

HS MCC

Moot Court Competition

HUGO SINZHEIMER MOOT COURT COMPETITION

Fifth edition | Tbilisi, 2021 (online)



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*Promoting Rule of Law
in Georgia (PROLoG)*

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On behalf of the School of Law of Ilia State University, I would like to once again salute all the participants, mentors and judges of the 5th online Hugo Sinzheimer Moot Court Competition in EU Labor Law. As the world continues to fight the COVID-19 pandemic, it is unfortunate that we are not able to meet in Tbilisi and enjoy the social aspect of the competition.

Even so, we are confident this competition will be a special event for all the participants as they will be able to enrich their knowledge, polish their skills and gain invaluable experience. It is no surprise that such occasions help students to bring out the best as well as give them an opportunity to develop new friendships that last well beyond these contests.

We wish you all to enjoy this event in full measure.

Irakli Porchkhidze
Dean



Hugo Sinzheimer

Moot Court

Competition

The aim of the HS MCC is to deepen and improve the knowledge of employment and labour law at the European level. It offers students an opportunity to experience European law in a setting that is as realistic as possible.

Every year, this event is hosted in another country. The first HS MCC took place in June 2016 and was hosted by the Hugo Sinzheimer Institute in Amsterdam, the Netherlands. After Aarhus University (Denmark, 2017) and the University of Cassino (Italy, 2018), the competition's fourth edition was hosted by Hasselt University (Belgium, 2019). Fifth – 2020 edition of the competition was planned to be hosted by Iliia State University (Georgia), but the event was cancelled due to developments around Covid-19 pandemic. After receiving requests from some participants, organizing committee and Iliia State University agreed to organize online (light) edition of the Hugo Moot with 6 teams participating. The competition's fifth full (traditional) edition with all 13 participating teams is organized online, hosted by Iliia State University. So from 17 until 19 June, 2021, approximately 100 ambitious people will be gathering online in "Georgian court rooms" for the fifth full edition of the Hugo Sinzheimer Moot Court Competition (HS MCC).



About

Hugo Sinzheimer

The competition is named after the German scholar and lawyer Hugo Sinzheimer (1875-1945), who is internationally considered the founding father of labour law. His ideas and publications have had a profound impact. Sinzheimer, who united various perspectives on labour law, stands for the concept of Social Labour Law.

Sinzheimer, who held a PhD in Law and Economics from the University of Heidelberg, later became an honorary professor of Labour Law and Sociology of Law at the University of Frankfurt in 1933. Being Jewish, Sinzheimer was forced to flee to the Netherlands. He immediately obtained a professorship in Sociology of Law at the University of Amsterdam, which in 1936 was followed by a second professorship in Leiden.

As a member of the Weimar National Assembly, Sinzheimer was also actively involved in the construction of the Weimar Constitution, which contained rights regarding freedom of association and employee participation.

From 1993 onwards, the Hugo Sinzheimer Institute of the University of Amsterdam has been named after this great lawyer. In 2010, a Hugo Sinzheimer Institut für Arbeitsrecht was also founded in Frankfurt am Main, Germany. The Hugo Sinzheimer Moot Court Competition is institutionally embedded within the Hugo Sinzheimer Institute at the Law School at the University of Amsterdam.

Ilia State University was founded in 2006 as a result of a merger of six different academic institutions with long and varied histories. Currently, it is one of the leading research and educational institutions in Georgia. Representing a union of students and professors, ISU is a multifunctional educational and research institution offering a common space for academic and professional education and research with the joint efforts of its students, professors, teachers and researchers.

The union is based on the three following principles:

- ACADEMIC FREEDOM
- FREEDOM OF CONSCIENCE
- FREEDOM OF CHOICE



School of Law

Ilia State University Law School is a well-known center of legal education in Georgia. It is represented by an outstanding and diverse faculty who combine strong academic and practical backgrounds. It offers an exceptional environment for students to grow and reach their full potential. The Law School runs a Bachelor of Laws - LLB Program along with 3 MA level Programs in Private (Business) Law, Criminal Law and Public Law and Policy.

