



# INSIDE IRIS GEORGIA

## Presentation of Anti-trafficking State Action Plan and the Ad Hoc Interagency Commission

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On February 14th 2004 the National Security Council of Georgia (NSC), with the support of IRIS Georgia, held a presentation of the Plan of Action against Trafficking in Persons (2005-2006) and the first open session of the Ad Hoc Interagency Commission against Trafficking under the Auspices of the NSC. For this event, the Marriott Tbilisi Hotel hosted Ad Hoc Commission members, the US Ambassador, the OSCE Ambassador, various diplomatic representatives, as well as local NGOs and the mass-media.



Konstantine Korkelia, Deputy Secretary of the NSC, opened the meeting and underlined the readiness of the government of Georgia and the NSC in particular to carry out urgent activities in order to eliminate TIP crime and improve state policy to combat trafficking.

Further, the State Action Plan and the functions of the Ad Hoc Commission were presented.

This Ad Hoc Commission, consisting of 19 high officials of the GoG, was created “for the purpose of effective implementation of the 2005-2006 Anti-trafficking Action Plan”. The Commission mainly consists of the Deputy Ministers, staff of the NSC and the Deputy Prosecutor General of Georgia.

“The meeting has been an effective opportunity to bring together representatives of the GoG and different organizations concerned and to present new documents translated into English and Russian,” remarked David Magradze, IRIS’s Deputy Chief of Party.



As IRIS continues its anti-trafficking activities, there will be other meetings with the NSC, NGO’s donor community members in which NGOs will have an opportunity to discuss urgent and important issues with the government as well as propose their participation in the successful implementation of the State Action Plan.

## Anti-Trafficking meeting at the National Security Council



On February 18, representatives from IRIS and the Georgian Young Lawyers' Association (GYLA) met with the Deputy Secretary of the National Security Council (NSC), Konstantine Korkelia, to discuss collaboration on current anti-trafficking in persons (TIP) efforts. During the meeting Mr. Korkelia underlined the importance of donor support, and

the support of USAID in particular, for the TIP campaign recently launched by the government of Georgia.

Different aspects of the new State Action Plan Against Trafficking in Persons were discussed during the meeting. Considerable emphasis was made on the importance of IRIS and GYLA support in implementing the referral aspect, in which anyone can refer trafficking victims to GYLA for legal assistance. GYLA's Ana Dolidze and Marina Meskhi presented their organization's current activities in general as well as the resources and capabilities that are available to expand anti-trafficking activities.

David Magradze, IRIS's Deputy Chief, emphasized IRIS's significant legal expertise and how IRIS might be able to support further development and adoption of the draft law *Prevention and Combating Trafficking in Persons and Protection, Assistance and Rehabilitation of the Victims of Trafficking in Persons*.

IRIS plans to conduct future meetings with the National Security Council in order to coordinate related anti-trafficking efforts.

## FOI training for the Ministry of Education and Science



IRIS Georgia continues its series of administrative law – related trainings for public offices. On January 29th, IRIS invited new employees from the Ministry of Education for a related training.

The main issues discussed at the training included Freedom of Information as well as rules for preparation and issuance of administrative acts.

The General Administrative Code, and related guides and checklists prepared by IRIS experts were also distributed.

## GYLA training on the new Tax Code



Lawyers, NGO representatives and other citizens frequently apply to the offices of the Georgian Young Lawyers' Association (GYLA) for tax law consultations. The new tax code has significantly modified tax rates, collection and administration.

On February 4-5, GYLA held training on the recently adopted tax code. Lawyers from GYLA's central and regional legal aid centers, economists and NGO

representatives participated in the seminar.

Zviad Rogava, a tax law expert, compared the old and new codes and explained rules and mechanisms of the recently adopted law.

Participants had an opportunity to ask questions and discuss different practical cases in which they had to find legitimate solutions under the new code.



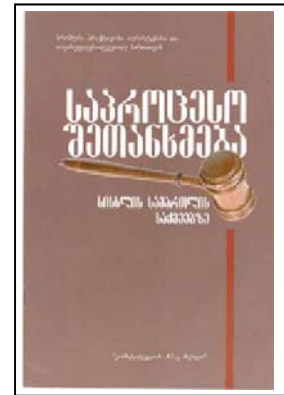
## Liberty Institute Holds Press Club on Torture



Liberty Institute held a Press Club session on January 21<sup>st</sup> to discuss 33 incidents of beating, degrading treatment and torture in December and January presented by Tea Tutberidze, a member of the Ombudsman's Office Public Review Board. Representatives of the Ministry of Internal Affairs (MIA), General Prosecutor's Office, Parliament and journalists attended the event. According to Ms Tutberidze, 14 prisoners of

N1 and N7 prisons in Tbilisi claimed to be victims of police brutality while in detention, allegedly beaten either in the MIA or police departments. Representative of the General Prosecutor's Office, Manana Tsaava, said that the Prosecutor's Office has initiated a number of criminal charges against policemen accused in violence or illegal activities. Giga Bokeria, Deputy Chairman of the Parliament Committee on Legal Issues, suggested forming an external oversight and investigative body specializing in law enforcement violations instead of the existing General Inspection operating under Prosecutor's Office.

