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QUARTERLY REPORT: JAN-MARCH 2005

GEORGIA RULE OF LAW PROJECT

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TASK 1: Raising Public Awareness, Raising Public Confidence

GYLA

Due to recent budget reductions, the Georgian Young Lawyers Association's (GYLA) public awareness activities have been less intensive and diverse than originally anticipated. Nonetheless, GYLA managed to communicate the most recent legislative developments (i.e., the new Georgian Tax Code and amendments to the Criminal Procedures Code) to society.

GYLA continued its public awareness campaign through regular town hall meetings. A total of 20 town hall meetings were held with 270 participants in Kutaisi, Gori, Rustavi, Telavi, Batumi and adjacent areas. The following topics were tailored for the meetings: the new Tax Code, amendments to the Criminal Procedures Code, European Court of Human Rights, women's rights, social rights and freedom of speech and expression. Two roundtables were conducted in Gori. The first meeting was held to discuss the latest amendments to the Criminal Procedures Code: abolishment of the inquiry stage, new pre-trial detention terms, the right to make a record of testimony, etc. The second roundtable was held on legislative changes related to education. Attendees primarily included professors and students.

In February GYLA held a workshop on the new tax code with lawyers from their central and regional legal aid centers, economists and NGO representatives. A tax law expert compared the old and new codes and introduced the rules and mechanisms of the new code. Participants used the workshop to discuss practical cases and to analyze various aspects of the code. At the request of the prosecutor's office, GYLA conducted a workshop in March on the European Convention on Human Rights (ECHR) for interns working at the Tbilisi, Mtskheta and Rustavi prosecutor offices. The goal of the seminar was to raise awareness of human rights issues among public servants whose jobs involve human rights protection and to emphasize the significance of rule of law in their activities. Special emphasis was put on issues relating to prohibition of torture and the right to liberty and security of a person.

GYLA's Gori office organized a bus tour that covered the Borjomi region: Andeziti, Tsageri, Dviri, Chobiskhevi, Kvabiskhevi, Daba Bakuriani, and Kimoti. Approximately 130 people participated in the event and 400 consultations were provided. GYLA distributed legal literature including posters on land rights and detainees' rights, the journal *Almanakhi*, ECHR textbooks and other leaflets. Participants were interested in new legislation affecting education, civil procedures, heritage rights and taxation.

GYLA continued with its publishing of newspaper inserts with the following articles:

1. *Novelties for socially vulnerable persons according to the state budget 2005*, Newspaper "24 Saati", #25, February 4, 2005
2. *How and were should you take your ID card, certificate of birth and how much do they cost?*, Newspaper "24 Saati", #43, February 25, 2005
3. *Income tax payers and individuals exempted from tax payment pursuant to the new Tax Code*, Newspaper "24 Saati", #73, April 1, 2005

4. *Property Tax*, Newspaper “24 Saati”, #61, March 18, 2005
5. *Taxes for enterprises under the new Tax Code*, Newspaper “People’s Newspaper”, #4, January 31 – February 6, 2005
6. *What is meant under the amnesty of undeclared tax obligations and legalizations of property*, Newspaper “People’s Newspaper”, #6, February 14-20, 2005
7. *Social Benefits*, Newspaper “People’s Newspaper”, #8, February 28 – March 6, 2005
8. *Taxes for enterprises under the new Tax Code*, Newspaper “People’s Newspaper”, #3, January 25-30, 2005
9. *In what cases do we need a license and or permission for commercial activities?*, Newspaper “Kakhetis Khma”, #3 (93), January 24, 2005
10. *Rights and obligations of parents towards their children*, Newspaper “Kakhetis Khma”, #7 (97), February 21, 2005

GYLA published sets of questions and answers in local periodicals:

1. Newspaper “P.S.”, #6, February 7-13, 2005, questions and answers, 3 consultations
2. Newspaper “P.S.”, #7, February 14-29, 2005, questions and answers, 5 consultations
3. Newspaper “People’s Newspaper”, #3, January 25-30, 2005, questions and answers, 4 consultations

GYLA also disseminated posters on *Detainees’ Rights* and *Land Rights* and distributed the following leaflets that were published in the last quarter: *IDP Rights*, *Right to an Education*, *Rights and Obligations of Police Patrol*, *How to Request Public Information*, *Notary Service* and *Rights to Property*.

Liberty Institute

Liberty Institute (LI) reorganized themselves with the closing of regional offices in Rustavi and Poti, the opening of a new office in Batumi and the merging of the Kutaisi office with the Ombudsman’s local office. Programmatic changes occurred as well with the cancellation of previously planned activities (i.e., youth debates and rule of law posters) due to budgetary cuts.

