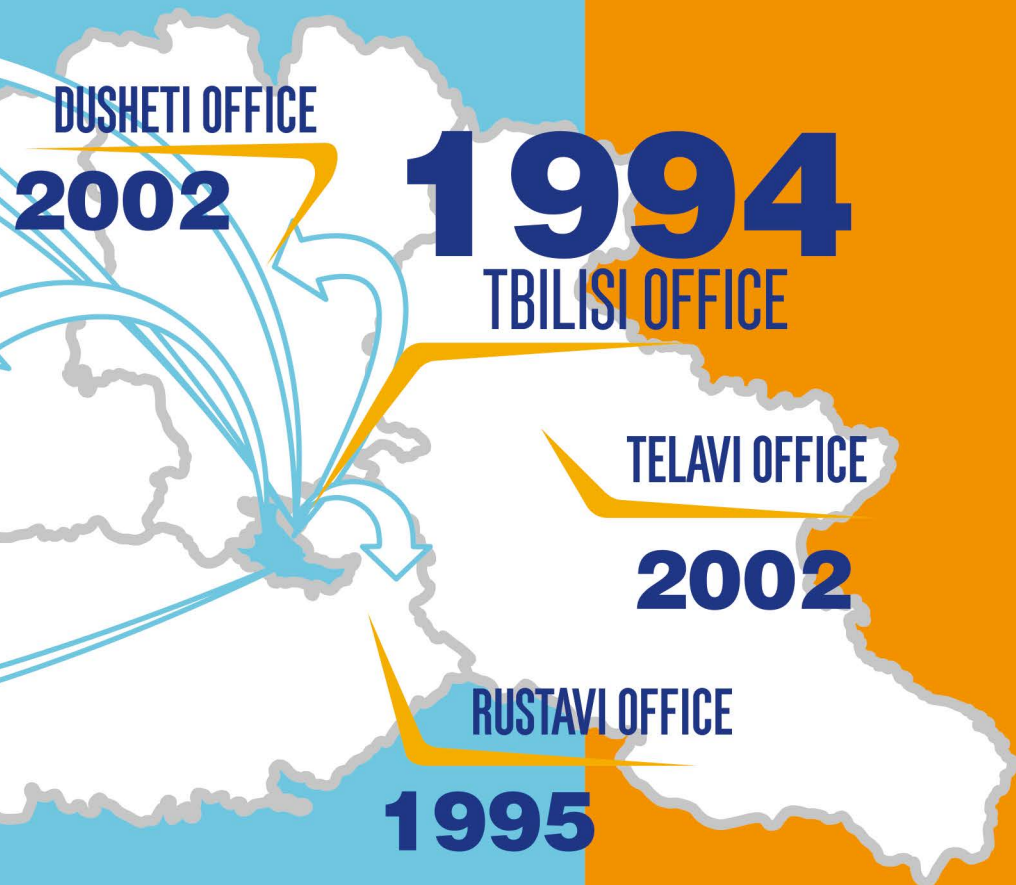
ADJARA OFFICE  
**1995**

KUTAISI OFFICE  
**1996**

GORI OFFICE  
**2000**

# 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





# WHO WE ARE AND WHAT WE DO

Georgian Young Lawyers' Association (GYLA) is the membership-based organization, uniting about 400 members. GYLA was established in 1994 and since then has been expanding its geographic coverage. Today, GYLA operates through 9 offices throughout Georgia. The major goal of its work is protection of human rights and supporting good governance in Georgia.

Along with the growth of the organization throughout years, the need for structural changes has evolved, to adjust to the new requirements of donors and the changes of the civil society (CSO) ecosystem. In 2016, with the support of USAID's Human and Institutional Capacity Development (HICD 2020) project in Georgia, GYLA's work was evaluated from the human resource and institutional development perspective. As a result, recommendations were developed and since 2018, two phases of reform were planned. The first phase covers structural changes of the organization, while the second phase emphasizes on the improvement of the human resource policy, regional network and communication strategy development.

As a result of the structural changes, financial and organizational coordination functions were accumulated under the responsibilities of the Administrative Director, while project-related work of GYLA was divided into three thematic Programs. Those are:

- Human Rights Protection;
- Supporting Democratic Institutions;
- Legal Aid.

Organizational reform in GYLA will continue throughout the next year.

For now, according to the Statute and established tradition of GYLA, we present the 2019 report of work of Tbilisi and 8 regional offices (the reporting period covers: November 1/2018 – November 1/2019).

# HUMAN RIGHTS

Human rights protection and improvement of protection mechanisms is the major strategic goal of the Georgian Young Lawyers' Association. Considering this, GYLA's Human Rights Program aims to assess the situation in this regard, to analyze the existing challenges and support overcoming them, among others, at the policy level.

The major priorities of the Program are:

- Women's rights;
- Fighting against discrimination;
- Justice;
- Environment protection;
- Healthcare;
- Media.



## WOMEN'S RIGHTS

To improve the women's rights situation in Georgia, GYLA has been implementing EU-funded project "Supporting Access to Protection Mechanisms for the Victims of Domestic and Gender-Based Violence". The major goal of the project was to raise awareness of the victims of domestic and gender-based violence and to increase their access to the services.

Within the project:

- With GYLA's and partner organizations' engagement, legal aid was provided to about 7000 victims; about 2500 of them underwent psychosocial rehabilitation, and professional education was funded for 71 beneficiaries;
- Correction Program was developed for the perpetrators, which was adopted in the practice of Probation Agency and in 2 penitentiary institutions. The 6-month pilot program was completed successfully;
- 5 research papers were published: "Risk Factors Causing Violent Behavior"; "Investigation Standards of Gender-Based Violence"; "Major Aspects of Violence against Disabled Girls and Women"; "Violence against Children"; "Legal Standing of the LBT and Sex Workers in Georgia."

GYLA's research has demonstrated the need of the following amendments/changes:

- Due to more frequent incidents of violence against children, there is a need to consider enhancement of criminal sanctions;
- Improvements are necessary in the legislation, related to child pornography;
- It is necessary to develop the policy, towards eradication of the stereotypes, circulated by media;
- It is necessary to re-train teachers, relevant employees of the Ministry of Internal Affairs, social workers and psychologists, in identification and response towards the domestic violence among children;
- It is important to examine the nature of the violence, committed based on gender, to develop the effective protection mechanisms for victims and increase access to justice for women and girls.



Identification of the domestic violence towards disabled remains to be a challenge, because:

- Disabled women and girls cannot address police in a timely manner, in cases of violence;
- Majority does not have information of their own rights – among others, they have no information about the government responsibility, undertaken under the UN Convention on the Rights of the Persons with Disability;
- Rehabilitation of women and girls with disability is a challenge. Practically, there are no rehabilitation centers, adjusted to their specific needs;
- Governmental programs, dedicated for protection of the disabled, require improvements.



5 წელიწადი

საქართველოს პარლამენტის

შესახებ

ივანე მოქალაქეებს დისკრიმინაციისგან

დაცვის უზრუნველყოფის მიზნით

სადაც უფრო მეტი ინფორმაცია იხილოთ 568.47.14.14

კანონის დაცვის უზრუნველყოფის  
მიზნით

www.equalitycoalition.ge

## FIGHTING AGAINST DISCRIMINATION

GYLA is actively working against discrimination and towards promotion of equality, which involves both strategic litigation, as well as advocating for the equality policy, since in January 2019, GYLA was elected for the second time consecutively, to chair the “Coalition for Equality”. Two reports were published within the Coalition: “Implementation of the Right to Protection against Discrimination for Various Groups in Georgia” and “Coalition for Equality” – report of activities.

The fifth consecutive report of the “Coalition for Equality” covers the period from January 1 2018 to December 31 and it reflects the work of the Coalition member organizations. The chapters are organized around the sphere of protection against discrimination. The report also reflects the challenges in terms of equality in the country and the existing achievements. In the reporting period, GYLA has been working on 22 cases of discrimination.

“Implementation of the Right to Protection against Discrimination for Various Groups in Georgia” is the third consecutive report, which describes the condition of 11 groups in terms of discrimination, during 2018. It is notable that the government did not make any tangible steps towards improvement of the equality of those groups. To summarize, the following systemic problems were revealed:

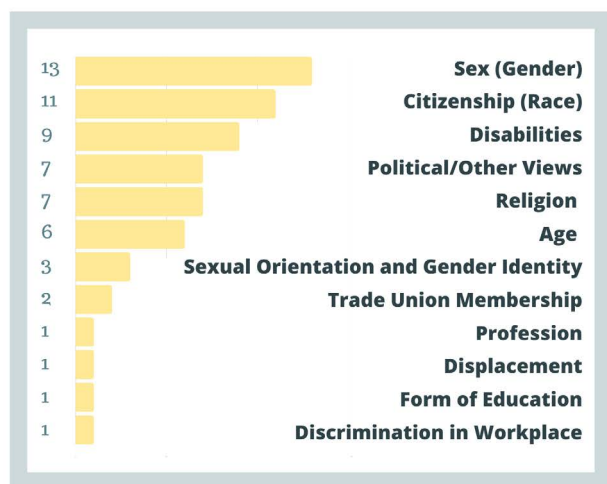
- **Children:** analysis of violence against children demonstrates that the frequency of notifications of those facts has increased; however, the government response is ineffective. Violence against children, labor exploitation and poverty remain to be a challenge;
- **Persons with disability:** the situation did not improve in terms of the rights of persons with disability. The cases of discrimination and unequal treatment are systemic. Domestic legislation has still no reflection of “reasonable adjustment” principle, nor definition of rejection of reasonable adjustment. The government still has not developed the vision/action plan for the integration of the persons with disability and supporting their independent life;

