

## Evaluation of the judicial systems 2024 (data 2022)



Georgia

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**Reference data 2022 (01/01/2022 - 31/12/2022)**

**Start/end date of the data collection campaign : 15/03/2023 - 01/10/2023**

### **Objective :**

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

The present questionnaire was developed by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, in service of the European citizens.

For better understanding of the questions it is necessary to consult the Explanatory note that gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, You can download the Explanatory note as a whole document on the CEPEJ website. In addition to the Explanatory note, there is also the User manual that is a technical document to help you navigate through this application for data collection.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

### **Instruction :**

Explanatory note: <https://rm.coe.int/explanatory-note-2024-cycle-cepej-2023-2-en/1680aae30a>

Word version of the questionnaire - <https://rm.coe.int/evaluation-scheme-2024-cycle-cepej-2022-9rev1-en-30-march-2023/1680aae309>

CEPEJ COLLECT - User manual – you can download under Documentation tab

## **1.General and financial information**

### **1.1.Demographic and economic data**

#### **1.1.1Inhabitants and economic general information**



##### **001. Number of inhabitants (if possible on 1 January of the reference year +1)**

[ 3 736 400 ]

Comments

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### 003. Per capita GDP (in €) in current prices for the reference year

[ 6 335 ]

Comments Officially published information on Geostat.ge is published only in US Dollars. At the moment officially published information for 2022 is - 6671.9 US\$. In Euros it's about 6335. Same information is published in official information by European Commission - Directorate-General for Trade.

### 004. Average gross annual salary (in €) for the reference year

[ 6 622 ]

[ ] NA

Comments

### 005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1:

[ 2.8844 ]

Allow decimals : 5

[ ] NAP

Comments

### A1. Please indicate the sources for answering the questions in this part

Sources: Geostat.ge

<https://nbg.gov.ge/>

#### 1.1.2 Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this question, please answer NA to question 7.

	Approved budget (in €)	Implemented budget (in €)
<b>TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	38 995 320 [ ] NA [ ] NAP	35 519 247 [ ] NA [ ] NAP
<b>1. Annual public budget allocated to (gross) salaries</b>	27 105 940 [ ] NA [ ] NAP	26 998 333 [ ] NA [ ] NAP
<b>2. Annual public budget allocated to computerisation (2.1 + 2.2)</b>	1 478 752 [ ] NA [ ] NAP	1 339 260 [ ] NA [ ] NAP

<b>2.1 Investments in computerisation</b>	1 076 788 [ ] NA [ ] NAP	959 744 [ ] NA [ ] NAP
<b>2.2 Maintenance of the IT equipment of courts</b>	401 964 [ ] NA [ ] NAP	379 516 [ ] NA [ ] NAP
<b>3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)</b>	778 166 [ ] NA [ ] NAP	697 639 [ ] NA [ ] NAP
<b>4. Annual public budget allocated to court buildings (maintenance, operating costs)</b>	4 662 677 [ ] NA [ ] NAP	4 059 310 [ ] NA [ ] NAP
<b>5. Annual public budget allocated to investments in new (court) buildings</b>	2 487 843 [ ] NA [ ] NAP	156 012 [ ] NA [ ] NAP
<b>6. Annual public budget allocated to training</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>7. Other (please specify)</b>	2 481 942 [ ] NA [ ] NAP	2 268 693 [ ] NA [ ] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: The total approved budget increased in 2022 compared to 2020, in particular on the account of increased salaries; investments into the development of IT equipment; increased number of cases leading to an increase in the justice expenses (expertise, interpretation, etc.); increased fees and costs, reconstructions of court buildings; allocations for the construction of new court buildings. Main reasons of difference between allocated and implemented budget: savings received as a result of conducted tender; remained unused funds from signed service contracts during the year; the construction of the new building of the Tbilisi City Court has not started in 2022. Category 7. Other includes Business trips, goods and services necessary for office activities, uniforms, vehicle fuel, repair and insurance, judges' apartment rent.