About Georgia

Due to Covid 19 pandemic, unfortunately, we are not able to meet and welcome participants in Tbilisi. However, here you can read some information to get to know Georgia and feel some of its unique characteristics during the event.

Georgia is a country of unforgettable memories. Endowed with a fascinating nature, plenty of wildlife, sunny beaches, high mountains, caves, canyons and culture, this small country has it all. It matches every interest, taste, budget and age. Even the most jaded traveler would have trouble resisting countries beauty. As the Country differs from all other destinations, it delivers some unique experiences almost impossible to find somewhere else. Georgia is an adventure-seeker delight. There are plenty of reasons why this little Caucasus country does worth a visit.



Capital City - Tbilisi

Tbilisi is a multi-ethnic, multi-cultural, multi-religious city on the crossroads of history, a city neither European nor Asian but a heady blend of both East and West. Tbilisi was founded in the 5th century AD. and has attracted visitors ever since, drawn by the hot springs for which the city is named, by the lively atmosphere of its cobbled streets and caravanserais, or simply by what Alexandre Dumas called the "strange, fascinating charm" of this "city of legend and romance."

About Georgia

Georgia May Be Home to One of the Oldest Communities

An archaeological expedition to a site in Dmanisi found the oldest human skulls – some up to 1.8m years old – in the Caucasus, providing evidence that Georgia may be home to one of the oldest communities. Though six skulls were found, two have been given the Georgian names Zezva and Mzia and artists have worked to reconstruct their likeness.



Unique Language and Script

Spoken by less than 5 million people worldwide, Georgian language has an ancient literary tradition. Georgian alphabet was created in the 3rd century BC and developed three distinct writing systems, all of which are in use today. This phenomenon has been recognised by UNESCO and included in the list of Intangible Cultural Heritage.



Cradle of Wine

One of Georgia's claim to fame is that this is the land where, according to the latest archaeological evidence, 8000 years ago vine plant was domesticated and wine was made. It's no wonder that wine and winemaking are deeply entrenched in Georgian psyche, culture and tradition. Making wine in 'kvevri' – a clay vessel dug in the ground – is a uniquely Georgian tradition recognized as UNESCO's Intangible Cultural Heritage.



Delicious Cuisine

The country's diverse landscape and climate combined with the presence of cultural influences from the West as well as from the East produced culinary tradition which is rich, varied, and unique in its own right. When travelling through various regions one encounters distinct flavours and local dishes specific to the area. This human cultural diversity manifested not just in culinary tradition, is still present in Georgia, and is still holding up and resisting steadily advancing cultural homogenisation. There are culinary delights awaiting every palate and taste embellished by locally produced distinct wines.



Georgian Folklore

Be witness to the hovering men and women, unique steps, and dizzying dance moves, that tell stories of war, love, and friendship - your introduction to Georgian dances! Captivated spectators are left breathless watching the stunning performances and call for an encore with thunderous applause. The magical sensation fills the theater (or: there's magic in the air), uniting thus, spectators and dancers into participants in this one big celebration. These dances performed today have been enacted for centuries. Georgian folk songs are also incredibly melodic. Stories are narrated through music. As a matter of fact, Georgian polyphonic singing has been proclaimed by UNESCO Intangible Cultural Heritage. In 1977 "Chakrulo", a Georgian folk song, was included in the Golden Records sent into space on the Voyager.



