

Information Documents

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Compliance with commitments and obligations: the situation in Georgia

Six-monthly Report prepared by the Directorate of Strategic Planning (DSP) (January - June 2003)

### **Executive summary**

**Preparation of parliamentary elections and formulation of legislative and institutional framework**

**thereof:** efforts have been made by the authorities, notably as concerns the revision of the voters' lists. However, little progress has been made with respect to the composition of the Central Electoral Commission. The present deadlock at parliamentary level is a serious obstacle to the process. A speedy solution is thus required, with possible Council of Europe assistance.

**Functioning of the judicial system and law-enforcement agencies:** legislative measures are being pursued. Major pieces of legislation are currently being examined by Council of Europe experts while the draft law on the Prosecutor General's Office has still not been received by the Council of Europe. In practice, apparent impunity and lack of proper prosecution of criminal acts remain a major problem.

**The fight against corruption:** The Civil Law Corruption Convention was ratified on 22 May 2003. A law against money laundering was recently adopted, although the Georgian Parliament did not take into account all Council of Europe recommendations. There is still little in terms of concrete results in the fight against corruption.

**Proposals by the Secretary General:** The regular monitoring of Georgia's respect of its commitments and obligations should continue to focus in the next 6 month period on the three priority areas identified by the Committee of Ministers, i.e. parliamentary elections, functioning of the judiciary and law-enforcement agencies and the fight against corruption.

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## I. INTRODUCTION

1. In January 2003, the Committee of Ministers examined a report on Georgia's compliance with commitments and obligations, following a Secretariat delegation (DSP) visit to Tbilisi in December 2002 [doc. SG/INF(2003)1]. As a result of this examination, the Committee of Ministers "noted that there was agreement on ensuring regular monitoring of Georgia's respect of its obligations and commitments on the basis of proposals by the Secretary General" [CM 826<sup>th</sup> meeting, 5 February 2003, item 2.1 a].
2. On the basis of proposals by the Secretary General, it was subsequently agreed that for the first six-month period (January-July 2003) this regular monitoring would concentrate on three priority areas, namely preparations for the parliamentary elections to be held in the autumn and the associated legislation and institutional arrangements, the functioning of the judiciary and law enforcement agencies, and combating corruption.
3. With a view to preparing the first evaluation of developments in the three priority areas, a Secretariat delegation (DSP) visited Georgia on 28-31 May 2003, in connection with the first meeting of the recently concluded Joint Programme between the Council of Europe and the European Commission to strengthen local and regional democracy, human rights protection mechanisms and the rule of law in Georgia (see internet site: <http://jp.coe.int>). Most activities undertaken in the framework of the Joint Programme are relevant for the main issues considered in the context of the monitoring procedure and the potential contribution of the Joint Programme to the solution of some of the major issues identified in the context of this procedure cannot be over-estimated.
4. The programme of the Secretariat's visit can be found in Appendix I. The Secretariat expresses its gratitude to the Georgian authorities for their co-operation and openness in providing all necessary information and assistance in this mission. The Special Representative of the Secretary General (SRSG) and the Tbilisi Information Office made a significant contribution before and during the visit. All interlocutors in Tbilisi – the national authorities or representatives of the international community – have welcomed the nomination of an SRSG and praised the work undertaken by Mr Plamen Nikolov during the last 6 months. Undeniably, the presence of an SRSG in Tbilisi has contributed to increasing the level, visibility and relevance of the Council of Europe's action in Georgia.
5. Based on the conclusions and recommendations included in the first monitoring report [doc. SG/INF (2003) 1], the present report aims to present recent developments over the last 6 months in the priority areas identified by the Committee of Ministers: elections, judiciary and law-enforcement, corruption. It does not aim to provide a full picture of the state of play in the fulfilment of all commitments and obligations undertaken by Georgia when joining the Council of Europe. The present report touches

