

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



## The Constitutional Court has released the foreign students from the obligation to pay the fees for the school education

On September 12/2014, the Constitutional Court of Georgia has announced the decision on the constitutional lawsuit of GYLA. The lawsuit was submitted on behalf of the six (6) foreign students residing in Akhalkalaki (the citizens of Russia and Armenia). The Constitutional Court of Georgia has upheld the mentioned lawsuit, invalidating the provisions, which impose an obligation over the citizens of other

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countries to pay a specific sum for receiving the school voucher.

In GYLA's opinion, imposing an obligation over the foreigners to pay a sum in exchange for receiving a school education contradicted the Article 14 of the Constitution of Georgia, which guarantees the equality before the law. Since the school vouchers were provided to the citizens of Georgia free of charge, while the foreigners were paying for the school vouchers, the latter were being discriminated against.

In addition, GYLA considers that the disputed provision contradicted the Article 35 of the Constitution of Georgia, which indicates that receiving an education and selecting its form is a right of everyone and not only of a citizen of Georgia.

GYLA welcomes the clearly progressive decision of the Constitutional Court (this decision is in compliance with the case law of the Strasbourg European Court of Human Rights) and in the light of the start of the new study year, wishes success to up to 400 students enrolled into the schools, for whom the discriminatory charges represented a serious burden on their way to receiving a general education.