



## **GYLA Voices its Position on Dismissal of Employees from the Prosecutor's Office of Georgia**

Some senior officials dismissed from the Prosecutor's Office after appointing the new Prosecutor General applied to GYLA. As they reported, they were asked to write applications on resignation. The demand was mainly voiced by Giorgi Gabitashvili, the new deputy prosecutor general. He summoned prosecutors to his room and asked them to write letters of resignation. However, as the applicants allege, none of them were explained the reason.

As reported, the new management mainly dismissed the prosecutors who were appointed by Archil Kbilashvili, the ex-prosecutor general. The relocations concerned not only deputy general prosecutors, but also other senior officials, namely: Madona Gibradze, the head of the general inspection, Levan Gzirishvili- the prosecutor of Adjara Autonomous republic, Khatuna Kalandadze- the deputy head of investigative department, Ekaterine Ebanoidze – the head of the financial department, Kakha Tsereteli – the head of the procedural management on territorial agencies of MIA and etc. Allegedly, the dismissals were also intensive in lower tiers as well. The case of Levan Buadze, the head of one of the departments deserves attention. As we were informed, he was also asked to write the resignation letter, however he resisted. Afterwards, as a result of the tense dialogue, his health condition aggravated and the emergency car was summoned in the General Prosecutor's Office. Obviously some staff changes may be implemented in the prosecution, as well as in other state agencies, but it should be done within legislative framework. Although the law on prosecution envisages resignation on the basis of individuals' voluntary application, it should be the real voluntary will, rather than pressure of the superior official.

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Moreover, Article 35 of the Law provides, " in his/her activities the employee of the Prosecution Service shall be independent. He/she cannot be resigned or dismissed from the position apart from the cases envisaged by this law and established rules. "

It should be taken into account that hundreds of citizens have filed complaints against the prosecutor with alleged violations of law that have taken place for the past years. We opine that the complaints need to be studied in details and if the elements of offence are discovered the relevant employees of the prosecution should be brought to criminal justice rather than dismissed from the position. However, as mentioned, the new management dismissed mainly those individuals who were appointed after 2012 parliamentary election and who, with high probability, are not in the list of the prosecutors mentioned in the lodged complaints.

We appeal to the Minister of Justice and the Prime Minister, as to the officials responsible on selection and appointment of the Prosecutor General, to express interest in the developments that take place in the General Prosecutor's Office.