



GYLA SUBMITTED WRITTEN OPINIONS TO THE PARLIAMENT REGARDING THE DRAFT ORGANIC LAW "ON PROSECUTOR'S OFFICE"

GYLA has submitted written opinions to the Parliament of Georgia on the draft Organic Law [\[1\]](#) the Prosecutor's Office A initiated by the members of the Parliament of Georgia.

According to the draft organic law, the Law of Georgia [\[2\]](#) Prosecutor's Office A will be transformed into an organic law, and the status of the Prosecutor's Office of Georgia and guarantees of its independence, authority, structure and procedure will be determined.

GYLA welcomes the draft organic law and any relevant organic laws and draft legal projects thereto submitted as a legislative initiative for ensuring the compliance of the legislation with the new edition of the Constitution of Georgia. However, we believe that the provisions of the presented draft law

in many cases only provide a formal compliance with the new edition of the Constitution, which is not sufficient for providing comprehensive reforms into the system of the Prosecutor's Office.

We think that the rule of participation of executive, legislative and judicial authorities in the formulation of the Prosecutor's Council is not in compliance with Article 65 of the new Constitution of Georgia and the presence of majority of prosecutors in its composition cannot guarantee its independence.

In addition, we believe that the procedure for selecting and appointing of candidates for the position of the chief prosecutor requires further improvement and moreover, the organic law must determine the basis for establishing specialized prosecutor ☐ offices, their powers and the code of conduct.

Additionally, more consideration shall be given to assigning the Chief Prosecutor the extent of the authority proposed by the initiative and it is reasonable to consider the possibility of delegation of the powers to the Prosecutor's Council.

GYLA appeals to the Parliament to take into consideration the opinions and comments laid down in the conclusion of the draft law.

See the following attached file for the full version of the conclusion: