

Georgian gov't establishes commission to ensure de-occupation and peaceful conflict-resolution

By KHATIA BZHALAVA

Per the decision of Prime Minister of Georgia Irakli Garibashvili, a government commission has been established to develop and implement Georgia's State Strategy on De-Occupation and Peaceful Conflict-Resolution. A working group will be set up under the government commission in order to develop an inclusive and comprehensive state strategy by the end of this year.

According to the Press Service of the Government Administration, the aim of establishing the government commission is to develop a unified state approach and strategic view of the country's de-occupation, unification, and peaceful conflict resolution. The process will involve state agencies and institutions as well as civil society, including research centers, NGOs, experts, conflict-affected persons, and the public.

The press service reports that numerous meetings, dialogues, discussions, and consultations will be held this year, both on an interagency level and with the engagement of civil society "to develop under the common nationwide process a state vision of a peaceful and unified Geor-



The commission created at PM Irakli Garibashvili's request will focus on developing a unified state approach and strategic view of the country's de-occupation, unification, and peaceful conflict resolution.



The commission will be led by the Ministry of Foreign Affairs.

gia of tomorrow."

At the same time, intensive processes will be implemented with Georgia's strategic partners to ensure the involvement of the international community in the process of the country's de-occupation and peaceful conflict resolution.

The government commission and working group will be led and coordinated by the Ministry of Foreign Affairs. According to Foreign Minister David Zalkaliani, the involvement of the public is crucial in creating a renewed, complex, and

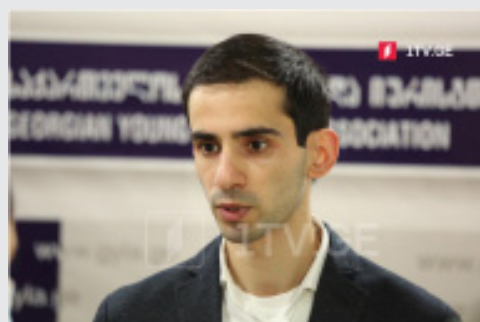
comprehensive peace policy, which will be result-oriented. Zalkaliani stressed that against the background of difficult geopolitical challenges and the deterioration of the humanitarian situation in Abkhazia and Tskhinvali, it is necessary for Georgia to take even more effective and specific steps and have a proactive policy.

The new strategy will cover the following areas: The Geneva international format, the 2008 ceasefire agreement, the strengthening of international security mechanisms, the return of refugees, the de-escalation of the humanitarian situation, and Russia's non-use of force.

Politics

GYLA publishes Council of Justice monitoring

Clan governance and appointment of judges remain the main challenges.



FULL STORY ON Page 2

Politics/Economics

Prime Minister of Georgia congratulates Nikol Pashinyan on victory in snap parliamentary elections in Armenia

Georgian soldiers leave Afghanistan

FULL STORY ON Page 3

GYLA publishes Council of Justice monitoring

BY NATALIA KOCHIASHVILI

Georgian Young Lawyers' Association has published the 9th monitoring report of the High Council of Justice On June 21, 2021. According to the report, clan rule remains the main challenge of the system "due to the current regulation on the selection of board members, through which only members of the influential group of judges are included in its composition." The rule of electing non-judicial members of parliament also fails to ensure the election of independent, clan- and government-free individuals.

The next issue is the appointment of judges in the first and second instance. GYLA reports that the 'clan' controls 2/3 of the votes sufficient for decision-making in the council, which allows it to appoint candidates for the position. The selection, appointment, and transfer of judges without competition is an important lever for the 'clan' to gain influence. Despite a number of legislative changes, the competitions held by the board have been constantly criticized.

NGO writes that one of the levers of clan power is the chairmen. When appointing them, the council uses the so-called 'revolving door' system. Through this mechanism, all influential members of the clan hold important positions in the judiciary at all times. They alternate between the positions, which significantly reduces the opportunity for other judges to be involved in management.

"The deadlines for disciplinary proceedings are delayed, with the council not reviewing any complaints filed in 2020 when the maximum time for disciplinary proceedings should not exceed 5 months."

GYLA has concluded its report with recommendations, which should be ensured by amending the normative acts by relevant institutions. Among 30+ recommendations were the following:

- Replacement of the existing majoritarian system for the election of board members.

Weather

Tuesday, June 22

Day ☀️ Clear
High: 36°C

Night 🌙 Clear
Low: 19°C

Wednesday, June 23

Day ☀️ Clear
High: 37°C

Night 🌙 Clear
Low: 20°C



"Systemic changes are needed to reduce the clan's influence in both the court and the council," GYLA chairman said.