## **II. PREPARATION OF PARLIAMENTARY ELECTIONS AND FORMULATION OF LEGISLATIVE AND INSTITUTIONAL FRAMEWORK THEREOF**

6. The Georgian authorities are particularly aware of the necessity to take all measures that could ensure credible and transparent parliamentary elections, now scheduled for 2 November 2003. In this connection, the Secretary General has proposed an Action Plan of measures to assist in the preparation of the forthcoming elections. These proposals concern various aspects of the electoral process: legislative framework, functioning of electoral commissions, media coverage of electoral process, promotion of participation, etc. All interlocutors met by the Secretariat delegation were aware that failure to comply with European standards in this respect would certainly affect relations between the Council of Europe and Georgia as it would constitute a breach of commitments accepted by all member States. Five specific issues were mentioned in document SG/Inf(2003)1, which deserved particular attention and concrete action by the Georgian authorities: the composition and functioning of the Central Electoral Commission, the revision of the registration of voters, access to media during the electoral campaign, control of the counting of votes and international observation of the electoral process.
7. Aware of their responsibilities, the authorities have undertaken a number of steps since February 2003 in the context of the preparation for the parliamentary elections.

### Composition and functioning of the Central Electoral Commission

8. Following heavy criticism expressed after previous parliamentary and local elections, there is a consensus on the need to amend the Unified Electoral Code (UEC) and to change the composition of the Central Electoral Commission (CEC). However, less than five months before the elections, no major breakthrough has been achieved by the various political forces in Parliament as they failed to reach an agreement on the composition of the CEC. If no agreement can be found to adopt the draft amendments to the Code, the existing legislation would remain in force.
9. Since early June, the situation has become extremely tense as a number of factions have boycotted the plenary sessions of the Georgian Parliament and public demonstrations have taken place. In this context, seven members of the CEC, including the Chairman, resigned. A speedy solution should be found on this matter. Given the extreme polarisation of political debate, the issue might otherwise get out of control. The Speaker of the Parliament expressed the wish that assistance be provided by the Council of Europe's Venice Commission by way of expert opinions on the UEC.

**Specific concerns and proposals**

*There is a pressing need for a speedy revision of the Electoral Code, in particular concerning the composition of the CEC, possibly with the assistance of the Council of Europe's Venice Commission.*

*The Georgian authorities should make maximum use of the Secretary General's action plan for the elections.*

***Revision of the registration of voters***

10. In early 2003, the authorities examined a number of proposals and subsequent efforts have been made to compile and to improve the accuracy of the voters' lists. Political forces from all sides in Parliament generally agree with the revision of the voter registration. For instance, it was agreed that complementary voter lists be abolished as the opposition has long argued that these lists can be manipulated more easily. However, it should be noted that the registration of voters is seen as an issue related to the composition of the CEC. With this in mind, the procedure to be followed by the authorities can be divided into several stages:
  - Initial collection of data on voters (February-May 2003), completed;
  - Computerisation of the collected data and introduction of subsequent initial corrections (June-August 2003);
  - Publication of the corrected data and monitoring by external partners and citizens (September 2003);
  - Preparation of the final voter lists (October 2003).
11. As concerns the collection of voter data, the authorities examined two main options. The first, which was favoured by most of the opposition forces, consisted of having data collected by independent trusted organisations. The funding of such a process would have been secured by external sources. The authorities opted for the second possibility, i.e. compilation of data by relevant ministries, in particular the Ministry of the Interior, as well as local self-government agencies according to the citizens' place of registration through a door-to-door verification. The authorities indeed considered that the first option, given the short time remaining before the parliamentary elections, would not have brought particular added value compared to the use and up-dating of the existing official data. However, international partners and local NGOs particularly regretted that the first option was not retained as, according to them, this would have contributed to the collection of more accurate information on voters and their actual place of residence.
12. International partners regretted that the authorities finally decided not to issue ID documents free of charge for all citizens who did not have appropriate documents, although this also would have facilitated registration. The Secretariat delegation was told that there remains a significant number of Georgians who do not possess adequate ID papers.

The authorities indicated that issuing ID documents free of charge would represent a serious financial burden upon public funds. The authorities underlined the fact that persons with Soviet passports will be able to vote. It was also stated that Georgian citizens abroad have been registered.

