



Georgian Coalition for International Criminal Court Criticizes Process of Selection of a Candidate for the Post of Judge at ICC

The member organizations of Georgian Coalition for ICC (GCICC) are responding to recently adopted regulations regarding the selection of a candidate for the post of judge at ICC. GCICC calls on the government of Georgia to become more responsible regarding this issue.

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On January 30, 2020, the government of Georgia adopted regulations regarding the selection of a candidate for the post of judge at ICC.

According to new regulations, the Training Center of Justice conducts the initial selection of the applications for the competition and administers the professional testing. The results of the testing will be evaluated by a special consultant (or consultants).

Five candidates with the best results will be proposed to the Government of Georgia. The government will select two candidates and propose them to the Parliament of Georgia. The Parliament will hear the candidates and vote according to the procedures established for the selection of the member of the Constitutional Court of Georgia. If the government or Parliament does not approve the candidates, the Training Center of Justice starts the selection process anew.

The Training Center of Justice published the terms and conditions for the competition and established 10-day term for the interested individuals to present the necessary documents.

There is significant interest from the public towards this process considering that Georgia has never nominated a judge to the ICC and also, taking into account the fact that it has been four years since the ICC started investigation into the situation of Georgia.

Unfortunately, despite the existing public interest and readiness expressed by the GCICC, the new regulations were adopted without the involvement of the organizations and experts working in this sphere. Moreover, according to the new regulations, the role of the non-governmental organizations and their involvement is not envisaged in any stage of the selection process.

We, the undersigned member organizations of GCICC consider that new regulations do not ensure open, transparent and fair process for nominating judges to ICC. Conducting this process without the involvement of civic and public groups incites distrust and decreases the possibility for broad participation of qualified candidates and fair selection.

At the same time, according to the new regulations, the selection of the candidate is not conducted by the independent body equipped with high public trust which would

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have united the representatives of the judiciary, legal circles and civil society. Instead of the independent body comprised of the diverse members with the relevant experience and gender balance, the Training Center of Justice is conducting the selection of the candidates and initial assessment only by the participation of the invited consultant/consultants, with vague procedures, without the involvement of the representatives of the civil society or observers. As for the next stage, the Georgian government has exclusive authority to select two candidates to be proposed to the Parliament. This politicizes the process and decreases the chances of participation of highly qualified and independent candidates in the process.

It is obvious that the proposed rule does not ensure the nomination of independent candidates under the merit based procedures and ultimately, the selection rules and procedures create risks hindering successful selection of the candidate nominated from Georgia.

Therefore, we call on the Prime Minister and Ministry of Justice:

- Become more responsible in relation to the process of the selection of the candidate for nomination to ICC;
- Adopt new procedures considering the opinions of the Georgian Coalition for ICC and by ensuring broad public participation, including the NGOs working in this sphere who will promote open, transparent and fair process for the selection of the candidate and nomination of independent, unbiased and highly qualified candidate;