LI continued its public awareness campaign through a press club session, debates and roundtables. In January a press club session was held to publicize the problem of inhuman and degrading treatment in detention centers and acts of torture. Ten roundtables and five debates were held in LI’s regional offices. Topics for the events were selected based on LI’s programmatic agenda and the needs of the local population. Topics included minority rights violation, corruption and police brutality, religious freedom and religious education, judicial reform and freedom of expression. For example, in Gori the main topic of discussion was miscommunication between local police officers and the Monitoring Board (which operates under the Ombudsman’s Office); in Telavi concerns over corruption at the University were discussed; in Akhaltsikhe the discussion centered around human rights violations by the local police, and at a second event in Gori the main topic was censorship of electronic media.

LI's publishing activities continued with three issues of its monthly newsletter, *Liberty*, which covers topics related to the strengthening of Georgia's civil society. Topics included judicial reform, human rights from the religious point of view, achievements and failures a year after the Rose Revolution, freedom of the press, culture and human rights, corruption, the right to a fair trial and judicial independence. LI continued to publish newspaper inserts for the newspaper *24 Saati*. This quarter the inserts focused on problems related to judicial reform. In late 2004, LI began work on rule of law and human rights posters by conducting its first competition for the poster ideas. However, due to budgetary cuts, LI has discontinued work on this component out of its Rule of Law program.

Small Grants Program

Ozurgeti Young Teachers Union's (Union) project entitled, *Ancestors and Descendants Protecting Children's Rights*, proved to be one of the most successful grantees that worked on the program to promote human rights in Georgian culture. Therefore, IRIS decided to continue working with the Union by awarding them a new grant. The Union is a unique NGO in that its work reaches a distinct audience - adolescents and teachers in the Ozurgeti region. The Union's goal is to raise public awareness of children's rights among the youth with an emphasis on the most acute issues of that region such as poor school conditions, the reintegration of disabled children into society and a healthy environment for receiving a good education.

Under its new grant, the Union began implementation of a project entitled, *Adolescents Protecting Their Rights*, through an intensive series of diverse activities. The Union purchased new equipment and supplies and prepared materials for upcoming events. They held a three-day seminar/training for teachers in the region on interactive methods for teaching about the Children's Rights Convention. Invited experts conducted the seminar and teachers from 26 schools participated. Participants felt that the training gave them the skills necessary to successfully teach about the Children's Rights Convention.

This quarter the Union filmed a new documentary. The film is dedicated to the most severe problem of the Ozurgeti region, which is the poor condition of local schools. The documentary shows how the development of young people in the area is being hindered by the poor education they are receiving from their ill-equipped schools. The Union also organized a photo exhibition on the same topic. Pupils in an amateur photo club took photos at regional schools to document the poor conditions. The Union organized an event to present the documentary and photo exhibition, which representatives from the local government, NGOs and mass media and the general public attended. The presentation was followed by a heated discussion in which attendees demanded that the local government take steps to improve the schools and provide a proper learning environment. The local government promised to improve the situation. The documentary was also broadcast on regional TV. The problem attracted the attention of the general public both at the regional and national levels. The event was followed by discussions in the mass media. The Governor of the Guria region followed up with a visit to the schools to examine the situation first hand and promised that improvements would be made to Ozurgeti schools.

The Union organized two showings of a literary performance on children's rights, which included two sketches, *I Can Jump Over the Puddle* and *A Beauty With a Poppy Dress*. The sketches dealt with the following themes: the right to be healthy, the right to grow up in a respectful environment and the rights of disabled children. The performances were followed by discussions in which the audiences talked about the human rights values portrayed in the sketches.

The Union began preparatory work for a regional Karl Popper Debate tournament, which they plan to hold next quarter. Representatives from various regional schools where debate clubs already exist met to discuss topics for the upcoming tournament.

The Union's publishing activities included another issue of the children's rights newspaper, *Eight+1*, and postcards with themes related to the articles of the Children's Rights Convention. Images on the postcards were taken from paintings that students made for Ozurgeti's Children's Rights exhibition last year.

List of Deliverables

Deliverables in Electronic Format

1. Agenda and list of participants from GYLA's Tax Code seminar, February 4-5, 2005, Tbilisi
2. Agenda and list of participants from GYLA's ECHR seminar, March 23, 2005, Tbilisi
3. Agenda and list of participants from LI's roundtable discussion on problems of communication between the police monitoring board and local police officers, January 19, 2005, Gori
4. Agenda and list of participants from LI's debate session on judicial independence, January 19, 2005, Gori
5. Agenda and list of participants from LI's Press Club session on police brutality in precincts and detention centers, January 21, 2005, Tbilisi
6. Agenda and list of participants from LI's roundtable discussion on corruption in institutions of higher education, January 23, 2005, Kutaisi
7. Agenda and list of participants from LI's debate session on judicial independence, January 23, 2005, Kutaisi
8. Agenda and list of participants from LI's roundtable session on corruption in institutions of higher education and the new law on higher education, January 25, 2005, Telavi
9. Agenda and list of participants from LI's debate session on judicial independence, January 25, 2005, Telavi
10. Agenda and list of participants from LI's roundtable on the state of human rights in Batumi, January 28, 2005, Batumi
11. Agenda and list of participants from LI's debate session on judicial independence, January 28, 2005, Batumi
12. Agenda and list of participants from LI's roundtable session on human rights violations in local police precincts, January 31, 2005, Akhaltsikhe
13. Agenda and list of participants from LI's roundtable session on religion in public schools, February 18, 2005