- **Women:** violence against women remains to be a serious challenge, because there are no national prevention mechanisms against domestic violence. In addition, the definition of sexual violence is not consistent with the relevant international standards; as a result, sexual violence remains to be one of the most acute, hidden and unpunished forms of gender-based violence;
- **Sex Workers:** the government did not implement any improvements to either policy or legislation, necessary for the improvement of the situation of the sex workers in the country. Persons involved in sex work are facing structural inequality and systemic persecution, suffering lack of access to justice and frequently being victims of discrimination;
- **LGBTQI:** hate-motivated crimes towards LGBTQI remain to be an unresolved problem. Government's disregard towards the specific needs of the group further strengthens violent and discriminatory attitude towards this group;
- **Religious Minorities:** the forms of government response towards the religion-based persecution are ineffective on a number of important cases. Discriminatory policy of property restitution towards the religious organizations (as a result of the damages, inflicted by USSR), remains to be one of the serious challenges. This practice prevents the non-dominant religious organizations, from reclaiming the sacred buildings of worship;
- **Ethnic Minorities:** the policy towards ethnic minorities is often guided by the security perspective, instead of social and political inclusiveness and human rights protection, which significantly damages the chance for creating politically and socially equal environment for ethnic and religious minorities;
- **Foreign Citizens:** in addition to racist and xenophobic aggression, expressed by separate groups and citizens, the government policy is problematic as well. Foreigners face a number of challenges in receiving the residence permit, while the rejection to provide residence permit is often legally unfounded;
- **Minorities in Penitentiary Institutions:** the condition of minorities in penitentiary institutions remains to be a challenge, caused by legal shortcomings and negative practices, resulting in unequal treatment;

## The Coalition for Equality Report on Activities



### Bases Protected From Discrimination



[www.equalitycoalition.ge](http://www.equalitycoalition.ge)  
568 471414

- **Internally Displaced Persons (IDPs):** IDPs also remain suffering the lack of adequate and effective support of the government – many of whom still have not received safe, proper housing. In separate settlements, provided by the government for long-term perspective, the housing does not confirm to even the minimal standards.

It is notable that within the reporting period, the new target group was revealed, suffering discriminatory treatment – human rights defenders. It has become an alarming tendency for the high-level government officials to make statements and initiate legal procedures against human rights defenders, aimed towards their discreditation.

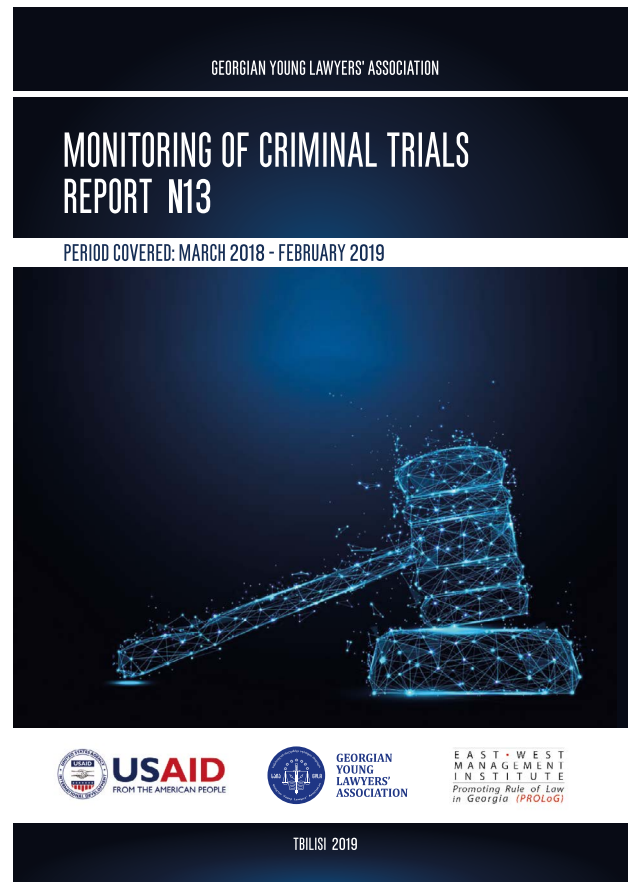
## JUSTICE

### CRIMINAL JUSTICE

Since 2011, GYLA is implementing the criminal court process monitoring. Within the reporting period, report #13 was published, which combined the observation results from the 5 courts on criminal disputes in Georgia.

The monitoring has revealed a number of problems, related to, on the one hand, the legislative shortcomings, while on another hand, to the problems existing in practice. The formal role of the judge in a number of cases (in terms of judiciary oversight over human rights protection), remains to be one of the greatest challenges). Specifically, frequently, during the first hearing of the defendant, the legality of the detention is not examined, while examination of preventive imprisonment is rather formal, rather than practical; during the bail agreement, the judges mostly do not examine the legality of the punishment or its fairness. The procrastination of the judiciary hearing remains to be a serious problem, which harms the court reputation, effectiveness of justice and trust towards the judiciary system.

Throughout years, GYLA has been addressing various institutions with recommendations to increase the role of judges in alleged cases of torture and/or inhuman treatment towards







defendants/accused. It must be noted that part of those recommendations was adopted and 1911 Article was added to the Criminal Procedure Code, according to which, the judge has a right to address relevant investigative bodies in such cases.

Monitoring court hearings and analyzing the Constitutional Court decisions also demonstrated that the legislation on drug-related crimes is problematic and requires improvement. Specifically, the issue relates to updating the so-called “list”, defining the adequate amounts of substances in accordance with the constitutional court decisions (one-time usage, small, large, especially large amount of substance). In addition, it is essential to review the punishment options. The above amendments will ensure conformity with the minimal standards, established by the Constitutional Court of Georgia.

The Criminal Procedure includes a number of provisions, which contradict the current criminal model operating in Georgia (equality of arms principle) and the human rights protection principle. At the same time, the disposition of various crimes (definition) are unclear, granting the prosecution overly broad discretion for criminal persecution, which contradicts the predictability principle of law.

GYLA’s “Criminal Procedure Monitoring Report” is cited in a number of international organizations’ reports and referenced as a reliable source of information for the assessment of the situation in Georgia in this regard.



## IMPORTANT ISSUES RELATED TO DOMESTIC AND GENDER-BASED VIOLENCE

Within the reporting period, GYLA held the presentation of the research – “Acute Issues of Domestic and Gender-Based Violence”. Based on specific examples, the research offers analysis of the effectiveness of state response to domestic and gender-based violence. Furthermore, GYLA analyzed and evaluated the approaches of the law-enforcement institutions, prosecution and judiciary, as well as the services, offered by the state to the perpetrators and victims.

For the improvement of the response to such cases, the government made a number of effective steps; however, the research has demonstrated that domestic violence, family crimes and gender-based violence remain to be a serious challenge. Domestic violence is often characterized by repetitive nature, belated calls of victims to the authorities, sometimes even changed witness claims and/or refusal to give testimony, resulting in release of perpetrators. There were incidents, when law-enforcements failed to offer timely intervention and/or proper response.





## ENVIRONMENT

### PLATFORM FOR GREEN ADVOCACY

Within the reporting period, GYLA continued its work on environment protection issues. For advocacy purposes, GYLA, together with its partner organizations (EMC and Green Alternative), has established “Green Platform”, uniting NGOs, experts, civil society activists and residents of various regions of Georgia. The platform aims to mobilize the civil society around environmental issues, work towards decreasing negative impact of large infrastructural projects and to defend the interests of the population, affected by those projects.

Within the Green Platform, the organization emphasized the protected territories and challenges, existing in the energy sector.

GYLA, together with its partners, has called upon the Parliament of Georgia, to prevent deterioration of the environmental/protection legislation, to avoid legal amendments, enabling large-scale infrastructural construction on protected landscapes. At the same time, GYLA called upon the government, to implement the obligations on human rights, in energy sector. Specifically, this involves ensuring compliance of all hydro-energy projects with the EU standards, transparency of the process of Assessment of Environmental Impact (AEI) and engagement of stakeholders at every stage of the decision-making; improvement of the quality of implementation of obligations, undertaken by the government of Georgia under the multilateral environmental agreements; enhancing usage of renewable energy sources and improvement of work towards energy efficiency.

## CITIZEN-ORIENTED DEVELOPMENT SUPPORT IN MOUNTAINOUS REGIONS

Georgian Young Lawyers' Association, with the support of the East-West Management Institute (EWMI) ACCESS project, within January-September/2019 period, has implemented the project "Society-Oriented Development Support in Mountainous Regions." The project covered Racha-Lechkhumi, Kvemo Svaneti and Samegrelo-Zemo Svaneti territories. The project aimed to provide legal support to the population, conducting trainings, preparing informational video-ads, creation of Green Platform for advocacy and conducting research regarding the planned large infrastructural projects.

### Within GYLA's Human Rights Program and Green Platform":

1. Work meetings were held on environment protection issues;
2. 3 trainings were held regarding property registration and Oni Hydro-Electro Plant (HEP) Cascade construction;
3. 2 informational video ads were made, regarding the environmental challenges and other issues of local importance in Svaneti and Racha-Lechkhumi villages;
4. Research was published – "Challenges, related to HEP Construction in Tsageri and Oni Municipalities";

Considering the environmental challenges, facing the country, GYLA carried out the research, about the Oni and Namakhvani HEP construction on Rioni river, covering its construction and exploitation, and related legal, environmental and human rights-related problems.

Analysis of the presented documentation on this project has revealed a number of procedural shortcomings and substantial problems. The government policy on issuance of environmental permits not only contradicts the legislation of Georgia (especially, from the viewpoint of stakeholder engagement), but also it contradicts the international standards. The content of the Environmental Impact Assessment reports, the process of its preparation and the adopted decisions clearly demonstrate that the government of Georgia fails to implement the obligations, imposed under the EU-Georgia Association Agreement.

The project implementation has also revealed the necessity of permanent connection with the population of the Svaneti and Racha-Lechkhumi areas and ensuring their access to information, as well as improving their advocacy skills. It is also important to raise awareness of local population about the mandate of the local self-government. At the same time, it is necessary to provide the resources for supporting the improvement of the socio-economic condition of the local population, to reduce their vulnerability and dependence on the companies, implementing large-scale infrastructural projects (construction of HEPs). Furthermore, it is necessary to support increased engagement of citizens in the decision-making and ensuring sustainability of such engagement.



