



**Statement by the delegation of Georgia
At the 2018 Human Dimension Implementation Meeting
Working Session 4: Rule of Law, Including
Independence of the Judiciary,
Right to a Fair Trial, Democratic Lawmaking
Warsaw, September 12, 2018**

Dear Moderator! Honorable Colleagues!

In the light of Rule of Law judiciary is the first and the most important item in the sequence of reforms in Georgia.

Since 2012 Georgia has successfully implemented **three-waves of judicial reforms** to secure the independence of judiciary and by that to **consolidate an institutional democracy**, i.e. a **system of functional institutions in the country**.

The **first wave of judicial reform** (May, 2013) brought about more democratic, depoliticized, open and transparent High Council of Justice (HCoJ). Representatives of the civil society and academia replaced members of the Parliament sitting in the Council and TV cameras were allowed to the courtrooms.

The **second wave of reforms** introduced a life tenure for judges. To this end, clear and objective criteria for pre-life appointment appraisal of judges, a multilayered, transparent and objective procedure for final appraisal before a lifetime appointment of judges have been set.

On 8 February 2017, the Parliament adopted the **third wave of judicial reforms**. The package of amendments, authored by the Ministry of Justice include, but are not limited to:

- Clear articulation of guarantees for non-interference with judicial decisions;
- Deprivation of presidents of courts of right to initiate disciplinary proceedings against judges;
- Automatic and electronic distribution of cases excluding any doubts about presiding judges' impartiality in assigning cases to individual judges;
- Selection of judges based on clear criteria and fair and transparent procedures;

- Ban on assigning a judge to a different court without his/her consent and for more than a year;
- Introduction of new admissibility criteria for cassation appeals with the Supreme Court of Georgia, including instances where appealed decision contradicts the European Court of Human Rights case-law;
- Publication of every court decision on courts' website; etc.

These and other achievements has been welcomed by the Venice Commission.

These reforms led to **significant reduction of applications against Georgia in ECtHR**. To compare, in year 2010 as much as 375 applications were lodged before the European Court, in 2011 – 395, in 2012 – 367, whereas in 2017 only 89 applications were submitted to the ECtHR against Georgia.

Hence, throughout **2010-2017 the number is reduced approximately five times**. As to the size of population, **Georgia is in 12th place among 47 member states of the Council of Europe with the least number of applications.**

The tendency of **decreasing applications indicates confidence and trust the society has in political and legal institutions of Georgia, including the judiciary.**

Furthermore, **in 2017 only 25 applications were communicated ("communication" is the notification of the application to the respondent Government) to Georgia by the European Court, three times less than in 2016.**

We firmly continue our ambitious plans and under the **fourth wave of reforms** the Ministry of Justice of Georgia is introducing the **specialized commercial and tax chambers** with jurisdiction over high-profile commercial cases. They will serve to redress disadvantages of litigating high-level commercial disputes within Georgian common courts and provide **additional incentives for investors considering or doing business in Georgia.**

This policy is a part of the efforts of Government of Georgia to **transform the country into a regional hub for the resolution of business and commercial disputes**. In this respect, agreement reached between Georgia and highly reputable International Arbitration Court of the International Chamber of Commerce to sign a memorandum of cooperation by the end of this year is a significant step forward.

In addition, Georgia as Chair Country hosted in July this year **OGP Global Summit** that made **significant contribution to the OGP values for openness and deeper democracies**. More than 2000 guests from more than 100 countries attended the event.

The Government of Georgia is committed to continue reforms in the field of rule of law, judiciary and human rights.

Thank you for your kind attention!