



Closure of sessions over the draft law against "Thieves' World" violates the principles of transparency

On March 13, the Human Rights and Civil Integration Committee of the Parliament of Georgia was discussing the amendments to be introduced to the Law of Georgia on Combating Organized Crime and Racketeering and other subsequent legal acts. [1] The purpose of the legislative package is to establish adequate legal mechanisms for fighting effectively "Thieves' World" and implementation of comprehensive justice.[2]

After the report of the Deputy Minister of Internal Affairs on the legislative package,

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



the committee made a decision to close the hearing. According to the statement made by the Chairman of the Human Rights and Civil Integration Committee, the reason for closing the session was to listen to information about an organized crime which had a connection to the legislative package.

We believe that a lawmaking process must be transparent and inclusive. In addition, public should have information about motivations and arguments based on which lawmaking bodies take decisions. Also, every interested person should have the opportunity to become a member of the lawmaking process and express his / her opinion. It is certain that during lawmaking activities and in executing supervisory functions, sensitive information must be protected, but openness of the lawmaking process is definitely an important value that cannot become a subject of compromise.

It is noteworthy that the current edition of the rules of procedure of the Parliament of Georgia envisages the possibility of holding a closed committee session in the event of an urgent case. [3] The above mentioned case shows that the existing normative content allows the opportunity of giving an unjustifiably wide interpretation to the issue. Consequently, within the framework of reforming the rules of the procedure of the Parliament, it shall be clearly defined that it is inadmissible to conduct closed committee and plenary sessions during lawmaking activities. As for the supervisory activities of the parliament, there must be a reasonable balance between transparency requirements and protection of classified information. In addition, it is important that prior to introducing amendments to the rules of the procedure of the Parliament, the parliament of Georgia must refrain from conducting lawmaking activities in a closed format.

[1]<http://parliament.ge/ge/saparlamento-saqmianoba/komitetebi/adamianis-uflebata-dacvisa-da-samoqalaqo-integraciis-komiteti/anonsi/13-martiadamianisuflebebi130318.page>;

[2] <https://info.parliament.ge/file/1/BillReviewContent/176078?>;

[3] Article 49(10) of the Rules of Procedure of the Parliament of Georgia;