

6 თვის მანძილზე პენსიის დაზოგვის გამო  
პენსიონერისათვის საპენსიო თანხის  
გადახდის შეჩერებას საია საკონსტიტუციო  
სასამართლოში ასაჩივრებს

## GYLA APPEALS TO THE CONSTITUTIONAL COURT FOR SUSPENSION OF PAYMENT OF PENSION TO THE PENSIONER FOR SAVINGS DURING SIX MONTHS

GYLA has appealed to the Constitutional Court on behalf of pensioner Medea Kvatchadze. In its lawsuit, GYLA demands to be recognized as unconstitutional the Law of Georgia on State Pensions and the Order of the Minister of Health of Georgia, stipulating that the pension should be suspended if the pensioner left the pension on the bank account for 6 months. The pensioner has the right to claim a pension renewal, though he/she will be reimbursed only one-year pension.

The plaintiff Medea Kvatchadze decided to collect pension funds to solve various household problems. Therefore, she did not draw a pension from her pension account. Since June 1, 2017, the state has stopped transferring money on Medea Kvatchadze's account. It was only in January 2019 Medea Kvatchadze noticed that the amount of

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



the pension was not increasing and applied to the Social Service Agency. The pension of Medea Kvatchadze was restored, though she received pension for only one year, from June 1, 2017, until July 1, 2018. The suspension period is one year and seven months, from which the state has reimbursed only one-year's pension. Based on the norm appealed by GYLA to the Constitutional Court, the Social Service Agency refused to reimburse the pensioner the remaining 7 months payment.

GYLA believes that people have the right to property on their pension funds. The right of the property also implies the ability of a person to collect more money by saving it. A state punishes a pensioner for using his or her proprietary right toward his/her money by stopping the pension. However, GYLA considers it unconstitutional that the state does not fully reimburse the amount of its unconstitutionally suspended pension and pays only one year of unpaid pension. According to GYLA, the appealed norms contradict the right of property recognized by Article 19 of the Constitution of Georgia.

GYLA brings this proceedings with the support of BFDW.