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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

GEORGIA

FOLLOW-UP OPINION

**TO PREVIOUS OPINIONS CONCERNING THE ORGANIC LAW ON
COMMON COURTS**

**Adopted by the Venice Commission
at its 136th Plenary Session
(Venice, 6-7 October 2023)**

On the basis of comments by

**Mr Yavuz ATAR (Member, Türkiye)
Mr Eirik HOLMØYVIK (Member, Norway)
Mr Jørgen Steen SØRENSEN (Member, Denmark)**

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I. Introduction

1. By letter of 23 June 2023, the Committee on the Honouring of the Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) of the Parliamentary Assembly of the Council of Europe (PACE) requested an opinion of the Venice Commission on the amendments to the Organic Law on Common Courts in Georgia as adopted by the Parliament of Georgia on 13 June 2023 ([CDL-REF\(2023\)031](#)) (“the June 2023 amendments”). By letter of 22 September 2023, the Chairman of the Parliament of Georgia asked the Venice Commission to assess additional draft amendments ([CDL-REF\(2023\)048](#)) to the same Law.

2. Mr Yavuz Atar, Mr Eirik Holmøyvik and Mr Jørgen Steen Sørensen acted as rapporteurs for this opinion.

3. On 18 September 2023 the delegation of the Venice Commission had online meetings with the Chairman of the Legal Issues Committee of Parliament, the representatives of the Parliamentary Majority, Opposition, international community and civil society organisations. The Commission is grateful to the Council of Europe Office in Georgia for the excellent organisation of the meetings and to the interlocutors for their availability.

4. The Venice Commission prepared the present Opinion in the follow-up format, assessing the June 2023 amendments and the September 2023 draft amendments in the light of the Commission’s earlier recommendations summarised in the Opinion of 14 March 2023 ([CDL-AD\(2023\)006](#)) (“the March 2023 Opinion”).¹ The follow-up format of the present Opinion allows the Commission to review to which extent the authorities have taken into account the previous recommendations, help them identify priorities in that regard and provide additional guidance and assistance on the implementation of the recommendations.

5. This Follow-up Opinion was prepared in reliance on the unofficial English translation of the amendments. The translation may not accurately reflect the original version on all points.

6. This Follow-up Opinion was drafted on the basis of comments by the rapporteurs and the results of the online meetings on 18 September 2023. It was adopted by the Venice Commission at its 136th Plenary Session (Venice, 6-7 October 2023).

II. Background

7. In the March 2023 Opinion, the Venice Commission assessed the initial draft version of the amendments adopted in June 2023 and made the following key recommendations:

- (A) Addressing the issues of judicial corporatism and self-interest in the High Council of Justice (“the HCoJ”) which should involve a comprehensive reform of the HCoJ;
- (B) Circumscribing the wide powers of the HCoJ to second or transfer judges without their consent by adding narrower criteria for the secondment/transfers, introducing time and location limitations, and providing for a random system of secondments/transfers;
- (C) Revising the procedure for suspension of judges from office by defining more precisely the grounds for suspension, allowing for more time for appealing such decisions and maintaining the salary during the suspension period;
- (D) Restricting the grounds for disciplinary liability of a judge related to the expression of opinions to the manifest violations of the duty of political neutrality, while leaving space for the comments by the judges on such issues as reforms of the court system;

¹ See Venice Commission, [CDL-AD\(2023\)006](#), Georgia - Follow-up Opinion to four previous opinions concerning the Organic Law on Common Courts (“the March 2023 Opinion”).

(E) Ensuring that the instructions by the Supreme Court are mandatory for the HCoJ.²

8. The Venice Commission made other recommendations which can be found in the text of the March 2023 Opinion.

III. Analysis

A. Comprehensive reform of the HCoJ

9. **The first key recommendation** in the March 2023 Opinion was to address the issues of judicial corporatism and self-interest in the HCoJ which should involve a comprehensive reform of the HCoJ. This recommendation also referred to a similar requirement set out by the EU Commission in their Opinion on candidate status for Georgia.³

10. During the online meetings, it appeared that there was lack of consensus on what the comprehensive or thorough reform of the HCoJ should mean in the current context of Georgia. Certain interlocutors referred to the persistent problems of integrity of the members of the HCoJ, practice of using informal channels of influence or “clan-closed” decision-making, which go against the principles of transparency and accountability of the HCoJ. In view of these systemic challenges, a vetting of the HCoJ appeared to some interlocutors as one of the justified and necessary measures to address this recommendation.