13. Once compiled, the voter data was presented to representatives of international organisations, NGOs and the media on 3 June 2003. The number of voters amount to about 3,200,000, including 700,000 in Tbilisi. External partners and NGOs claim that these figures appear to be excessively high compared to the actual Georgian population and – as far as the Secretariat delegation was told – the proportion of errors may amount to 40%. The authorities themselves evaluated the margin of error to be some 10%. They also remarked that later stages of the process permit identification of errors and subsequent corrections. The Secretariat delegation was informed that, during the summer, relevant NGOs would undertake a sampling of the data provided by the authorities in order to check its accuracy.
14. As concerns data computerisation, the authorities benefit from technical assistance from external partners. As concerns Tbilisi, the data is already computerised. It was emphasised that this process would eliminate a certain number of mistakes, such as double registration.
15. The lists will be published on 1 September. From 1 September to 1 October, corrections should be introduced by the CEC. From 1 October to 1 November, final changes can be made through courts, which should decide within 3 days.
16. In parallel to this process, anti-fraud measures should be introduced by the authorities. In the light of the recommendations of the OSCE Organisation for Democratic Institutions and Human Rights (ODHIR), draft amendments to the UEC provide that indelible ink shall be used in order to prevent potential multiple voting. Voters would be marked with indelible ink before receiving a ballot paper. Likewise, the authorities proposed to criminalise bribing of voters.

#### **Specific concerns and proposals**

*Maximum publicity should be given to the voters' lists in order to enable NGOs to monitor their accuracy. If and when possible, the computerised data should be put on the Internet.*

#### *Access to media during the electoral campaign*

17. In February 2003, the Georgian authorities authorised declassification of the Report of the Secretary General's experts in the context of the Committee of Ministers' specific action in connection to its thematic monitoring on freedom of expression and information in all member States. Further to their visit to Tbilisi in 2002, the experts concluded that the future

elections “*will provide stern tests of the freedom of the Georgian media and of what today appears to be a very ambivalent commitment on the part of Government to strong and independent media. Without further significant change, [the experts] are not persuaded that these tests will be passed*”. Little progress has been registered in this respect.

18. In 2003, Council of Europe media experts recommended the adoption of broadcasting legislation covering both the private and public media before September 2003, but clearly indicated that it would be preferable if this law be adopted before the summer break, bearing in mind that the implementation of the law should start without delay. Nevertheless, the draft law has still not been adopted by the Government nor submitted to the Parliament (for more details, see doc. [ATCM\(2003\)004rev](#)).
19. Although the Secretary General’s experts on freedom of expression had already emphasised in 2002 that the draft Law on Freedom of Press and Speech should be adopted as soon as possible, the text is still pending before Parliament (for more detailed information, see doc. CM/Monitor(2002)17).
20. In the context of media pluralism, there is a growing tension between the media community and the authorities at all levels, which is exacerbated by a lack of professionalism and affiliation to particular political interests.

#### **Specific concerns and proposals**

*An adequate legislative framework for the activities of the media is still lacking. It is absolutely necessary to adopt this legislation in good time before the elections.*

*Further efforts should be made by the media community to implement ethical principles, in particular in the context of the election campaign.*

#### ***Control of the counting of votes***

21. Concerns have been expressed about possible falsification of data in the course of counting of votes in districts. The authorities indicated that the final count would take place at the level of the CEC due to the proportional system. They assured the Secretariat delegation that detailed results of elections will be published at each polling station for the sake of control.

#### **Specific concerns and proposals**

*The Georgian authorities should secure counting and publication of the results of the elections in each polling station.*

International observation of the electoral process

22. The Georgian Ministry of Foreign Affairs has invited observers from various international organisations and states. The Speaker of the Parliament expressed the hope that a large number of national and international observers be involved in the electoral process with a view to ensuring more transparent elections.

#### **Specific concerns and proposals**

*Modalities of observation of the parliamentary elections is a matter to be dealt with by the PACE delegation.*

