

Georgian Young Lawyers Association (GYLA)

Paul van Tongeren and Matilda Nahabedian

In December 2003, after a peaceful revolution, the corrupt regime of President Shevernadze fell. Oxfam Novib's counterpart the Georgian Young Lawyers Association (GYLA) was one of the organisations underpinning the public protest. It followed and monitored the elections critically, challenged and condemned the corruption of the regime, and encouraged people to act.

GYLA sent 200 people to several key regions of Georgia in order to follow the developments during the elections. The abuse and arrest of some of these observers led to a wave of protest on the part of the local population. In one of Shevernadze's crucial regions, GYLA registered many election irregularities, and they won the case in the court. The pronouncement of the court decision was shown live on TV; the decision of the court spread quickly to the other regions, where it had a big impact. At the moment of the president's resignation, GYLA was busy preparing the documents for the transfer of power to the interim president. GYLA helped not only the public victory in the streets, but also made a significant contribution to the judicial underpinning of the 'Rose Revolution'.

In December 2006, Oxfam Novib interviewed Zurab Burduli, Director and co-founder of GYLA. 'We were established in 1992. We now have about 1,000 affiliated lawyers. We give free legal advice to people who cannot afford it, help them with court cases and make them aware of their rights. We reach people in the whole country, including villages and remote areas. One of the most important things we do is to follow the development of Georgian democracy critically, the new government and the process of rebuilding our country. You could call us a watchdog.'

After the Rose Revolution, the legal system of Georgia was a shambles. According to Burduli, 'Corruption was widespread, even among judges and lawyers. Judges were associated with injustice and cruelty. The legal system was based on the old Soviet principles and was in fact an extension of the President, as was the Parliament. We at GYLA wanted to show that there are good lawyers, who believe in democracy. Lawyers have an important role to play in rebuilding our land, not only in relation to the law but also more broadly. We want to challenge the corruption and to ensure that democratic change in Georgia remains on track. We monitor elections, under the new government, just as we did at the time of Shevernadze. Under Saakashvili, a new constitution was developed which gives the president almost absolute power. The Parliament is made up almost exclusively of his supporters. The presidential and parliamentary elections were held on the same day, to reduce costs.

This seems logical but we are concerned that in this way one party may gain too much power.'

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'We try to change practices. In the past, the police could pick people up and detain them for 12 hours without an official complaint or procedure; it was allowed under the law. In the first few hours, people were often subjected to torture. In part thanks to the efforts of GYLA, this law has been cancelled. We also fought for internally displaced people (IDPs) and won them the right to vote. In Georgia, there are about 250,000 IDPs. They were not allowed to vote because they had no fixed residence. This situation continued for 12 years; now they are allowed to vote, which is an improvement. You cannot appeal against a judgement in Georgia. There are also serious limitations on freedom of speech. If you open your mouth during a court session and object, you can be jailed for 30 days for disrespect to the court. These are the kinds of issues we are challenging.'

The work of GYLA has three pillars: controlling the government, calling for rights and justice, and struggling to reduce poverty. GYLA works for social and economic rights. It ensures that particularly poor people, who have little access to information, know what their rights are and how the government works, and what they can expect from it. It also provides legal advice on a wide range of issues, primarily those between the citizen and the government. In 2006, GYLA provided free legal advice in 63,000 cases. It has a free telephone hotline, a headquarters office in Tbilisi and nine regional offices in other cities. It also has a mobile office to reach remote areas. It helps people with all kinds of cases, for example related to land ownership and seizing of property. In relation to the building of the Baku-Tbilisi-Ceihan oil pipeline, people were evicted from their land without any compensation. GYLA defended them. Says Burduli, 'we met the people in the villages affected by the pipeline to discuss their concerns and problems, and the related environmental aspects.'

'One problem is that people had very high expectations. After the elections, young people came to power, they embarked on positive changes, but this is a process that will take years; democracy is not built in one or two days. You cannot have daily democracy without good daily citizenship. You have to work for it day in and day out. A stable democratic system is crucial. Our work is not always appreciated. For example, we monitor the government's budget critically to see if it is in fact spent on what was intended. We check to see if people get that which they have a right to. Criticism of this sort is 'not done.' Then we are attacked as traitors or agitators. If we support the government institutions, then they are happy with us. We ask for professionalism from the government. We are ready to cooperate on the points where we agree but the government must also be able to deal with criticism. For example, we work well together with the government on supporting women rescued from trafficking. I would hope that in the future the government would be equipped to take over the legal aid service we now provide.'

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