## HEALTHCARE

Low quality of medical services is one of the most serious challenges in Georgia. The number of beneficiaries who were harmed as a result of inadequate medical support has been significantly increasing in the past years, while proper investigation is lagging behind, along with the proper restitution of damages. The investigation on such cases is procrastinated for years, violating the basic human rights, enshrined in the Article 6 of the European Convention on Human Rights (right to fair trial).

Within the reporting period, GYLA was working on the research – “Problematic Issues of Doctors’ Participation in Medical Expertise”. Legal Entity of Public Law (LEPL) State Regulatory Agency of Medical Work has the obligation to control the quality of medical services, provided for patients, as well as the conformity to the medical license, provided to the medical institution. Unfortunately, the research results have revealed that the Regulation Agency fails to adopt proportional and adequate sanctions against the non-compliant doctors. Other shortcomings were also revealed in the research; for example, the controlling body unreasonably procrastinates the decision-making on separate cases; there are problems in the context of re-certification and confirmation of qualification, in terms of lifelong medical education – not being mandatory for doctors of all fields. Due to the shortages in the legal regulation of medical expertise and established negative practice, justice is often dependent on the goodwill of medical workers (in both criminal and civil cases). The reason relates to the voluntary nature of participation of doctors in medical expertise and non-mandatory nature of the list of doctors; because of this, the doctors’ conclusion in medical expertise is not mandatory. Therefore, the judiciary examination is often unreasonably procrastinated, which can be construed as the violation of the right to a fair trial.





## MEDIA

Within the reporting period, GYLA was actively involved in the developments around media; GYLA was providing consultations for protection of the rights of journalists, preparing legal documents, defending media organizations and its representatives in various courts, making public statements to support media; GYLA also evaluated the developments, surrounding Rustavi-2, Adjara TV and TV Pirveli.

Within the reporting period, GYLA was monitoring the National Communication Commission work and the LEPL Public Broadcaster.

Since January 2019, GYLA became the Coordinator of the Coalition for Media Advocacy. The Coalition unites 11 NGOs, working on media issues in Georgia. Within the Coalition, recommendations were prepared for the bill “On Broadcasting” and the bill “On Election Code of Georgia” and presented to the Parliament of Georgia.

It is important to maintain the standard of freedom of expression, existing in Georgia today, to start working on the strengthening of self-regulatory mechanisms of media and to prevent the National Communication Commission from interfering in the content of the media coverage.

It is essential to ensure timely, comprehensive and proper investigation of the crimes, committed against media and its representatives and to ensure substantial nature of the investigation.

Access to public information remains to be a challenge for the journalists. It is essential for the government to adopt the Law on Public Information.

# SUPPORTING DEMOCRATIC INSTITUTIONS

Without the broad engagement of the public, government institutions become instruments in the hands of political and clan elites. In such conditions, the public good is substituted with the benefit of those groups, while the interests of citizens are neglected. The goal of GYLA's Program on Supporting Democratic Institutions is to work on such reforms, which enable inclusive, consensus-oriented policy-making in Georgia, preparing a solid foundation for the public engagement in the decision-making process, to ensure that the policies are oriented towards real needs of the population in Georgia.

The program covers 4 priorities:

- Improvement of parliamentary oversight;
- Justice reform;
- Public governance reform (transparency, public finance management, local self-governance);
- Elections.

## PARLIAMENTARY OVERSIGHT

The 2017-2018 Constitutional and 2019 Parliamentary Regulations' reforms have increased the importance of parliamentary oversight. In the process of transitioning to parliamentary republic, this function of the law-making body gains a special importance. Application of parliamentary oversight must be the foundation for the democratic processes at the highest-policy-making level.

With the support of the Embassy of the Netherlands in Georgia, GYLA is implementing the project: "Strengthening the Parliamentary Oversight Mechanisms in Security Sector". Within the project, GYLA is preparing the series of research, analysing the results of the above reforms, emphasizing the achievements and challenges and based on international practices, is developing relevant recommendations.

Prior to publication of the final product, GYLA is publishing relevant blog posts on its webpage, reflecting preliminary results of the research. Three blog posts were published this far – on the mechanisms of interpellation, questions of Members of Parliament and the mechanism of annual report by the Prime Minister.

## JUSTICE REFORM

At the end of 2018, the developments surrounding the justice system have clearly demonstrated the unfortunate reality existing in Georgian judiciary. The proposed vision of the powerful group of judges (so-called "clan"), regarding the composition of the Supreme Court, has caused a fair public outrage. GYLA considers that today, the judiciary is "privatized" by the group of "elite" judges in Georgia, who transformed this institution to serve their own interests. Hence, GYLA is actively engaged in the protest movement, directed towards change of the "clan" – including by organizing protests, preparing petitions and engaging in other public activities.



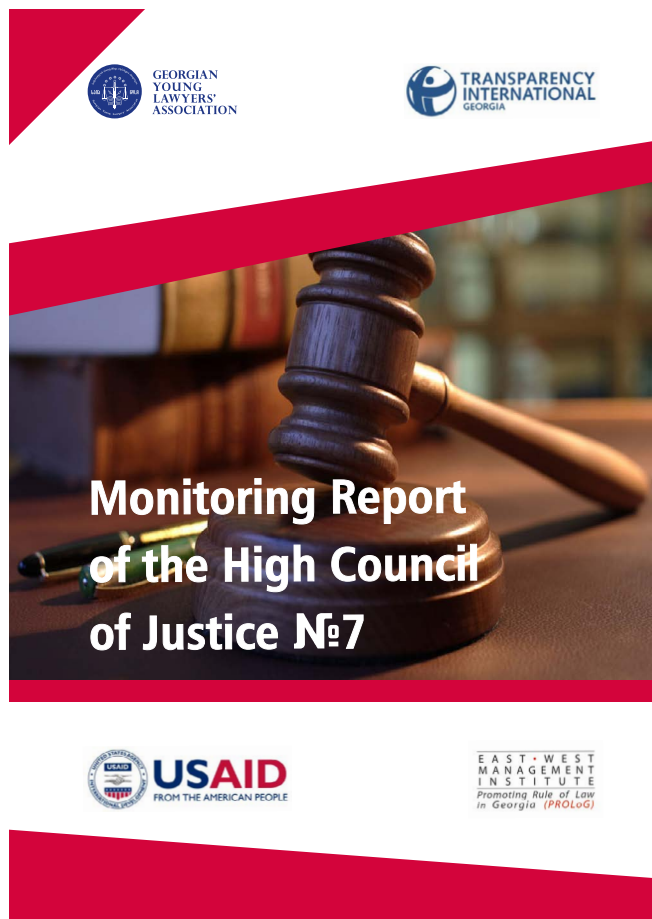
NGO protest in the parliament  
"The Clan Must Step Down".

Addressing this problem, GYLA also participated in the reform of the regulations, on composition of the Supreme Court judiciary, in the capacity of the governing committee member of the Coalition for Independent and Transparent Judiciary. Currently, GYLA is involved in its monitoring process. Immediately following the December 2018 developments, the Coalition has proposed its recommendations, regarding the criteria and procedures of selection and appointment of the third-instance judges. At the same time, the Coalition engaged in the work group, proposed by the parliamentary chairperson, dedicated specifically to the composition of the Supreme Court of Georgia. However, at a later stage, the Coalition left the working group, due to principal disagreements. At the same time, the Coalition has publicized a number of assessments on both legislation bill and its implementation process.

Since 2012, GYLA annually publicizes assessment/monitoring report of the work of the Supreme Council of Justice. GYLA published report #7 in 2019 (together with Transparency International – Georgia). According to the report, the “Clan” controls 2/3 of Council votes, and through various instruments (appointment of judges, appointment of chairpersons, disciplinary responsibility against judges), controls the judiciary system. At the same time, there is a serious problem of pluralism and availability of critical opinion within the Council, which is a serious obstacle for substantial discussion and justification of decisions. The Council failed to properly implement the “Third Wave” of the reform. The introduced changes failed to tackle the substantial problems within the judiciary; moreover, in separate cases, even exacerbated the existing problems.

GYLA continues monitoring, results of which will be published in 2020.

GYLA, together with the Institute for Development of Freedom of Information (IDFI), is working on the research, aimed to examine the rules of appointment, accountability and dismissal of the supreme court judges, to examine the institutional system and functions of the supreme court and to develop subsequent recommendations. Particular attention







will be emphasized to the role of the plenum of the supreme court and its authority. The results of the research will be included in 2020 report.

GYLA is implementing the above project “Supporting Supremacy of Law in Georgia” with the financial support from the USAID and EMMI.

## PUBLIC GOVERNANCE (TRANSPARENCY, PUBLIC FINANCE MANAGEMENT, LOCAL SELF-GOVERNMENT)

Information about the work of the public institutions must be easily accessible to the citizens. The democratic public control starts with the collection of data. This relates to both public finance management, as well as in general, work of the institutions. Monitoring reveals not only challenges within the state institutions, but also relevance of their work (reflected in management of public good) with the needs of the population.

GYLA implemented two projects in this regard.

**First** – “Protection of Cultural Heritage in Tbilisi” – joint project of GYLA and Tiflis Hamkari, financially supported by EMMI.

Within the project, 2 research papers were developed and published:

1. “Assessment of the Rehabilitation of Cultural Heritage Sites in Tbilisi” (author of the research – Tiflis Hamkari). The rehabilitation works, implemented by Tbilisi Development Fund at Gudiashvili and Orbeliani squares were evaluated. The research group has concluded that the rehabilitation-reconstruction works were not compliant with the international standards. Tiflis Hamkari has also developed relevant recommendations within the research.





