



IMPLEMENTATION OF THE JUDICIAL STRATEGY AND THE ACTION PLAN

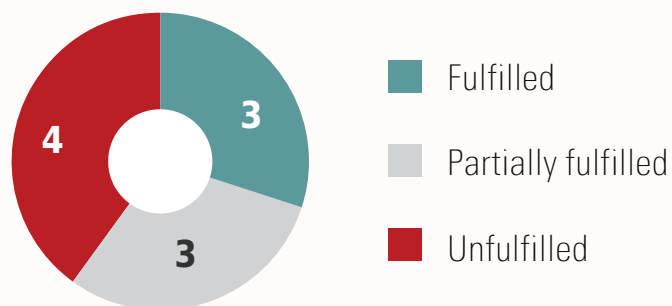
Based on the requirements set forth in the EU-Georgia Association Agenda, on May 29, 2017, after nearly a year of work, the High Council of Justice of Georgia approved the 2017- 2021 Judicial Strategy and its Implementation Action Plan for 2017-2018.

Both monitoring process shows that the High Council of Justice does not pay sufficient attention to thorough implementation of the Strategy and the Action Plan and often concrete activities are only formally fulfilled, while its substantive mission – qualitative improvement of administration of justice, remains unattended by agencies responsible for implementation of the Action Plan.

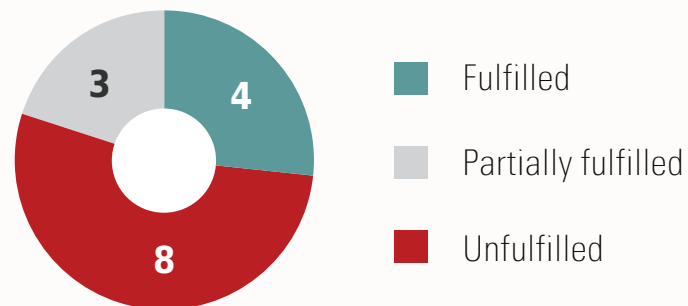
The following findings were revealed regarding the implementation of the 2017-2018 Action Plan and the development of the new 2019-2020 Action Plan:

- The 2019-2020 Action Plan and the Second Progress Report have not yet been approved/published;
- Out of 92 activities reviewed in both reporting periods, 35 were marked as fulfilled, 31 were partially fulfilled and 26 were unfulfilled;
- The draft Second Progress Report, as well as the one-year Progress Report presented to the public by the High Council of Justice in the previous reporting period, is largely technical in nature and does not contain comprehensive information on the implementation status of the activities;
- During last one year and half, meetings of the working groups were not sufficiently intensive; In particular, during reporting period only 3 open working meetings were held;
- Internal organizational meetings of the working groups were held in a closed format;
- The rule of the Council states that the working group may restrict the attendance on the basis of a voting exercise.

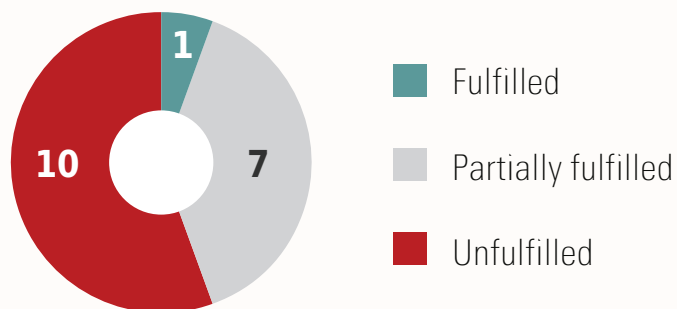
- In relation to the reform of the High School of Justice, 3 out of 10 activities evaluated under this monitoring were marked as fulfilled, 4 were partially fulfilled, and 3 were unfulfilled;



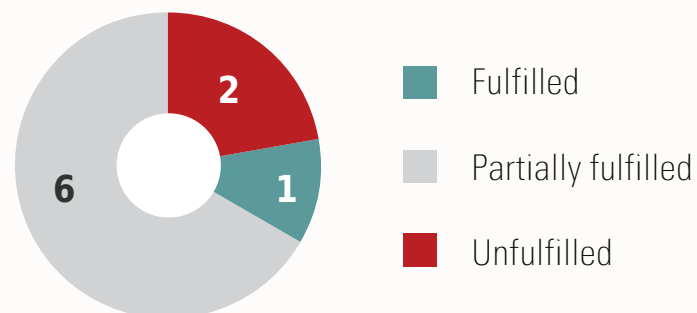
- In relation to the disciplinary liability of judges, 4 out of 15 activities evaluated in the framework of the monitoring were marked as fulfilled, 3 – partially fulfilled, and 8 – unfulfilled;



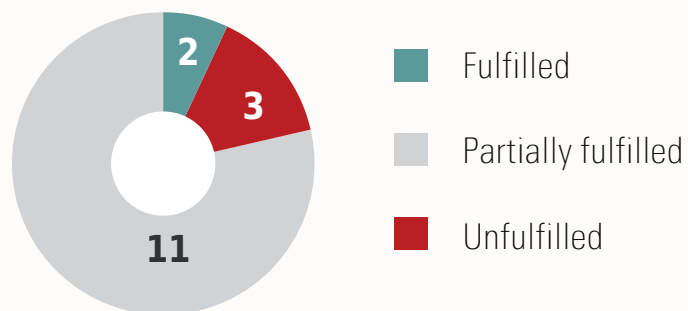
- 1 out of the 18 activities evaluated in the framework of this monitoring related to the appointment and promotion of judges was fulfilled, 7 were partially fulfilled and 10 were unfulfilled;



- 1 out of the 9 activities evaluated in the framework of this monitoring related to the institutional arrangement and regulation of the activities of the High Council of Justice was fulfilled, 6 were partially fulfilled, and 2 – unfulfilled;



- In terms of transparency of the judiciary, 2 out of 16 evaluated activities were marked as fulfilled, 11 were partially fulfilled, and 3 were unfulfilled.



What steps should be taken?

- The Judiciary should fully understand the importance of the Judicial Strategy and the Action Plan and demonstrate an actual willingness for reform;
- The new Action Plan should be approved, and the progress report should be published timely;
- The second progress report should include detailed information about the state of fulfilment indicating reasons for non-fulfilment;
- It is important that the Action Plan for the coming years include the following activities: (1) those that are currently unfulfilled; (2) those that are partially fulfilled; (3) fulfilled activities which should be followed up and implemented regularly; (4) activities that are derived from the provisions of the 5-year Judicial Strategy;
- The operational format established in order to implement the Strategy and the Action Plan should be revised; measures and stages designed to plan, implement and monitor the activities should be open and participatory, engaging all stakeholders.