



The Statement of Coalition about development of the Juvenile Justice Code

The Coalition for an Independent and Transparent Judiciary welcomes development of the Juvenile Justice Code by the Ministry of Justice. Development of the Code corresponds to the Convention on the Rights of the Child, which obliges the signatory states to establish special policies, procedures and institutions for the juveniles dealing with the Justice system.

The aim of the Code is to liberalize the justice system and strengthen restorative justice principles in relation to juveniles. The code establishes new norms and standards not only for the juveniles in conflict with the law, but also for the juveniles who are witnesses and victims. The Juvenile Justice Code envisions such important changes as ensuring priority of the best interest of the juvenile, abolishment of criminal record, diversion, and training of specialized judges and prosecutors. The Code unites the norms pertaining to issues of juvenile responsibility, administrative and criminal procedures, penitentiary and others.

According to the new Code, imprisonment as a form of punishment should only be used in cases of extreme necessity. Indefinite detention of a juvenile is prohibited. A juvenile detention period from the first appearance to the pre-trial is now reduced from 60 to 40 days, and the criminal record is expunged immediately upon serving the sentence.

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



The Code creates specialized institutions to work on juvenile cases. Creation of specialized prosecutors, judges and policemen are especially welcome.

Effective implementation of the Code depends on timely preparation of the specialized institutions and their effective work. At present the Code provides for hearing the cases in common courts by the common trial rules. It is important that the judiciary is sufficiently ready and equipped to execute the new Code. To ensure this, strategies for transitioning to the new model must be created at all relevant institutions and the action plans must be devised with reasonable time-periods for implementing the activities.

The Coalition believes that the Juvenile Justice Code is a clearly progressive step in the development of the Georgian Judicial system. All branches of the government must take consistent and effective steps to ensure its full implementation in practice.