Timetable

THURSDAY, 17 JUNE, 2021		COURT ROOM ¹
16.30 CET	Jury Judges Meeting	"Court Room" Svaneti
17.30-19.00 CET	Opening ceremony Drawing of the teams	"Court Room" Rustaveli
FRIDAY, 18 JUNE, 2021		COURT ROOM
10.00 – 12.00 CET	Quarterfinal I – Group A	"Court Room" Rustaveli
	Quarterfinal I – Group B	"Court Room" Tbilisi
	Quarterfinal I – Group C	"Court Room" Adjara
	Quarterfinal I – Group D	"Court Room" Svaneti
12.00 – 13.00 CET	Break	
13.00 – 15.00 CET	Quarterfinal II – Group A	"Court Room" Rustaveli
	Quarterfinal II – Group A	"Court Room" Tbilisi
	Quarterfinal II – Group B	"Court Room" Adjara
	Quarterfinal II – Group C	"Court Room" Svaneti
15.00 – 15.30 CET	Break	
15.30 – 17.30 CET	Quarterfinal III – Group A	"Court Room" Rustaveli
	Quarterfinal III – Group A	"Court Room" Tbilisi
	Quarterfinal III – Group B	"Court Room" Adjara
	Quarterfinal III – Group C	"Court Room" Svaneti
17.30 – 18.00 CET	Judges' deliberations	"Court Room" Rustaveli
		"Court Room" Tbilisi
		"Court Room" Adjara
		"Court Room" Svaneti
18.00 CET	Announcement of semi-finals Drawing of roles in semi-finals	"Court Room" Rustaveli
SATURDAY, 19 JUNE, 2021		COURT ROOM
10.30 – 12.30 CET	Semi-final I	"Court Room" Rustaveli
	Semi-final II	"Court Room" Svaneti
12.30 – 13.00 CET	Judges' deliberations	"Court Room" Rustaveli
		"Court Room" Svaneti
13.00 CET	Announcement of the winner of the student judge competition Announcement of finalist teams Drawing of roles in the finals	"Court Room" Rustaveli
13.15-14.00 CET	Break	
14.00 – 16.00 CET	Final	"Court Room" Rustaveli
14.00 – 16.00 CET	Judges' deliberations	"Court Room" Svaneti
18.00 CET	Awards ceremony; Closing of the event	"Court Room" Rustaveli

¹ Participants will be provided with the "court room" details (link, zoom IDs and passcodes) before the event starts.

Meet the Jury-Judges



Dr. Stefan Koeck (Austria)

Member of the Case Committee

Dr. Stefan Koeck is teaching employment and social security law at the University of Vienna and practices law, mostly employment law, in Vienna, Austria. He has studied law at the University of Vienna (Mag. jur and Dr. jur) and at Northwestern University School of Law (LL.M.) and, after an initial career as a teaching assistant at the University of Vienna, has worked in private

practice in Vienna and Brussels for almost 30 years, of which 20 years as partner of Freshfields Bruckhaus Deringer, with a focus on employment and corporate law. A former Board member of the European Employment Lawyers Association, he is now editor-in-chief of Austrian employment law journal *Zeitschrift für Arbeitsrecht und Sozialrecht*. His work focusses on issues of collective labour law, executive employment and on the impact of European Union legislation on Austrian employment law. His new commentary on the Austrian Code of Procedure in Labour and Social Security Matters will be published shortly.



Benedikt Sprinzl (Austria)

Member of the Case Committee

Benedikt is a senior associate in the People and Reward team of Freshfields Bruckhaus Deringer and works in the Vienna office. He has studied business law and business administration at the WU Vienna University of Economics and Business. He advises clients on all aspects of individual and collective employment law, company pensions, employment issues in M&A and restructuring projects and he

represents clients in court on employment matters.

Meet the Jury-Judges



Felicia Kain (Austria)

Member of the Case Committee

Felicia Kain is a teaching and research associate at the Institute for Austrian and European Labour Law and Social Security Law at the Vienna University of Economics and Business, Austria. She is the author of several publications about Austrian, European as well as international labour law and law of social security. Felicia is currently pursuing a PhD in this very field. She was a visiting researcher at

the UZH Zurich, where she examined the coordination of family benefits between Switzerland and the EU Member States. Starting in September 2021, she will be a research associate at the Supreme Court in Vienna. Felicia was herself a participant in the Hugo Sinzheimer Moot Court Competition 2018 in Cassino, where her team won third place and the award “excellent written statement.