**007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or the one allocated to legal aid, please fill in only the appropriate line in the table according to your system:**

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to all courts and the public prosecution services together</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Total annual public budget allocated to all courts and legal aid together</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Total annual public budget allocated to all courts, public prosecution services and legal aid together</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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**008. Are litigants in general required to pay a court fee to initiate a proceeding at a court of**



**general jurisdiction:**

	<b>Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?</b>
<b>for criminal cases</b>	<input type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input checked="" type="checkbox"/> No
<b>for other than criminal cases</b>	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

Comments - If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions?  
 General Comment

**008-1. Please briefly present the methodology of calculation of these court fees:**

- General Comment

**008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:**

- [ 90 ]
- [ ] NA
- [ ] NAP

Comments For First instance, court's fee is 3 percent of the price of the claim, minimum 100 Gel

**009. Annual income of court fees received by the State (in €):**

- [ 8 481 491 ]
- [ ] NA
- [ ] NAP

Comments

**012. Annual approved public budget allocated to legal aid, in €.**

	<b>TOTAL</b>	<b>Criminal cases</b>	<b>Other than criminal cases</b>
<b>TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)</b>	2 335 029 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12.1 for cases brought to court (court fees and/or legal representation)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

**012-1. Annual implemented public budget allocated to legal aid, in €.**

	TOTAL	Criminal cases	Other than criminal cases
<b>TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)</b>	2 308 316 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12-1.1 for cases brought to court (court fees and/or legal representation)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12-1.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences:

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**012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:**

	Amount calculated/estimated included
<b>Coverage of court fees</b>	( ) Yes ( ) No ( X ) NAP (Legal aid does not include coverage of court fees)
<b>Exemption from court fees</b>	( ) Yes ( ) No ( X ) NAP (Legal aid does not include exemption from court fees)

Comments Although legal aid does not include coverage of court fees, according to Article 7 of the Law on Legal Aid, “if, when considering civil or administrative proceedings, the court makes a decision in favor of a legal aid beneficiary, the reimbursement of legal aid expenses shall be imposed on the opposing party for the benefit of the Legal Aid Unit, under the procedure established by the legislation of Georgia.”

**013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.**

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the public prosecution services, in € (including 13.1)</b>	16 621 528 [ ] NA [ ] NAP	16 449 202 [ ] NA [ ] NAP
<b>13.1. Annual public budget allocated to training of public prosecution services</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: The Prosecution Service of Georgia (PSG) finances trainings of prosecutors through its budget. There is no separate budget

for it. Budget increased in 2022 compared to 2020.

## A2. Please indicate the sources for answering the questions in this part

Sources: Official Information Received from: Prosecution Service of Georgia; Legal Aid Service of Georgia

### 1.1.3 Budgetary data concerning the whole justice system



**015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)**

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the whole justice system in €</b>	135 088 366 <input type="checkbox"/> NA <input type="checkbox"/> NAP	130 303 071 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

### 015-2. Elements of the judicial system budget (Q6, Q7, Q12, Q13)

	Included
<b>Courts</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Legal aid</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Public prosecution services</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

### 015-3. Other budgetary elements

	Included
<b>Prison system</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Probation services</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

<b>High Judicial Council</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>High Prosecutorial Council</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Constitutional court</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Judicial management body</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Service for legal representation of the State</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Enforcement services</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Notariat</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Forensic services</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Judicial protection of juveniles</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Functioning of the Ministry of Justice</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Refugees and asylum seekers services</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Immigration Service</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Some police services (e.g. : transfer, investigation, prisoners' security)</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

If "Other", please specify: Budget of all above mentioned Administrative bodies have increased in 2022, but most of all Budget of Prison System.