## Brochure on Plea-Bargaining from Article 42



Since the Rose Revolution, many legislative amendments have been passed by Parliament.

An important amendment on procedural agreements was introduced to the Criminal Code of Georgia on February 13th, 2004.

Procedural agreements aim to ensure fast and effective justice, through agreements between defendants and the Prosecutor's Office. There can be a guilty plea and an agreement on sentence (*nolo contendere*).

A new brochure, pictured above, describes plea-bargaining and its essential rules and guidelines.

“This publication is meant for prosecutors and defense attorneys, as well as prisoners, in order to provide the basic understanding of plea-bargaining and to avoid incorrect interpretation of the law,” observes Dimitri Khachidze, author of the brochure and attorney with the NGO— Article 42 of the Constitution.

## Successful Legal Aid Cases with GYLA



### CASE # 1

**MK** was sentenced to 10 years of imprisonment. He had already served 7 years and became seriously ill. The right part of his body has been paralyzed due to high blood pressure. With the assistance of a GYLA lawyer, **MK** applied to the court for a pre-term conditional discharge.

In November 2004 the claim was submitted to Mtatsminda – Krtsanisi Court, concerning the health of the prisoner. The court

made a favorable decision, and **MK** was released from custody.

### CASE # 2

GYLA decided to petition against an illegal practice of the Mtatsminda-Krtsanisi regional court. Previously the court was receiving applications, complaints and claims only from 10am – 4pm daily, when a Presidential decree called for longer hours.

After interest grew in this issue and GYLA consulted with court staff, Mtatsminda – Krtsanisi court extended the period of receiving applications, complaints and cases to 5 pm.



Zurab Korganashvili

## Introducing IRIS staff

### Zurab Korganashvili, Staff Attorney

IRIS Georgia welcomed Zurab to its staff the first week of February. Zurab will serve as Staff Attorney, primarily managing the anti-trafficking component of IRIS Rule of Law Project and assisting in drafting the new Criminal Procedures Code of Georgia.

Zurab has a degree in English language from the Tbilisi State Institute of Foreign Languages, and a law degree from Tbilisi State University.

Zurab previously worked at the Constitutional Court of Georgia and in a private law office. Zurab is fluent in Russian and English.

### Schedule of February events:

<i>Date</i>	<i>Events</i>
<i>Feb 4</i>	GYLA: Seminar in Tbilisi for young lawyers on new Tax Code (through Feb 6)
<i>Feb 7</i>	GYLA: town hall meeting in Kutaisi for NGO representatives on the new Tax Code
<i>Feb 8</i>	GYLA: town hall meeting in Dusheti for general public on FOI
<i>Feb 12</i>	Ozurgeti Young Teachers Union: seminar for teachers on Children's Rights Convention (through Feb 17)
<i>Feb 14</i>	IRIS: Presentation of the GoG Anti-trafficking State Action Plan and Ad Hoc Commission
<i>Feb 15</i>	GYLA: town hall meeting in Gori for entrepreneurs and public on the new Tax Code GYLA: seminar in Kutaisi for NGOs and mass-media on ECHR (freedom of movement)
<i>Feb 18</i>	GYLA: trainings for trainers in Tbilisi on administrative procedures (through Feb 20) GYLA: town hall meeting in Rustavi for public on FOI Liberty Institute: roundtable in Gori on minority youth and cases of discrimination in local university
<i>Feb 19</i>	GYLA: town hall meeting in Batumi for public on labor rights Liberty Institute: roundtable in Akhaltsikhe on promoting law on Freedom of Expression and Press
<i>Feb 20</i>	Liberty Institute: roundtable in Kutaisi on constitutional amendments Liberty Institute: roundtable in Telavi on independence of judiciary in Kakheti region
<i>Feb 22</i>	GYLA: town hall meeting in Tskhaltubo for teachers on women's and children's rights GYLA: town hall meeting in Telavi for entrepreneurs and public on rights and obligations of taxpayers according to the new Tax Code
<i>Feb 23</i>	Liberty Institute: roundtable in Batumi on freedom of media
<i>Feb 24</i>	GYLA: town hall meeting in Telavi for lawyers on constitutional amendments and the judiciary GYLA: town hall meeting in Kutaisi for NGOs, mass-media and students on legislative amendments
<i>Feb 25</i>	Ozurgeti Young Teachers Union: photo exhibition—A child has right to live in safe atmosphere and protect his/her health
<i>Feb 28</i>	GYLA: town hall meeting in Telavi for representatives of state agencies and public on legislative innovations in the registration of property

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