



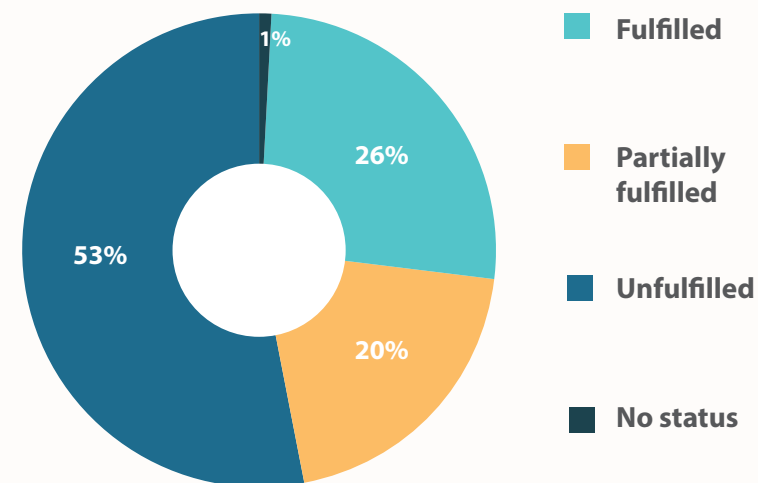
## IMPLEMENTATION OF THE JUDICIAL STRATEGY AND THE 2017-2018 ACTION PLAN

Based on the requirements set forth in the EU-Georgia Association Agreement, the judicial branch of the government developed the 5-year strategy for judicial reform and the 2-year Action Plan for the implementation of the Strategy for the first time in Georgia's history. Through participation of all three branches of the government and civil society it was possible to develop and unanimously agree upon the long-term reform Strategy, to specify directions for future reform based on the flaws identified in the system and design actions to address the challenges. Consequently, adoption of these documents was an important step forward in establishing a unified vision for judicial reform.

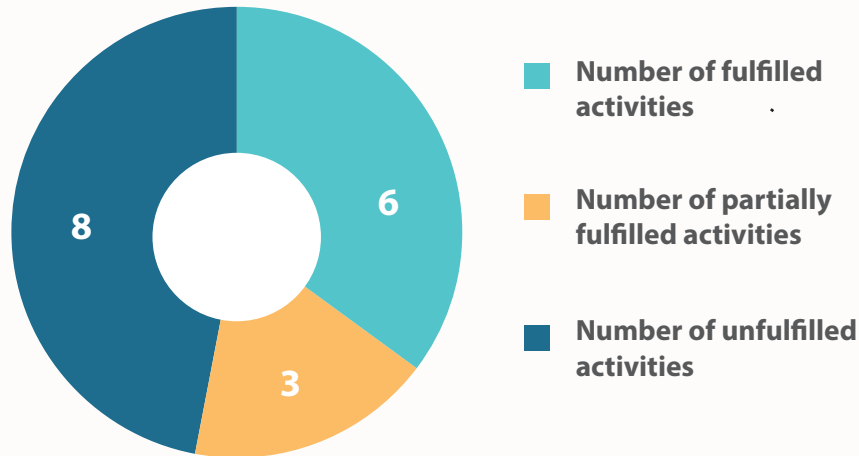
Considering the lowest level of trust and the criticism toward the Judiciary, it was important for the Judicial Strategy implementation process to demonstrate willingness and readiness for actual change; however, monitoring of the implementation of the Action Plan has found that the Strategy and the Action Plan are not considered to be priority documents; their enforcement is mainly a formality and basically all of the fundamental issues addressed in these documents remain to be unresolved to this day:

- The responsible state agencies fail to fulfill their duties prescribed in the Strategy and the Action Plan and the Judiciary views these documents as mere formality;
- The process of implementation of the obligations and tasks set forth in the strategy and the Action Plan and the operational format established for this purpose is problematic, closed and does not encourage meaningful participation;
- 53% of the activities observed during monitoring are unfulfilled; 20% of them are partially fulfilled and 26% of activities are fulfilled. One activity does not have an implementation status;

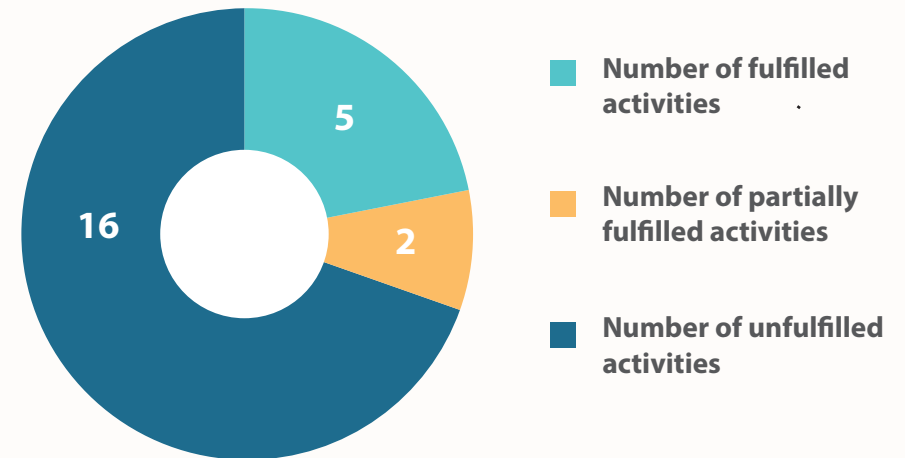
Implementation status of up to 100 activities



