



What does impeachment mean and what are its consequences?

Impeachment is a legal process for holding high government officials accountable, primarily resulting in the removal of the implicated official from their position.

The Constitution of Georgia allows for the impeachment of the president, a member of the government, a judge of the Supreme Court, the Prosecutor General, the General Auditor and a member of the board of the National Bank. In addition, the president can be removed from office only by impeachment.

The grounds for impeachment are the following: violation of the Constitution or the presence of signs of crime in the act.

If these grounds are confirmed, the Parliament takes the final decision on the matter.

- The first stage of the procedure is the initiation of the impeachment procedure. For this, at least 1/3 of the full composition of the Parliament (at least 50 deputies) is

required.

- After making a decision on the appeal, the issue will be transferred to the Constitutional Court within 7 days.
- The Constitutional Court examines this issue and determines within 1 month whether the official has violated the Constitution, or whether there are signs of a crime in their actions.
- In case these facts have not been confirmed, the case is closed.
- If the Constitutional Court confirmed with its opinion the violation of the Constitution by the official or the presence of signs of crime in their action, the Parliament will consider and vote on the issue of their removal from office by impeachment within 2 weeks after the submission of the opinion.

The president will be considered removed from office via impeachment if this decision is supported by at least two-thirds of the full parliament's composition, which means at least 100 deputies. In such a case, the president will be deemed deposed, and extraordinary elections will be scheduled within 45 days.

Since the constitutional amendments of 2017-2018 did not include a provision for exceptional rules regarding subsequent presidential elections after the 2018 election, and the direct election of the president was abolished starting from the inauguration of the elected president in 2018, any extraordinary elections scheduled before 2024 will follow the standard constitutional procedure, which is an indirect election.

In particular, the new president will be elected for a 5-year term by a 300-member collegium. This collegium will include all members of parliament, members of the Supreme Councils of the Autonomous Republics of Abkhazia and Adjara, and members appointed by the parties from the Sakrebulo.

The president is elected with the support of 2/3 of the full composition of the collegium (200 votes).

If the Parliament has not made a decision on the removal of the official from office by impeachment within 2 months after receiving the court opinion, it is not allowed to start the impeachment procedure on the same grounds.

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



In addition, the impeachment procedure of the President of Georgia cannot be carried out during a state of emergency or war.