### **A3. Please indicate the sources for answering the questions in this part**

Sources: Law on 2022 Budget of Georgia

## 2. Access to justice and all courts

### 2.1. Legal Aid

#### 2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	( X ) Yes ( ) No [ ] NA [ ] NAP	( X ) Yes ( ) No [ ] NA [ ] NAP
Legal advice, ADR and other legal services	( X ) Yes ( ) No [ ] NA [ ] NAP	( X ) Yes ( ) No [ ] NA [ ] NAP

016-1. Please briefly describe the organisation of the legal aid system in your country.

- The Legal Aid Service is an independent state organization that is accountable to the Parliament of Georgia.

Free Legal aid includes: legal advice, drafting legal documents, representation in court and administrative body. The legal aid is guaranteed to all socially vulnerable beneficiaries (i.e. persons who are registered in socially vulnerable household database and whose score is below 70,000). Besides, the Legal Aid Service has a special mandate for the following categories of persons: Asylum seekers and persons with international protection, minors, victims of violence against women and domestic violence/alleged victims, persons receiving support, persons with disabilities. These individuals enjoy legal aid regardless of their solvency and the importance and complexity of the case. Cases of mandatory protection are provided for criminal cases, according to the Criminal Procedure Code of Georgia.

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

( ) Yes

( X ) No

[ ] NAP

If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

Criminal cases	Other than criminal cases
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<b>Legal aid granted for other costs</b>	( X ) Yes ( ) No [ ] NA [ ] NAP	( X ) Yes ( ) No [ ] NA [ ] NAP
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Comments - If yes, please specify: If the complexity of the case requires so, under the decision of the Director of the LAS, the legal aid could cover fees for forensic examination. Later, the LAS could request reimbursement of the costs to another party.

## 2.1.2 Information on legal aid



**020. Please indicate the number of cases for which legal aid has been granted:**

	<b>Total</b>	<b>Cases brought to court</b>	<b>Cases not brought to court</b>
<b>TOTAL</b>	19 122 [ ] NA [ ] NAP	12 045 [ ] NA [ ] NAP	7 077 [ ] NA [ ] NAP
<b>In criminal cases</b>	12 467 [ ] NA [ ] NAP	5 390 [ ] NA [ ] NAP	7 077 [ ] NA [ ] NAP
<b>In other than criminal cases</b>	6 655 [ ] NA [ ] NAP	6 655 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments - Please specify when appropriate:

**020-0. Please indicate the number of recipients of legal aid:**

	<b>Total</b>	<b>Cases brought to court</b>	<b>Cases not brought to court</b>
<b>TOTAL</b>	22 885 [ ] NA [ ] NAP	15 739 [ ] NA [ ] NAP	7 146 [ ] NA [ ] NAP
<b>In criminal cases</b>	13 549 [ ] NA [ ] NAP	6 403 [ ] NA [ ] NAP	7 146 [ ] NA [ ] NAP
<b>In other than criminal cases</b>	9 336 [ ] NA [ ] NAP	9 336 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments - Please specify when appropriate:

**020-0-1. Are there statistical data disaggregated by gender in respect of recipients of legal aid?**

( X ) Yes

( ) No

Comments

**020-0-2. If yes, please provide details on distribution by gender of recipients of legal aid:**

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Number of recipients of legal aid</b>	22 885 [ ] NA [ ] NAP	17 713 [ ] NA [ ] NAP	5 172 [ ] NA [ ] NAP

**020-0-3. Is it possible to divide the number of recipients of legal aid per different categories of cases?**

Yes

No

Comment: If yes, please specify for which categories of cases: The cases are distributed and supervised by the special program – “Case-Bank”. The main categories of cases are: Criminal, Civil, Administrative, other category. Each category has its own sub-categories based on specific field of law.

