



## Coalition Statement on the Competition Announced by the Ministry of Justice

The Coalition for an Independent and Transparent Judiciary reacts to the announcement of the competition by the Ministry of Justice to select a member of the Consultative Council of European Judges (CCJE) and the European Commission for the Efficiency of Justice (CEPEJ) by Georgia ☐ quota. Nino Bakakuri, a Supreme Court judge, is already a member of both organizations until 2024. She was not informed regarding the competition in advance and has not requested that her membership be terminated. Considering these circumstances, holding the competition raises questions and further strengthens doubts about the oppression of dissent in the Georgian court system.

The CCJE<sup>[1]</sup> and CEPEJ<sup>[2]</sup> are consultative bodies of the Council of Europe. The CCJE is working on strengthening the independence, impartiality, and competence of judges

and is composed of active judges with a high level of integrity and competence (one representative from each member state, as a rule). Judges are selected in close consultation with the bodies of the member states that ensure the independence and impartiality of the courts. As for the CEPEJ, its primary objective is to improve the efficiency and operation of justice systems in member states and bring them in line with the Council of Europe standards. Similar to CCJE, CEPEJ is composed of experts, nominated by member states.

The current member of the CCJE and CEPEJ, for Georgia □□ quota, is the Supreme Court judge - Nino Bakakuri. She holds these positions until 2024.<sup>[3]</sup> Her qualification and integrity have never been questioned. She is not connected with the influential group in the justice system. Judge Bakakuri was not informed in advance regarding either the approval of the procedure for conducting the competitions or the announcement.<sup>[4]</sup> She did not apply to the authorized bodies with the request to terminate her membership in the above-mentioned organizations, which might have put the issue of selecting a new member on the agenda. Notably, the state does have the right to recall the member it nominated at any time. This raises concern that the purpose of the competition is to terminate Judge Bakakuri's membership.

The unplanned and hasty announcement of the competition, without informing the current member of the above-mentioned bodies, is a negative precedent that raises major questions regarding the independence of the judiciary and the persecution of possible dissent within the system.

**In the light of all the above, we call upon the Ministry of Justice of Georgia to:**

- clarify the reasons for the announcement of the competitions to select a candidate for the Consultative Council of European Judges and the European Commission for the Efficiency of Justice, when these positions, at least until 2024, are held by the Supreme Court judge of Georgia - Nino Bakakuri and she has not applied to the authorized bodies with a request to terminate her membership.

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<sup>[1]</sup> For more information on the mission and membership of the Consultative Council of European Judges (CCJE), see the Council's official website (available at: <https://bit.ly/3cWVzoN>)

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



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[2] Information on the mission and membership of the Commission for the Efficiency of Justice CEPEJ can be found at <https://bit.ly/2xPhffd>

[3] Nino Bakakhuri has been a judge of the Supreme Court of Georgia since 2014, and she is not appointed for life (available at: <https://bit.ly/3JudShb>).

[4] Decree N850 of the Minister of Justice of Georgia dated July 27, 2022 აქტით the approval of the procedure for conducting the selection competition for a candidate for the membership of the Consultative Council of European Judges (CCJE) of the Council of Europe for Georgia [ ] quota [ ] [ ] [ ] [ ] [ ] <https://bit.ly/3zwYMmA>); Decree N848 of the Minister of Justice of Georgia dated July 27, 2022 აქტით the approval of the procedure for conducting the selection competition for a candidate for the membership of the Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe for Georgia's quota" (available at: <https://bit.ly/3Q63mQ2> ).