The functional zone change resulted in the alteration of the scale of the existing development:

(The cadastral units in Pkhovi Street belonged to transport zone №1 and residential zone №5, and a small park at №3 Vekua Street to the recreational zone №2. As requested by the projecting architect, the zones were changed and all plots got into a single public-business zone.



Construction permits for **80%** of the buildings were issued based on incomplete project documentation.



The construction of **10** buildings began without agreeing the project documentation and permits. Of these constructions, **5** buildings have the status of cultural heritage monuments.

## Permits



K2

**K2 was changed to 1,7** For the small park at №3 Vekua Street, the former recreational zone

(The change, approved by the Council and Tbilisi City Hall, has already impacted on the environment; compared to the previous situation, the dimensions and height of buildings under construction increased. This will lead to the alteration of the recreation scale, which is absolutely inadmissible to the historical part of the city).



K2



**K2 coefficient Increased**

Accordingly for the following units:

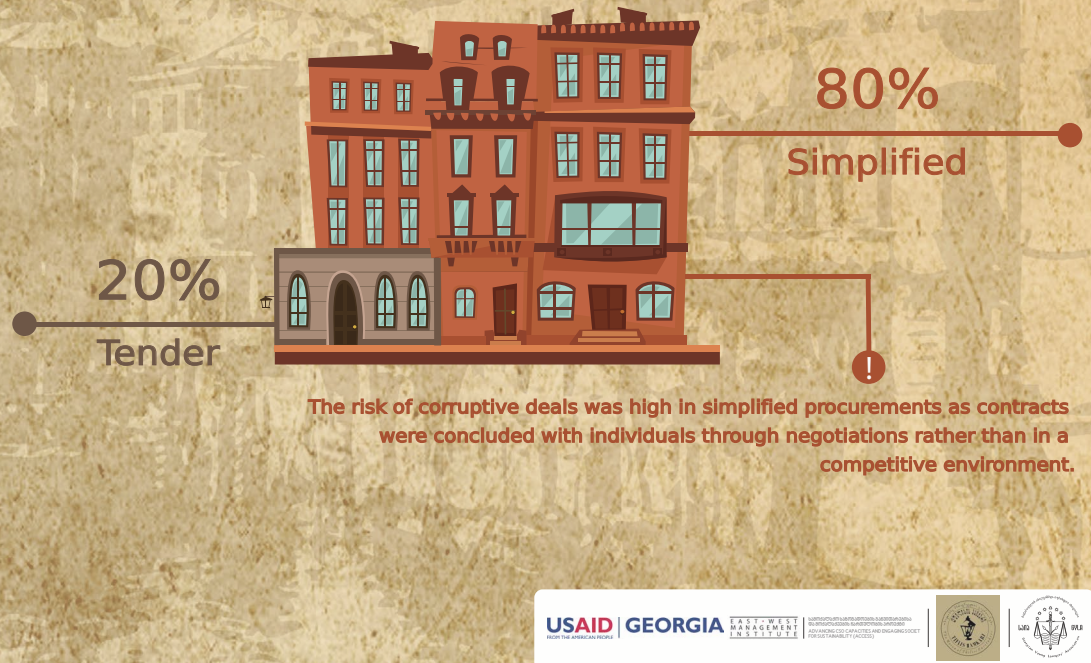
- K2 increased from 1.1 to **2.5** for №2 Pkhovi Street;
- K2 of currently an empty plot at №3 Pkhovi Street has been set **4.6**;
- K2 for №3 Pkhovi Street /№18 Atoneli Street increased from 2.4 to **3.4**;
- K2 for №1a Pkhovi Street /№5 Khazina Street increased from 1.5 to **1.8**

K2

**K2 coefficient increase implies extending building dimensions, namely, constructing buildings exceeding the standards.**



# PROCUREMENTS BY TBILISI DEVELOPMENT FUND ACCORDING TO PROCUREMENT TYPES (COSTS)



2. “Transparency and Accountability of the Tbilisi Development Fund” (author of the research – GYLA). The research analyzes the work of the Fund, issues of public resource governance, organizational transparency and accountability standards. Within the research, GYLA developed relevant recommendations.

Project also involved information campaigns and festival “Gudiashvili is Waiting for You”, aiming to raise awareness about Tbilisi cultural heritage.



**Second project** – GYLA, through USAID-funded program GGI (USAID Good Governance Initiative (GGI)), is creating the transparent and fair governance strategy, action plan and monitoring framework for Tbilisi municipality. The project is being implemented with close partnership with Mayor’s office and aims to increase the quality of transparency of its work and to support the implementation of the obligations under the Open Governance Partnership (OGP). As a result, three documents will be created – strategy, action plan and monitoring framework, adoption of which is the responsibility of the Tbilisi Mayor’s Office.

Within the reporting period, GYLA published one more research – “Assessment of the Public Administration Reform Process in Ministries and State Ministry Administration.” The problems revealed through the research, relate mainly to the issues, such as: increased tendency of appointing public officials in Ministries without competition; procrastination of the enforcement of the evaluation system of public officials and disproportional distribution of assessment results among the public officials; low level of mobility of dismissed public officials (within reorganization) to other ministries and large amount of compensation, paid to dismissed public officials by the ministries.

## ELECTIONS

Elections are the primary and powerful instrument for the citizen engagement in the politics. In order to adequately reflect the will of the citizens in the composition of the government institutions, democratic procedure of the elections is essential, along with the fair electoral system.

Considering the above, GYLA is actively engaged in the process of constitutional amendments, related to transitioning to proportional electoral system (with natural threshold) in 2020 Parliamentary Elections. GYLA expressed its positive position regarding this novelty and has participated in the public discussions, held throughout Georgia.

Within the reporting period, GYLA was traditionally observing the ongoing electoral process in Georgia and has prepared 2 reports as a result.

The first report covers the Georgian Presidential elections of 2018. Implementation of monitoring mission was made possible with the financial support of the National Endowment for Democracy (NED),



US Agency for International Development (USAID), Embassy of Norway in Baku, British Embassy, National Democratic Institute (NDI) and Open Society Foundation.

GYLA launched its election observation from August 1/2018 as the pre-election period, continuing with election day observation and afterwards, monitoring the process of results summary and electoral dispute adjudication.

The Second Report covers the May 19/2019 Interim Elections. The report covers the period from March 20 to June 17. The monitoring mission was funded by the Open Society Georgia Foundation.

Both reports analyze the monitoring results of pre-election environment, election day and post-election period, including assessment of the work of the relevant governmental institutions in this process. The document covers election observations of both rounds I and II. Major tendencies and specific recommendations are outlined, which, according to GYLA, are important for the improvement of the electoral environment.

Prior to publication of the report, GYLA was informing the public about electoral developments through its public statements, press-conferences and information newsletters.

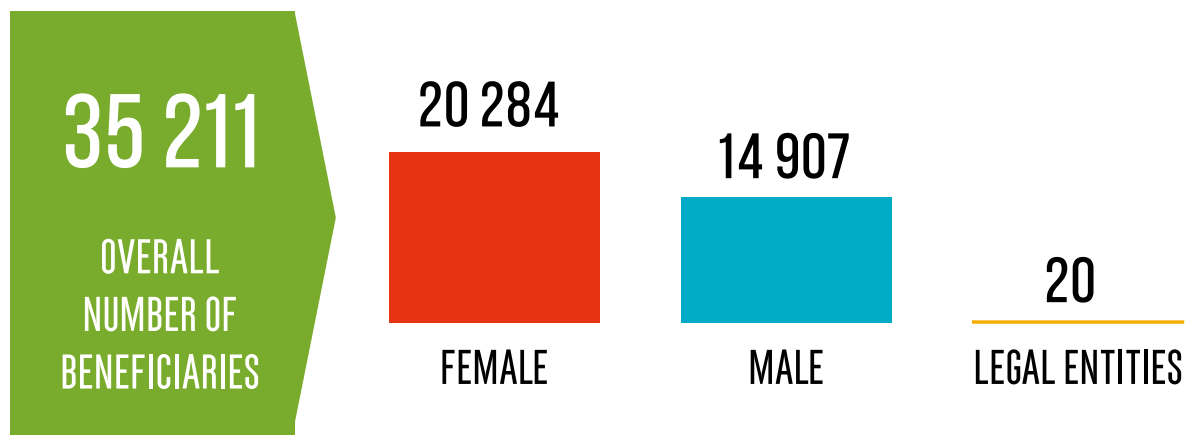
Currently, GYLA is implementing the project “Free, Fair and Equal Electoral-Political Cycle in 2019-2022”, aiming to advocate for the free and fair electoral-political processes.

In this regard, the organization’s work is based on analysis and is directed towards improvement of the electoral legislation and court practices. The innovative mechanisms of this strategy is based on the Political Equality Index (PEI), aiming, among others, to measure the political-electoral equality of the various marginalized groups. The Index will demonstrate the interplay of the political programs, political decisions and public needs. The project is funded by USAID.

# LEGAL AID

Annually, GYLA provides free legal aid to thousands of beneficiaries, representing hundreds of them in strategic cases on courts (including domestic and Constitutional Courts, as well as other governmental institutions). In addition, the organization addresses international mechanisms.

Within the reporting period, GYLA provided legal support to over 35 000 persons.