Thomas Pfalz (Austria)

Member of the Case Committee

Thomas Pfalz is a senior scientist at the Institute of Law at University of Klagenfurt. After starting his career in a law firm, Thomas Pfalz joined University of Vienna (Institute for Labour and Social Security Law) as a teaching and research associate in 2013. In 2017 he finished his PhD with a thesis on unemployment insurance for self-employed persons. 2018 he joined University of Klagenfurt where he

is currently pursuing his habilitation project. Recent topics of research include payment transparency, competition clauses and the transfer of undertakings. As a student Thomas Pfalz took part in an international Roman Law Moot Court in Philippi (GRE) in 2010.



Manfred Weiss (Germany)

Member of the Advisory Board

Manfred Weiss is the chairperson of the Advisory Board of the Hugo Sinzheimer Moot Court Competition. He is Professor emeritus of labour law and civil law at Goethe University in Frankfurt and has inter alia been President of the International Industrial Relations Association (IIRA), consultant to the ILO and consultant to the Commission of the EU. He is an honorary professor of the University

of Cape Town as well as an extraordinary professor of NWU, University of Stellenbosch and UWC. He is the author of numerous books and articles in the field of labour law, European labour law, and industrial relations. In 2015, he received the LLRN-Award for outstanding contributions to labour law.



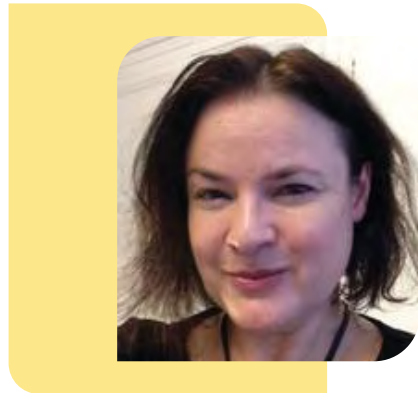
Jean-Michel Servais (Switzerland)

Member of the Advisory Board

Jean-Michel Servais is a member of the Advisory Board of Hugo Sinzheimer Moot Court Competition, Honorary President of the International Society for Labour Law and Social Security and visiting professor of the University of Gerona. He served with the ILO in Geneva from 1972 to 2005, where he inter alia held positions as Deputy Regional Director for Asia and the Pacific, Research Coordinator at the

International Institute for Labour Studies, and Director of Operations at the ILO Regional Office for Arab States. He is the author of numerous books and articles in the field of international and comparative labour law and industrial relations.

Meet the Jury-Judges



Tonia Novitz (United Kingdom)

Member of the Advisory Board

Tonia Novitz is Professor of Labour Law at the University of Bristol. Her research interests focus predominantly on labour law, international and EU trade and the protection of human rights. A graduate of the University of Canterbury (Christchurch, New Zealand) and Balliol College (Oxford), Tonia Novitz has held fellowships at the International Institute for Labour Studies (Geneva), the European

University Institute (Florence), the University of Melbourne and the University of Auckland. She has been a professor at Bristol since 2008. She is also a member of the executive committee of the Institute of Employment Rights and an honorary member of Old Square Chambers. She is writing on 'gig economy' issues with her colleagues at Bristol, Katie Bales and Alan Bogg. See "'Voice" and "Choice" in Modern Working Practices: Problems With the Taylor Review' (2018) 47(1) Industrial Law Journal 46–75.



Leszek Mitrus (Poland)

Leszek Mitrus - professor of labour law at the Jagiellonian University in Kraków (Poland). Author of about 120 publications on Polish, European and international labour law and social security law. Among these publications are books on free movement of workers, EU directives on employment contract and influence of European labour law on Polish legal system, as well as termination with notice of an employment contract due to reasons

concerning and employee. Co – author of commentaries to the Treaty on the functioning of the European Union, the Charter of Fundamental Rights of the European Union and the Polish Labour Code.

