



## **GYLA recommendations for the procedure of the selection/appointment of judges are partially considered**

The High Council of Justice of Georgia discussed GYLA's recommendations aimed at improving the procedures for selection of judges. Recommendations were proposed in the framework of the judges' selection competition, the result of which will be appointment of judges on 43 vacant positions, including for lifetime. One part of GYLA's recommendations has been taken into consideration and the relevant decision was published on the Council's website, however, the second part of the recommendations, which is not less important, has not been taken into consideration.

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The fact that part of the proposed recommendations was taken into consideration by the High Council of Justice is important and should be assessed positively. With the involvement of civil society and considering their proposals establishing of decision-making practices are essential for the democratic functioning of state institutions.

Discussion about GYLA recommendations at meeting of Council once again demonstrated the necessity of the effective involvement of the Parliament of Georgia in the process of judicial reform and its high responsibility in this case. Despite this, several days ago, Legal Issues Committee of the Parliament refused to consider the legislative proposal submitted by the Coalition for an Independent and Transparent Judiciary concerning the legal defects in the selection/appointment process of judges. By the decision of the committee, the legislative proposal was sent to the working group of The Fourth Wave of Judicial System Reform. It should be considered that the work of the group is delayed, and the issue of selection/appointment of judges is not planned in the nearest future.

We think that despite the incomplete consideration of the recommendations, the following amendments made by the Council will have a significant effect on the improvement of the selection process made according to the recommendations of GYLA:

- A specific list of sources has been established, from which mandatory rules are required to obtain information about candidates. Among them are: seeking information disseminated in the media, requesting information from the Georgian Bar Association, requesting recommendations of no less than two recommenders and so on. This will help the Council to seek important information about the candidates;
- The public will get more information about the candidates in advance which creates better conditions for providing more information about the candidates to the members of Council;

The rule of selection of judges regulates the issues related to the terms of the competition. This will assist to determine the reasonable terms for finding information about candidates by the High Council of Justice and seek information more effectively.

The Council has not taken into consideration two important recommendations: *conducting an interview with the candidates for judges at the open session and substantiating the assessment of the candidates for judges by individual members of*

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We call the High Council of Justice of Georgia and the Parliament of Georgia for immediately review the issue of eliminating the gaps in the selection/appointment rules of judges. GYLA still expresses its readiness to participate in the process of regulating the legislation to improve selection/appointment process of judges.