

Coalition Statement Regarding the Selection of the New Chief Justice

Coalition for an Independent and Transparent Judiciary is addressing the issue of election of the new Chief Justice, which has already garnered growing public interest. The current Chief Justice's term is up in February, 2015.

According to the Constitution of Georgia, a candidate for the position of Chief Justice is selected by the President and is approved by Parliament. The nominee is appointed, upon more than half of the MPs support for him/her. According to the legislation, if the Parliament does not support the President's nominee, the President may not propose the same candidate again, he must offer the Parliament a new nominee. The current legislation does not specify the time for the President's nomination and the Parliament's hearing and decision-making regarding the candidate.

According to the current legislation, selection of the candidate and nomination to the Parliament is the President's exclusive authority. However, given the issue's importance, it is essential that the processes of the selection, nomination and appointment are transparent and inclusive. This must be ensured both by the President and the Parliament.

It is important that public has access to the criteria for selecting the Chief Justice, as well as the selection procedure. Due to high public interest towards the issue and the role of the Chief Justice in the ongoing reform of the Judiciary, it is important to consider the following issues:

- The selection process of the candidate must be transparent and inclusive. We believe that it is important to have clarity regarding how the President selects a nominee, and to ensure participation of professional, qualified and impartial entities

in this process, including through the consultations with the President.

- The selection of the nominee must be protected from the influence of political groups. For the purposes of strengthening trust towards the Judiciary and other state institutions, the process must be conducted with full political neutrality.
- The nominee must be of high legal qualification, with a distinguished and lengthy service in the field of justice, as well as high commitment and integrity for the protection of justice and human rights.
- When hearing the nomination, the Parliament must ensure maximum openness of the process and involvement of interested persons and organizations. The time of committee hearings must be made public reasonably in advance and the interview process with the nominees must be accessible to the public.
- Members of Georgian Parliament – the representatives of political unions – must consider only the professional qualities of the nominees and the public interest of making systemic changes in the judiciary, when making a decision on their support.
- To ensure distancing from the narrow party interests, it is important that Parliamentary fractions' and individual MPs' positions and arguments regarding the nominees be made and explained to the public in various ways, including the committee hearings and/or when providing comments to the media.
- It is important that the process be held in reasonable time, without undue delay, so that the public does not get an impression that the process is artificially protracted. We call on all sides to the process to implement the nomination and appointment of the Chief Justice in accordance with democratic principles. This will be of paramount importance for the effective continuation and implementation of the ongoing reforms in the judicial system. The Coalition expresses readiness to help with the improvement and transparency of this process.