



კოალიცია
დამოუკიდებელი
და გამჭვირვალე
მართლმსაჯულებისთვის
Coalition for
an Independent and
Transparent Judiciary

Coalition Assesses the Closure of Judicial Appointment Process as a Step Back

Coalition for an Independent and Transparent Judiciary reacts to the processes of selection and appointment of judges held in July 2015, which were marked with low degree of transparency and openness. On July 20 the process of interviewing judicial candidates was commenced and went on for several days. Unlike the previous years, the interviews were held behind closed doors, per information on the official web page of the High Council of Justice (HCOJ) and last year amendments to the HCOJ rules. Information on the selection of candidates was published on the HCOJ web page with extreme delay, effectively depriving any interested party a chance to attend and evaluate the process.

The Coalition considers this as a step back in the work for transparency of the HCOJ and, the judicial system in general. We believe that transparency of the judicial selection and appointment process is of utmost importance for ensuring judicial independence and public trust in the judiciary. Closing this process will not contribute to strengthening the judicial system and boosting its standing with both professional circles and the public. Additionally, closed interviews are not consistent with the trend of growing transparency of HCOJ that was [recorded in the recent years](#).

In 2014 the HCOJ amended its October 9, 2009 Decision #308, according to which, interviews with the judicial candidates are now to be held in closed session. Until this amendment the established practice at HCOJ was to hold open sessions of judicial candidate interviews. This format and the several years of monitoring the interview

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process allowed the civil society to witness the dynamics of the progress over the recent years and to identify shortcomings and [ways for bridging them](#).

In the situation, when HCOJ and its individual members do not have an obligation to substantiate neither a positive nor a negative decision regarding candidates, the openness of interviewing process is the only opportunity for any interested party to partially, but still observe the process of selection and appointment, identify and publicize the strengths and weaknesses of this process and help the system from the outside in improvement. By closing the process, however, it becomes completely impossible for the outside parties to evaluate how the process of judicial selection is conducted.

Considering the high public interest towards the judicial candidates, the Coalition considers that the HCOJ must change the judicial candidate interviewing rules in favor of transparency and openness. The Coalition also calls on the Parliament of Georgia to give vital attention to discussing this issue and ensure that the amendments are passes as part of the third wave of judicial reform process.