14. Agenda and list of participants from LI's roundtable session on the censorship in the local media, February 21, 2005, Gori
15. Agenda and list of participants from LI's roundtable session on religion in public schools, February 22, 2005, Telavi
16. Agenda and list of participants from LI's roundtable session on religion in public schools, February 24, 2005, Akhaltsikhe
17. Agenda and list of participants from Liberty Institute's roundtable session on religion in public schools, February 26, 2005, Kutaisi
18. Agenda and list of participants from LI's debate session on judicial independence, February 28, 2005, Akhaltsikhe.

Deliverables in Hard Copy

1. Newsletter: *Liberty*, #12 (36), December 2005 (LI)
2. Newsletter: *Liberty*, #1 (37), January 2005 (LI)
3. Newsletter: *Liberty*, #2 (38), February 2005 (LI)
4. Newspaper: *24 Saati*, # 26, February 5 2005 (LI)
5. Newspapers, 12 issues (GYLA)
6. Newspaper: *Eight+1*, #24, February 2005 (Union)
7. Postcards on children's rights (Union)
8. Documentary (Union)

TASK 2: Support for Legal Services and Human Rights Organizations

Legal Aid System

IRIS is a member of the Ministry of Justice's (MOJ) working group to create a free public attorney service. Therefore, IRIS attorneys participated in meetings of the working group in which regulations were drafted for the free legal aid system and preparations were made for hiring lawyers and administrators for the pilot program. The staffing selection process will begin in April.

GYLA

GYLA's legal aid centers continued to provide free legal services through court representation and consultations by telephone, in person, through the mail, through visits to mobile legal aid clinics and on TV and radio programs. The Tbilisi office alone provided a total of 1,375 consultations, 1,246 of which were private consultations, 69 of which were mobile legal aid consultations and 60 of which were radio consultations. The Kutaisi office provided a total of 4,547 consultations, 1,827 of which were telephone consultations, 2,033 of which were private consultations, 656 of which were mobile legal aid consultations and 31 of which were newspaper consultations. There was a significant increase in the number of free legal consultations that

GYLA provided this quarter. There are several reasons for this increase: more activity in the courts due to the end of the holiday season, Parliament's quick adoption of amendments to various pieces of legislation resulting in a lack of awareness among the public about the new regulations and a high level of turnover of local officials resulting in decreased institutional memory and professionalism.

One of the most important legislative changes that have been undertaken in the field of criminal procedural law occurred when Parliament recently adopted amendments to the Criminal Procedural Code. These amendments drastically alter some of the procedures set forth in the Code. Changes included the status of a suspect and the accused and rights and procedural obligations of parties. GYLA considers it of the utmost importance to train law enforcement officials and NGO representatives on how these amendments will impact their work. GYLA will continue work on this issue.

GYLA's was successful in one of its most important strategic litigation cases brought before the Constitutional Court. In response to GYLA's lawsuit, the Constitutional Court of Georgia annulled several provisions of the Administrative Violations Code. The most important aspect of the decision was that the Constitutional Court declared past procedures for administrative detention as unconstitutional and instead assigned procedures for administrative detention to the judiciary's control as is stipulated in the Criminal Procedural Code. Previously, administrative detention could only be required through the Prosecutor's order.

In March GYLA conducted a mobile legal aid visit to the Pankisi Gorge region. This was a significant event since GYLA's consultants had not visited the region previously. Until recently Pankisi was considered a conflict region due to Chechen rebel activity in the area. Residents were informed beforehand about GYLA's mobile legal aid visit to three villages: Matani, Sakobiano and Duisi.

During the quarter GYLA broadcasted six *Your Rights* radio programs. The topics that were covered in the broadcasts included citizen registration rules and regulations, identification card and passport issues, Administrative Code proceedings and judicial practice on freedom of information. GYLA also published 10,000 pocket cards for distribution on the rights of detainees.

Article 42

Even though there was a slight increase in the number of cases compared to last quarter, Article 42's work at the Tbilisi district court will end in June due to lack of funding. Management and lawyers were given notice and are now working on securing alternative sources of funding to continue their legal assistance services.

In addition to the usual criminal cases, one case was appealed all the way to the European Court of Human Rights. Besides handling cases, Article 42 lawyers also participated in a number of seminars and trainings.