Member of the European Labour Law Network. Member of the editorial board of quarterly *Monitor Prawa Pracy (Labour Law Monitor)*. From September 2016 to March 2018 he has been a member of the Commission for Codification of Labour Law.



Lejo Sibbel (The Netherlands)

Lejo Sibbel has been the Specialist on International Labour Standards and Labour Law in the Moscow Office of the International Labour Organization (ILO) since November 2015. In this function his main responsibility is to promote improved conformity of national legislative frameworks, and the application thereof, with the international labour standards of the ILO. He is a human rights expert specialized in the field of labour rights,

with twenty-five years international experience, of which 20 years with the United Nations/ILO. He has lived and worked in different countries in Asia, Europe and the Middle East.



Carla Spinelli (Italy)

Carla Spinelli, Ph.D, is Associate Professor at the Department of Law, University Aldo Moro of Bari, where she teaches "Labour law" and "EU social law". She was visiting professor at Lyon 2 University and participated to several Erasmus teaching staff mobility in Belgium and Spain. She is member of the scientific committee of two Italian Labour law journal (*Diritti, lavori, mercati; Rivista giuridica del lavoro*). She participates in a number of

research projects on Labour law and European labour law. She has been a speaker at many scientific conferences, both national and international. She is the author of many articles and essays published in Italian and in English in national and international collective volumes and journals. She published two books, one on public management in 2012, *Il datore di lavoro pubblico* and the other on smart working in 2018, *Tecnologie digitali e lavoro agile*. She is co-editor of two books *El empleo publico. Puntos criticos en los ordenamientos italiano y español* (Thomson Reuters-ARANZADI, 2018) and *Los derechos fundamentales en el empleo publico* (Editorial Comares 2021). Her main research interests are currently focused on digital economy and transformations of work; antidiscrimination law and reasonable accommodation for people with disabilities; work-life balance; labour law in the public sector.

Meet the Jury-Judges



Merle Erikson (Estonia)

Merle Erikson is a professor of labour law at the University of Tartu. Her main areas of study and teaching are Estonian labour law, international labour law and the European Union social policy and labour law. Professor Merle Erikson has authored over one hundred titles that have been published in several publications and participated in dozens of international and Estonian research projects.



Colin Fenwick (Australia)

Colin Fenwick is Head of the Labour Law and Reform Unit at the International Labour Office in Geneva, Switzerland. Before joining the ILO he was an Associate Professor at Melbourne Law School. Colin's research explores the effects of labour law as a policy instrument for labour market regulation, with a particular focus on developing economies. He has edited several books on this topic, and published in leading law journals.



Emanuele Menegatti (Italy)

Emanuele Menegatti is Professor of Labour Law and Dean of the School of Economics and Management at the University of Bologna. He has published two books and numerous articles in the field of comparative, EU and Italian labour law. He is the co-editor of the books *Labour Law and Industrial Relations in Italy* and *The Sources of National Labour*, both published with Wolters Kluwer. He is the editor-in-chief of the Italian labour law e-journal.

Participating Teams

During this edition of the Hugo Sinzheimer Moot Court Competition we welcome students from the following universities:

- Aarhus University, Denmark
- Goethe University Frankfurt, Germany
- Hasselt University, Université de Liège, Belgium
- Karoli Gaspar University, Hungary
- University of Amsterdam, AIAS/HSI, Free University of Amsterdam, Rijksuniversiteit Groningen, Tilburg University, The Netherlands
- Ilia State University, Georgia
- Université Lumière Lyon 2, France
- University of Helsinki, Finland
- University of Warsaw, Poland
- University of Lisbon, Portugal
- University of Vienna, Austria
- Vilnius University, Lithuania
- European team (students from Tilburg University, University of Lisbon, University of Aarhus and University of Warsaw)