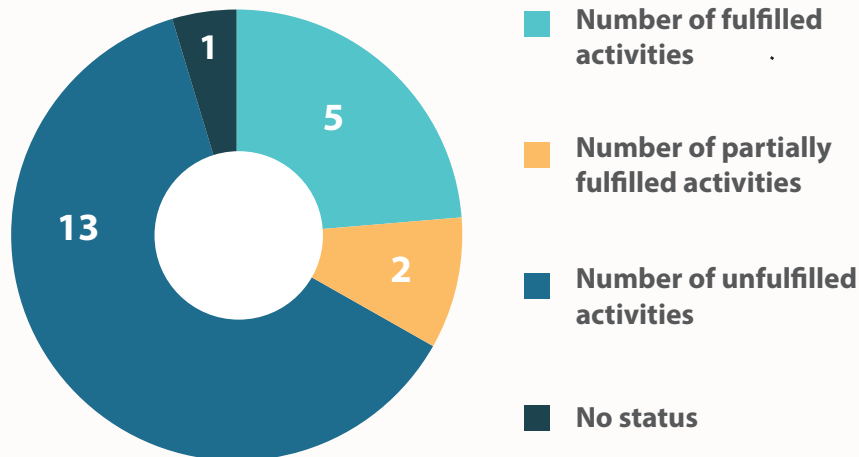
■ **47% of the 2017-2018 Action Plan activities with the purpose to reform the High School of Justice are unfulfilled;**



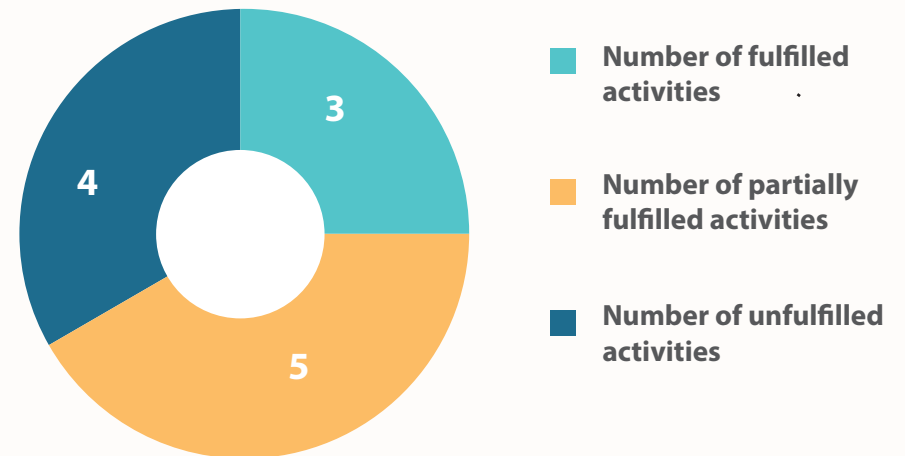
■ **69% of the 2017-2018 Action Plan activities related to improving the systems of selection/appointment and promotion of judges are unfulfilled;**



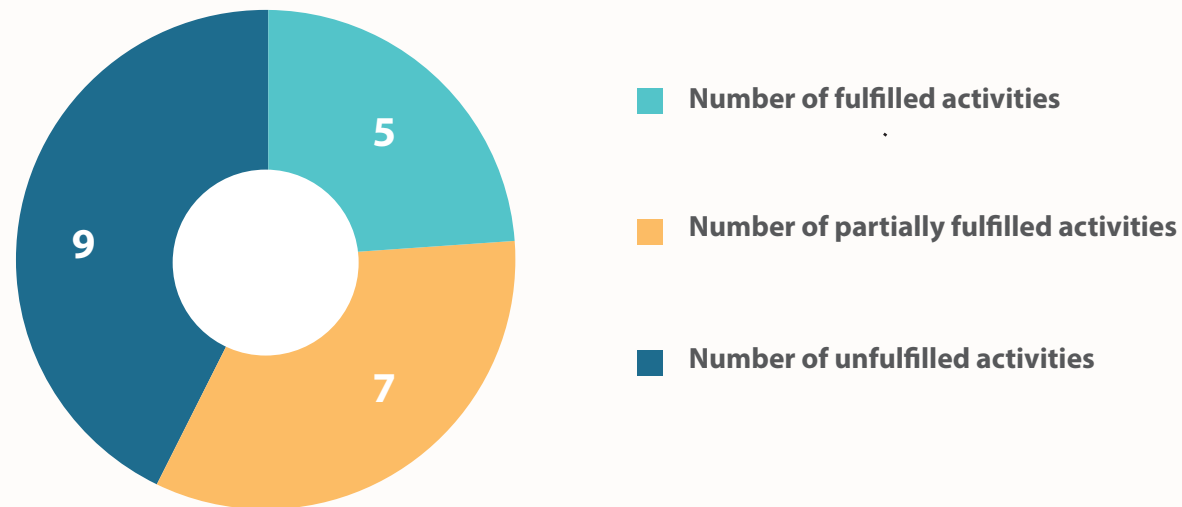
■ **62% of the 2017-2018 Action Plan activities with the purpose to reform the system of disciplinary liability of judges are unfulfilled;**



■ **33% of the 2017-2018 Action Plan activities designed to improve the performance and institutional organization of the High Council of Justice are unfulfilled;**



- **43% of the 2017-2018 Action Plan activities with the purpose to increase the transparency of the Judicial System are unfulfilled;**



## What actions 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;
- 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.

*Implementation of the Judicial Strategy and the Action Plan – Shadow report is fully available at the following link: <https://goo.gl/crqAHg>. The publication was prepared with financial support from the EU. Human Rights Education and Monitoring Center (EMC) and the Institute for Development of Freedom of Information are fully responsible for the content of the report and it does not reflect the views of the EU.*