



Abolition of authorization of Shahin School-Lyceum is unsubstantiated

The Georgian Young Lawyers' Association (GYLA) is responding to the 3 February 2017 decision of the Authorization Council for General Education Institutions which abolished the authorization of Shahin School-Lyceum LLC [1]. The GYLA believes that the decision to abolish the school's authorization during the learning process fails to comply with the standard of substantiation and that the Authorization Council for General Education Institutions made a clearly inappropriate and disproportional decision, which resulted in unsubstantiated restriction of education, work, and personal development of a group of persons (students, teachers, representatives of the school administration).

Documents studied by the GYLA show that the school was granted authorization on September 4, 2015. Prior to the authorization, the school offered informal education in the Turkish language, but as the format of learning was not in conformity with the

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National Educational Plan, the school could not issue graduation certificates that would be recognized by the State. For this reason, the existence of the Turkish-language sector in the school didn't require a relevant permission of the State. When the authorization was granted, the school was given a recommendation to abolish the Turkish-language sector and to transfer students to the Georgian-language sector. Despite the fact that the school had the right to retain the Turkish-language sector, they took account of the Authorization Council's recommendation and, by the decision of the school principal, abolished the Turkish-language sector [2].

On December 25, 2015, the Authorization Council discussed the issue of abolition of authorization of Shahin School-Lyceum, although, on the basis of an opinion prepared by experts, the Council deemed that the school-lyceum had resolved the problem related to students enrolled in the Turkish-language sector and discontinued administrative proceedings that had been launched with the aim of abolishing the authorization.

On January 20-22, 2017, a monitoring group of the National Center for Educational Quality Enhancement paid an unplanned visit to the school, which resulted in the preparation of an expert opinion. Despite the fact that, about a year before, a group of experts had given a positive assessment to the enrollment of students of the Turkish-language sector in the Georgian-language sector, this time the monitoring group deemed it a violation. The monitoring group also considered it a gross violation of law that the school had failed to suspend the student's status of five students during the learning process, arguing that the said students had not participated in the learning process. Based on the documents studied, the GYLA believes that the Authorization Council made the decision on termination of authorization without examining all factual circumstances. For example, the Council failed to pay attention to the fact that it had already substantively deliberated with regard to the Turkish-language sector and made a relevant decision.

Even if the circumstances that the Council considers as violations are real, due to the character of the violations, we cannot consider the abolition of authorization during the learning process as an adequate and proportional measure [3].

The unsubstantiated decision on the abolition of the school's authorization raises doubts that the decision might be related to a public statement of the General Consul of Turkey several months ago. Specifically, when commenting on the coup attempt in

Turkey, the Consul stated that he was going to ask the Georgian authorities to close the school in the nearest future [4].

Turkey's interest in the termination of the school's functioning is also confirmed by the fact that the Turkish side is demanding the extradition of Mustafa Emre Chabuk, a representative of Private Demirel College, accusing him of membership of a terrorist organization. In documents substantiating its demand to extradite him to Turkey, the Turkish side indicates that certain educational institutions in Turkey and beyond its borders are connected with the organization FETO/PDY, which is associated with Fethullah Gülen and which Turkey considers as a terrorist organization and links to the developments that took place in Turkey on July 15, 2016.

The GYLA continues to study the aforementioned facts and is going to periodically provide the public with additional information. The GYLA also calls upon the Georgian side to act in accordance with international standards when examining the issue of extradition of Mustafa Emre Chabuk and not to allow his extradition to Turkey.

[1] http://eqe.gov.ge/res/docs/Oqmi_N10_25.12.2015.PDF;

http://eqe.gov.ge/res/docs/Oqmi_6_04.09.2015.PDF;

http://eqe.gov.ge/res/docs/Oqmi_N1_03.02.2017.pdf;

[2] http://www.eqe.ge/res/docs/Oqmi_N10_25.12.2015.PDF

[3] According to Paragraph 6, Article 31 of Order No. 99/N of the Minister of Education and Science of Georgia of October 1, 2010, "In the event of revealing a violation, the relevant council shall be entitled to set a term of not more than 60 days for the educational institution to rectify the shortcoming, except for cases when it is obvious that this will not yield any results."

[4] <http://batumelebi.netgazeti.ge/news/51743/#sthash.SQX4rzP0.dpbs>