



მინდა ვენდო
სასამართლოს!



კოალიცია

დამოუკიდებელი და გამჭვირვალე
მართლმსაჯულებისთვის

Justice Reform - A Vision of the Coalition for an Independent and Transparent Judiciary

Despite several waves of reforms carried out over the years, the Georgian judicial system still faces fundamental challenges and is experiencing a significant crisis of legitimacy and trust.

The legislative changes carried out so far should be considered a superficial attempt at institutional reforms that have failed to overcome the main challenge of the Georgian context – the concentration of power and informal influence in the justice system. Moreover, in the process of implementing reforms, the ruling team failed to adhere to the principal goals of democratic transformation of the judiciary and, over time, made concessions to influential groups in the judicial system regarding fundamental issues. This process contributed to the gradual suppression of dissent in the system and strengthened corporatism.

The ruling party's political will regarding improving the justice system is still limited to

fragmented and non-essential changes. The government does not recognize the problems in the judiciary or the need for fundamental reform. Accordingly, to implement fundamental justice sector reforms, the Coalition suggests the following important steps:

First stage: Assessment of existing problems in the justice system

The Parliamentary/Investigative Commission, through an inclusive and transparent process, should fully and objectively investigate the extent of informal/clan-based governance and political influence in the judicial system, as well as the level of corruption.

Second stage: Strategy and action plan for improving the justice system

After assessing the scale of the existing problem in the system, a strategy and an action plan for the real improvement of the judiciary with the involvement of all interested parties should be developed.

Third stage: Implementation of strategy and action plan

The institutions designated by the strategy and action plan must ensure its implementation. The implementation process should be transparent and inclusive.

Preventing the aggravation of the existing problem in the short/mid-term period

To avoid strengthening the informal/political influences in the justice system and increasing the level of corruption, the following measures must be taken:

1. The High Council of Justice □ introducing a more inclusive decision-making rule (double 2/3); limiting the holding of other administrative positions by judge members of the Council and the re-election of the same person to the Council; introducing the election of court chairmen by the judges of the respective courts;

2. Guarantees for the independence of individual judges □ reforming the system of disciplinary liability of judges and increasing the institutional and functional independence of the Independent Inspector; reforming the system of non-voluntary secondment of judges and reintroducing the guarantees existing before the December 2021 changes in the legislation;

3. Accountability and transparency □ ensuring the full and timely accessibility of judicial acts following the standard established by the Constitutional Court, as well as the actual provision of access to public information related to the administration and operation of the judiciary in accordance with the current legislation;

4. Reduction of the Clan-based influence on the Independent Council of the High School of Justice □ changing the rule of composition of the Independent Council of the School;

5. Staffing the system with qualified and conscientious personnel □ providing the High School of Justice with the necessary administrative/infrastructural resources to ensure the training of a sufficient number of qualified personnel;

6. Improving the labor guarantees for judges □ improving the system of distribution of cases and ensuring a fair workload for judges; developing criteria for the promotion of judges and making decisions on promotion based on these criteria; and determining a fair and transparent remuneration policy.