In February Article 42 organized a meeting to discuss the preventative measures issues with the participation of Article 42 lawyers and several judges. The meeting served as an opportunity for judges and lawyers to share their concerns about judicial malpractice when issuing preventative measures to defendants.

Article 42 published three monthly newsletters with articles on human rights and highlights of their work. The newsletters will be distributed to lawyers, defendants and other interested parties. In December Article 42 published its annual report with its activities and findings over the past year and their plans for the future.

Liberty Institute

During the reporting period, LI's Civil Liberties News Service focused its work on four major areas: freedom of religion, freedom of the media, judicial independence and torture. Developments and trends in these areas were recorded on LI's website. The website was used as a resource for various media representatives in their coverage of major human rights violation issues.

Freedom of Religion was a priority for the Civil Liberties News Service. Specific attention was given to the issues of religion in public schools, religious classes and the rights of parents and students. LI collected several examples of freedom of religion violations in public schools. For example, students of different faiths were forced to participate in school prayers and religion class was transformed into catechism class and indoctrination. Religion in public schools was a topic of discussion during the drafting process of the Law on Secondary Education. LI proposed changes to the draft Law on Secondary Education that were later accepted by Parliament, thus introducing the chapter on parents and student rights into the new law.

Freedom of media was also one of the Civil Liberties News Service priorities. Cases of intimidation and beatings of journalists were recorded by LI's Batumi and Gori offices. The problem of self-censorship was another issue addressed by the organization and the idea of a "conscious clause" was presented to the government. The "conscious clause" will legally guarantee journalistic independence by protecting journalists from taking actions that they believe are wrong. LI will meet with media experts to develop a draft "conscious clause" law, which they plan to present in the near future.

LI staff members have been receiving and answering legal questions posed through the website. The majority of the questions relate to copyright laws, property rights and freedom of religion, speech and information.

List of Deliverables

Deliverables in Hard Copy

1. Article 42's Newsletter #11

2. Article 42's Newsletter #12
3. Article 42's Newsletter #13
4. GYLA/Tbilisi *Our Rights* radio programs CD
5. GYLA/Kutaisi *Our Rights* radio program CD
6. GYLA/Tbilisi pocket cards

TASK 3: More Open and Transparent Government and Administrative Process

To promote transparency in administrative agencies, IRIS assists them with implementation of the Freedom of Information (FOI) Chapter and aspects of the General Administrative Code in their activities. In January IRIS held a training on administrative law issues for staff of the Ministry of Education and Science. After the Rose Revolution this Ministry underwent significant reforms. In particular, their staff was replaced with new employees who needed training on administrative law and administrative proceedings. The fact that the Ministry is interested in training for their new staff is in itself significant.

Law enforcement agencies have recently become interested in FOI issues. In response to this, IRIS was the first organization to hold a FOI training for employees of the Ministry of Internal Affairs, which was held in February at IRIS's office. Topics included FOI, personal data and rules for their collection, processing, issuance and protection. The training was conducted by an IRIS expert and an expert from an IRIS partner organization, the United Nations Association of Georgia (UNAG). Training participants received copies of the General Administrative Code, two types of guides on FOI, the General Administrative Code and two types of checklists on administrative acts and normative acts.

In its work to implement administrative law provisions, IRIS has been cooperating closely with various NGOs, including our traditional partners. In February UNAG invited an IRIS attorney to assist with a training on FOI and administrative contracts. In February IRIS organized a meeting with the Urban Institute to coordinate FOI and General Administrative Code implementation activities in local government agencies. IRIS's expert attended the meeting with representatives from our partner organizations, GYLA and UNAG. A similar meeting was held with GYLA, UNAG and LI to coordinate additional activities under Task 3.

IRIS continued to provide expert advice on administrative issues to various agencies including the Ministry of Internal Affairs, the Ministry of Education and Science, the Ministry of Justice, the Chamber of Control and judicial agencies.

UNAG

UNAG's institutional contacts issued reports on implementation of the General Administrative Code in targeted public institutions. UNAG's analysis of the reports revealed that problems still exist with implementation of the Code in the institutions. The general situation with implementation of the FOI Chapter in all of the targeted public institutions in the regions remains

the same. Public institutions are implementing many of the changes to the Code. Institutions that previously did not know about the existence of the General Administrative Code and the FOI Chapter now have complete information about the main provisions and procedures of the Code, and for the most part follow them in their daily work. In addition to providing reports, the institutional contacts provided “consultation forms” with feedback on implementation of the Code from people within their institutions. UNAG reviewed these forms to determine the most commonly asked questions to assist in identifying the greatest difficulties with the implementation process.