11. The Venice Commission notes that the necessity of using such an extraordinary tool as vetting depends on the factual situation in the country and it should be determined primarily through an inclusive national consultative process, involving all the relevant stakeholders. The Commission emphasises that a thorough reform must address the persistent allegations of lack of integrity in the HCoJ which poses a risk to judges’ independence and impartiality.⁴ Given the present context, it would seem to be appropriate for the authorities to give due consideration to the possibility of vetting the HCoJ.

12. Also, this key recommendation involves, in any event, a profound revision of the institutional basis and procedures in the HCoJ. This is not a technical issue to be addressed by small adjustments to the existing legal framework. A comprehensive reform means reconsidering the powers, functions, composition and the manner of election of members of the HCoJ with the aim to restore public trust in this body, its independence and impartiality and in its capacity to exercise its constitutional functions.

13. The issue of judicial corporatism can be addressed in multiple ways, for example by changing the manner of election of the judicial members of the HCoJ, limiting their other administrative functions in the judiciary, scaling back the powers of the HCoJ to reduce the risk of abuse, dividing its powers between different bodies. Such a reform should follow a thorough and inclusive consultative process, recognising that there is no quick fix to restoring public trust in the judicial system. The Venice Commission has repeatedly stressed that institutional reforms should go hand-in-hand with and not replace a long-term effort aiming to improve the professionalism,

² See the March 2023 Opinion, para. 52.

³ See EU Commission, [Opinion](#) from the Commission to the European Parliament, the European Council and the Council, 17 June 2022, p. 17.

⁴ In this regard the Commission notes that on 5 April 2023, the US sanctioned three judge members of the HCoJ for “involvement in significant corruption” and having “abused their positions as court Chairmen and members of Georgia’s High Council of Justice, undermining the rule of law and the public’s faith in Georgia’s judicial system”. See press statement of 5 April 2023, US Department of State: <https://www.state.gov/public-designations-of-mikheil-chinchaladze-levan-murusidze-irakli-shengelia-and-valerian-tsertsvadze-due-to-involvement-in-significant-corruption/>

transparency and ethics within the judiciary as well as building a culture of respect for judicial independence among other state powers.⁵

14. Despite certain improvements introduced by the June 2023 amendments (discussed below), the recommendation of comprehensive reform of the HCoJ has not yet been properly addressed. It is not addressed either in the September 2023 draft amendments. The authorities informed the Commission once again that the discussed amendments were only certain first steps in the global strategy of judicial reform and that further amendments would necessarily follow. The Commission invites the authorities to pursue this strategy without unjustified delay.

1. Election of lay members of the HCoJ

15. In the March 2023 Opinion, the Venice Commission expressed concerns that for a long time the lay members of the HCoJ had not been elected.⁶ On 17 May 2023 three lay members of the HCoJ were elected, after a long vacancy since June 2021.⁷ This election is welcome insofar as it brings the composition of the HCoJ closer to the intended and required pluralism.

16. However, it appears that the recent election of lay members was made in a polarised political context, where parts of the opposition boycotted the voting in parliament. The actual pluralism in the HCoJ following the election of three lay members has been questioned by claims that they may be linked to the group of judges that allegedly controls the judicial members of the HCoJ.⁸ In addition, the legality of the nomination of one newly elected lay member was questioned on the grounds that the relevant organisation had not been entitled under the law to nominate the candidate.⁹

2. Decision-making procedure

17. The Venice Commission considered that it was important to ensure not only the presence, but also the effective participation of lay members in the work of the HCoJ. The Commission recommended therefore revising the decision-making procedure within the HCoJ to ensure an appropriate balance between the two groups represented in the HCoJ (judicial and lay members).¹⁰ The June 2023 amendments did not address this issue.

18. The September 2023 draft amendments intend to increase the majority required for a decision on the disciplinary liability of judges: it would be 2/3 of the full composition of the HCoJ (which consists of fifteen members). This means that at least ten members should vote in favour of a decision. In view of the fact that nine of the fifteen members are judicial,¹¹ they will now need only one lay member to have a decision adopted. In these circumstances, the proposed amendment would not always ensure sufficient participation of the lay members in the decision-making process. While it is difficult to give more precise guidance on this matter in the absence of comprehensive factual and contextual information, an additional requirement could provide that for a decision to be adopted, it should be upheld by at least three lay members of the HCoJ.

