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Aktenzeichen

EC\_GE\_ZO\_NL  
(bitte stets angeben)

**Application no. 31197/06**  
**Oboladze and Lobzhanidze v. Georgia**

Dear Madam,

I am glad to inform you that Drs. Zviad Oboladze (first applicant) and Nino Lobzhanidze (second applicant) have been released from serving their rest sentences.

The second applicant was released on 23 November 2007 based on the Presidential decree #676 of the same date. This Presidential decree is an act of grace. (See the reference of the Ministry of Interior of Georgia of 23 November 2007 attached as annex 1).

The second applicant was released on 29 November 2007 based on resolution of the Tbilisi city court. Namely, as mentioned in this resolution, the criminal chamber of the Tbilisi city court was addressed by A. Kelbakiani, chairman of the permanent commission of the prison department of the Ministry of Justice of Georgia, on 29 November 2007 who sought Dr. Oboladze's pre-term conditional release. Consequently, the court satisfied this petition. (See attached annex 2).

IN KOOPERATION MIT

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Please keep in mind that the permanent commission of prison department refused Dr. Oboladze's petition on his pre-term conditional release as late as on 27 August 2007. The first applicant then appealed this decision to the court, but the hearing was postponed as the court decided to wait for the act of amnesty, which was supposed to be issued in the meantime and include article 130 of the Criminal Code as well as the other articles.

The draft of the act of amnesty was elaborated, which also included article 130. Consequently, both applicants would anyway be released in December in accordance with this act, but the Government did not wait for this ruling and released them earlier still. As mentioned above, the second applicant was released based on a Presidential act of grace and the first applicant was released by the decision of the court based on the petition of the permanent commission of prison department of the Ministry of Justice of Georgia.

It is, indeed, strange that the permanent commission of prison department changed its opinion so suddenly. They now characterized the first applicant very positively and mentioned in their petition that "he was very polite toward the staff of the prison administration and doctors", that "he was calm and had relations with the positively-oriented convicts". This quotation stems from the court's resolution. Two months earlier (on 27 August 2007) the permanent commission held quite a contrary opinion and did not satisfy his petition on his pre-term conditional release for very ambiguous reasons. Moreover, the commission decided at that time that "the goal of the sentence was not achieved yet". It's really strange that the first applicant could "absolutely change his behaviour and nature" during the next two months.

Although both applicants are at last free after almost two years of arbitrary detention, they have been neither socially nor in the legal sense rehabilitated. Apart from the fact that they suffered torture, inhuman and degrading treatment during court procedures and detention took its toll on both applicants health, their public standing remains impaired, equally their professional and social status remains obstructed.

The whole situation as stated in the main application of 1 November 2007 (incoming at the Court on 6 November 2007), the previous correspondence and above causes me duty-bound to repeat my own and their applicants' request and ask that it be given higher priority.

Please accept the assurance of my highest consideration.

Yours faithfully,

Wolfgang P. Schulz  
Rechtsanwalt

Enc.