UNAG prepared a new questionnaire for completion by institutional contacts to further assess the General Administrative Code implementation in targeted public institutions. The new questionnaire consists of 20 questions, which are designed to provide a comprehensive picture of the situation in each public institution. At the end of each questionnaire, the institutional contacts are to provide their own assessment of implementation in their institutions. The FOI questionnaire has also been updated for the new target region, Ajara, as well as for those target public institutions that achieved noticeable results last year. UNAG also updated the form for filing recommendations. UNAG hopes that these new questionnaires will help provide more accurate and timely information in order to facilitate improved Code implementation in public institutions.

In February UNAG organized a three-day training in Bakuriani for project staff members and regional representatives on the general provisions of the Code (FOI, Administrative Contract, Administrative Proceeding, Enforcement of an Administrative Act and Preparation of an Administrative Act). Sixteen participants attended the training and were given materials on the provisions of the General Administrative Code.

UNAG actively worked with targeted public institutions in the regions to have them submit FOI implementation reports (December 10th Reports). UNAG requested copies from Parliament and the State Chancellery of the FOI Implementation Reports that had been submitted by the public institutions last year. Then UNAG analyzed the reports to determine what obstacles public institutions are facing in their implementation of the FOI principles. UNAG’s analysis also includes recommendations for changes. One hundred copies of UNAG’s analysis were published and sent to the public institutions in Tbilisi as well as to all of the targeted public institutions in the regions.

UNAG published an informational brochure on their work and planned activities in 2005, which includes information on their resource center, educational center, legal center, special programs and staff contact information. One thousand copies of the brochure were printed and distributed to public institutions, NGOs, governmental organizations and the mass media. UNAG also distributed 1,334 copies of their final reports, calendar for public officers, analysis of the 2004 FOR Implementation Reports from public institutions in Tbilisi and targeted regions.

UNAG worked on several new model documents on enforcement of an administrative act and administrative proceeding. These documents are meant to help staff of public institutions comply with the practices and procedures of the General Administrative Code. UNAG staff renewed their work on the draft law on *Dues for Copying Public Information*. The draft law package was

sent to Parliament and was passed to the Organizational Committee of Parliament where it passed the hearing successfully. UNAG also provided technical support to the Civil Servants' Financial and Property Status Bureau at the Ministry of Justice.

AYEG

The Association of Young Economists of Georgia (AYEG) experts analyzed the legislative acts that regulate the licenses and permits for various sectors and decided to prepare a standard license/permit guide covering license/permit types, fees, regulating normative acts and issuing agencies with their contact and bank information. The guide is entitled *Licenses and Permits Defined by the Legislation of Georgia* and is intended for a wide range of entrepreneurs. In preparation of the guide, AYEG experts met with state agencies for their input. The final version of the guide was issued in January and 8,000 copies were published. More than 4,000 guides have already been distributed through license/permit issuing agencies, the licensing hotline, entrepreneur training sessions, branches in Batumi, Kutaisi, Gori and Sachkhere, First NGO Fair, etc.

In preparation for a report on the construction sector permit system, AYEG analyzed construction sector legislation and held meetings with relevant state agencies and NGOs. In these meetings they discussed their concept paper on the draft Construction Code as well as the Construction Code structure that was drafted by the Ministry of Economic Development. AYEG then used the information from their analysis and meetings to develop the final version of the report, which was also presented to Parliament's Committee of Sectoral Economy and Economic Policy. One thousand copies of *Report on the Construction Sector Permit System* were published, and the relevant permit-issuing agencies were provided with up to 65 copies.

AYEG also analyzed legislation and met with relevant state agencies on commodity export-import sector regulation to develop a report on three specific sectors: the substance sector, commodities subject to veterinary control, and the iron and steel scrap sector. One hundred copies of the *Report on the Commodity Export-Import Sector Permit System* were published and 90 have already been distributed.

In March AYEG organized two conferences for state agency staff. On March 12th they held a conference to present the *Report on the Construction Sector Permit System*, which was attended by 21 people from state agencies, the media and business associations. On March 31st they held a conference to present the *Report on the Commodity Export-Import Sector Permit System*. It was attended by 18 people from state agencies, the media and business associations.

AYEG held training session in February and March for entrepreneurs involved in the transportation sector. The training session was attended by 41 participants, entrepreneurs and state agency representatives. Entrepreneurs received information on regulating legislation in the sector, on-going changes, permit conditions, issuance procedures, termination, cancellation, appeals and control. The licensing hotline received over 400 calls, 290 of which were from entrepreneurs who were given advice over the phone or through in-person consultations at AYEG's office.

AYEG conducted its media campaign from October to February with announcements in three newspapers, *24 Saati*, *Alia* and *Kviris Palitra*. The announcements included the hotline number and AYEG's published guides. In February a separate licensing guide media campaign was conducted.

