

Coalition for an Independent and Transparent Judiciary Appeals the Parliament of Georgia for Suspension of the Amendments to the Law on Common Courts

The Coalition for an Independent and Transparent Judiciary states again its position concerning the draft law initiated by Shalva Shavgulidze on "Introducing Amendments to the Organic Law of Georgia on Common Courts" to be discussed by the Parliament of Georgia. As it is known, the Parliament considers the draft by second reading 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 temporary suspension of the discussion. In view of above we considered necessary to express our position once again.

[The Coalition made the statement](#), on 28th September 2013 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 probation period - both initiatives proposed by the draft. At the meeting with the Coalition members the authors of the draft have produced 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 unacceptable and may prejudice 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 the above we urge the government of Georgia, representatives of~~

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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 a proper way. The Coalition for an Independent and Transparent Judiciary is ready to engage actively in said consultations if needed.

Furthermore, 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 and allow all stakeholders (firstly, judicial, legislative and executive authorities) participate in the process of developing legislative initiatives.

Coalition members:

Article 42 of the Constitution

Multinational Georgia

Solidarity to Illegal Prisoners

Georgian 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

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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