

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



NGOs voice their position about statements of the Prime Minister and the Vice Speaker of the Parliament

We would like to voice our position about some statements made by representatives of the state authorities about judiciary and to express our position about the fact.

As we still have a legitimate doubt and reasons to think that some judges are not independent yet and are under certain influence of former government, the Prime Minister reported at the meetings with population on June 10, 2014, in Batumi.

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We opine, that supreme state officials should be especially careful in expression of their position in terms of judiciary, especially when it concerns submission of accusations without valid evidences in terms of the judiciary in general and with regard to individual judges. Judges are obliged to act with observance of norms of ethics, which also implies ensuring of political neutrality and impartiality principle. Identification of breach of principles is authority of concrete agencies rather than subject of political statements.

The statement made by the Vice Speaker of the Parliament Marina Kobakhidze, about the court judgment made on Giorgi Ugulava case also attracts attention in this context. As she interpreted, earlier the Constitutional Court could not dare to make such decision and this is the sign of independence acquired during the ruling of current government. In addition, we should mention the statement of the head of Education, Science and Culture Committee of the Parliament Eliso Chapidze in terms of the Constitutional Court, alleging that it made politically motivated decision on the case of public broadcaster. We should also consider the fact that took place against the chairman of the Constitutional Court after adoption of the decision. Similar assessments from the side of majority representatives about judiciary might stimulate expression of the protest and attitude in such form. Regretfully, the state authorities failed to make adequate response and assessment on this conduct.

Democratic state is impossible without respect and recognition of court decisions. It is decisive that representatives of both executive and legislative branches were consistent in their conduct and presentations and adhered to the principles in protection of judiciary independence and strengthening of judiciary system. Their statements should not stimulate discretization of judiciary and reduction of its authority. The last is especially important when the court decision comes in conflict with the interests of political majority.

We call on representative of the state authorities, as well as all political groups to refrain from making unjustified statements in terms of judiciary organs, that might cause involvement of judiciary in political process and impair its independence.

Undersigned Organizations:

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Georgian Young Lawyers' Association (GYLA)
Human Rights Education and Monitoring Center (EMC)
“Transparency International Georgia” (TI)
Open Society Georgia Foundation
Article 42 of the Constitution