**020-0-4. Are there situations where legal aid is automatically granted depending on categories of cases?**

Yes

No

Comment: If yes, please specify: Legal aid is automatically granted in cases concerning minors, persons with disabilities, persons receiving support, asylum-seekers

**020-0-5. How many of the recipients of legal aid are alleged victims of domestic violence?**

	Total	Males	Females
Number of recipients of legal aid who are alleged victims of domestic violence	1 011 <input type="checkbox"/> NA <input type="checkbox"/> NAP	480 <input type="checkbox"/> NA <input type="checkbox"/> NAP	531 <input type="checkbox"/> NA <input type="checkbox"/> NAP

**020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final decision on the legal aid request:**

	Time in days
Maximum duration prescribed in law/regulation	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Actual average duration	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases, please provide more information: As a general rule, the lawyer is appointed in a reasonable time after the initial request, considering the nature, complexity and relevance of the case. In criminal cases, the lawyers are appointed immediately or during 24-hours after the request, depending the nature of the case. After the lawyer is appointed, according the internal regulations (bylaw), the lawyer must meet the beneficiary immediately or within the 48 hours.

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**021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?**

	Assisted by a free of charge lawyer
Accused individuals	( X ) Yes ( ) No
Victims	( X ) Yes ( ) No

Comments - If yes, please specify: The legal aid service provided by the public lawyers are free of charge and fully covered by the State if beneficiary falls within the criteria prescribed by the law. In case when the beneficiary does not satisfy the preconditions, he/she can still receive free legal aid under the decision of the Director of the LAS.

## 022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	( ) Yes ( X ) No [ ] NAP
Victims	( ) Yes ( X ) No [ ] NAP

Comments Accused individuals and Victims can't choose concrete lawyers, but after appointment of Lawyer, they have the right to recuse/refuse assistance of the lawyer.

## 023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

( X ) Yes

( ) No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: A person is considered insolvent and entitled to free legal aid, if he/she is a member of a family registered in the unified database of socially vulnerable families, whose rating score is equal to or less than 70,000 score (Scores are determined by Law). Also, person is considered insolvent and is entitled to free legal aid if he/she is a member of a family registered in the unified database of socially vulnerable families, whose rating score is equal to or less than 100,000 and belongs to one of the following categories:

- a member of a large family that has 3 or more children under the age of 18;
- veteran of war and defence forces;
- a disabled person under the age of 18;
- an adult with a severely or significantly disabled status;
- a person with a severely, significantly or moderately expressed disability status, if the disability has been present since childhood;
- orphaned child under the age of 18;
- a person displaced as a result of the military aggression carried out by the Russian Federation against Georgia.

In case of domestic violence: during the 12 months prior to applying to the legal aid service, the taxable income of the person as a natural person did not exceed 6000 GEL, at the same time, the amount of money in the account opened in his name in a commercial bank registered in Georgia at the time of issuing the relevant notice did not exceed 500 GEL, and in the last 90 days and the turnover does not exceed 1500 GEL.

### 023. If yes, please specify in the table:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Full legal aid to the applicant for other than criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid to the applicant for criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

**024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?**

Yes

No

Comments - If yes, please specify the exact criteria for denying legal aid: According to the Georgian Law on Legal Aid, Art 5, In civil and administrative cases legal assistance (representation in court, representation in an administrative body) is provided if the case meets the criteria of importance and complexity.

**025. Is the decision to grant or refuse legal aid taken by:**

the judge(s) dealing with the main case

another judge or official

an authority external to the court

several authorities (court and external bodies)

Comments Head of the legal Aid service bureau and Director

**027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:**

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If no, please specify how legal costs are distributed:

**B1. Please indicate the sources for answering the questions in this part**

Sources: Information Received from Legal Aid Service  
Information filled according the Procedural Legislation

## 2.2. Court users and victims

### 2.2.1 Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, Judicial Council etc.) where general public may have free-of-charge access to the following:

