



The Process of Selection of Judges for Nomination to International Criminal Court Lacks Transparency and Includes Flaws

Georgian Coalition for International Criminal Court (GCICC) once again calls on the Ministry of Justice and Training Center of Justice to ensure open and transparent process for the selection of the candidate of the judge for the nomination to International Criminal Court.

On January 30, 2020, the government of Georgia adopted the [rule](#) regarding the selection of the candidate of the judge to International Criminal Court. According to

the resolution of the government, Legal Entity of Public Law, Training Center of Justice conducts initial selection of the applications for the announced competition and administers professional testing. The results of the testing will be assessed by the invited consultants. 5 candidates revealed as a result of the testing will be proposed to the government by the Training Center of Justice. The government of Georgia will select two candidates from the proposed 5 candidates and will propose them to the Parliament.

The Training Center of Justice published [the conditions for the competition](#) in several days after the rule was adopted and established 10-day term for the interested individuals to present their documents. After the term expired, the Training Center of Justice prolonged the term for accepting documents by 1 week, [till February 21](#).

The Training Center of Justice was supposed to propose the list of the candidates of judges to the government of Georgia by February 23. However, according to the [resolution](#) adopted by the government of Georgia on February 21, the amendments were made to the rule of selection of judges and the term for proposing the candidates was prolonged to March 6.

Despite the amendments, it is still obscure as to what are the requirements and procedures according to which the Training Center of Justice selects two individuals from 5 candidates proposed by the Training Center of Justice. Also, despite numerous [requests](#) of Georgian Coalition for ICC, the amendments did not touch upon the issue of involvement of NGOs in the process of the selection of the judges.

Also, although the term for presenting the applications as well as the term for proposing the candidates to the government already expired, the Training Center of Justice has not yet published the list of the candidates participating in the competition. Such list was not published neither after the initial selection of the applications, nor at the later stage. Thus, it is unknown at this stage as to who is among the candidates proposed to the government.

Thus, the process of the selection of the candidates to be nominated to the International Criminal Court is not open and transparent. The progress of the process is unknown for the society.

Georgia has never had a judge in the International Criminal Court. Also, it should be noted that the investigation into the situation of Georgia has been ongoing for four

years. Thus, there is high interest from the society towards the selection process. In such conditions, it is critically important to inform the society regarding the ongoing process, in order to promote transparent and fair nomination process.

Considering the above mentioned, we call on the Ministry of Justice and Training Center of Justice, to adhere to the standard of openness and ensure informing society regarding the selection process of the judges and publish following information:

- Applications presented to the Training Center of Justice along with the accompanying documentation and initial list of candidates;
- The decision made by the Training Center of Justice after the initial selection of the applications and the list of the initially selected candidates;
- The results of the testing of the contestants, including the information regarding the name of the candidates and the received score;
- The name of the consultants invited by the Center;
- The name of the 5 candidates to be proposed to the government.

GCICC continues to observe the process of the selection of the judges and periodically will give information to the public regarding this issue.

The member organizations of the International Criminal Court:

Article 42 of the Constitution (Article 42)

Georgian Young Lawyers Association (GYLA)

Georgian Center for Psychosocial and Medical Rehabilitation of Torture Victims (GCRT)

Human Rights Center (HRC)

International Center on Conflict and Negotiation (ICCN)

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Justice International (Justice International)