### **III. FUNCTIONING OF THE JUDICIAL SYSTEM AND LAW-ENFORCEMENT AGENCIES**

#### **Key legislative measures**

23. The draft Code of Criminal Procedure, the draft Law on Police and the draft Law on the Prosecutor General's Office constitute different but inter-related aspects of the same reform package, following the 'Concept' elaborated by the then Inter-Agency Commission headed by the President of the Supreme Court, Mr Lado Chanturia. The drafts of the Code of Criminal Procedure and the Law on Police were transmitted to the Council of Europe for appraisal in May 2003. Other institutions are also expected to provide expert opinions on the draft Code of Criminal Procedure. A consultation should take place in the near future in order to ensure a coherent approach.
24. However, the draft Law on the Prosecutor General's Office, which remains a central element of the reform concept, has still not been transmitted to the Council of Europe for expert advice.
25. As concerns the existing Code of Criminal Procedure (see doc. SG/Inf(2003)1, Part II.B.iii), amendments introduced by the Ministry of the Interior restricting access to legal assistance and pertaining to aspects of detention on remand were declared unconstitutional by the Georgian Constitutional Court on 29 January 2003, following an application lodged by the Public Defender. The Court set a deadline of 1 May 2003 for the necessary amendments to the legislation to be made. Although the authorities have to act in accordance with the Court's decision, relevant legislative changes are still expected.
26. According to the Georgian authorities, amendments to the Criminal Code were proposed by the Ministry of Justice with a view to including new crimes in the legislation in accordance with international legal instruments relating to non-discrimination, the fight against organised crime as well as the prevention of torture. On 6 June, the Parliament adopted some amendments, notably as concerns racial discrimination and trafficking in human beings.



**Specific concerns and proposals**

*The draft Law on the Prosecutor General's Office should be submitted to the Council of Europe for expert appraisal as soon as possible.*

27. The draft Law on the National School of Judges was transmitted to the Council of Europe and was given a positive appraisal by Council of Europe experts.

***Practical measures to fight against impunity***

28. The Secretariat delegation underlined that the fight against impunity remains a key priority to be dealt with urgently by the Georgian authorities. However, little progress has been made in this regard. The trial of defrocked priest Mkalavishvili illustrates this situation. Dozens of hearings have taken place since the beginning of the trial without any concrete results. The Secretariat delegation was told that Mkalavishvili's followers have continued to intimidate and harass victims, witnesses and even trial observers without appropriate reaction from representatives of the judiciary, relevant police and security forces. However, the Prosecutor General underlined that his Office has made all possible efforts and requested a warrant from the courts for the arrest of the defrocked priest. It is most welcome that the Prosecutor General's persistence resulted in a step forward a few days after the visit when the Vake-Saburtalo District Court finally decided – *in camera* – that former priest Mkalavishvili be placed on pre-trial detention for three months. It is of the utmost importance that the court's decision be executed and that all measures be undertaken to protect victims and witnesses and maintain order throughout the judicial proceedings.
29. This trial is seen as a test of the ability and willingness of the authorities to fight against impunity, notably in the context of the deteriorating situation with regard to addressing acts of religious intolerance (in this connection, see para. 38).
30. The Prosecutor General's Office initiated criminal cases against MPs and has asked the Georgian Parliament to lift their immunity. One of the suspected MPs claimed that the prosecution is connected with the pre-election campaign. However, the Prosecutor General assured the Secretariat delegation that he has not received any instruction and that these cases are clearly connected to criminal matters.

**Specific concerns and proposals**

*An atmosphere of impunity persists, in particular as concerns acts of intolerance committed out of a misguided patriotism. In this context, the law-enforcement agencies still seem to be incapable of protecting the exercise of basic freedoms and*

*rights as guaranteed by the European Convention on Human Rights, such as the right to freedom of peaceful assembly and to freedom of association and freedom of conscience and religion.*

### ***Independence of the judiciary and fair trial***

31. In addition to the above-mentioned concern, several interlocutors remarked that there are growing threats against the independence of the judiciary. Some media – under the influence of various political and other forces – exert pressure on judges, notably by sometimes questioning their integrity (cases of corruption) and when broadcasting live court proceedings (including interviews of detainees during court proceedings). It should be noted that the European Court of Human Rights recognised that the judiciary can indeed be protected against destructive attacks, which are essentially unfounded, particularly since judges have a duty of discretion that prevents them from replying.
32. At the same time, it should also be stressed that, according to the Strasbourg Court, the public must have information on the functioning of the judiciary, which is an essential institution for any democratic society. The press is one of the means by which politicians and public opinion can verify that judges are discharging their heavy responsibilities in a manner that is in conformity with the task entrusted to them (for more details, see doc. Monitor/Inf(2003)3 and CM/Monitor(2002)17). In March 2003, the International Press Institute expressed its concern at the decision of the Supreme Court to call for a criminal inquiry into the news programme “60 Minutes”, broadcast on the Tbilisi-based television station *Rustavi 2*, due to its reports on corruption in the judiciary and the police (see [IPI open letter](#), dated 27 March 2003). Even if the judiciary has to be protected against undue interference, this should not be used as a pretext to hamper media freedoms and investigative journalism. At the same time, concrete implementation of ethical principles could be a very positive step to improving the relationship between the judiciary and the media (see also doc. CM/Monitor(2002)17 in this respect).
33. Some interlocutors indicated that there was some one-sided coverage of trials due to particular arrangements between one side and media companies. The Strasbourg Court is again particularly rigorous in supervising press coverage of trials (for more details, see doc. Monitor/Inf(2003)3).