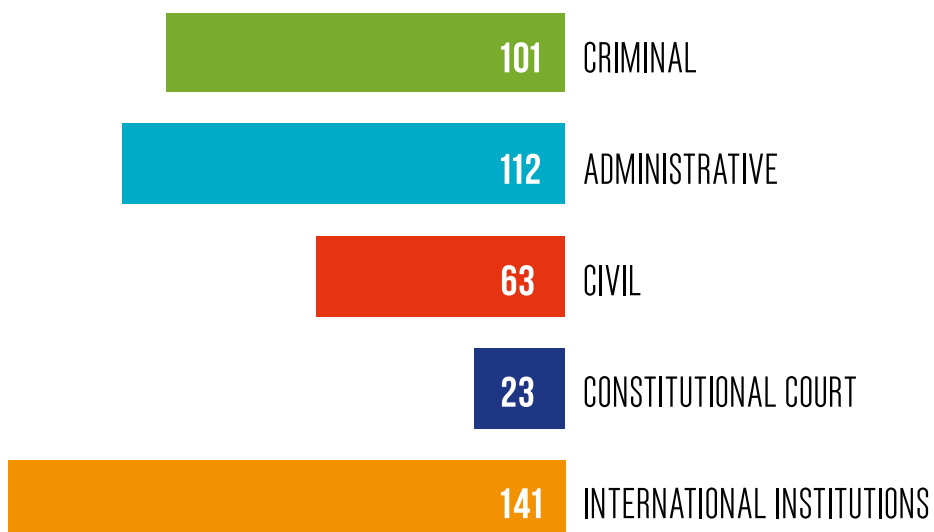




## TYPES OF PROVIDED CONSULTATIONS AND THE NUMBER OF PREPARED DOCUMENTS, BY REGIONAL OFFICES

GYLA OFFICES	CONSULTATION TYPES								
	TBILISI HEADQUARTERS	KUTAISSI BRANCH	ADJARA BRANCH	GORI OFFICE	TELAVI OFFICE	DUSHETI OFFICE	RUSTAVI OFFICE	OZURGETI OFFICE	ZUGDIDI OFFICE
IN-PERSON	4478	4462	1246	3439	2821	708	1597	2007	1955
PHONE	5486	832	35	208	243	154	102	343	187
ONLINE	490	52	7	1				3	66
LEGAL DOCUMENT	667	615	999	976	206	76	201	218	277
WRITTEN CORRESPONDENCE	38		1				15		
<b>TOTAL</b>						<b>35 211</b>			

Currently, GYLA is providing legal representation on 440 legal disputes:



# SUCCESSFUL LITIGATION

## UPHELD CASES IN DOMESTIC COURTS

Within the reporting period, GYLA successfully completed 125 cases in domestic courts. Some of the examples are as follows:

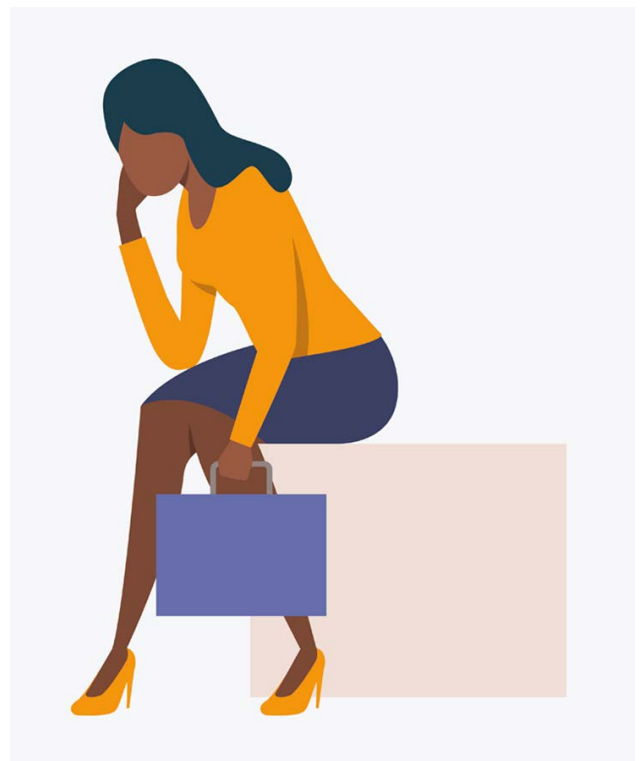
### ■ Patient rights

With GYLA's help, patient has won the court dispute against medical institution, which was tasked with moral damage restitution in benefit of GYLA's defendant. The patient claimed that the medical institution has changed the operation method without the permission of the patient and his family, using the type of lense, not planned in advance. GYLA's lawyer argued in court that changing medical method or tools require prior and informed consent of the patient, unless the situation requires emergency intervention. The court agreed with the argument that failure of the medical institution to inform the patient, represents the basis for moral damage restitution, regardless of the outcomes of the operation.

### ■ Sexual harassment

- GYLA was defending a woman, who claimed to be sexually harassed by Zviad Devdariani and has addressed Public Defender to establish the incident. The Public Defender has confirmed the sexual harassment, as the reflection of gender-based discrimination and has issued the relevant recommendation, stipulating that establishing the incident of sexual harassment does not require the motives; instead, the sexual conduct itself, can be construed as insulting for the victim, regardless of the intentions of the harasser.

Public Defender referred to the standard, according to which harasser should have been aware that a specific sexual conduct would have been unacceptable for the victim (ought to have known). Public Defender has also applied the reasonable perception standard (reasonable woman standard), which takes into account the different perceptions of the sexual harassment among men and women. This standard approaches the sexual harassment incident from the female perspective and represents a gender-sensitive approach.



- GYLA was defending a woman, who, during the internship in one of the organizations, became victim of sexual harassment by the director/lawyer. With GYLA's support, she addressed the Public Defender in April 2018, for establishing the sexual harassment incident. The victim indicated in the complaint that she has informed the head of the organization; however, he refused to respond to the incident.

On October 16/2019, Public Defender has established the sexual harassment, reflecting gender-based discrimination. In adoption of the recommendation, Public Defender referred to the results of the survey and other indirect evidence, including the information from the third parties and audio-recordings. Finally, Public Defender has established that, abusing professional position, the victim was subject to undesirable, sexually oriented verbal and physical acts, which created degrading and insulting environment for the applicant.

Public Defender addressed the harasser with the recommendation, to refrain from such acts within professional or other formats and to refrain from creating insulting, degrading acts, diminishing persons dignity.

Public Defender also addressed the employer organization with the recommendation, to introduce the provisions, prohibiting discrimination, to its Statute (in accordance with the organic law of Georgia Labor Code, Article 5/part 9), to reflect those provisions also in collective contracts and other documentation. The recommendation also indicated the need to ensure implementation of such provisions, to ensure conformity with equal treatment principle in the workplace, for all.

#### Damage Restitution

GYLA was defending the claimant, whose son died as a result gas explosion at home. The death was caused by the explosion of the leaked gas, from the technically deficient pipes, owned by the ltd. "Kaztransgas Tbilisi" (currently, "Tbilisi Energy"). The court ruled imposition of compensation for the victim. The applicant is currently a pensioner, who has no other breadwinner or income, apart from the pension.



## CASES, UPHELD AT THE CONSTITUTIONAL COURT

Within the reporting period, GYLA won 3 cases in Constitutional Court:

### ■ G.G. against the Parliament of Georgia

On December 14/2018, Constitutional Court declared unconstitutionality of the provisions of the Procedural Criminal Code under the Article 56/clause 5, which had prohibited the adjudication of the Prosecutor's rejection to recognize victim status of the defendant on petty crimes.

GYLA defended the interests of G.G., arguing that under the prohibitions, imposed under the provisions in question, contradicted the Constitutional Guarantee of access to a fair trial, since a defendant had the right to appeal the decision on petty crimes – Prosecutor's decree on rejection to be recognized a victim.

### ■ Irakli Khvedelidze against the Parliament of Georgia

On April 18/2019, Constitutional Court upheld yet another lawsuit of GYLA, aimed towards expediting the reform of the Administrative Offences' Code. The adopted decision made it possible to start the 10-day deadline (for adjudicating the first instance court decision) from the day when the justified decision is

handed to the defendant. Prior to the decision of the Constitutional Court, the adjudication deadline was counted from the day of its announcement, which limited the possibility of comprehensively safeguarding the human rights.

#### ■ Besik Katamadze and others against the Parliament of Georgia

On July 4/2019, the Constitutional Court has partially upheld GYLA's lawsuit, recognizing unconstitutionality of the Article 150/clause 1 of the Administrative Offences' Code, which had prohibited temporary placement of protest banner on the building, without Mayor's office permission. The Constitutional Court recognized unconstitutionality of the provision, limiting the right of the owner, to temporarily place the banner on their own property's façade, without the permission of Mayor's office. The Court also ruled unconstitutionality of punishing the person, placing the banner on the building with the permission of the owner. The Court has recognized the limitation of the freedom of expression in this case.

## UPHELD CASES IN THE EUROPEAN COURT OF HUMAN RIGHTS

↳ Within the reporting period, GYLA's four cases were upheld successfully in the European Court of Human Rights:





### ■ Maisuradze against Georgia (lawsuit №44973/09)

On December 20/2018, the European Court of Human Rights has adopted the decision on the case – Maisuradze against Georgia, in which it established the violation of the Article 2 of the Convention (right to life).

According to the decision, the government failed to provide timely and adequate medical treatment to the prisoner of the penitentiary #2 – Giorgi Toroshelidze, who had tuberculosis. As a result, failure of providing medical treatment has caused the death of the victim. Despite the fact that the investigation was launched immediately after his death, significant shortcomings were revealed in the investigation process. Therefore, the Court has stipulated that the investigation was ineffective.

The Court ruled for the government to provide 15'000 EUR in moral damages to the defendant. GYLA and EHRAC were defending the interests of the applicant in the European Court of Human Rights.

### ■ Chokheli and Others against Russia (lawsuit №16369/07) – so-called Deportation Case

On March 26/2019, the European Court of Human Rights has ruled for the Russian Federation to pay compensation in favor of the victims of collective deportation from Russia in 2006 (individual case – Chokheli and others against Russia). The case was litigated by GYLA.

The applicants, defended by GYLA in this case, have applied to the European Court of Human Rights in 2007. The Court, in its December 20/2016 decision, has upheld the lawsuit of the applicants. According to the Court, in October 2006 the citizens of Georgia became victims of the detention, imprisonment and deportation by Russian Federation, which was violation their fundamental rights, including the Article 3 of the Convention (prohibition of torture), Article 5 (the right of liberty and security), Article 4 of the Protocol 4 (prohibition of collective deportation of foreigners) and Article 13 (the possibility of effective legal adjudication).

