



# The Coalition Statement on the Draft Amendments to the Organic Law of Georgia on Common Courts Initiated in the Parliament of Georgia

The Coalition for an Independent and Transparent Judiciary believes that the proposed draft amendments to the Law of Georgia on Common Courts are fragmented and do not address the challenges and problems that are characteristic not only to the process of selection of Supreme Court judges, but also to the judiciary, in general. The [bill](#) is concerned with the duty of the High Council of Justice to make reasoned decisions regarding Supreme Court judicial candidates, as well as with candidates' ability to appeal these decisions. □

In 2019, in the process of development of procedures for the selection of Supreme Court judges, the Coalition as well as international organizations submitted their opinions and recommendations to the Parliament. The recommendations proposed to introduce safeguards ensuring a merit-based, transparent and impartial process. <sup>[i]</sup> The Parliament did not consider a large part of these recommendations.

Correspondingly, the selection process revealed a number of problems, which eventually affected its quality. The Parliament of Georgia also did not consider the Coalition [i] recommendations to refrain from the appointment of a number of Supreme Court judges, whose qualifications, integrity, and credibility were questionable.

The Coalition believes that the proposed amendments will not alter the current state of the Georgian judiciary. It is impossible to improve the judicial selection process without reforming the High Council of Justice. Improvements of the procedures for the selection of Supreme Court judges should encompass the process of selection of candidates by High Council of Justice, as well as the voting stage in the Parliament of Georgia. The proposed amendments will not essentially address fundamental problems pertinent to the process of selection of Supreme Court judges, which have been noted in several local and international reports.

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[i] See the Coalition for an Independent and Transparent Judiciary Proposals for Supreme Court Justice Selection Criteria and Procedures at [http://coalition.ge/index.php?article\\_id=200&clang=1](http://coalition.ge/index.php?article_id=200&clang=1);

Also, see the Coalition Letter to the Venice Commission and OSCE/ODIHR on the Draft Law on the Selection of Supreme Court Justices [http://coalition.ge/index.php?article\\_id=204&clang=1](http://coalition.ge/index.php?article_id=204&clang=1);

Also, the OSCE/ODIHR Second Report on the Nomination and Appointment of Supreme Court Judges in Georgia at [https://www.osce.org/files/f/documents/3/1/443497\\_0.pdf](https://www.osce.org/files/f/documents/3/1/443497_0.pdf).