

Court Rules in Favor of Kamran Mamedov in the Case against the International Education Center

The Supreme Court upheld the 12 July 2017 ruling of Tbilisi Appellate Court in favor of Kamran Mamedov in the case against the LEPL International Education Center. The plaintiff was represented by GYLA in court.

Kamran Mamedov was admitted to a yearlong master □□ degree program in social sciences (international migration and ethnic minorities) at the Swedish Malmo University. He then applied to the LEPL International Education Center for a study abroad scholarship, pursuant to terms of the competition. Having gone through all three stages of the competition, his final score was found insufficient for the

scholarship - he was 1.3 points short. This was due to the fact that in the second stage of the competition one of the members of the commission gave the plaintiff zero points in all components without any justification.

The plaintiff demanded that results of the competition held by the LEPL International Education Center in 2015 be partially invalidated and the IEC be compelled to provide a scholarship for his graduate studies at the Swedish Malmo University. The Appellate Court found that the refusal of the IEC to provide scholarship for the plaintiff □□ studies was illegal and ordered the IEC to eliminate the gaps and reexamine the issue.

In view of the Appellate Court and the Supreme Court, the decision of the commission was completely ill-founded, so was the position of the IEC as to why the commission member had given zero points to the contestant for concrete criteria while the form of evaluation did not provide an opportunity of giving zero points to contestants. In addition, the plaintiff was absolutely illegally denied a bonus point (a □□□□□□ point A□ reserved for contestants from regions. Of note is the fact that during the first stage of the competition, in the component on education the plaintiff was evaluated by an employee of the administration of the IEC instead of the commission. The employee was not a member of the commission and therefore, she had no right to evaluate contestants.

In this way, the court believes that evaluation of contestants based on the established criteria is essential in order for the outcome to be transparent, objective and based on equality of individuals. This rules out any arbitrariness of the commission and allows objective observers including court to not question decisions of the commission.