

The Coalition is Starting “Make Courts Trustworthy” Campaign

Recent developments in the judiciary once again exposed the extent of the systemic problems in the judiciary. It is clear that the reforms implemented in the court system in recent years failed to achieve their main objective of having justice delivered by independent and impartial judges whose integrity and competence are not in doubt.

The main challenges remaining to date include:

- **Insufficient political will for improving the judiciary**

The three waves of judicial reforms implemented to date have not obtained their objective of improving the judiciary. The main reason for this is that the legislative changes were incomplete, belated, and often adapted to the interests of the influential group of judges. The ruling party is also responsible for appointing non-judge members to the High Council of Justice (HCOJ), the majority of whom failed to demonstrate sufficient integrity and without whose support the HCOJ could not have made its judicial appointments and other important decisions.

Today we are hearing [outraged](#) statements from some members of the parliamentary majority and ruling party regarding the lifelong appointment of judges. When almost half of Georgia’s judges are already appointed for life using opaque procedures, such reactions from the governing party are belated. It is clear that the government is trying to shift the blame for the situation in the judiciary.

- **Clan-based governance of the judicial system**

At all stages of judicial selection and appointment, we are left with the feeling that judicial appointments are based on the candidates’ loyalty to the influential group and probable nepotism. There are valid concerns that the HCOJ is using its authority and legislative deficiencies to eradicate dissent from the system and to further strengthen its own positions. In this situation judges are reluctant to make critical statements regarding the problems inside the judiciary. The developments regarding Batumi City Court Judge Irakli Shavadze are proof of this. The judge’s statement indicates signs of a crime that should be investigated.

Today, court chairs are perceived as chiefs/superiors of other judges. This was further proven by the collective [statement](#) issued by judges of Batumi City Court. Judicial administrative positions are usually held by members of the same group, yielding special powers within the judiciary. The February 26 decision of the HCOJ is a proof of this. This decision appointed the HCOJ and influential group member Levan Tevzadze as the Chair of Criminal Chamber at the Tbilisi Court of Appeals, likely as a result of nepotism.

- **Opaque and unsubstantiated judicial appointment decisions**

Unfortunately, the current membership of the HCOJ is continuing with the established faulty practices of judicial appointment. On February 22, the HCOJ appointed 44 judges for life. Among them were judges towards whom the public has a very strong negative attitude due to their past high-profile decisions. The appointment process was for the most part held behind closed doors, and one non-judge member of the HCOJ, Anna Dolidze, was not allowed to participate in the selection and appointment process of 14 judges.

In this difficult situation, the Coalition believes it is necessary to critically revisit the steps made regarding the judiciary and to acknowledge the problems. For this purpose, the Coalition is starting its “Make Courts Trustworthy” campaign and demands that:

- the political leadership acknowledge its share of responsibility for the crisis in the judiciary;
- the judiciary be freed from clan governance;
- the Prosecutor’s Office take interest in and fully investigate all probable cases of crimes related to the judicial system;
- the Parliament implement real reforms, based on which the influential group within the judiciary can no longer abuse legislation for its illegitimate purposes.

Coalition members:

1. Article 42 of the Constitution
2. Multinational Georgia
3. American Chamber of Commerce
4. Georgian Small and Medium Business Association
5. Civil Integration Foundation
6. Georgian Lawyers for Independent Profession
7. Business and Economic Center
8. Liberali
9. Center for Protection of Constitutional Rights
10. International Society for Fair Elections and Democracy
11. The Union 21st Century
12. Georgian Young Lawyers Association
13. Human Rights Center
14. Transparency International Georgia
15. Union of Meskhetian Democrats
16. Liberty Institute
17. Civil Development Agency



18. United Nations Association of Georgia
19. The European Law Students' Association Georgia
20. Civil Society Institute
21. Open Society Georgia Foundation
22. Institute of Democracy
23. Institute for Development of Freedom of Information
24. Tbilisi Media Club
25. Human Rights Priority
26. Human Rights Education and Monitoring Center
27. Foundation for the Support of Legal Education
28. Institute of Civil Engagement
29. Association of Law Firms of Georgia
30. Association of Young Economists of Georgia
31. Eurasia Partnership Foundation
32. European Choice of Georgia
33. Partnership for Human Rights
34. Human Rights Network
35. Georgian Democratic Initiative
36. Sapari Union
37. Rehabilitation Initiative for Vulnerable Groups
38. Institute for Democracy and Safe Development (IDSD)
39. LLPL "Frema"