Austria

Participants



Jasmin
Pieper



Felicia
Schartner



Viktoriia
Slivak



Hristina
Talkova

Coaches



Julia
Heindl



Philipp
Ondrejka



Elisabeth
Bartmann

Sponsors



Belgium

Participants



Melissa
Brouwers



Antoine
Chavanne



Emily
Craeghs



Florence
Gaber

Coaches



Quentin
Detienne



Alicia
Hendricks



Tim
Opgenhaffen

Sponsors



Denmark

Participants



Malene Juul



Rosa H. M. Tadesse



Anne Flening Thomsen



Laura Ferslev Topsøe-Jensen

Coaches



Natalie Videbaek Munkholm



Vincenzo Pietro Giovanni



Mikkel Lsager-Sally



Peter Ahlberg

Sponsors



Kammeradvokaten
Advokatfirmaet Poul Schmith

European Team

Participants



Carmen Pijls



Ellen Kassiany Braganza Santos



Johan Munk Packness



Marcelina Sługocka

Coaches



Beryl ter Haar

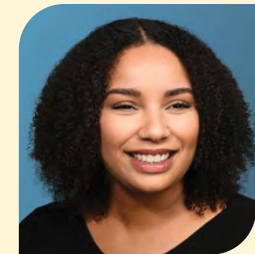


Marcin Wujczyk

Supporters



Arnold Keizer



Chelsea Gunning

Sponsors



ALLEN & OVERY

Finland

Participants



Erika Heijari



Sanna Kyröläinen



Karri Vuorio

Coaches



Jari Murto



Ulla Liukkunen

Samuli Hiilesniemi

Elmiira Kutvonen

France

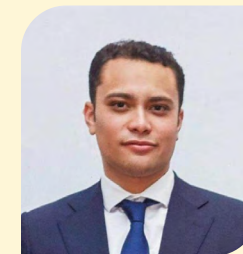
Participants



Elisabeth Porcedda



Shaduska Chance



Adrien Wasserman



Jeanne Pêche

Coaches



Marie-Cécile Escande-Varniol

Sponsors



INSTITUT
D'ÉTUDES DU
TRAVAIL DE LYON

Georgia

Participants



Salome Svanidze



Tamta Gventsadze



Teona Maghradze



Sophie Karazishvili

Coaches



Anna Jikia



Zakaria Shvelidze

Germany

Participants



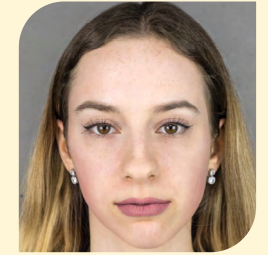
Laetitia Breitenbach



Lena Gerretsen



Paul Höbold



Sara Rajkovic

Coaches



Anna Janssen



Clara Windhab



Christina Hießl

Sponsors



Sponsors



Hungary

Participants



Mátyás
Bálint
Kolosai



Viktória
Mihalik



Barabás
Szemenyei



Zsófia
Kincső
Varga

Coaches



Attila
Kun



Sara
Hungler



Peter
Sipka

Sponsors



Károli Gáspár University
of the Reformed Church in Hungary

Lithuania

Participants



Lukrecija
Antanaitytė



Gabrielė
Angelė
Gumbytė



Mykolas
Pesliakas

Coaches



Daiva
Petrylaitė



Mindaugas
Beniušis



Vida
Petrylaitė



Kęstutis
Platūkis



Mindaugas
Justinas
Pupka

Sponsors



Poland

Participants



Samuel
Shannon



Aleksandra
Kochman



Monika
Walczak

Krzysztof
Walczyk

Coaches



Agnieszka
Zwolińska

Portugal

Participants



Marta
Alexandra
Antunes
Ferreira



Andreia
Vanessa
Alves
Macedo



Mariana Gomes
Martins



Sara Mafra
Rocha

Coaches



David
Carvalho
Martins



Tiago
Cochofel de
Azevedo



Mariana Pinto
Ramos



Lourenço
Fernandes
Thomaz

Sponsors



Sponsors



The Netherlands

Participants



Aletta de Savornin Lohman



Lydia Catherine de Groot



Joanne Chelsea Uiterwijk



Manon van den Oord

Coaches

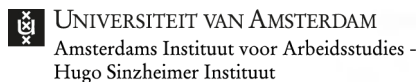


