



## Open Letter to the Diplomatic Missions

Your Excellences,

On behalf of Georgian people, who are deeply concerned with the ongoing state of judiciary in the country, we are contacting you as active supporters of Georgia  democratic development. On different occasions we have addressed government, political entities and various institutions regarding these concerns. However, we have not approached you on this matter before, as decisions regarding the development of the country should be carried out by its citizens and international partners can only provide their kind recommendations and support in this regard. Nevertheless, we have decided to approach you directly with our grievances, as we see the risks that your name and resources could be misused to legitimize the process, which instead of creating an independent judiciary aims to strengthen influences of interested group within the judiciary.

Georgian population has experienced unfair justice practices on the large-scale

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



throughout its history. Society is fully aware that at present vital decisions are being made regarding the justice system. Unfortunately, latest developments on the subject have demonstrated that the steps taken were not sufficient for the creation of strong and independent judiciary.

Georgian justice system at present is facing certain abnormalities. Activities and erroneous reforms of present and former governments, has enabled small group of judges to take control over the High Council of Justice. Mentioned group uses its capacity to strengthen their power instead of improving the judiciary itself. Societal trust towards the system declines daily and the reform itself is in the dead-end.

It is fallacious to assume that drafting selection procedures and criteria for the Supreme Court judges could straighten the crisis, which the justice system is facing. Only way out of this dire situation is the resignation of members of the so called  alongside with their 11 supporters sitting at the High Council of Justice and only afterwards we could truly talk about the reformation of the Council.

As of now Chairman of the Parliament facilitates the process of drafting selection procedures and criteria of assigning new members to the Supreme Court. As you might know, multitude of actors protested against the undemocratic format and agenda of the meeting held by the Chairman on 27th of January.

Amidst this tension, Parliament publicizes the news of meeting Speaker of the Parliament with diplomatic corps to discuss the details of apparently finalized version of the draft law. Additionally, according to provided information, certain alterations to the draft has been made based on your recommendations. We cannot be certain how well this information reflects the real context of your meeting, however, we stay hopeful that without the consultation with interested parties the diplomatic corps would have not expressed its support towards the draft.

Draft law about which only general ideas are known to us seems to be created in a way, to formally officiate the outcomes which the influential group of judges intended to achieve in December last year.

We would like to note that we value the role you have played throughout the year in helping to strengthen and reform the justice sector in Georgia, thusly based on the urgency of the situation we would like to urge you:

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- To once again express your clear stand on the outcomes of judicial reforms in Georgia;
- To be cautious your name not to be used to legitimize processes, which do not reflect and express the needs of Georgian people;
- To take into consideration that clear procedures and criteria can only serve its purpose if the High Council of Justice will be fully renewed in accordance with the pluralistic approach.

## **Signatories:**

Maia Bakradze, Former judge at Tbilisi Court of Appeals

Dato Laghidze, White Noise Movement

Kakha Tsikarishvili, Lawyer, Professor of Law

Lia Mukhashavria, Human Rights Priority

Besik Sisvadze, Former judge at Tbilisi City Court

Tea Khamkhadze, Former judge at Tbilisi City Court

Ana Natsvlishvili, Activist/Professor of law

Kakha Kozhoridze, Lawyer

Ucha Nanuashvili, Former Ombudsman of Georgia

Maia Mtsariashvili, former Chairperson at Tbilisi District Court

Irakli Kordzakhia, Lawyer

Zaza Khatiashvili, Former Chairman of Georgia's Bar Association

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Rati Amaghlobeli, Poet

Ioseb Baratashvili, Lawyer

Vakhushti Menabde, Associated professor at Ilia's state University

Nikoloz Legashvili, Lawyer

Davit Jandieri, Professor of law/Analyst at the center of strategic analysis

Mamuka Akhvlediani, Former Chairman at Tbilisi City Court

Irakli Gabrichidze, Lawyer

Lasha Tughushi, Liberal Acedemy

Tornike Bakradze, Lawyer/Mediator

Article 42 of the Constitution

Human Rights Center

Union "Safari"

European Fund

Transparency International Georgia

Human Right Education and Monitoring Center (EMC)

Open Society Foundation – Georgia (OSGF)

Institution for Development of Freedom of Information (IDFI)

Civic Integration Foundation

Georgian Young Lawyers' Association (GYLA)

Georgia's Democratic Initiative (GDI)

UN Association of Georgia

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Green Alternative