The European Court of Human Rights has reviewed the issue of damage restitution following the positive decision, on March 26/2019. According to the decision of the Court, Russian Federation has the obligation to pay compensation to the deportees. The amount of the compensation is different in each case, depending on the subsance of the violation, including the period of the detention. GYLA and EHRAC were representing the applicants in the Court.

### ■ Nikoloz Gogvadze against Georgia (lawsuit №40009/12)

On June 7/2019, European Court of Human Rights has established the violation of Article 3 of the Convention (prohibition of torture), in its positive decision on GYLA's case.

According to the decision, during the so-called Kintsvisi special operation, the detainee – Nikoloz Gogvadze, being under the control of the government, was seriously injured (the injuries were not present before the detention). Therefore, the Court has established that the applicant was the victim of improper treatment

by the law-enforcements. At the same time, the Court stipulated that the investigation, launched in June 2011 on the improper treatment, was still ongoing after 8 years and was characterized by lack of any active steps. Therefore, the government has failed effective and timely investigation. The Court imposed 10'000 EUR in damages, in favor of the defendant, in moral damages.

#### ■ Vazagashvili and Shanava against Georgia (lawsuit №50375/07)

On July 18/2019, European Court of Human Rights announced the decision on the case – Vazagashvili and Shanava against Georgia, establishing the violation of the right to life against Zurab Vazagashvili, on the basis of the Article 2 of the Convention (right to life).

According to the decision, the case materials clearly indicate that during the special operation near stadiums, the police was operating under official status, therefore, murdering Zurab Vazagashvili was the responsibility of the state. At the same time, the Court stipulated that the government failed to implement effective investigation on the case of Vazagashvili. Despite 5 persons being held responsible as a result of the 2012 renewed investigation, recognition of murdering Vazagashvili was procrastinated – for 9 years after the incidence, amounting to delayed justice. For restitution of moral damages, the Court ruled the payment of 50'000 EUR to the defendant. The defendant was represented before the European Court of Human Rights by GYLA and European Human Rights Advocacy Center (EHRAC).

## LEGAL AID FOR JOURNALISTS

Within the reporting period, under the project “Supporting Media Environment in Georgia”, GYLA continued providing legal aid to media representatives. Lawyers of GYLA provided 77 free legal consultations to journalists and prepared 19 legal documents. In addition, GYLA is litigating on behalf of journalists in 15 legal disputes. Within the reporting period, 3 cases were completed and upheld.





## LEGAL SUPPORT TO THE POPULATION OF SAMEGRELO-ZEMO SVANETI, RACHA-LECHKHUMI AND KVEMO SVANETI

Within the reporting period, GYLA implemented the project “Public-Oriented Development Support in Mountainous Regions”. One of the objectives of the project is to provide free legal aid to the population of above regions. For this purpose, organization organized 20 mobile visits, during which legal aid was offered to 228 persons. At the same GYLA started working on 8 legal representation cases.





## CASES OF TORTURE AND OTHER INHUMAN, DEGRADING TREATMENT

Since February 2018, GYLA, together with its partner – Georgian Center for Psychosocial and Medical Rehabilitation of Torture victims (GCRT) is implementing the project “Tackling Torture, Inhuman and Degrading Treatment in Georgia, Ukraine and Armenia.”

Within the project, GYLA provided legal aid to those persons, who became victims of torture, other cruel, inhuman and degrading treatment during the detention, in penitentiaries or in pre-trial detention facilities (by the law-enforcements), as well as during the 2008 August War (Russo-Georgian), or in post-conflict situations.

Within the reporting period, GYLA continued working on the cases of torture and other inhuman and degrading treatment incidents. GYLA prepared and published the report “Prevention and Response to the Incidents of Inhuman and Degrading Treatment.” The report analyzes the cases on inhuman/degrading treatment, which were identified by GYLA in 2017-2018, in addition to analyzing the existing legal problems, which significantly halt the effective response and prevention to such cases.



## JUNE 20-21 DEVELOPMENTS

On June 20-21, the Ministry of Internal Affairs (MIA) made the decision to disperse the demonstration in Tbilisi, which has evolved into a wide-scale violation of human rights of demonstration participants (including demonstrators, enjoying peaceful manifestation right), journalists and people, who accidentally found themselves in the middle of the gathering.

In parallel with the dispersal of the demonstration, MIA representatives started massively detaining the demonstration participants. For defending the rights of detainees, GYLA immediately launched the hotline, through which GYLA collected information and offered legal support to the relatives of the detainees. GYLA provided legal aid to 76 persons, who were detained on the accounts of Administrative Offences' Code on June 20-21. GYLA also became involved in the cases of casualties, including the cases of journalists. By now, GYLA is continuing legal support to 26 victims.

PHOTOS BY: LELI BLAGONRAVOVA





## ■ “Beyond the Lost Eye”

GYLA developed and published the report “Beyond the Lost Eye – Legal Assessment of the June 20-21 Developments” . GYLA analyzed the systemic and individual incidents of human rights violations, based on the available information. The report assessed the legitimacy and proportionality of the June 20-21/2019 dispersal decision; incidents of improper treatment; abuse of power and interference in journalist work. Furthermore, GYLA analyzed the administrative detentions and the practice of court adjudication, in relation to cases of June 20-21 events.

## ADMINISTRATIVE OFFENCES’ LEGISLATIVE REFORM

Georgia maintains the Administrative Offences’ Code, adopted in 1984, which is unconstitutional and which violates the fundamental human rights. June 20-21 developments have once again demonstrated that the government abuses the Administrative Offences’ Code against the rights of the peaceful demonstrators in their peaceful gathering and manifestation. Existing legislation does not allow unbiased and fair trial, which causes violation of fundamental human rights at all levels of court. Among others, there is a risk that the detainees will be subject to degrading treatment.

GYLA continues strategic litigation, aimed at changing the Administrative Offences’ Code and expedite the reform. Currently, GYLA continues litigating four cases in the Constitutional Court and one case in the European Court of Human Rights. Within the reporting period, GYLA successfully completed three cases, which resulted in significant amendments in the Administrative Offences’ Code. Of those, for comprehensive execution of two decisions, the legal committee of the Parliament of Georgia has initiated two bills in June 2019, which are being discussed in the second hearing currently.

GYLA will continue the awareness raising campaign and advocacy at the domestic and international level on this issue.



## INVESTIGATION OF SITUATION IN GEORGIA IN THE INTERNATIONAL COURT OF JUSTICE (HAGUE COURT)

Within the reporting period, GYLA actively continued supporting victims of 2008 August War, within the investigation, conducted by the Prosecution Office of the International Criminal Court, as well as advocating regarding the developments in this regard.

For this purpose, together with its partner organizations, GYLA published the report “10 Years Since August War – Situation of Victims in Georgia.” The report describes the crimes, committed by Russia, against the Internally Displaced Persons (IDPs) from Tskhinvali region, during the Russo-Georgian war; the report also describes their current socio-economic condition and needs. The report also describes the investigation, launched in January 2016, by the International Criminal Court, its development and current challenges.

Similar to previous years, the reporting period revealed the following problems: lack of information among the victims, regarding the legal work, mandate and progress of the investigation; exaggerated/incorrect expectations on the existing processes; refusal of Russian Federation to cooperate with the Hague Court; lack of financial and human resources of the local office of the Court; lack of support programs for victims, etc.

Together with its partners, GYLA has expressed its position at the domestic and international levels, a number of times, calling upon the Prosecutor's Office to emphasize on the most acute crimes, committed during the war, among others, ethnic cleansing against Georgians. At the same time, GYLA emphasized that considering the scale of the crimes, committed against Georgian population, it is essential to establish the responsibility of the highest level officials.

As a result of advocacy, from the end of 2018, the local office added one more employee on the position of the Assistant, for strengthening human resources of the Office. In addition, the 2019 Trust Fund of the Victims has started assessment of the situation of IDPs, which must affect the issue of introducing the concrete support programs for IDPs in Georgia.



**10 YEARS AFTER THE AUGUST WAR**



**VICTIMS OF THE SITUATION IN GEORGIA**

# PARLIAMENTARY WORK AND ENGAGEMENT IN THE LAW-MAKING PROCESS



Within the reporting period, GYLA was actively involved in the law-making process, through offering assessment of the prepared bills and proposing legal amendment recommendations. GYLA's lawyers participated in committee hearings, in the working meetings of the work groups under various committees and were permanently publicizing their legal assessments of the bills for the public.

Within the reporting period, GYLA prepared written conclusions on over 10 legal amendment packages and submits its recommendations to the parliament.

Conclusions, prepared by GYLA, related to the following issues:

- 1. Child Rights Code draft;
- 2. Labor Code bill;
- 3. Labor Safety Organic Law bill;



4. Personal Data Protection bill;
5. Regulatory Framework for Police-Handled Personal Data Processing;
6. Regulatory Framework for Purchasing Agricultural Land by Foreign Nationals;
7. Regulatory Framework on Social Enterprises;
8. Regulatory Framework on Litigation against Court's Decisions on Violations;
9. Improvement of the monitoring system on property declaration of public officials;
10. Introducing internal competition to the public service and transferring Mayor's representative professional duties to administrative contract, from the public servant status;
11. Adoption of the Regulatory Impact Assessment on the bills, submitted by the Government of Georgia;
12. Code of Ethics of the member of the Parliament of Georgia.



The Parliament of Georgia has adopted GYLA's recommendations on the following issues:

- Mandate of the labor inspection towards labor safety issues, coverage of law and procedures of litigation;
- Guarantees of child rights' protection in administrative and court procedures, need of court permission on usage of property, owned by child; protection of child rights in public, internet and media domains;
- Unconstitutional nature of the limitation of inheritance of agricultural land by foreign nationals; prohibition of the usage of agricultural land by Georgian as a collateral for a foreigner;
- Clear definition of personal data, also personal data of special category, and preconditions for its processing, indicating public interest as one of the preconditions;
- Suspension of the bill on social entrepreneurship and requesting re-assessment from its author;
- Limitation of the mandate of data processing by the police and continuation of work in improvement of the regulations.