Hanneke Bennaars



Lucas Stuurup

Sponsors



HS MCC who is who?

The Organising Committee

The Organising Committee is responsible for the organisation of the Moot Court Competition as such. The Chair is annually elected among the members of the Organising Committee. The Chairman for 2020 - 2021 is Antonio García-Muñoz Alhambra.



From left to right: Piotr Grzebyk (Poland), Natalie Videbæk Munkholm (Denmark), Attila Kun (Hungary), Zakaria Shvelidze (Georgia), Beryl ter Haar (The Netherlands), and Antonio García-Muñoz Alhambra (Spain).

The Advisory Board

The role of the Advisory Board is to ensure the professionalism of the HS MCC. The board members are highly esteemed labour law experts from academia and practice. We are very grateful for the support of every member of the Advisory Board, who all participate on a personal title.

Takashi Araki (Japan)
Gerrard Boot (The Netherlands)
Guy Davidov (Israel)
Teun Jaspers (The Netherlands)
Claire Kilpatrick (Italy/Ireland)
Tonia Novitz (United Kingdom)
Lukasz Pisarczyk (Poland)

Mia Rönmar (Sweden)
Isabelle Schömann (Germany/
Belgium)
Jean-Michel Servais (Belgium/
Switzerland/Spain)
Manfred Weiss (Germany)

HS MCC Case Committee

Each year a new country takes on the role as Law-Host Country. This year's Law-Host country is Austria. The case Committee of the Law-Host Country is responsible for writing the case for the Moot Court Competition of this specific edition. Experts, including judges and practitioners, are members of the Case Committee. The HS MCC is very grateful for the time and efforts of these experts. This year's Case Committee members are:



AUSTRIA

Dr. Karin Buzanich-Sommeregger



AUSTRIA

Dr. Stefan Koec



AUSTRIA

Dr. Martin Risak



AUSTRIA

Dr. Miriam Kullmann



AUSTRIA

Dr. Elisabeth Brameshuber



AUSTRIA

Dr. Thomas Pfalz



AUSTRIA

Felicia Kain



AUSTRIA

Benedikt Sprinzi

Event Host Committee of the Hugo Moot 2021



Zakaria Shvelidze
Member of the Organizing Committee
of the Hugo Sinzheimer Moot Court
Competition



Nato Shevardenidze
Ilia State University,
School of Law,
Assistant to the Dean



Nino Bolkvadze
Ilia State University,
Public Relations Office,
Graphic Designer



Dr. Antonio Garcia-Muñoz Alhambra
University of Luxembourg, Postdoc
Researcher - Working, Yet Poor project



Nino Sakvarelidze
Alumni of the Georgian
Hugo Moot Team (2019)



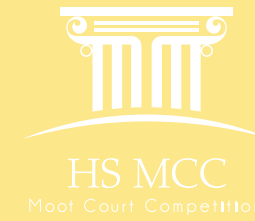
Ana Gasvniani
Alumni of the Georgian
Hugo Moot Team (2019)



Nino Barnovi
Ilia State University,
Event Manager



Anuki Jugheli
Ilia State University,
Event Manager



Keep in touch with the Hugo Moot at:



HS MCC webpage



HS MCC Facebook-page



E-mail: hs.mcc@hotmail.com



Iliia State University
3/5 K. Cholokashvili Ave.,
Tbilisi, Georgia