⁵ See CDL-AD(2020)035, Bulgaria, Urgent Interim Opinion on the Draft New Constitution, Para. 37.

⁶ See the March 2023 Opinion, para. 18.

⁷ See, Civil Georgia: [Parliament Elects Three Non-Judge Members of HCoJ](#).

⁸ See the report by the Coalition for an Independent and Transparent Judiciary: https://transparency.ge/ge/post/koalicia-iusticiis-umaglesi-sabchos-aramosamartle-cevrebis-archevas-exmaureba?fbclid=IwAR2k_PHy4F1SXVaq9Zo5fRQQ38Nzt6Aq4iVR6rqA-lmoB4q_rm_xJLJNT-Q

⁹ <https://transparency.ge/en/blog/who-are-new-non-judge-members-high-council-justice-and-what-are-their-connections>

¹⁰ See the March 2023 Opinion, paras. 19 and 20.

¹¹ See Article 47, para. 2 of the Law.

3. Staggered election of the members of the HCoJ

19. The Venice Commission recommended using a staggered technique in the election of members of the HCoJ.¹²

20. The Commission considers that the introduction in para. 12 of Article 47 of a staggered election of the judge members of the HCoJ is a step in the right direction to fulfil the above recommendation. According to this provision as it stands, during a three-month period the election of more than four judicial members of the HCoJ is proscribed. However, it is doubtful that this limited gradation is sufficient to ensure the continuity and efficiency of the HCoJ.

21. Firstly, the gradation only applies to the judicial members, not the lay members elected by Parliament. As the rule currently stands, Parliament will still replace the lay members *en bloc* at the same time. In this regard, the September 2023 draft amendments provide that Parliament should not elect more than four lay members of the HCoJ during one session. However, given the long-standing controversy and difficulties in electing lay members, these amendments would rather be insufficient, and it may be better both for the appearance of independence as well as the continuity and efficiency of the HCoJ to divide the election of lay members over two parliamentary terms.

22. Secondly, the abovementioned three-month restriction in the context of electing four judicial members is not sufficiently long to ensure continuity in the HCoJ. The September 2023 draft amendments extend the period from three to six months, which is positive. However, it would be preferable to have longer intervals between elections, for example half of the members every two years, or one quarter of the members every year of the four-year term.

4. Restriction on re-appointment to the HCoJ

23. The Venice Commission suggested that fixed non-renewable terms for the HCoJ members are to be preferred to ensure the appearance of independence of the HCoJ, given the public controversies over its composition and independence. In that context, allowing re-appointment required a specific justification.¹³ This recommendation has not been addressed in the June 2023 amendments. It is not addressed either in the September 2023 draft amendments.

5. Manner of electing judicial members of the HCoJ

24. The Venice Commission recommended reviewing the manner of election of the judicial members of the HCoJ.¹⁴ This issue has not been addressed in the June 2023 amendments or the September 2023 draft amendments and the Commission wishes to repeat this recommendation. The choice of how this recommendation may be implemented depends on the organisation of an inclusive national consultative process. However, the Commission would like to note, in a comparative perspective, the temporary option of using mixed national/international advisory boards in facilitating the procedure for evaluating the integrity of candidates to various positions in the judiciary.¹⁵

¹² See the March 2023 Opinion, para. 21.

¹³ See the March 2023 Opinion, para. 22.

¹⁴ See the March 2023 Opinion, para. 23.

¹⁵ See Venice Commission, [CDL-AD\(2021\)018](#), Ukraine - Urgent joint opinion on the draft law on amendments to certain legislative acts concerning the procedure for electing (appointing) members of the High Council of Justice (HCJ) and the activities of disciplinary inspectors of the HCJ (Draft law no. 5068), para. 19 et seq.; [CDL-AD\(2022\)054](#), Opinion on the draft law "On Amendments to Certain Legislative Acts of Ukraine on improving the procedure for the selection of candidates for the position of judge of the Constitutional Court of Ukraine on a Competitive Basis", para. 17 et seq.; [CDL-AD\(2023\)023](#), Republic of Moldova - Joint Follow-up opinion to the opinion on the draft Law on the external assessment of Judges and Prosecutors, paras. 14 and 15.

