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დამოუკიდებელი
და გამჭვირვალე
მართლმსაჯულებისთვის
Coalition for
an Independent and
Transparent Judiciary

Coalition for an Independent and Transparent Judiciary Calls Georgian Parliament for Suspension of Making Amendments to the Law on General Courts

The Coalition for an Independent and Transparent Judiciary again voices its position concerning the draft law initiated by Shalva Shavgulidze on “Making Amendments to the Organic Law of Georgia on General Courts” to be discussed by Georgian parliament. As it is known, the Georgian parliament considers the above-mentioned draft law by second hearing with an accelerated manner today. In addition, today Mr. Konstantine Kublashvili, Chairman of the Supreme Court, expressed his position regarding the legislative draft and suggested that the parliament temporarily suspends the discussion of the draft law. The above-mentioned circumstances prompted us to once again express our position.

The Coalition made the statement on 28th September 2013¹ and assessed negatively the appointment of judges for a 3-year period and the opportunity of monitoring on an annual basis the activities of judges appointed for the trial period - both initiatives proposed by the draft law. At the meeting with the Coalition members the authors of the draft law have produced the certain arguments concerning the adoption of the law with accelerated manner. Nevertheless, we believe that making decision on the issue of such importance in such a short period of time, without involving all stakeholders is unadvisable and may be detrimental to the future development of the country’s judiciary system. It should be taken into account as well that the judicial authorities have developed an alternative draft amendments on appointing judges with indefinite term, which means prolonging authority to the judges being in office at present. Said mechanism should also be considered deficient.

Considering all above-mentioned we call the government of Georgia, representatives of judicial authorities and the Georgian parliament to hold the collaborative consulting within the shortest timeframes to discuss and decide on the important issues pertinent to the rule of appointing judges. The parties should ensure that the political consultations will be held with maximal involvement of all stakeholders on one hand, and on the other hand, to make political decisions that will contribute to developing the Georgian judiciary system in rightful way. The Coalition for an Independent and Transparent Judiciary is ready to engage actively in said consultations as need be.

Also, we would like to stress once more that due to holding discussions on these very important issues within unreasonably short timeframes, the Georgian parliament is advised to suspend considering the above-mentioned draft law and

Coalition Members:

Article 42 of the Constitution
Multinational Georgia
Solidarity to Illegal Prisoners
Georgia Small and Medium
Enterprise Association
Civil Integration Foundation
Georgian Lawyers for
Independent Profession
Business and Economic Center
Liberal
Center for Protection of
Constitutional Rights
International Society for Fair
Elections and Democracy
Association Green Wave
The Union “21 Century”
Georgian Young Lawyer’s
Association Human Right
Center
Transparency International
Union of Meskhetian Democrats
Liberty Institute
Georgia Bar Association
Civil Development Agency
United Nations Association of
Georgia
The European Law Students’
Association
Civil Society Institute
Open Society Georgia
Foundation
Institute of Democracy
American Chamber of
Commerce
Association of Civic Initiatives
and Employees Defense
Eurasia Partnership Foundation
Institute of Development of
Freedom of Information
Human Rights Priority
Tbilisi Media Club

¹ http://www.coalition.org.ge/article_files/186/Coalition_Statement_September_2013.pdf

allow all stakeholders (firstly, judicial, legislative and executive authorities) take part in the process of working on the legislative initiatives.