



Allegations about Criminal Record of the Chief Prosecutor of Georgia should be Officially Verified

We release this statement in response to allegations about criminal record of the Chief Prosecutor of Georgia in Germany. As public may be aware, some of the below signatories learned about these allegations from unofficial sources, before it was made public, and we were in the process of verifying their truthfulness to avoid inflicting any harm to the image and credibility of law enforcement authorities by disclosing unverified information about this important matter. As the information has now already been disclosed, its credibility must be verified. Therefore, we urge the Georgian authorities to examine and disclose whether these allegations are true.

We would also like to address questions about whether a person with prior criminal record has the right to hold the position of chief prosecutor. Under para.1, Article 33 of the Law of Georgia on the Prosecution Service, “a person with criminal record shall not be recruited to the Prosecution Service.” However, the Criminal Code stipulates that eight years after serving a sentence, record will be nullified for any crime committed. Under the Georgian legislation, from formal and legal point of view, nullified criminal record will not be considered as grounds for prohibiting a person from holding an office, including an office of the chief prosecutor; however, it is hard to draw any conclusions yet, until circumstances of the case concerned are known, including enforcement of punishment, details of communication between Georgia and Germany, etc.

Nevertheless, we believe that it is unacceptable for a person convicted of robbery to hold the position of chief prosecutor of Georgia; it will damage the image of the prosecution service and trust in law enforcement authorities. This also raises

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questions about individuals who recruited Partskhaladze's candidacy for the position of chief prosecutor, as well as those who made decisions over the past few years about appointment of Partskhaladze in the public service.

In this light, we deem it necessary to disclose official information and if these allegations are true, the Minister of Justice of Georgia and the Prime Minister of Georgia, as officials responsible for appointment/dismissal of the chief prosecutor, should make a decision about dismissal of Otar Partskhaladze.

Furthermore, we urge the chief prosecutor of Georgia to respond to the allegation about his criminal record and to questions about his higher legal education. The Law of Georgia on Prosecution Service stipulates as a mandatory requirement that any prosecutor notwithstanding his/her rank should have a higher education in law. Print media has been reporting and questioning the fact that Otar Partskhaladze, born in 1976, received higher legal education in 1995 (at the maximum age of 19). Furthermore, it must also be determined whether the Open Humanitarian University of Georgia was an institute of higher education established pursuant to applicable Georgian laws, the time when the department of law was launched at the university, etc. We have not yet received answers to these questions from the press office of the Prosecution Service, further aggravating the suspicions.

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Transparency International – Georgia
Article 42 of the Constitution
Georgian Bar Association
Human Rights Education and Monitoring Center
Non-governmental organization CIDA