B. Secondment or transfer of judges by the HCoJ

25. **The second key recommendation** of the March 2023 Opinion was to circumscribe the wide powers of the HCoJ when seconding or transferring judges without their consent. The Commission recommended adding narrower criteria for the secondment/transfers, introducing time and location limitations on secondments/transfers, providing for a random system of secondments/transfers.¹⁶

26. The June 2023 amendments constitute only linguistic changes to the first paragraph of Article 37¹ which deals with the criteria for secondment or transfer. The amended provision lists the absence of a judge or a high increase in a court's case load as alternative grounds for the secondment of judges. However, the Law added a third alternative criterion which is open-ended, thus lacking clarity and foreseeability: "other objective circumstances related to the interest of the proper administration of justice".

27. It is positive that paragraph 5 of Article 37¹ has been amended to introduce a monthly travel supplement to the regular salary of a judge under secondment. However, this change does not sufficiently address the key recommendation. The Venice Commission reiterates that the current powers of the HCoJ to second or transfer a judge of their choosing for up to four years on wide and partly unclear grounds carry a real risk of undue interference by the HCoJ with judges' safety of tenure that is problematic in itself and more so in the specific context of Georgia connected to the issue of the comprehensive reform of the HCoJ.

28. The September 2023 draft amendments offer quite limited changes in this regard: the extension of initial period of secondment will be possible for no more than one year, instead of the current rule providing for two years. This change would be an insufficient step. The overall duration of three years would remain too long, the criteria for secondment still lack clarity, and the resulting broad discretion of the HCoJ is dangerous for the principle of independence of justice. The Commission invites the authorities to take further measures to address this recommendation.

C. Suspension of judges from office

29. In **the third key recommendation** of the March 2023 Opinion the Venice Commission advised revising the procedure for suspension of judges from office by defining more precisely the grounds for suspension, allowing for more time for appealing such decisions and maintaining the salary during the suspension period.¹⁷

30. This recommendation has been followed with the amendment of Article 45. This amendment limits the grounds for suspension to a criminal charge against the judge, extends the time limit for appeal to ten working days, and allows the suspended judge to retain their salary.

D. Disciplinary liability for the expression of opinion

31. According to **the fourth key recommendation** of the March 2023 Opinion, the authorities were invited to restrict the grounds for disciplinary liability of a judge based on the violation by a judge of the principle of political neutrality. In view of the importance of the freedom of expression in a democratic society, the Commission recommended restricting these grounds of disciplinary liability to the *manifest* violations of the principle of political neutrality, while leaving space for comments by judges on issues related to reforms of the judicial system.¹⁸

¹⁶ See the March 2023 Opinion, paras. 41 and 52.

¹⁷ See the March 2023 Opinion, paras. 42 and 52.

¹⁸ See the March 2023 Opinion, paras. 43 and 52.

32. This recommendation has been partly followed by the amendment to paragraph 8 of Article 75¹. The provision retains “violation of the principle of political neutrality” as a criterion for disciplinary liability but makes an exception for “scientific or analytical substantiation by a judge of judicial reform and/or legal changes related to justice”. This clarification is welcome, even though the provision could provide broader grounds to protect judges’ freedom of expression. Moreover, it would be appropriate to limit such cases to “manifest” violations of the principle of political neutrality, as already recommended by the Commission. In this regard, the September 2023 draft amendments usefully extend the scope of freedom of expression by judges. They add a requirement that a violation of the political neutrality principle should be “manifest”; moreover, they develop this provision in respect of permissible expressions by judges (“regarding improvement of the functioning of the justice system”). These new elements are welcome.

33. On a more general note, the Venice Commission observes that the principles of democracy, separation of powers and pluralism call for the freedom of judges to participate in debates of public interest while respecting the principles of independence and impartiality.¹⁹ The Commission reiterates that the interpretation of the breach of “political neutrality” and its exception should in any case be in accordance with the case law of the European Court of Human Rights regarding the freedom of expression of judges.

E. Binding nature of the Supreme Court decisions

34. **The fifth key recommendation** of the March 2023 Opinion concerned the binding nature of Supreme Court decisions, ensuring that the instructions by the Supreme Court are mandatory for the HCoJ. The Venice Commission specified that the binding nature of the decisions and instructions of the Supreme Court could be expressly indicated in the law.²⁰

35. The amended paragraphs 12 and 13 of Article 34³, describing the consequences of quashing the HCoJ decision by the Supreme Court, suggest that the rulings of the Supreme Court are mandatory for the HCoJ and the latter should not be in position to reiterate its earlier decision in disregard of the findings by the Supreme Court. This issue seems to be further addressed in the new paragraph 13² of Article 34³ which provides that the right to appeal before the Supreme Court against a decision of the HCoJ can be exercised at each stage of selecting a candidate judge until the Supreme Court endorses the HCoJ decision. This provision appears to enhance the principle that the HCoJ must abide by the decisions and instructions of the Supreme Court. However, this regulation could be further improved by expressly providing that the HCoJ shall comply with the decisions of the Supreme Court adopted following an appeal before the latter. The recommendation is therefore followed in part in the June 2023 amendments.

