



## The Crime Prevention Center of the Ministry of Justice is not fulfilling the Court Order

**The Crime Prevention Center is not fulfilling the court order to reinstate Tamaz Akhobadze and Ana Subeliani to work and compensate them for the time they were forced to miss from work.**

The decision came into force on 24 September 2017. The court found that in 2014, the Crime Prevention Center of the Ministry of Justice of Georgia dismissed Ana Subeliani and Tamaz Akhobadze from work illegally. **The employer stated reorganization as official cause of terminating the employees** but the evidence available in the case proved that the reorganization was conducted for the sake of

formality, while in reality positions that existed at the agency before the reorganization were not only not abolished but new positions were added and the budget was significantly increased. In this way, **during the proceedings it was proved that the employees had been terminated due to certain officials' biased opinions, not related to the quality of the work that the employees did and their competencies.**

However, within the enforcement proceedings the Center is refusing to fulfill the court order on grounds that one position was filled in 2017 and it currently remains occupied and the other position no longer exists following the reorganization. The Center has not provided any evidence to substantiate these statements.

Within the enforcement proceedings, Ana Subeliani and Tamaz Akhobadze have indicated that they would agree to a settlement but communication with the Center's representative has not yielded any results.

GYLA believes that failure to fulfill the legally effective decision of the court, including the refusal to compensate for the time that the plaintiffs were forced to miss (in scheduled installments) and the refusal to reinstate the plaintiffs to the same or equal positions, is completely unsubstantiated and illegal. **With these actions the Crime Prevention Center of the Ministry of Justice demonstrates that applying to court is not an ineffective way of seeking remedy. In addition, failure to immediately enforce the court's decision damages the budget of the state even more because according to the decision the plaintiffs should receive compensation for the time between dismissal and reinstatement.**

**We urge:**

- **the Crime Prevention Center of the Ministry of Justice to immediately enforce the court's decision by reinstating Tamaz Akhobadze and Ana Subeliani to work and compensating for the lost wages;**
- **the Bureau of Enforcement to take adequate measures for enforcing the legally effective decision of the court.**