### **Specific concerns and proposals**

*Legislative measures should be speedily undertaken to secure the independent functioning of the judiciary, notably as concerns irremovability and life-tenure of judges.*

*The whole media community should secure an effective implementation of ethical principles in its relations with the judiciary.*

### ***Prevention of torture and penitentiary system***

34. Some progress was noticed in the previous report. However, the follow-up response providing a full account of the action taken to implement the recommendations of the European Committee for the Prevention of Torture (CPT) has still not been received (see doc. SG/Inf(2003)1, para. 42). The authorities indicated that it is being translated into English and should be transmitted by the end of June 2003. On 6 June, the Parliament adopted amendments to the Law on Imprisonment.

#### **Specific concerns and proposals**

*The Georgian authorities' response to the CPT as concerns action taken to implement the Committee's recommendations is still expected.*

## **IV. THE FIGHT AGAINST CORRUPTION**

35. Despite the authorities' willingness to fight corruption, there is no substantial progress in this respect. Georgia has still not submitted its report on the implementation of the GRECO recommendations. The authorities however indicated that the Council of Europe Secretariat should receive it by August 2003.
36. Georgia's commitment to sign and ratify the European Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (ETS 141), within three years after its accession to the Council of Europe, has still not been fulfilled. It however ratified the Civil Law Convention on Corruption on 22 May 2003. On 6 June, the Parliament adopted an anti-money laundering law. However, in spite of assurances given to MONEYVAL experts, a number of Council of Europe recommendations were not taken into account in the adopted text.
37. The Anti-Corruption Bureau should play a key role in mobilising the authorities in the fight against corruption. Despite the goodwill expressed, there is still little concrete evidence of action to date.

#### **Specific concerns and proposals**

*The Signature and ratification of the European Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (ETS 141) are still expected.*

*The new Law on Money Laundering should be revised in order to take into full account the Council of Europe experts' opinion.*

*The Georgian authorities' report on the implementation of GRECO recommendations is still expected.*

## **V. OTHER IMPORTANT MATTERS**

### **A. FREEDOM OF CONSCIENCE AND RELIGION**

38. The situation in Georgia gives rise to growing concern in this respect. The Secretariat delegation was informed that – despite the traditional culture of tolerance in Georgia, which was confirmed by the Patriarch of the Georgian Orthodox Church – there are increasing manifestations of intolerance and attacks against various churches (Baptist, Pentecostal, as well as Jehovah's Witnesses). In spite of the assurances given by the Patriarch of the Georgian Orthodox Church on the political neutrality of the Church, it is regrettable that members of the clergy were allegedly involved in such acts of intolerance. According to reliable sources, this is the result of a very low level of education.
39. Many interlocutors agreed that there is a need for an urgent and firmer commitment from the executive, legislative and judicial branches of power and for concrete action in addition to President Shevardnadze's relevant decrees in respect of human rights. The President's personal involvement in the ecumenical service of March 2003 is to be praised. However, the absence of most political leaders from the majority and the opposition at the same service did not go unnoticed (see, in this connection, paras 28 and 29).
40. As concerns legislative measures, the draft Law on Freedom of Conscience and Religious Entities was submitted to the Council of Europe for expert appraisal in June 2003 (see doc. SG/Inf(2003)1, para. 69).
41. It should be recalled that the Committee of Ministers will discuss progress achieved in all member States, including Georgia, on freedom of conscience and religion under its thematic monitoring procedure on 3 July 2003.

### **B. NATIONAL MINORITIES**

42. No major breakthrough has been achieved in the process of ratification of the Framework Convention for the Protection of National Minorities, notably due to resistance met in Parliament.

