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მართლმსაჯულებისთვის
Coalition for
an Independent and
Transparent Judiciary

Coalition Reacts to the Delay of the Third Wave Judicial Reform

The third reading of the Third Wave Judicial Reform bill was on the agenda of the May 25-27 plenary sessions at the Parliament of Georgia. However, once again the Parliament delayed considerations of the draft amendments.

Parliamentary considerations of the Third Wave drafts have been taking place for about eight months. Committee readings started in September –October 2015. Afterwards the process got delayed for several months. In February 2016 considerations were resumed and on May 6 the Legal Committee adopted the package at the third reading. However, since then the bill has not been voted for at a plenary session.

The delay of eight months and negotiations over the contents of the bill, which were taking place behind the closed doors have significantly damaged the legislative process. The contents and quality of the package have also been affected. The reasons for postponing the third reading are unclear.

The Coalition thinks that the Third Wave bill has been significantly revised. The revisions have damaged certain positive and progressive initiatives. Despite this assessment the Coalition believes that that the legislative process has to be completed and several improvements proposed in the bill have to be enforced due to their critical importance to the court system.

Coalition considers the final version of the Third Wave bill insufficient and inadequate for addressing challenges existing in the court system. We believe that the timely adoption of the Third Wave amendments will create a basis for more fundamental changes.

The future reform shall address the following issues: operation of the High Council of Justice and its decision making procedures, judicial appointments and promotions, and judicial disciplinary liability. The work of the recently introduced institutions (e.g. three-year probationary period) or the institutions which are about to be enacted (including Inspector and Management Department) have to be carefully examined.

Coalition addresses the initiators of the Third Wave drafts and political factions in the Parliament with a demand to consider the crisis existing in the court system and take timely steps towards the fundamental reform of the justice system. In order to achieve this objective the Third Wave amendments have to be adopted and enacted on time. This will create a platform for the future reform which will be more inclusive and open for substantive discussions.

Coalition continues to work on the judicial reform agenda and stands ready to provide

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detailed legislative drafts in this process.