AYEG distributed 1,320 copies of the *How to Obtain a Construction Sector Permit* guide, 1,344 copies of the *How to Obtain a Commodity Export-Import Permit* guide, 939 copies of the *How to Obtain a Vehicle Transportation Sector Permit* guide, 2,185 copies of the *How to Obtain a Food Manufacturing Sector License* guide and 4,025 copies of the *Licenses and Permits as Defined by Georgian Legislation* guide.

GYLA

GYLA focused its efforts this quarter on the Administrative Proceedings Chapter of the General Administrative Code by training local government officials on the relevant provisions of the Chapter. GYLA decided to maximize their efforts by teaching a group of professionals in Administrative Proceedings to be trainers themselves so that they can conduct trainings for officials in various regions of Georgia. In February GYLA conducted a training of trainers that included 21 young lawyers from Tbilisi and lawyers from GYLA's regional offices. Over the next six months the participants will hold trainings for representatives of administrative agencies in the regions.

Liberty Institute

To implement the internal regulations and procedures of the General Administrative Code within public institutions, LI worked on the creation of Citizen's Charters (internal regulations) for various public agencies. Citizen's Charters are meant to make the decision-making processes in government agencies more transparent by laying out the agencies' internal regulations for the public. Consequently, this should enable citizens to better navigate the services of public institutions. In March staff members from LI's regional offices held six meetings with local government representatives to analyze the existing internal regulations and to discuss various issues related to the charter preparations and their implementation in the everyday activities of the agencies. A total of 123 people attended these meetings.

List of Deliverables

Deliverables in Electronic Format

1. Agenda and list of participants from the administrative law training for the staff of the Ministry of Education and Science, January 29, 2005, Tbilisi (IRIS)
2. Agenda and list of participants from the administrative law training for the staff of the Ministry of Internal Affairs, February 26, 2005, Tbilisi (IRIS)
3. Agenda and list of participants from the Bakuriani meeting, February 21-23, 2005 (UNAG);

4. Consultation form, December 2004 and January 2005 (UNAG)
5. Agenda and list of participants from the training of trainers on administrative procedures, February 19-20, 2005 (GYLA)
6. Agenda and list of participants from the administrative proceeding workshop, April 6, 2005 (GYLA)
7. Agenda and number of participants from training session on March 13, 2005 (AYEG)
8. Agenda and number of participants from the training session on February 22, 2005 (AYEG)
9. Agenda and number of participants from the conference on the desk research results on the permit system in the production export-import sector, March 12, 2005 (AYEG)
10. Agenda and number of participants from the conference on the desk research results on the permit system in the construction sector, March 12, 2005 (AYEG)

Deliverables in Hard Copy

1. Analysis of the reporting on December 10, 2004 (UNAG)
2. 2005 program activities brochure (UNAG)
3. The *Licenses and Permits Defined by Georgian Legislation* guide (AYEG)
4. Desk research results on the permit system in the construction sector (AYEG)
5. Desk research results on the permit system in the commodity export-import sector (AYEG)

TASK 4: Support for Legislative Drafting

Constitutional Issues

Constitutional Amendments Revising the Constitution of Georgia

As was mentioned in our previous quarterly report, two draft amendments to the Constitution were submitted to Parliament. These drafts were promulgated with a resolution from Parliament on December 22, 2004.

- a) The first draft called for structural changes to the central government by merging the Ministry of Internal Affairs and the Ministry of State Security into a new ministry - the Ministry of Police and Public Security.
- b) The second draft was larger in scale and called for several changes: a reduction in the number of the Members of Parliament (MPs) from 235 to 150, an expansion in the range of the people subject to impeachment, authorization for Parliament to dismiss the Chair of the Chamber of Control and members of the National Bank for being unsuitable for their positions and reform of the judicial system.

It should be noted that during the quarter Parliament adopted part of the second draft constitutional amendments. The issue of MP reductions was considered urgent, and Parliament decided to reduce the number of MPs to 150 with 100 elected by a proportional system and 50 by a majority system. Furthermore, the number of MPs necessary for establishment of a

parliamentary faction was reduced from 10 to 7. These amendments will go into effect with the next parliamentary elections. The remaining changes will be considered by Parliament during the next quarter.

Administrative Violations Code

The special commission working on the new Administrative Violations Code worked very intensively during the quarter with sessions on a weekly basis. The commission succeeded in finalizing one of the three main sections of the Code. If the commission continues to work at this pace, it should be ready to submit the new Code to Parliament this summer.

List of Deliverables

Deliverables in Electronic Format

1. The Constitutional Law of Georgia on Amendments to the Constitution of Georgia

TASK 5: Information and Training

Collaboration with Law Enforcement Authorities

In February representatives from IRIS and GYLA met with the Deputy Secretary of the National Security Council (NSC), Konstantine Korkelia, to discuss collaboration on current anti-trafficking in persons efforts. Different aspects of the new State Action Plan to Combat Trafficking in Persons were discussed during the meeting, though considerable emphasis was placed on the importance of IRIS and GYLA support in implementing a referral system. This system would allow anyone to refer trafficking victims to GYLA for legal assistance.