#### **Specific concerns and proposals**

*Ratification of the Framework Convention on National Minorities is still expected.*

### **C. REPATRIATION OF DEPORTED PERSONS DURING THE PERIOD 1940-1944**

43. The Secretariat still expects a new version of the draft Law on Repatriation of Formerly Deported People since the expert discussion of April 2002.

**Specific concerns and proposals**

*The revised text of the draft Law is still expected.*

**D. REVIEW OF CASES OF PERSONS DETAINED OR CONVICTED IN THE CONTEXT OF THE POLITICAL UPHEAVALS OF 1991-1992**

44. According to the information provided by the President of the Supreme Court, all cases have now been reviewed. In several cases, the review led to a reduction of the initial sentence (see Appendix II).

**Specific concerns and proposals**

*This issue could be considered as settled.*

**VI. CONCLUSIONS AND PROPOSALS**

**A. Conclusions**

45. Although the Georgian authorities have had to face a number of difficulties in tackling priority issues, efforts have been made since January 2003, in particular as regards preparation of the forthcoming parliamentary elections. All interlocutors met by the Secretariat delegation considered that the holding of parliamentary elections in accordance with European democratic standards was Georgia's top priority, which – to a certain extent – slowed down actions to be undertaken in other priority areas.
46. Likewise, in the pre-election period, the fight against impunity, with particular emphasis on the spread of acts of violence and intimidation against minority religious groups that directly contrast with a Georgian tradition of tolerance, is of particular concern and should also be tackled by Georgia as a matter of urgency.

**B. Proposal**

47. Bearing in mind the parliamentary elections of 2 November 2003, the Secretary General proposes that the Ministers' Deputies regular monitoring of Georgia's respect of its obligations and commitments should continue to focus on the three priority areas already identified by the Committee of Ministers for the next 6 month period:
- The preparation and holding of the parliamentary elections and formulation of legislative and institutional framework thereof;

- The functioning of the judicial system and law-enforcement agencies, with particular emphasis on the fight against impunity (notably as regards acts of religious intolerance);
- The fight against corruption.

## Appendix I

### Programme of the visit to Tbilisi (28-31 May 2003)

#### Wednesday, 28 May 2003

2.00 am	Arrival in Tbilisi
9.30am – 1.45 pm	Steering Committee Meeting, EC/CoE JP for Georgia
2.00 – 3.00 pm	Meeting with Ms Dana Devdariani, Public Defender of Georgia
3.00 – 6.00 pm	Steering Committee Meeting (continued)
6.30 – 7.30 pm	Meeting with Mr. Roland Giligashvili, Minister of Justice of Georgia

#### Thursday, 29 May 2003

[9.30 am – 1.00 pm	2 <sup>nd</sup> Steering Committee Meeting, EC/CoE JP for South Caucasus]
1.00 – 2.30 pm	Working lunch with Mr. M. Kakabadze, Minister for Special Affairs of Georgia
[3.00 – 6.00 pm	Steering Committee Meeting (continued)]
6.00 – 7.00 pm	Meeting with Mr. Shota Asatiani, Deputy Minister of Internal Affairs of Georgia
7.00 – 8.30 pm	Reception offered at the Council of Europe Office

#### Friday, 30 May 2003

10.00 am	<b>Meeting with Mr. David Avery (UNDP) and Mr. S. Puzina (IFES)</b>
10.40 – 11.30 am	Meeting with Mr. Nugzar Gabrichidze, General Prosecutor of Georgia
11.30 am – 12.00 pm	Meeting with Mr. Vladimir Ugulava, Director of the Anti-corruption Bureau of Georgia
12.00 – 1.00 pm	Meeting with Mrs. Nino Burjanadze, Chairperson of the Parliament of Georgia
1.00 – 2.45 pm	<i>Working lunch with Mr. H. Molenaar, Ambassador of the Kingdom of the Netherlands (Chair of OSCE and representing the Chair of the CoE Committee of</i>

