

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Due to the changes in the legislation illegal eviction of IDPs from collective centres is prohibited

Acute reaction of the society and state structures was caused by eviction of IDPs from the collective center "Specavtomeurneoba" (former auto engineering plant) located in Vazisubani executed by police on April 24, 2007. To address this issue Georgian Young Lawyers Association conducted legislative analysis of the case and identified legislative gap, that constituted ground for this eviction. Consequently, GYLA has elaborated relevant recommendations and forwarded to the Ministry of Interior Affairs.

According to the presidential and ministerial instructions identified gap was bridged.

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This change provides for protection of rights of IDPs residing and registered in collective centres and prevents from possibility of unlawful eviction

Before this change took effect ministerial decree # 495 adopted on March 31 2007 [] the interdicting measures against the real estate ownership impingement A enabled police to evict inhabitants from the building upon owners request unless inhabitants could provide lawful documents on ownership and/or usage. The subparagraph []A of the article 4 in the decree specifying the list of the mentioned documents did not include IDP identity card or certificate of residence of IDPs. This served as enabling factor to evict IDPs from the collective centre.

On May 8th 2007 Georgian Young Lawyers Association appealed to the Ministry of Interior Affairs of Georgia and the Ministry of Refugees and Accomodation of Georgia to ammend the above mentioned ministerial decree to prevent similar violation of IDP rights in the future.

The Ministries responded to the apeal and informed GYLA that legislative changes were underway. The follow up ministerial decree (747 from 24/05/07) that was issued according to the presidential decree # 317 from 21st of May, 2007 added IDP/refugee card or temporary residence certificate to the list of documents, that could prevent from eviction from the collective centre. More than that the same follow up decree provides for the requirement for the owners of the collective centres to obtain information on the residence of collective centres form MRA prior to requesting the eviction by the police.

Georgian Young Lawyers Accosiation welcomes this ammendment and expresses readiness to cooperate with relevant institutions and persons to avoid illgal eviction of IDPs from collective centres.