



## **Government of Georgia recognized before ECtHR obstruction of journalists' activities at the June 15, 2009 rally**

On April 12, 2010 GYLA applied to ECtHR on behalf of the applicants “Studio Maestro”, journalists T.Laliashvili and S.Kapanadze and N. Inasaridze, member of the Political Party “the New Rights” (he carried out photo recording of the rally). On June 30, 2015 ECtHR rendered a judgment that was published on the web-page of the court on June 23, 2015 and the case “Studio Maestro and others vs. Georgia” has been removed from the list of pending cases.

The case concerned obstruction of journalists' activities while dispersing peaceful rally near the main division of the Ministry of Interior in Tbilisi on June 15, 2009. In particular, the applicants were not given chance to record the process, police officers have confiscated recorded materials and have damaged photo and video cameras. Further, law enforcement officers abused rally participants verbally and physically.

On June 19, 2009 T. Laliashvili, S. Kapanadze and N. Inasaridze asked the Chief Prosecutor's Office to initiate criminal proceedings about illegal conduct implemented against rally participants. Investigation continues on the case so far though applicants are not involved in the case effectively, namely they do not have a witness status. Moreover, despite numerous requests applicants were not informed about the status of investigation.

In the submitted case GYLA complained under Article 3 of the Convention (prohibition of torture), Article 10 (freedom of expression), Article 11 (freedom of assembly and

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



association), Article 13 (right to an effective remedy) and Article 1 of the first additional protocol (right to property.)

On September 15, 2014 ECtHR asked the government of Georgia submission of written recommendation in terms of Article 3 and 10 of the Convention. On March 10, 2015 the government of Georgia submitted unilateral declaration and the applicants have reached a consensus.

As per submitted declaration the government of Georgia recognized violation of the procedural part of Article 3 of the Convention in terms of N. Inasaridze and violation of Article 10 of the Convention in terms of the applicants T.Laliashvili, S.Kapanadze and N. Inasaridze, since they failed to carry out journalistic activities during the June 15, 2009 rally.

In the framework of submitted declaration, the government of Georgia undertook an obligation to carry out effective investigation on the fact of ill-treating and obstructing journalist in exercise of their journalistic activities. In addition, the state undertook obligation to provide compensation to the applicants.

The Committee of Ministers of the Council of Europe will carry out supervision on the execution of the judgment. GYLA, as the applicant  representative will closely monitor the execution process.