The UNM has initiated the establishment of a commission of inquiry into the "clan" court.

Establish gender, regional, and instance quotas (as defined by law, but need to be clarified) when electing judge members of the Council;

- Abolish the quota of chairmen in the council. A member who, meanwhile, holds a position other than that of a judge shall resign as soon as he is elected.

- Appointment of non-judicial members to the council with mutual support (from the government and the opposition). Setting gender quotas;

- Transparency of the rules for electing non-judicial members of Parliament;

- Opportunity for candi-

dates in the first and second instances to appeal against the refusal to go from the interview to the voting stage;

- Appointment of judges of 1st and 2nd instance by 2/3 of votes of judges and non-judges;

- Develop a procedure/criteria that clearly demonstrates the merits of favoring a particular candidate when transferring a judge to another court (including without competition);

- The candidate who receives a separate 2/3 of the votes of the judge and non-judge members of the council must be nominated to the Supreme Court;

- Election of Presidents in the courts of first and second

instance;

- Abolition of the administrative positions of the Chairpersons of the Board and the Chamber (acting), the Deputy Chairperson;

- Improving the procedure for nominating the President of the Supreme Court;

- Determining 2/3 of the votes required for the appointment of an inspector and improving the competition rules for selecting one;

- Indicate the specific circumstances in the justification of the appointment of judges of the first and second instance in such a way that the interested person receives comprehensive

information about the good faith of the judge;

As Nikoloz Simonishvili, GYLA chairman has explained at the presentation, the High Council of Justice, which is supposed to guarantee the independence of the judiciary, is in full charge of the court, since it has 2/3 of the votes in the decision-making process and the appointment of judges.

"Its strengthening is facilitated by the rule of appointing chairmen. The members of the clan with the highest hierarchy are in the position of chairmen, and they determine many issues of political importance. Complaints regarding disciplinary liability are simply not considered, while the law stipulates that they must be reviewed within 5 months. In fact, the council shows loyalty to judges and avoids responsibility. The legitimacy of the clan was further strengthened by the refinement of procedural norms," Simonishvili claims.

The largest opposition faction in parliament, the National Movement - Power is in Unity, has launched an initiative to set up a parliamentary commission of inquiry that will study clan governance in common courts, determine political and clan decisions in the field of justice.

Khatia Dekanoidze, MP from UNM, says that the report prepared by the inquiry commission will be sent to international members. According to the draft resolution, the ad hoc commission should study the existence of interest groups in the judiciary, their formal and informal influences, hierarchies and statuses, facts of corruption, and nepotism.

"Georgian Dream" calls the establishment of this commission of inquiry a political campaign. The leader of the ruling party Irakli Kobakhidze says that they will not participate in this political campaign, but they will fulfill the requirements of the regulations.

NGOs have been talking about clan governance in court for years. The solution of judicial challenges is part of the so-called Charles Michel Agreement and has been referred to by all international partners of Georgia.

published by
The Messenger

43, Chovelidze st., Tbilisi,
0108, Georgia
Founded by Prof.

Zaza Gachechiladze
Tamar Gachechiladze
Publisher

Mob.: +995 599 565621; +995 577 760000
E-mail: messenger@messenger.com.ge
http://www.messenger.com.ge/

Nino Metreveli
Commercial Director

Mariam Mchedlidze
Editor-in-Chief

Natalia Kochiashvili
Executive Editor

Khatuna Gogichaishvili
Layout Designer, Photographer

The Messenger welcomes your contributions. If you are interested in submitting an article or news item please contact.

All contributions should be submitted by e-mail.

The Messenger Georgia's English language daily is an independent newspaper, and,

therefore, the opinions expressed in some articles do not necessarily coincide with those of the newspaper. We take no responsibility for any claims made in advertisements.

The Messenger preserves the style of a source written in English where possible.

Exchange Rates: US Dollar - 3.1653; Euro - 3.7658; GBP - 4.3947; 100 Russian Ruble - 4.3321; Swiss Franc - 3.4364

Prime Minister of Georgia congratulates Nikol Pashinyan on victory in snap parliamentary elections in Armenia



BY VERONIKA MALINBOYM

Prime Minister of Georgia Irakli Garibashvili congratulated Acting Prime Minister of Armenia Nikol Pashinyan on his victory in the early parliamentary elections of June 20 in Armenia. In a post on his official Twitter page, PM Garibashvili writes:

"I extend the warmest congratulations to Armenian Prime Minister Nikol Pashinyan on handling successful elections and victory of the Civil Contract Party according to the preliminary results. I wish all success ahead. I look forward to working closely with the new Armenian Government".

