

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



## Successfully Litigated Cases in May

**With GYLA's assistance, criminal persecution was terminated against the juvenile offender**

Minor G.S. was accused of assistance in theft. Prosecution motioned in court for application of GEL 5000 as preventive measure. GYLA's Tbilisi lawyer did not agree with prosecution's preventive measure and motioned for application of personal guarantee. Tbilisi City Court satisfied lawyer's motion and applied personal guarantee in G.S.'s case. Afterwards, prosecution terminated criminal proceeding and made diversion agreement. As a result, our beneficiary was ordered to participate in various educational events.

## **With assistance from GYLA's Kutaisi branch several individuals were relieved from administrative liability**

- With assistance from GYLA's lawyer, V.A. and I.K. were relieved from payment of imposed fine for violation of traffic rules;
- GYLA's lawyer represented in the court M.S.'s interests. By the November 16, 2013 decision Kutaisi City Court found him administrative offender and fined with GEL 1000 for failure to appear before the enlistment commission trying to avoid military service. With assistance from GYLA's Kutaisi branch, M.S. challenged the decision in Kutaisi Appellate Court. On the decision of Administrative Chamber of the same court M.S. was relieved from administrative liability and received only verbal reprimand.
- With GYLA's assistance, upon the decision of Sachkhere regional court, "Broadcasting TV Imervision" LLC was relieved from administrative liability and received only verbal reprimand. The Company failed to submit information about the offered schedule for commercial pre-election advertisement and its tariff before the National Communication Commission 55 days prior to self-governance elections. On May 14, 2014 the commission drafted the protocol of administrative offence as per Para 1, Article 83 of the Election Code of Georgia (Placement of political/election advertising in violation of requirements of law). The commission sent the protocol of administrative offence in Sachkhere regional court. The court fully upheld position of our lawyers that aforementioned media outlet has committed minor administrative violation.

## **With GYLA's Assistance, an IDP received housing space in Tbilisi**

Lawyer of GYLA's Tbilisi Office represented N.Ch's interests. For years he has lived in abandoned guard booth, that failed to meet minimal standards for adequate housing. In August 2013 he filed the application with a view to receive housing according to criteria. In December 2013, the Ministry of Internally Displaced Persons from the Occupied Territories of Georgia, Accommodation and Refugees informed in its letter that his score was 6, that was insufficient for receiving the housing. The decision of the Ministry was challenged before the Minister, who did not satisfy the complaint as well. Ultimately, the claim was submitted to the court. Later on, N.Ch. received

information from the Ministry that granted scores were increased from 6 to 10. Consequently, on May 29, 2014 N.Ch. received housing in Tbilisi.

### **With GYLA's assistance the individual was considered owner of the land plot**

Lawyer of GYLA's Kutaisi branch provided court representation to J.Sh. who had registered 600 square meters of land plot in public register with undetermined cadastral data. Later on, he became aware that his land plot was registered as state ownership and further considered as the property of "Agrometer" LLC.

With assistance of GYLA's Kutaisi branch, J.Sh applied to Zugdidi regional court for protection of his rights. On May 13, 2014 the court approved settlement act between the parties and J.Sh. was considered owner of other real property of "Agrometer" LLC with the same space and value, in exchange to his former one.

### **With GYLA's assistance the perpetrator was prohibited to inflict verbal, physical and pshycological violance upon the victim of domestic violence**

On May 14, 2014 Rustavi City Court satisfied claim of the victim of domestic violence E.N. about issuing protective order. The facts of E.N.'s abuse from the side of her ex-husband was confirmed at the trial. Rustavi city court made decision about issuing protective order against the perpetrator and on the basis of court decision he was prohibited to inflict verbal, physical and psychological violence, as well as to approach her house and working place and to communicate with her on the phone. Protective order was issued for 4 months term. The perpetrator did not appeal the decision of Rustavi city court.

### **With assistance from GYLA's Ajara branch, the individual was relieved from illegally imposed penalty**

GYLA's Adjara branch represented N.D.'s interests in Batumi City Court, fined GEL 3000 by the monitoring service of Batumi City Hall. Even though N.D. possessed construction license, he was fined by the City Hall for illegally implemented construction on the house owned by him.

At the merit hearing, the respondent administrative body (Tbilisi City Hall) invalidated

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the act on N.D.'s penalization. Accordingly, he was relieved from illegally imposed penalty and the court terminated proceeding.