

APPENDIX II

Information regarding the criminal Cases for the violation of Article 153¹, 154², 161³, 166⁴ of Criminal Code of Georgia

2011-present

1. Statistics concerning on Articles 153, 154, 161 and 166 of Criminal Code of Georgia(CCG)

Answer:

	CCG, Article 153					CCG, Article 154					CCG, Article 161					CCG, Article 166				
	2011 y.	2012 y.	2013 y.	2014 y.	2015y. (5 months)	2011 y.	2012 y.	2013 y.	2014 Y.	2015 Y.(5 months)	2011 y.	2012 y.	2013 y.	2014Y.	2015Y. (5 months)	2011 y.	2012 y.	2013 y. .	2014 Y.	2015 Y. (7months)
Commenc e of Investigati on (Crime)	0	0	0	0	0	1	21	3	3	0	0	2	2	2	0	1	1	0	1	0
Commenc e of Prosecutio n (person)	0	0	0	0	0	1	4	4	0	1	0	0	5	0	0	0	0	0	0	0

¹ Article 153. Violation of the freedom of speech

²Article 154. Unlawful interference in the professional activities of a journalist.

³ Article 161. Violation of the right to assembly and manifestation

⁴ Article 166. Interference in establishing a political, social or religious organization or in their activities

2. Statistics – cases sent to the Court

	<i>CCG, Article 153</i>			<i>CCG, Article 154</i>			<i>CCG, Article 161</i>			<i>CCG, Article 166</i>		
	2011 y.	2012 y.	2013 y. (7 months)	2011 y.	2012 y.	2013 y. (7 months)	2011 y.	2012 y.	2013 y. (7 months)	2011 y.	2012 y.	2013 y. (7 months)
Trial hearing (person)	0	0 (9 months)	-	0	0 (9 months)	-	0	0 (9 months)	-	2	0 (9 months)	-
Plea Agreement (person)	0	0 (9 months)	-	1	0 (9 months)	-	0	0 (9 months)	-	0	0 (9 months)	-

Note: Electronic connection between court and prosecutor’s office broke in 8 October, 2012. Thus, since 1 October, 2012 there is no possibility to update statistics regarding to Plea Agreement and trial hearings.

3. Statistics - terminated cases

Answer:

	CCG, Article 153					CCG, Article 154			CCG, Article 161				CCG, Article 166	
	2011 y.	2012 y.	2013 y.	2014	2015 (5 months)	2011 y.	2012 y.	2013 y. (6 months)	2011 y.	2012 y.	2013 y. (6 months)	2011 y.	2012 y.	2013 y. (6 months)
termination of investigation	2 (105 l a)	0	0	0	0	0	6 (105 l a)	6 (105 l a)	0	1 (105 l a)	0	0	0	0

4. Question: How many major (full aged) were diverted from criminal responsibility according to the Article 168¹ of CPC? How many of them committed the crime repeatedly.

Answer: Based on our information, from 25 October 2011 (date when diversion program was started) till 1 July 2013 diversion of majors (full-aged) did not happen regarding to the articles 153, 154, 161 and 166 of CCG.

5. Question: what is the statistics about prosecutor's offices requirements on preventive imprisonment measures and deprivation of liberty as sentence between 2011-13 years? (Did the amount of non-imprisonment preventive measures increased?)

Answer: the use of preventive measures does not depend on concrete type of crime and therefore, analytic management of persecutor's office does not make statistics of preventive measures based on type of crime, as well as does not make statistics on sentences which were requested by prosecutors.

Below there is represented table on yearly statistics regarding to the preventive measures which were used for all type of crimes.

	2011 y.		2012 y.(9 months)		2013 y.		2014Y.		2015 5 month	
Full usage of preventive measures	13312		7218		11963		12857		4457	
Imprisonment	6536	49.1%	3307	45.8%	3271	27.3%	4114	32%	1456	32.6%
Non-imprisonment Preventive measure	6776	50.9%	3911	54.2%	8692	72.7%	8743	68%	3001	67.3%