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	( X ) <a href="http://www.matsne.gov.ge">www.matsne.gov.ge</a>	( )
Case-law of the higher court/s	( X ) <a href="http://www.supremecourt.ge">www.supremecourt.ge</a>	( )
Information about the judicial system (organisation of courts, court proceedings, etc)	( X ) <a href="http://www.hcoj.gov.ge/">http://www.hcoj.gov.ge/</a>	( )
Other documents (e.g. forms, downloadable forms, online registration forms)	( X ) <a href="http://www.hcoj.gov.ge/">http://www.hcoj.gov.ge/</a>	( )

Comment - Please specify what documents and information are included in "Other documents" Forms (Civil/Administrative - claim, Response, Appeal claim/Response or Cassation Claim/Response) approved by High Council of Justice of Georgia

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?

( X ) Yes, always

( ) No

( ) Yes, only in some specific situations

Comment - If "Yes, only in some specific situations", please specify:

030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:

	Information system
General for citizens	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for victims of offences	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No

<b>Specific for minors (child-friendly systems)</b>	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input type="checkbox"/> In-person (physical access on site) <input checked="" type="checkbox"/> Other <input type="checkbox"/> No
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Comments - Please provide more information on these systems and specify how this assistance is provided: From 2021 year, Georgian Court system has launched uniform Citizen Service Center and hotline service, via this Service center all Citizens can receive information regarding Court proceedings, concrete pending cases or about their rights related with Court proceedings and etc. Also these information can be received by citizens in person, for example by Supreme Court Service Centre and etc. Also In terms of Diversion and Restorative Justice, a person under the age of 21, who is in conflict with the law can access the information system through the Diversion and Mediation website, as well as a social network. The website is tailored (child-friendly blocks) to the persons, who are in conflict with the law and their parents/guardians. Children under the age of 14, children with difficult behavior, their parents, and carers can access information via a 24-hour hotline, social networking site, and information booklet.

All the beneficiaries of the Agency can receive exhaustive information and assistance through social networks and hotlines. Diversion-Mediation website; 24-hours hotline of National Agency for Crime Prevention and Probation; 24-hour hotline of Referral Centre; social networking site of National Agency for Crime Prevention and Probation.

**031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:**

	<b>Information mechanism</b>	<b>Special arrangements in hearings</b>	<b>Other specific arrangements</b>
<b>Victims of sexual violence/rape</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Victims of terrorism</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Minors (witnesses or victims)</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Victims of domestic violence</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Ethnic minorities</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Persons with disabilities</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Juvenile offenders</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify: According to Criminal Code of Georgia, the age of criminal responsibility is 14. Therefore, persons from the age of 14 till the age of 18 are called juvenile offenders.

Criminal proceedings for juvenile offenders are different than those of full aged offenders, and are subject of the following different criminal regime:

- The length of sentences for juvenile offenders are lower;
- Only the judge with a specialized training in juvenile matters and psychology can participate in a court hearing where the offenders are under aged;
- Usually court hearings are public, but when there is the case of juvenile offender, for the sake of the youth the court hearing is closed;
- Juvenile offenders should a priority be represented by a qualified lawyer.

Other vulnerable persons are - victims of human trafficking, victims of forced marriage, victims of sexual mutilation, also victims of other types of violence or domestic violence. Other Specific arrangement is Institution of Diversion. Please see general comment on question 031.3.1

**031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?**

- Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)
- Special room in court designated for child-friendly hearings
- Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- Special ways to communicate and explain meaning of court decisions
- Interagency/multidisciplinary structure such as “Children's Houses”
- Other, please specify .....
- NAP

Comment

**031-1. What are the main criteria for a person under 18 years of age to act in court proceedings or to be a witness?**

	Civil proceedings	Criminal proceedings
<b>Capacity to initiate a proceeding and take other procedural actions in his/her own name</b>	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Age threshold [Comment]14 <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP
<b>To be a witness</b>	<input type="checkbox"/> Age threshold [Comment] <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comments - Please specify if you selected “Other”. According to Article 81(3) of the Code of Georgia on Civil Procedure, during civil proceedings the rights and interests of minors, from age 7 till 18, are protected by their parents, adoptive parents or care givers. In such cases the court is obliged to involve minors in the proceedings. The same rule applies to administrative cases.