Nikol Pashinyan's Civil Contract party has won in the snap parliamentary elections in a landslide after obtaining a total of 53,92% of votes, according to the preliminary results released by the country's Central Election Commission. The second-largest number of votes has been obtained by the opposition Armenia bloc headed by ex-President Robert Kocharyan. The third political party to enter the parliament is the opposition I Have The Honor bloc of another ex-President, Serzh Sargsyan, with

a total of 5,23% of votes, and, despite failing to cross the 7% threshold, it will still be able to enter the parliament.

Armenia has announced early parliamentary elections in an attempt to overcome a political crisis which has erupted shortly after the country's defeat in the second Karabakh war. The opposition then demanded Pashinyan's immediate resignation, however, he claimed that he had been appointed by the will of the people of Armenia and would not leave upon opposition's demand. Soon after, acting PM Pashinyan reached an agreement with the opposition represented in the Parliament and announced his resignation and the beginning of the dissolution of the Parliament.

Pashinyan himself described the victory in the elections as the 'steel' revolution which followed the Velvet revolution of 2018 which he headed. He added in response to his party being too tolerant to the previous authorities that although both revolutions were non-violent, he will make sure to bring to justice those "who accumulated wealth at the expense of Armenian citizens who had to suffer in poverty."

Georgian soldiers leave Afghanistan

BY KHATIA BZHALAVA

Georgian soldiers are leaving Afghanistan as the US and NATO have decided to withdraw Resolute Support forces from the country after two decades of war. RSM aimed to provide further training, advice and assistance for the Afghan security forces and institutions.

As the Georgian Defence Ministry reported, the 32nd Infantry Battalion of the Georgian Defence Forces is returning to

Georgia gradually. The soldiers of the first part of the battalion who have already arrived in Georgia were greeted by the Chief of Georgian Defense Forces major general Giorgi Matitashvili and Chief of the Western Command, Brigadier General Koba Grigolia. They thanked the soldiers for their contribution to global security and congratulated them on the safe return to their homeland. According to the Minister of Defense, the 32nd battalion was car-

rying out missions at Bagram Airfield (BAF), the largest U.S. military base in Afghanistan, for six months.

In April 2021, the allies decided to start withdrawing troops by May. The Resolute Support mission (RSM) in Afghanistan was launched in 2015 and involved more than 16,000 personnel from nearly 40 NATO member and partner countries. Georgia has been part of the NATO-led mission since 2004 and became the largest non-NATO member contributor with 860 soldiers in total. Thirty-two Georgian soldiers have been killed and many injured since the beginning of the RSM.



The decision to withdraw troops from Afghanistan was made in April 2021.



After joining the NATO-led Resolute Support Mission in 2014, Georgia became the largest non-NATO member contributor with 860 soldiers.

NEWS IN BRIEF

PREPARED BY
THE MESSENGER STAFF

Turnava: Drama around Namakhvani HPP is exaggerated

Speaking to BMG, the Minister of Economy, Natia Turnava, hopes that the state will find common ground with the Rioni guards and will find a compromise.

At the same time, according to Turnava, "the history of Namakhvani HPP, the drama is a bit exaggerated and as a result of the myths accumulated in the last 30 years in the country."

Negotiations between the government and the Rioni guards began on June 13. The meeting, which lasted 9 hours, raised three issues: the removal of iron barricades and freedom to enter the valley, the withdrawal of large numbers of police from the valley and the cessation of repression; Return of the protest

to the original site in the village of Namakhvani and complete suspension of the ongoing works in the gorge until the issue of the HPP is resolved

Rallies against Namakhvani HPP have been going on for almost a year. From May 23 to May 26, 2021, protesters have been fighting against the construction of the HPP in Tbilisi as well. Then they decided to return to the valley.

Coordinating Council to discuss the issue of curfew today

According to the head of the National Center for Disease Control Amiran Gamkrelidze, the curfew's coordinating council is expected to be discussed today. Accordingly, after the board meeting, it will be announced whether the movement restriction will be lifted or not.

"The Coordination Council meets once a week. Most likely, there will be a council today, then a press conference and this question will be answered," Gamkrelidze said.