GYLA actively participated in the working group in the Parliament, working on regulations on religious freedom, where GYLA presented a number of significant opinions and remarks.

GYLA also offered its recommendations to the Committee of Foreign Affairs of the Parliament, in relation to desinformation and propaganda, during the research stage, at the same time participating in the discussions/hearings.

In its parliamentary work, GYLA revealed both positive and negative aspects in the work of the Parliament.

Positive tendencies are the following: decreased number of bills, examined through expedited procedure; preparation of legal bills on the basis of research group conclusions; creation of work groups for controlling the implementation of legislation by the executive branch.

The negative tendencies are the following; the adoption rate of the recommendations by the parliamentary committees remains to be low. Specifically, recommendations are mostly adopted from the work group formats (from this point of view, the Committee of Human Rights Protection and Civil Integration must be emphasized), or in cases, when the bills are initiated by the members of parliament. The recommendations are adopted with significant obstacles or not adopted at all, when the authors of the bill and its initiators are the Government of Georgia (executive branch).

The committees of the parliament also demonstrate low level of adoption of the legal recommendations.

Within the reporting period, GYLA presented three legal proposals to the Parliament of Georgia:

- **Amendments to the Law on “Gathering and Manifestation”**, which proposed detailed regulation of the special category of disputes (related to public manifestation). The parliament has partially adopted the recommendations – regarding the possibility of adjudication of the self-governments’ decision to prohibit the gathering, in the appellate court.
- **Amendments to the Civil Code of Georgia**, which defined administrative detention as one of the foundations of government responsibility without accusation. The parliament did not adopt this recommendation.
- **Amendments to the Code of Administrative Offences of Georgia**, which proposes to adopt similar regulations in Tbilisi, as established by the Constitutional Court in the municipalities of Georgia, regarding the demolition of the exterior of the city elements. The proposal has not yet been examined by the Parliament.

Within the reporting period, GYLA was actively engaged in the Open Parliament consultation group, working on the implementation of the 2018-2019 action plan of the parliament. The action plan reflects a number of GYLA’s proposals (for example, adoption of the format of the report of committee’s work; search system of the bills, reviewed through expedited procedure; electoral map of majoritarian members of parliament; publication of the reports, presented to the parliament by the relevant institutions and increasing citizen engagement in parliamentary oversight).

# STRENGTHENING CIVIL SOCIETY

## YOUTH ENGAGEMENT IN THE DECISION- MAKING PROCESS

With the financial support of EWMI ACCESS, from October 2018 to September 2019, GYLA was implementing the project “Strengthening Civil Society and Sustainable Development”. The project covered Kakheti, Adjara, Guria, Kvemo Kartli and Samtskhe-Javakheti regions and aimed to develop critical thinking, public speaking and public debate skills among the religious and ethnic minority youth. At the same time, the project promoted inter-community social dialogue and participation of ethnic/religious minority youth in local decision-making process.



The following activities were implemented within the project:

1. At the first stage, public meetings were held with local self-government representatives from the each region, dedicated towards identification of community problems; at the same time, agreement was made to engage initiative groups, created within the project, and composed of youth representatives of the target regions.
2. During the next stage of the project, 103 school pupils from Adjara, Guria, Kakheti, Kvemo Kartli and Samtskhe-Javakheti regions were involved in seminars and trained by GYLA and GYLA's Fund for Support of Legal Education in debate skills.
3. Following the trainings, 34 young people were selected and invited for participation in the National Debate Tournament, on the following topics: human rights, environment protection and healthcare. Within the project, informal education space was created for the Pankisi gorge youth, in the form of the debate club.
4. Lecture was conducted for 34 participants of debate tournament regarding the following topics: citizen engagement in the local self-government, essence of citizen participation and its importance, guarantees of citizen participation, etc.
5. Summary informational meeting was held with the initiative groups, created within the project, which will be further supported in the engagement in the local decision-making process.



6. Study visit to the Parliament of Georgia was held for the initiative group members. Youth members have met the representatives of the Committee of the Regional Policy and Self-Government, during which they agreed on future partnership.
7. Trainings on tax law were held for the small entrepreneurs from Guria and Kakheti regions.

Total 235 young people participated in work meetings and trainings, held within the project.

During the project implementation, the alienation of ethnic and religious minority representatives from the Georgian community became very evident, as well as their indifferent attitude towards the political processes in the country. Other problems were revealed as well, such as, infrastructural problems of educational facilities, lack of communication with self-governing entities, lack of spaces for informal education, etc.

The project enabled development of the plans for tackling some of those problems. This process was based on the dialogue, which was carried on throughout the project implementation and after its completion, laying the foundation for fundamental changes and making specific steps to overcome above problems. Initiative groups were created, which will support problem resolution at the self-government level. GYLA, in its turn, maintains oversight of these processes. At the same time, those activities will provide additional stimulus for the citizens, to address the self-government and government institutions with various initiatives.



## SUPPORT TO GRASSROOTS NGOS

Maintaining its last year's practice, GYLA actively continued providing more systemic support to grassroots NGOs. In this regard, organization prioritized offering sub-grants and overseeing their administration, emphasizing institutional capacity building of grassroots organizations, as well as their awareness raising and sharing experience in various thematic areas.

Based on GYLA's grant competitions, sub-grants were provided in important areas, such as:

- Supporting anti-discrimination efforts through advocacy and research/monitoring;
- Supporting general education policy of the government in conformity with the equality and transparency principles – responding to challenges existing in Georgia, based on the best practice research.

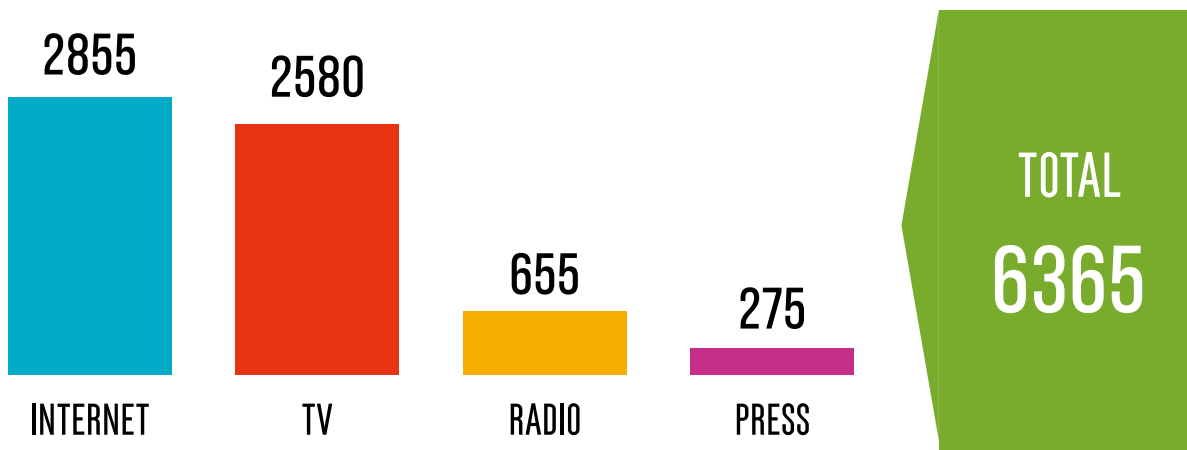
In addition to the above, it is planned to issue sub-grants in the following directions:

- Advocacy/monitoring of the public administration reform;
- Development of Policy Equality Index and assessment using this tool.



# MEDIA AND PUBLIC CAMPAIGNS

For years now, GYLA has been maintaining leadership in media coverage. The research organization IPM Research has provided statistics, reflecting the quantitative review of GYLA media coverage, by different types of media:





## SOCIAL MEDIA

GYLA is actively reaching out to the public through social media as well. GYLA offers users information about its work on a daily basis. GYLA has 46,247 followers on the most popular social media in Georgia – facebook. GYLA is also represented on twitter, linkedin and Instagram.

In addition to the above, within its internal communication:

- GYLA periodically conducts trainings for regional office employees on the information sharing through traditional and social media;
- GYLA regularly circulates the thematic materials on the best international practices, including researches and statements of international organizations, among its employees;
- GYLA has communication plan, to increase effectiveness of internal communication policy;
- New concept of social media management was adopted;
- Analysis of GYLA's representation in traditional and social media was updated;
- Two trainings were held, on public speaking and media relations.





## PUBLIC CAMPAIGNS

In 2019, GYLA completed the campaign against domestic violence, titled #ilaparake (“talk” in English). The campaign aimed to encourage domestic violence victims to speak up of the violence. Within the campaign, GYLA prepared and aired 6 video ads and one photo project. The campaign reached out to about one million users on social media. As a result, 6661 beneficiaries addressed GYLA for help.



1 year ago  
#ილაპარაკე  
4 likes 0 comments 0.08% engagement



1 year ago  
#ილაპარაკე  
1 like 0 comments 0.02% engagement



1 year ago  
#ილაპარაკე  
1 like 0 comments 0.02% engagement



1 year ago  
#ილაპარაკე #tbilisiopenair2017  
19 likes 0 comments 0.38% engagement



1 year ago



1 year ago  
#ილაპარაკე



1 year ago



1 year ago  
#ილაპარაკე #tbilisi #summernights #friends





I may become punished as all the mechanisms of the law support them.