Collaboration with Other Donor Organizations

IRIS participated in more coordination meetings with other donor organizations (i.e., OSCE, IOM, CRC) to share information on their respective anti-trafficking work and to plan for future activities.

New State Action Plan

In February the NSC held a presentation with IRIS's support on the 2005-2006 State Action Plan to Combat Trafficking in Persons (TIP) and the first open session of the NSC's Ad Hoc Interagency Commission to Combat Trafficking. The event was attended by the Ad Hoc Commission members, the US Ambassador, the Ambassador of the Organization for Security and Cooperation in Europe (OSCE), various diplomatic representatives, local NGOs and the

mass-media. Konstantine Korkelia, Deputy Secretary of the NSC, conveyed the government's, and the NSC in particular, readiness to take the necessary steps to eliminate TIP crime and improve state policy on combating trafficking. The State Action Plan and the functions of the Ad Hoc Commission were presented at the meeting.

To coordinate anti-trafficking efforts, IRIS will participate in regular meetings of the donors and will conduct future meetings with the NSC and other state agencies involved in anti-TIP activities.

GYLA

GYLA has been concentrating on three areas of anti-TIP activities: prevention, prosecution and protection.

Prevention/Raising Awareness Campaign

1. Mobile Groups Anti-TIP Campaign in the Regions

GYLA organized anti-TIP events in the regions to raise awareness of TIP in villages and to provide protection in the form of legal aid. From February 23 to March 2, GYLA's mobile groups reached two of the regions in western Georgia, Dusheti and Mtskheta. They visited nine villages and reached a total of 307 people, including local students, teachers and the general public. They held anti-TIP seminars with question and answer formats and provided legal consultations and advice.

2. Brochures

GYLA is preparing two types of TIP brochures, those for use while traveling outside of Georgia and those for use inside Georgia. During this quarter, GYLA prepared three brochures for travel outside of Georgia to Turkey, Germany and Netherlands. These countries were selected, because data shows that they are major destinations for trafficking victims. The brochures provide country-specific information on relevant legislation, migration issues and the mechanisms for assistance and protection that are available to TIP victims and witnesses. Two brochures reflecting similar information on the United States and Greece are now being edited and will be ready for publication soon. GYLA also prepared two brochures for Georgia with information on relevant Georgian legislation, penalties for committing TIP, identification of TIP and remedies for TIP under Georgian law.

3. Seminars

In February GYLA held a workshop in Kutaisi for journalists from west Georgia. Twenty-five journalists participated.

Enhancing Prosecution

1. Training Module Preparation

GYLA is in the process of creating a training module that will be used for trainings of law enforcement officials and other state agencies.

2. Roundtable

In an effort to facilitate sharing of TIP information and experiences among relevant prosecuting agencies, GYLA held a roundtable in February in Batumi. The roundtable was attended by 21 people, including law enforcement officials, journalists and NGOs.

3. Monitoring of TIP Prosecution

Since criminalization of TIP, GYLA has been monitoring TIP prosecution in Georgia by regularly requesting statistical information from all relevant agencies (e.g., number of cases initiated, number of people arrested, number of people accused). GYLA will compare and analyze this information to develop conclusions and recommendations.

Protection

GYLA has two lawyers working on trafficking cases at their Legal Aid Center. They provide telephone and in-person consultations on trafficking, and they conduct field visits in the form of Mobile Group Visits as mentioned above. GYLA also represents victims of trafficking in court or persons related to the crime. GYLA lawyers also actively initiate jurisprudence. During the quarter GYLA's Legal Aid Center provided representation for several victims of trafficking.

List of Deliverables

Deliverables in Electronic Format

1. Agenda and list of participants from the seminar for journalists, February 25, 2005, Kutaisi (GYLA)
2. Agenda and list of participants from the roundtable with law enforcement agencies, journalists and NGOs, February 26, 2005, Batumi (GYLA)

Deliverables in Hard Copy

1. Compact disc with photos of GYLA's Mobile Group Visits to the regions that were conducted from February 23 to March 2, 2005.

