The Coalition Reacts to the Imposition of Sanctions on Judges

The US Department of State has imposed personal sanctions on entry into the country on members of an influential group of judges due to their involvement in significant corruption. The sanctions are imposed on current and former judges: Mikheil Chinchaladze, Levan Murusidze, Valerian Tsertsvadze, and Irakli Shengelia.[1] According to the US Embassy, □□□□□□ decision is based on reliable information about the engagement of judges in alleged corrupt activity.[2] The Coalition supports this decision of the State Department.

For years, the Coalition for Independent and Transparent Judiciary has considered the governance of the influential group of judges - the Clan - as the main challenge of the Georgian justice system. Internal challenges to the independence of the court system are one of the focal topics of the Country Report of the US Department of State.[3] The Clan is in alliance with the government and makes decisions on cases involving political interests not in the consideration of justice, but to its detriment, to achieve narrow political or other goals. The sanctioned judges are members of this group. Mikheil Chinchaladze, Levan Murusidze, and Irakli Shengelia are acting judges and

have held key positions in the system for years, while Valerian Tsertsvadze, despite not being an acting judge, significantly contributed to the creation of this system. The mentioned persons abused their positions as court chairpersons and members of the High Council of Justice, thereby harming the rule of law and the public's trust in the Georgian court system.

Regrettably, despite several demands, the so-called Charles Michel Agreement, or the 12 recommendations made by the EU, the ruling party has not demonstrated political will to fundamentally reform the court system. Moreover, over the last few years, the influential judges have strengthened their positions[4].The recent reforms carried out in the court system have clearly served the increasing domination of the Clan and were directed against independence of individual judges.

The application of sanctions against influential judges confirms the severity of informal influences and the problems of clan-based governance in the justice system. These processes undermine the reputation of the entire justice system, while the Georgian citizens right to fair, independent, and effective justice is restricted. Considering the above, we once again call on the ruling party:

- To fulfill the European Union recommendation concerning the justice sector and carry out a fundamental reform;

- Make steps toward the termination of the clan-based governance in the justice system;

- Appoint impartial and conscientious members of the High Council of Justice, while simultaneously amending the existing decision-making rule in the Council.

The information concerning alleged crimes indicated in the statement of the US Embassy should be legally assessed by the relevant authorities.

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[1] Public Designations of Mikheil Chinchaladze, Levan Murusidze, Irakli Shengelia, and Valerian Tsertsvadze, Due to Involvement in Significant Corruption, Press Statement, U.S. Department of State, 5 April 2023, available at: https://www.state.gov/public-designations-of-mikheil-chinchaladze-levan-murusidze-irakli-shengelia-and-valerian-tsertsvadze-due-to-involvement-in-significant-corruption/

, accessed: 04.06.2023.

[2] FACT SHEET 7031C DESIGNATIONS OF GEORGIAN OFFICIALS. US Embassy, 04.05.2023. available at: https://ge.usembassy.gov/ka/fact-sheet-7031c-designations-of-georgian-officials-ka/, accessed: 05.06.2023.

[3] 2022 Country Reports on Human Rights Practices: Georgia, U.S. Department of State, 2022, available at: https://www.state.gov/reports/2022-country-reports, accessed: 6.04.2023.

[4] 2022 Country Reports on Human Rights Practices: Georgia, U.S. Department of State, 2022, available at: https://www.state.gov/reports/2022-country-reports, accessed: 6.04.2023.