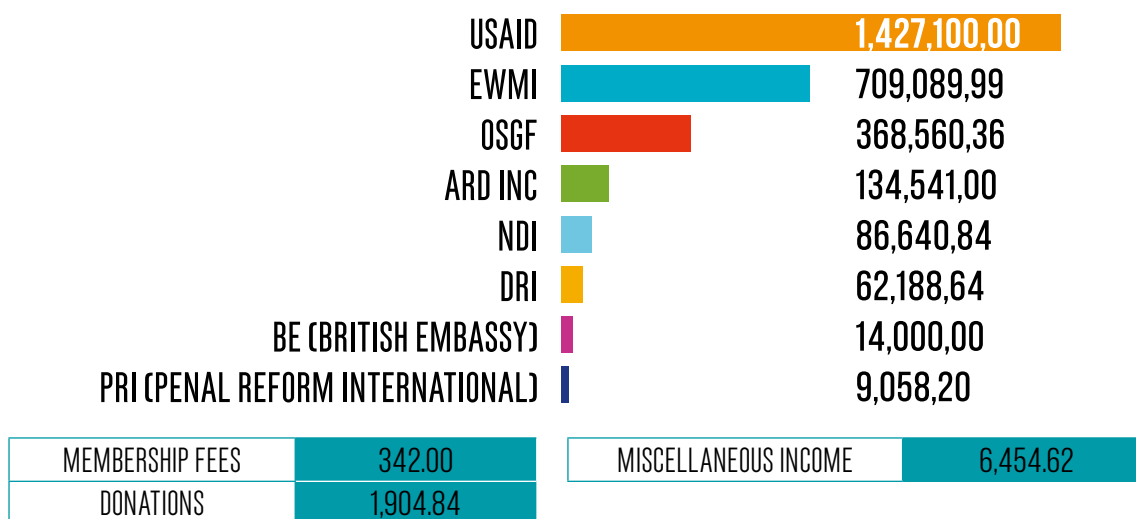
It has been the second consecutive year, when GYLA advocates for the amendment to the administrative offences' code. Within the campaign, GYLA prepared and aired 5 video ads and held 10 public meetings, published the research "Beyond the Lost Eye", which assesses the June 20-21 developments of 2019.



"Georgian SSR Administrative Offense Code

# FINANCIAL REPORT

GYLA's Financial Report covers the period from November 1/2018 to November 1/2019. Within this period, the total of grants, donations and membership fees to GYLA amounted to 2,819,880.49 GEL, the sources of which are as follows:



Within the reporting period, GYLA had 125 employees, of which 56 are working in the regions. Their total cumulative salary budget was 1,891,239.83 GEL. One-time honoraria was provided to 186 persons, totalling 196,326.85 GEL.

The total overall income tax from the salary budget of employees and honoraria-based experts totalled 440,617.96 GEL.

Within the reporting period, GYLA purchased the materials, worth 24,192.31 GEL in total, of which 6,250.00 was spent for various office equipment for the regional offices.





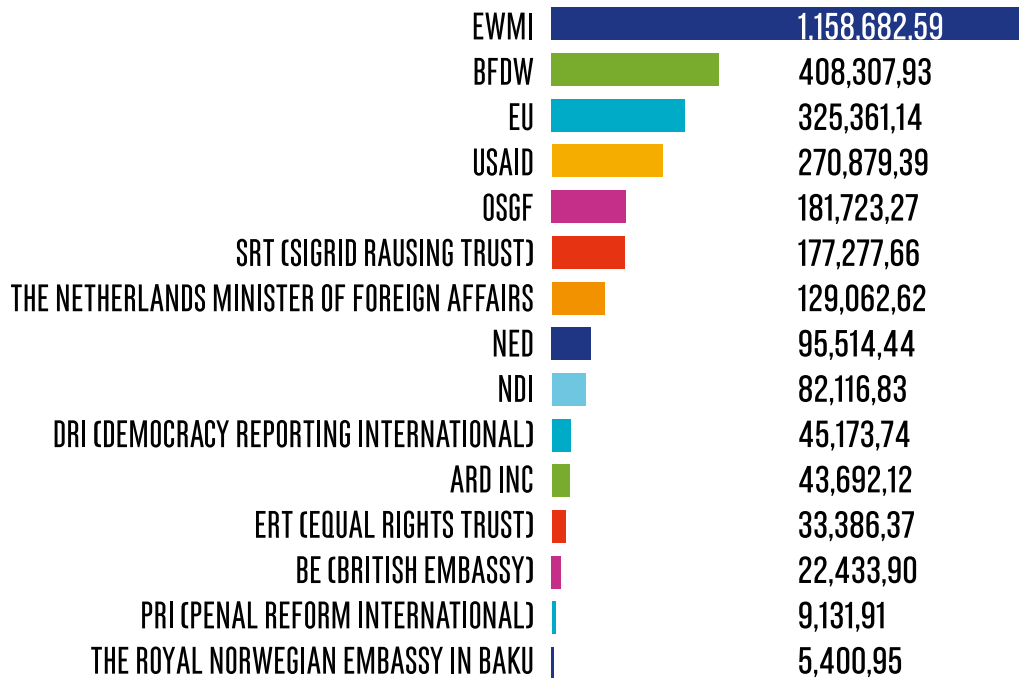
Within the same period, various small-cost items were purchased for offices, totalling 12,564.57 GEL, of which 2,325.00 was spent for regional offices.

GYLA spent 80,127.53 GEL for arranging seminars and meetings both in Tbilisi and in the regions.

The travel costs of GYLA's employees, members and invited guests totalled 225,534.87 GEL, GYLA office rent totalled 139,776.15, while communication costs totalled 35,242.25, of which 8,626.40 covered communication of regional offices.

GYLA provided 90,769.10 as sub-grants to grassroots NGOs.

Within the reporting period, GYLA spent overall, 2,997,757.17, with following distribution by sources:



MEMBERSHIP FEES	767.60	DONATIONS	8,844.71
-----------------	--------	-----------	----------



# DONORS AND PARTNERS



Kingdom of the Netherlands

EAST • WEST  
MANAGEMENT  
INSTITUTE  
*Promoting Rule of Law  
in Georgia (PROLoG)*

SIGRID RAUSING TRUST



**USAID**  
FROM THE AMERICAN PEOPLE



**National Endowment  
for Democracy**  
*Supporting freedom around the world*

EUROPEAN HUMAN RIGHTS ADVOCACY CENTRE  
**EHRAC**

**DEMOCRACY  
REPORTING  
INTERNATIONAL**



სამოქალაქო საზოგადოების განვითარებისა  
და მშპალაქების ჩართულობის პროექტი  
ADVANCING CSO CAPACITIES AND ENGAGING SOCIETY  
FOR SUSTAINABILITY (ACCESS)

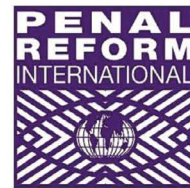


**Brot  
für die Welt**

Bread for the World –  
Protestant  
Development Service



NATIONAL  
DEMOCRATIC  
INSTITUTE



Norwegian Embassy



ევროკავშირი  
საქართველოსთვის  
The European Union for Georgia



British Embassy  
Tbilisi



EQUAL RIGHTS TRUST

# GOVERNING BODIES OF THE GEORGIAN YOUNG LAWYERS' ASSOCIATION

AS OF NOVEMBER 1/2019

## BOARD MEMBERS

Sulkhan Saladze – Chairman  
Nona Kurdovanidze – Deputy Chairwoman  
Tamar Abazadze  
Ketevan Abashidze  
Taia Arabuli  
Irena Gabunia  
Tamar Gvaramadze  
Irakli Gvenetadze  
Mikheil Daushvili  
Ana Dolidze  
Natia Kapanadze  
Kakha Kozhoridze  
Vakhtang Menabde  
Levan Mosakhlidze  
Venera Suknidze  
Mikheil Ghoghadze  
Tinatin Shelia  
Ketevan Shubashvili  
Sophie Chareli  
Tamar Khidasheli  
Nino Khukhua

## REVISION COMMISSION

Tamar Sarajishvili  
Malkhaz Vepkhvadze  
Nino Bibiluri  
Nino Samadashvili  
Ana Kotetishvili

## HEADS OF REGIONAL OFFICES

Adjara Branch – Anna Mdinaradze  
Kutaisi Branch – Zaal Gorgidze  
Rustavi Office – Ekaterine Pavlenishvili  
Gori Office – Ketevan Bebiashvili  
Telavi Office – Marekh Mgaloblishvili  
Ozurgeti Office – Tamaz Trapaidze  
Dusheti Office – Sergo Isashvili  
Zugdidi Office – Jano Chkadua

## DIRECTORATE

Sulkhan Saladze – Chairman  
Vakhtang Menabde – Director of the Program for Supporting Democratic Institutions  
Nona Kurdovanidze – Director of the Program for Legal Aid  
Irma Pavliashvili – Administrative Director

# GEORGIAN YOUNG LAWYERS' ASSOCIATION

## ■ Tbilisi

15, J.Kakhidze str. 0102

Tel: + (995 32) 2936101 / 2952353

E-mail: gyla@gyla.ge

## ■ Kutaisi Branch

11, Kostava str. 4600

Tel: + (995 431) 241192 / 246523

E-mail: kutaisi@gyla.ge

## ■ Adjara Branch

89, Gorgasali str. Batumi, 6000

Tel: + (995 422) 276668

E-mail: batumi@gyla.ge

## ■ Gori Office

19, Stalini str. 1400

Tel: + (995 370) 272646

E-mail: gori@gyla.ge

## ■ Rustavi Office

15 a/5, Kostava str. 3700

Tel: + (995 341) 255337

E-mail: rustavi@gyla.ge

## ■ Telavi Office

13, 26 Maisi str. 2200

Tel: + (995 350) 271371

E-mail: telavi@gyla.ge

## ■ Ozurgeti Office

25/10, Gabriel Episkoposi str. 3500

Tel: + (995 496) 273138

E-mail: ozurgeti@gyla.ge

## ■ Dusheti Office

29, Rustaveli str. 1810

Tel: + (995 346) 221554

E-mail: dusheti@gyla.ge

## ■ Zugdidi Office

3, Laghidze str. (21, Tabukashvili str.)

Tel: + (995 415) 227770

E-mail: zugdidi@gyla.ge

# 25 YEARS FOR HUMAN RIGHTS

