



Mr Irakli Kobakhidze

Chairperson of the Parliament of Georgia

Mr Davit Matikashvili

Acting Chairman of Legal Issues Committee of the Parliament

Parliament of Georgia

22 January 2019

Re: An open letter to the Parliament from Business Associations about nominations to the Supreme Court

Dear Mr Kobakhidze and Mr Matikashvili

On 24 December 2018 the High Council of Justice presented a list of nominees for the Supreme Court of Georgia to the Parliament. The nominations appear to have been submitted with little or no formal and transparent selection process and the list of candidates includes judges with questionable decisions in high profile cases.

The American Chamber of Commerce, the Business Association of Georgia, the EU Georgian Business Council and the International Chamber of Commerce want to join the growing list of organizations in Georgian society and the international community, to express our concern about the way this nomination process occurred. The Supreme Court is a critical institution that is not only the highest court in the land, but symbolizes the court and judicial system.

The selection of Supreme Court judicial nominees, without a fair, transparent and predictable process reinforces the extremely negative perception of the Georgian judiciary and court system that is held by many observers. This is not only bad for the country, but will undoubtedly have a negative impact on Georgia's international reputation, the business environment and the country's ability to attract investment.

We therefore request that the Parliament quickly work, in collaboration with the civil society, to develop amendments to the Organic law on the Common Courts and if necessary – the Constitution of Georgia, in order to develop specific qualification requirements for Supreme Court Judicial nominees and to define the fair, transparent and meritocratic rules for their nomination and appointment.

Further, we believe that this development, once again, underlines the need for the Government and the Parliament to refocus attention on broader judicial reform.

We stand ready to work with the Government and the Parliament in any way that we can to make sure that the process of selection and appointment of judges corresponds to the best international practices and the requirements of democracy and rule of law.

Yours sincerely,

The American Chamber of Commerce in Georgia

The Business Association of Georgia

The EU Georgian Business Council

The International Chamber of Commerce of Georgia

CC:

Prime Minister - Mr Mamuka Bakhtadze

The First Deputy Chairperson of Parliament - Ms Tamar Chugoshvili

Acting Chairperson of High Council of Justice – Mr Giorgi Mikautadze