36. As regards the September 2023 draft amendments, new provisions provide that the HCoJ would “take into consideration” the Supreme Court decisions. This phrase is weak because “taking into consideration” does not mean respecting and following it’s the Supreme Court decisions which are binding.

F. Other recommendations

1. Qualifications of the Supreme Court judges

37. The March 2023 opinion included a recommendation that the age and experience requirements should be stricter for Supreme Court judges compared to other judges.²¹ This

¹⁹ See in this regard CCJE, Opinion No. 25 (2022) on freedom of expression of judges, 2 December 2022, para. 45, 48-50.

²⁰ See the March 2023 Opinion, para. 37.

²¹ See the March 2023 Opinion, para. 25.

recommendation has not been followed in the June 2023 amendments. It is positive that the September 2023 draft amendments address this recommendation as regards the stricter experience criterion: instead of the current five-year requirement, Article 34, para 1 would provide for ten years of experience. However, the age criterion remains at the same low level (thirty years).

2. Nomination of candidates to the Supreme Court

38. In the March 2023 Opinion, the Venice Commission recommended that an anti-deadlock mechanism be introduced in case the shortlisted candidates to the Supreme Court could not receive the 2/3rd majority in the HCoJ.²²

39. The amendments of paragraph 17 of Article 34¹ have not regulated this issue. As earlier, this provision requires that in case of a failure by the HCoJ to nominate a candidate, the selection procedure for that candidate should be restarted within one month. Such a rule is not a proper anti-deadlock mechanism that allows to break a deadlock in the HCoJ. The September 2023 draft amendments do not address this issue. The recommendation remains valid.

3. Withdrawal of the HCoJ members

40. In the March 2023 Opinion, the Venice Commission found that excluding members from the HCoJ based on findings of the Supreme Court had been in accordance with the Commission's recommendations.²³ The Commission considered, however, that the grounds for withdrawal of a member of the HCoJ were too broad because they referred not only to the cases where "*the rights of the candidate were violated*", but also where "*the independence of the court was threatened*".²⁴ The latter criterion was not clear in terms of the evaluation of individual candidates, and it was recommended that it be removed. With the latest amendment of paragraph 1 (c) of Article 34³, that criterion has been removed from the text of the law, so this recommendation has been followed.

4. Term of Office of the Supreme Court President

41. In the March 2023 opinion, the Venice Commission observed that a term of ten years for the President of the Supreme Court was excessive and could be reduced. Given that the ten-year term is entrenched in Article 61 para. 3 of the Constitution, the Commission recommended considering that point during future constitutional revision.²⁵ The Commission maintains this recommendation.

5. Reallocation of candidate judges

42. In the March 2023 Opinion, the Commission addressed the procedure for the so-called "reallocation" of candidate judges (when unsuccessful judicial candidates consented to other vacancies which remained available after a competition). The Commission recommended specifying in the law that such a candidate judge, appointed in the second round, must fulfil all the requirements of the specific vacancy (specialisation requirements etc).²⁶

43. The procedure for reallocation of candidates is provided for in the new paragraph 4 of Article 35. Pursuant to the last sentence of that paragraph, "*a candidate for the position of a judge shall meet the necessary requirements for the appointment of a judge to the vacant position*

²² See the March 2023 Opinion, paras. 27 and 28.

²³ See the March 2023 Opinion, para. 33.

²⁴ See the March 2023 Opinion, para. 36.

²⁵ See the March 2023 Opinion, para. 39.

²⁶ See the March 2023 Opinion, para. 40.

established by Article 34 of this Law, for which he/she is running for the repeated voting". It appears that this paragraph still refers only to the general requirements of Article 34 and does not indicate that the candidate judge should fulfil specific requirements, including the specialisation, relevant for the proposed vacancy. Accordingly, the amendments of Article 35 para. 4 do not properly address this recommendation.

