

# Improving the Operational Capacities of the Public Defender's Office of Georgia

Funded by the Human Rights Trust Fund



## SUBJECT

Conference on "Amicus Curiae: an effective guidance tool on human rights issues to national judicial institutions".

## VENUE / DATE

Tbilisi, Georgia

23 June 2016

## ORGANISERS

The Conference is organised by the Council of Europe in co-operation with the Public Defender's Office of Georgia within the framework of the Project "Improving the Operational Capacities of Public Defender's Office of Georgia"

## AIM OF THE CONFERENCE

The conference aims to stress the importance of the *amicus curiae* role for the Public Defender's Office (PDO) and to provide the Georgian judiciary with the rationale behind third party interventions. The conference will open a public debate at national level among the key stakeholders in charge of the protection of human rights and discuss the best national and international practices.

## OBJECTIVES

- To provide a forum to discuss the importance of establishing high standards for the protection of human rights and common legal practices in Georgia;
- To present comparative experiences of countries where National Human Rights Institutions (NHRI) can intervene as *amicus curia* in discrimination cases;
- To exchange experiences with the main stakeholders in Georgia, such as the Constitutional Court, Supreme Court, Parliament, Georgian Bar association, Legal Aid Service and leading non-governmental organisations, legal practitioners and representatives of the PDO;
- To increase awareness and partnerships among the relevant stakeholders.

The following five main issues will be the focus of the discussions:

1. The role of PDO in judicial proceedings, legal and technical capacity of the third parties to make interventions;
2. Lack of procedural rules allowing the PDO to use the mechanism of *amicus curiae* in the process of discussion of disputes on discrimination cases – legislative gaps;
3. Importance of access to files and other documents related to the case prior to submitting the *amicus curiae* briefs and during the entire process of adjudication in common courts;
4. Necessity to develop reliable approaches for identifying the cases for interventions;
5. Importance of having access to consequent information on the effect of a submission and the outcome of proceedings, and hence on the success rate of any submissions.

## **METHODOLOGY**

The Conference will provide a discussion platform about the use of Amicus Curiae tool by the PDO with keynote speeches delivered by the national legal professionals, Council of Europe experts and consultants. Deliberations will be held in two consecutive panels in the afternoon session of the conference:

1. Quality of justice - obligation of the courts to reflect/deal with submitted amicus briefs in the final judgments;
2. PDO's role in providing guidance on human rights issues to national judicial institutions; Necessary legislative amendments.

Judges, lawyers and representatives of the PDO and NGO representatives will prepare a set of conclusions to be presented at the closing plenary session of the conference. Materials of the Conference, including summaries of the issues discussed and presentations by keynote speakers will be made available online.

## **PARTICIPANTS**

Judges of the European Court of Human Rights and the Constitutional Court of Georgia, the Supreme Court of Georgia, the Parliament of Georgia, the Public Defender's Office of Georgia, Bar Association and Legal Aid Service of Georgia and NGOs, and Secretariat of the Council of Europe.

## **LANGUAGES OF THE CONFERENCE**

Georgian and English