Appendix A: Statistical Summary

TASK 1: Raising Public Awareness, Raising Public Confidence

GYLA

Events	No. of meetings	No. of attendees
Town Hall Meetings	20	270
Workshops	2	57
Roundtables	2	75
Bus tour	1	130

Liberty Institute

Publications	No. of Publications	Copies Printed	Copies Distributed
Newsletter	3	12,5000	12,500

Events	No. of Meetings	No. of Attendees
Press Club Sessions	1	24
Regional Roundtables	10	276
Debates	5	43

Ozurgeti Young Teachers Union

Events	No. of Meetings	No. of Attendees
Documentary presentation and a photo exhibition	1	150
Literary performance & discussion	2	160
Seminar for teachers (3 days)	1	26

Publications	Copies Published	Copies Distributed
Newspaper, <i>Eight+1</i>	500	500
Postcards on Children's Rights	5 X 100	500

TASK 2: Support for Legal Services and Human Rights Organizations

GYLA

	No. of Meetings	Attendance	No. of Consultations
Mobile Legal Clinic Visits	83	1,363	1,841

	Total	Civil	Criminal	Admin	Const/Strategic
No of Citizens Represented in Courts	125	19	60	39	7
No of Citizens Represented Before Administrative Agencies	37				

Clients represented before the courts and administrative agencies: 147

(Note: This number does not include two significant groups of clients who are served from the Telavi office - habitants of Telavi and Telavi pensioners)

Women	53
Men	94
Minor	7
Employed w/ Income	29
Unemployed w/o Income	118
With University Education	66
With Secondary Education	81
Georgian	133
Other Nationalities	14
Internally Displaced Persons	5
Legal Persons	7

	Total	Civil	Const/Strategic	Criminal	Administrative
New Cases	28	6	2	13	7
Court Decisions	18	5	1	10	2
Won Cases	18	5	1	10	2
Lost Cases	0	0	0	0	0
Decisions of Administrative Agencies	25				
Favorable Decisions of Administrative Agencies	19				
Unfavorable Decisions of Administrative Agencies	6				

Types of cases handled during the quarter:

Constitutional/Strategic Cases - 7

Freedom of Expression	1
Freedom of Movement	1
Property Rights & Equality Before the Law	1
Right of Privacy	0
Right to Liberty, Prohibition of Torture	3
Right to a Fair Trial	1

Administrative cases – 39

Social Security	3
Registration	2
Illegal Construction	5
Labor Disputes	3
Freedom of Information	6
Licensing	0
Tax Disputes	2
Privatization, Property Rights	5
Execution	2
Compensation for Damage Inflicted by an Administrative Agency	2
Administrative Acts and Actions of Administrative Agencies	7

Criminal cases – 60

Unlawful Detention	6
Coercive Measures	5
Violation of the Rights of Detained, Convicted Persons	25
Rehabilitation and Compensation for Damages	0
Violation of the Rights of Sentenced Persons	4
Violation of the Rights of Victims	11
Illegal Collection of Evidence	9

Crime Against Life	8
Crime Against Health	12
Economic Crime	16
Drug-related Offenses	7
Crime Against Sexual Freedom	3
Crime Against Public Security and Order	6
Crime Against Human Rights and Freedoms	4
Transport Crime	3

Crime Against the State	1
Crime Against the Military	0
Crime Against Judicial Authority	0

Civil cases – 19

Sustaining a child	9
Freedom of Speech	0
Injuries	0
Family violence	5
Eviction	5

Consultations

Total	Civil/Others	Criminal	Admin
10,268	6,754	1,709	1,805

Office	Telephone	Private	Mobile legal aid	Radio	newspapers	Total
Tbilisi		1,246	69	60		1,375
Kutaisi	1,827	2,033	656	0	31	4,547
Gori	65	1,314	254	0	0	1,633
Rustavi	302	352	266	0	0	920
Ozurgeti	63	286	126		0	475
Telavi	27	289	184	0	0	500
Dusheti	48	72	68	0	0	188
Batumi	67	345	218			630
Total	2,399	5,937	1,841	60	31	10,268

Article 42

	In Person	Telephone	Written
Number of consultations provided during the reporting period:	38	10	1

No. of Cases in Progress	53
No. of New Cases	24
No. of Cases Completed During Reporting Period	12
No. of Successfully Completed Cases	8

Nature of Cases:

(Since a case can be initiated on several counts, the total number of cases given in the statistical breakdown may be more than the number of ongoing cases)

Crime against life	2
Crime against health	5
Crime against property	3
Drug-related offenses	6
Crime against sexual freedom	2
Crime against public security and order	1
Crime against human rights and freedoms	1
Transport crime	2
Crime against the state	0
Military Crime	0
Crime against judicial authority	0

Defendant Statistics

During the reporting period, Article 42 assisted 71 people including:

Male	Female	Minor	Employed w/ Source of Financial Income	Unemployed w/o Source of Financial Income	W/ a Higher Education	W/ a Secondary Education
65	6	0	24	47	12	59

Georgian	Other Nationalities	IDPs	Convicted	Defendant	Victim
56	15	1	50	20	0

Publications

Publication	No. of Publications	No. of Copies Distributed
Newsletter #11	2,000	1,500
Newsletter #12	2,000	1,500
Newsletter #13	2,000	1,500