6. Initiation of disciplinary proceedings

44. The Venice Commission recommended that the law clarify the moment when disciplinary proceedings should be considered as initiated to allow the concerned judge to benefit from their right to counsel in the early stages.²⁷ This recommendation has been followed by the amendment of paragraph 1 of Article 75.⁸

7. Access to court decisions

45. In the March 2023 Opinion, the Venice Commission invited the Georgian legislator to provide more practical solutions to facilitate the use of the right of access to court decisions, both past and future, while balancing this right with the right to privacy and the protection of personal data.²⁸

46. The new paragraph 3¹ of Article 13³ establishes as a rule that all final court decisions shall be published in a depersonalised form on the relevant website. This provision also sets out the criteria for depersonalisation of published court decisions. By way of preliminary assessment, this change follows the Commission's recommendation since it establishes a simpler method ensuring court decisions' accessibility. It is welcome that the September 2023 draft amendments provide that judicial decisions will be public as from the moment of their adoption. It remains to be seen if these improvements will prove to be effective and the right of access to court decisions will be free of practical obstacles.

IV. Conclusion

47. The Committee on the Honouring of the Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) of the Parliamentary Assembly of the Council of Europe requested an Opinion of the Venice Commission on the amendments to the Organic Law on Common Courts in Georgia as adopted by the Parliament of Georgia on 13 June 2023. In addition, the Chairman of the Parliament of Georgia requested the Venice Commission to assess additional draft amendments to the same Law which were prepared in September 2023. Given that the Commission had provided previously recommendations regarding the Organic Law on Common Courts, it decided to assess these amendments in the follow-up format, against the background of its earlier recommendations summarised in its Opinion of 14 March 2023 ([CDL-AD\(2023\)006](#)).

48. The authorities informed the Commission that the discussed amendments were only certain first steps in the global strategy of judicial reform and that further amendments would follow. In this context, the Commission welcomes some of the amendments adopted in June 2023 as well as some of the September 2023 draft amendments, but it notes that important previous recommendations have not yet been addressed. The Commission invites the authorities to pursue the reform strategy without unjustified delay.

49. In its March 2023 Opinion, the Commission pointed out five key recommendations. The Commission would like to emphasise the priority of the first key recommendation which concerns the comprehensive reform of the High Council of Justice ("the HCoJ"). A similar requirement has been set out by the EU Commission in their Opinion on Georgia's application for membership of

²⁷ See the March 2023 Opinion, para. 44.

²⁸ See the March 2023 Opinion, paras. 47 and 48.

the European Union. This recommendation has not been addressed by the June 2023 amendments or the September 2023 draft amendments. A comprehensive reform of the HCoJ means addressing effectively the persistent allegations of lack of integrity of the HCoJ; reconsidering its powers, functions, decision-making procedures, and the manner of election of members. Minor or technical amendments to the law would not meet this recommendation. The process of the reform should be thorough and inclusive, involving all the relevant stakeholders.

50. The second key recommendation was to circumscribe the wide powers of the HCoJ when transferring or seconding judges. Despite the amendment of the relevant provision and further draft amendments, this recommendation remains outstanding.

51. The third key recommendation was to revise the procedure for suspension of judges from office. The Commission welcomes the relevant changes and considers that this recommendation has been followed.

52. The fourth key recommendation was to restrict the grounds for a judge's disciplinary liability based on the violation by a judge of the principle of "political neutrality". This recommendation has been followed partly. However, the proposals contained in the September 2023 draft amendments, if adopted, would sufficiently address this recommendation.

53. The fifth key recommendation concerned enhancing the binding nature of Supreme Court decisions. This recommendation has been followed in part and further amendment could be made to expressly provide that the HCoJ should comply with the decisions of the Supreme Court adopted following an appeal.

54. The June 2023 amendments and the September 2023 draft amendments do not address the following remaining recommendations: stricter age criteria for candidate judges to the Supreme Court; anti-deadlock mechanism in the nomination procedure to the Supreme Court; adding specific requirements (including specialisation) in the procedure for the so-called "reallocation" of candidates; reduction of term of office of the Supreme Court President.

55. The amendments of June 2023 addressed the following recommendations: limiting the grounds for withdrawal of a member of the HCoJ; clarifying the moment when disciplinary proceedings should be considered as initiated; facilitating the procedure for access to court decisions.

56. The Venice Commission remains at the disposal of the Georgian authorities and of the Parliamentary Assembly for further assistance in this matter.