In criminal proceedings minors can participate as witnesses. Under the age of 14 they can participate only in case if their legal representative agrees on questioning the minor and also agrees to take a part in a court hearing. From the age of 14 till 18 minor can participate only in case if she/he can verbally or in other form tell the important information concerning the case.

**031-2. If a person under 18 years of age cannot act in court proceedings in his/her own name, who can represent him/her in judicial proceedings?**

	Civil proceedings	Criminal proceedings
<b>Parent/legal guardian</b>	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No

<b>Another representative (instead of parent/legal guardian)</b>	<input checked="" type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other
--	--	--

Comment

**031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)**

- Age threshold(s)
- Capacity for discernment
- Other criteria

Comment

**031-3-1. What is the age threshold for the criminal liability of minors?**

**Criminal liability resulting in sentence without privation of liberty (for example, educational measures)**

- 14 ]
- NA
- NAP

**Criminal liability resulting in sentence of privation of liberty**

- 14 ]
- NA
- NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how? If there is a probable cause that a minor has committed a minor or a serious crime, the possibility of applying diversion shall be considered in the first place and it shall be evaluated whether diversion can ensure the re-socialization and rehabilitation of the minor and the prevention of a new crime.

Fixed-term imprisonment may be imposed on a minor if he/she has committed a serious or a particularly serious crime, if he/she has avoided serving a non-custodial sentence, and/or a judgment of conviction has been delivered against him/her in the past. For minors aged between 14 and 16, the imposed sentence shall be reduced by one third. In addition, the final sentence shall not exceed 10 years. For minors aged between 16 and 18, the imposed sentence shall be reduced by one fourth. In addition, the final sentence shall not exceed 12 years. Paragraphs 2 and 3 of this article shall apply irrespective of the circumstances provided for by Article 76 of this Code.

-

**032. Does your country allocate compensation for victims of offences?**

- Yes, but only if the offender is unknown
- Yes, but only if compensation could not be obtained from the offender
- Yes, in both situations
- No

Comment

**032-0. If yes, for what types of offences the compensation is allocated?**



For all types of offences

For some types of offences

NAP

Comment - Please specify:

### **032-1. Is a court decision necessary in the framework of the compensation procedure?**

Yes

No

Comments The victims of crime may seek compensation for the material, moral and/or physical damages suffered as a result of a criminal activity. In case the damage emanated from the state, the source of the compensation will be the state budget. In other cases where the damage resulted from the offender – private person, the damages will be recovered from the offender. In both cases the basis for the compensation is the court decision. In order to obtain compensation the victim is entitled to file a civil complaint through the civil procedure outside the criminal or administrative cases. Moreover, according the Article 92 of the Criminal Procedure Code of Georgia, the victim has a right to seek compensation through civil or administrative proceedings, if there was wrongful or unreasoned decisions made against him/her during investigation or at court hearings.

### **032-0. If yes, for what types of offences the compensation is allocated?**

For all types of offences

For some types of offences

NAP

Comment - Please specify:

### **032-1. Is a court decision necessary in the framework of the compensation procedure?**

Yes

No

Comments The victims of crime may seek compensation for the material, moral and/or physical damages suffered as a result of a criminal activity. In case the damage emanated from the state, the source of the compensation will be the state budget. In other cases where the damage resulted from the offender – private person, the damages will be recovered from the offender. In both cases the basis for the compensation is the court decision. In order to obtain compensation the victim is entitled to file a civil complaint through the civil procedure outside the criminal or administrative cases. Moreover, according the Article 92 of the Criminal Procedure Code of Georgia, the victim has a right to seek compensation through civil or administrative proceedings, if there was wrongful or unreasoned decisions made against him/her during investigation or at court hearings.

