



RESOLUTION of the Eastern Partnership Civil Society Forum on fighting illegal surveillance in EaP Partnerships

CSF welcomes the process initiated by Civil Society organizations of Georgia and the Ministry of Internal Affairs of Georgia regarding the illegal surveillance which took place during 2007 and 2012 years and included hidden-camera footage of journalists, civil society representatives, businessmen and politicians. Many depicted private scenes, while others included important private conversations or showed torture of detainees and inmates. The Ministry of Internal Affairs invited three civil society representatives, the Public Defender and Chief Prosecutor of Georgia to participate in a Commission created under the Ministry in order to deal with these materials.

The Commission chaired by the Minister of Internal Affairs asked the EU's Special Adviser for Legal and Constitutional Reform and Human Rights in Georgia Mr. Thomas Hammarberg to provide recommendations on this sensitive issue. On the basis of Mr. Hammarberg's recommendations in August 2013 the Special State Commission on the Monitoring of the Illegal Surveillance Materials containing Private Life Recordings was created and its Statute was approved by the Government of Georgia.

The Special Commission was tasked to conduct a thorough review of the secret recordings and surveillance materials stored at the Ministry of Internal Affairs. Handling with the video recordings of the intimate and private situations as well as recordings showing torture scenes were defined as immediate priority.

Based on the methodology proposed by the Commission a review of the surveillance materials was initiated to ensure that really depicted recordings of private life and taking all necessary precautionary measures on September 5, 2013 a Special Commission destroyed 110 CDs containing in total of 144 episodes of hidden-camera footage of intimate life (total size - 2.3. GB, duration - 181 hours and 32 minutes).

This is to be applauded. It marks a precedent in EaP countries for controlling illegal surveillance. More needs to be done, including making relevant changes in legislation of Georgia regarding the criminal investigations law, as well as with mobile operators. Georgian

Civil Society is working hard to achieve proposed results.

However, the problem of illegal surveillance is not only a problem in Georgia. In almost all EaP countries we have seen attempts by the ruling powers to control the opposition, media and civil society through illegal surveillance.

Therefore, it is more than important that EU through its relevant institutions should start to assess the situation regarding the illegal surveillance with a wide participation of CSOs, and to come up with effective measures, mechanisms and recommendations to ensure protection of human rights and data protection reform within the EaP countries. Overall, the EU's focus on the reforms in that direction would support democratization processes and establish the fair playing field for all political forces.