



The Coalition is Appealing the Decision on the Case of a Former Judge

The Coalition for an Independent and Transparent Judiciary is representing the interests of former Judge Maia Bakradze in a case against the High Council of Justice (HCOJ). The Coalition applied to the Court in an effort to establish discrimination by the HCOJ. The Coalition considers that the HCOJ treated Maia Bakradze differently because she was the chairperson of Unity of Judges and was known for her critical views of the court system.

Today, the lack of dissenting opinion and real discussion are one of the main challenges facing the judiciary and the High Council of Justice. Members of the judiciary refrain from publicly discussing the problems of the system and openly express contempt for the public criticism. Judges' open expression of dissent and criticism is met with harsh reactions from the HCOJ. One vivid example is the refusal

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



to appoint former judges to the bench because of their critical actions and opinions.

Maia Bakradze, the Chair of Unity of Judges, participated in two judicial selection competitions after completing her judicial term. Although she met all the criteria set by the legislation, the HCOJ decided not to reappoint her as a judge. The HCOJ [] interviews with her as a judicial candidate were not directed towards evaluating her by any set criteria, but rather towards revealing the candidate [] positions towards some publicly voiced critiques of the system.

Given the importance of this case for the Georgian justice system, the Public Defender of Georgia submitted an [amicus brief](#) to the City Court.

Tbilisi City Court did not rule in favor of Maia Bakradze. The decision of the court was not sufficiently substantiated legally. The substantiation is lacking to such a degree that reviewing its legal grounds is impossible.

Unfortunately, the first instance court failed to ensure that the case was heard objectively and without bias, an indication of the difficulty of bringing a case against the HCOJ. The court [] decision is not based on a comprehensive review and evaluation of all circumstances relevant to the case.

Given all of the above, the Coalition for an Independent and Transparent Judiciary is appealing the Tbilisi City Court decision to the Tbilisi Court of Appeals.