



NGOs Urge Authorities to Fundamentally Change the Justice System

Human rights organizations are closely following the mass protest in Tbilisi and other cities in recent days and declare their solidarity with Saralidze and Dadunashvili families.

Failure of the authorities to adequately respond to the ongoing developments and thousands of people that have taken to the streets in protest are clear indication of a crisis situation in the country. The wave of public protest is not only about the problem of inadequate investigation of the Khorava Street incident, but more broadly, it is an expression of grievances that were building in society against the unfair justice system and social policy.

Public grievances are first and foremost caused by practices of political corruption and disregard of fundamental human rights in the system of law enforcement and the judiciary. Political office holders, who were directly responsible for implementation of reforms in the field of criminal law and justice, failed to fulfill this function, which is clearly connected with the lack of the authorities' political will and the problem of

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ignoring public opinion. Majority of reforms declared by the government in the system of law-enforcement and the judiciary has proven to be pro-forma and these reforms have done nothing to eliminate the public sense of deep injustice and vulnerability. Recent high-profile cases have clearly shown the problem of excessive use of authority by the law-enforcement, which has not been followed by an effective investigation.

Current crisis stresses the need for clear political will for the meaningful, timely and fundamental elimination of systemic problems that have built up over time. In light of this, the signatory organizations believe that the authorities should take the following steps:

1. Ensure comprehensive and effective investigation and fair prosecution of the Khorava Street murder case, including abuse of power and possible instances of falsification in service by officials linked with the case. It is important that the victim assignee has access to the case file and the duty of non-disclosure is lifted;
2. It is essential that the scope of the ad-hoc parliamentary investigation commission is not limited to investigation of the Khorava Street murders and possible crimes by officials connected with the case. Rather, its mandate should also cover the recently serious cases of excessive use of power by the law enforcement (including Afgan Mukhtarli case, Machalikashvili case), where the matter of human rights protection was critical;
3. To hold politically responsible and dismiss those officials who failed to ensure implementation of consistent, meaningful and effective reforms in the field of criminal law and justice;
4. To ensure broad involvement in the process of selection of the new Chef Prosecutor, in order to allow selection of an unbiased candidate based on consensus, who is not affiliated with the authorities or the ruling party and will enjoy a high level of public trust;

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5. The authorities should immediately renew the work to create effective and meaningfully independent investigative mechanism that will not only investigate but also have the function to criminally prosecute crimes perpetrated by representatives of the law-enforcement system. The authorities should reject the idea of linking the investigative mechanism to the Personal Data Protection Inspector.

6. The authorities should demonstrate meaningful will for reforming the justice system and launch a fundamental reform of the Prosecutor Office, the Interior Ministry and the State Security Service in an immediate manner.

Georgian Young Lawyers' Association (GYLA)

International Society for Fair Elections and Democracy (ISFED)

Open Society Foundation

Human Rights Education and Monitoring Center (EMC)

Georgian Democratic Initiative (GDI)

Transparency International - Georgia (TI-Georgia)

Human Rights Center

Article 42 of the Constitution

Partnership for Human Rights (PHR)

Institute for Democracy and Safe Development (IDSD)

Equality Movement

Temida

Tolerance and Diversity Institute (TDI)

Media Development Fund (MDF)

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Institute for Development of Freedom of Information (IDFI)

Sapari

Women's Initiatives Supporting Group (WISG)