*Ministers) and Ambassador Lacombe, Head of OSCE Mission**to Georgia*

- |                |   |
|----------------|---|
| 3.00 – 4.15 pm | Meeting with Mr. Lado Chanturia, President of the Supreme Court of Georgia                                      |
| 4.30 – 6.15 pm | Meeting at the State Chancellery with Ms M. Tsatsanashvili, Parliamentary Secretary of the President of Georgia |
| 6.30 – 7.30 pm | Meeting with Mr. Shota Dogonadze, Deputy Minister of Foreign Affairs of Georgia                                 |
| 8.00 pm        | Dinner hosted by the Ministry of Foreign Affairs of Georgia   |

***Saturday, 31 May 2003***

- |                        |  |
|------------------------|--|
| <b>9.00 – 10.00 am</b> | <b>Meeting with Mr. L. Ramishvili and Mr. G. Bukeria, Liberty Institute</b>  |
| 10.00 – 11.00 am       | Meeting with Mr. A. Andersen, Human Rights Watch   |
| 11.00 am – 12.00 pm    | Meeting with representatives of Jehovah's Witnesses  |
| 12.00 – 1.00 pm        | Meeting with HH The Catholicos Patriarch ILIA II, Patriarch of the Georgian Orthodox Church  |
| 1.00 – 2.30 pm         | Lunch with Mr. L. Chanturia, Chairman of the Supreme Court of Georgia  |
| 3.00 – 5.00 pm         | Meeting with Human Dimension Officials, OSCE Mission to Georgia  |
| 6.00 – 7.30 pm         | Meeting with representatives of various Churches – Orthodox Church of Georgia, Baptist Church, Lutheran Church, Evangelist Church, Armenian Church |

***Sunday, 1 June 2003***

- |         |                        |
|---------|------------------------|
| 8.30 am | Departure from Tbilisi |
|---------|------------------------|



## Appendix II

### Cases of persons detained or convicted in the context of the political upheavals of 1991-1992 Information provided by the Georgian authorities

#### CASES REVIEWED BY THE MEDIATION OF THE PARLIAMENT

**10.05.2001**

1. 17<sup>th</sup> mediation – Mr. Jemal Okujava – Bibilashvili (Defense lawyer)  
Qualification has been changed and subsequently was released immediately

**6.06.2001**

2. 8<sup>th</sup> mediation – Mr. Mamuka Gvasalia – Gvenetadze (Defense lawyer)  
The term was reduced to 4 years

**7.06.2001**

3. 13<sup>th</sup> mediation – Mr. Nodar Kvaratskhelia – Bibilashvili (Defense lawyer)  
The sentence from Zugdidi remained unchanged

**13.06.2001**

4. 31<sup>st</sup> mediation – Mr. Zurab Jejeia – Borchkhadze (Defense lawyer)  
The sentence has been changed and the term was reduced to 6 years

**27.06.2001**

5. 5<sup>th</sup> mediation – Mr. Aleko Bulia – Gvenetadze (Defense lawyer)  
The sentence has been changed in the qualification part – article 228 has been brought into accordance with Part 239-I article 105. The accusation part remained unchanged

**4.07.2001**

6. 21<sup>st</sup> mediation – Mr. Zurab Sordia – Bibilashvili (Defense lawyer)  
The sentence remained unchanged

7. 24<sup>th</sup> mediation – Mr. Zaza Chikovani – Borchkhadze (Defense lawyer)  
The sentence has been changed in the qualification and punishment part. The accusation was reviewed under article 105. The term was reduced to 8 years.

**9.07.2001**

8. 2<sup>nd</sup> mediation – Mr. Ruslan Arziani – Borchkhadze (Defense lawyer)  
The sentence remained unchanged

**10.07.2001**

9. 22<sup>nd</sup> mediation – Mr. Besik Pipia – Isaev (Defense lawyer)  
Was brought into accordance with the new code

**18.07.2001**

10. 27<sup>th</sup> mediation – Mr. Dato Shurgaia – Bibilashvili (Defense lawyer)  
The sentence has been changed in the punishment part and the term has been reduced to 7 years

**25.07.2001**

11. 20<sup>th</sup> mediation – Mr. David Svanidze – Gvenetadze (Defense lawyer)  
The sentence remained unchanged

**1.08.2001**

12. 30<sup>th</sup> mediation – Mr. Goderdzi Khvitia – Isaev (Defense lawyer)  
Was brought into accordance with the new code and the term was reduced to 6 years