### **032-0. If yes, for what types of offences the compensation is allocated?**

For all types of offences

For some types of offences

NAP

Comment - Please specify:

### **032-1. Is a court decision necessary in the framework of the compensation procedure?**

Yes

No

Comments The victims of crime may seek compensation for the material, moral and/or physical damages suffered as a result of a criminal activity. In case the damage emanated from the state, the source of the compensation will be the state budget. In other cases where the damage resulted from the offender – private person, the damages will be recovered from the offender. In both cases the basis for the

compensation is the court decision. In order to obtain compensation the victim is entitled to file a civil complaint through the civil procedure outside the criminal or administrative cases. Moreover, according the Article 92 of the Criminal Procedure Code of Georgia, the victim has a right to seek compensation through civil or administrative proceedings, if there was wrongful or unreasoned decisions made against him/her during investigation or at court hearings.

**034. Is there a regular monitoring (official studies, reports etc.) allowing the evaluation of the recovery rate of the damages awarded by courts to victims?**

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

**035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?**

Yes

No

Comments - If yes, please specify: According to the Criminal Procedure Code of Georgia, the prosecutor is responsible for granting the status of victim to a person and informing him/her about his/her rights.

The Prosecutor is obliged to send to the victim the decree on termination of investigation/prosecution within one week after rendering the decree. In case of renewing the prosecution, the prosecutor shall inform the victim on this matter. Before terminating the prosecution, using discretionary power, applying diversion, or concluding a plea agreement, the prosecutor shall consult with the victim.

**035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?**

Yes

No

Comment - If yes, please specify: Prosecutors play active role with respect to the protection and assistance of minor victims.

-

**036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".**

Yes

No

NAP

Comment - If necessary, please specify: According to the Criminal Procedure Code of Georgia, a victim can appeal the decree of the prosecutor on termination of investigation and/or prosecution to a superior prosecutor. The decision of the superior prosecutor on this is final and cannot be appealed unless the crime concerned belongs to the category of grave offenses, domestic violence or other domestic crime, or it is under the investigative competence of the Special Investigation Service.

If the decision of a superior prosecutor qualifies for appeal, a victim can appeal it to the court. The court issues a final judgement on the matter.

**037. Is there a system of compensation in the following circumstances:**

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
<b>Total</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Excessive length of proceedings</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Non-execution of court decisions</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Wrongful arrest/detention</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Wrongful conviction</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Other</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g., the amount per day for unjustified detentions or convictions): According to Article 1005 of the Civil Code of Georgia, the person has a right to seek compensation for damages by submitting civil complaint in case of wrongful arrest and/or wrongful conviction (same right is provided by Article 92 of the Code of Criminal Procedure).

**037-1. Please specify which authorities are responsible for dealing with the requests and whether a legal time limit exists to deal with these requests:**

	Responsible authorities	Legal time limit
<b>Court concerned</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Other court</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Ministry of Justice</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>High Judicial Council</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Other external bodies (e.g. Ombudsman)</b>	<input type="checkbox"/>	<input type="checkbox"/>

Comments Only a Common Court (depends on territorial jurisdiction) on the basis of general procedural law can decide on the claim regarding the compensation.

**037-2. Are there statistical data disaggregated by gender concerning the number of:**

	Existence of statistical data disaggregated by gender
<b>Persons who initiate a case in other than criminal matters</b>	<input type="checkbox"/> Yes - If yes, please specify for which categories of cases: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

<b>Victims recognised as such by the court</b>	( X ) Yes - If yes, please specify for which types of offences: [Comment]Domestic violence cases, murder, sexual harassment and all other gender sensitive offences ( ) No [ ] NA
<b>Perpetrators of criminal offences</b>	( X ) Yes - If yes, please specify for which types of offences: [Comment]all type of cases ( ) No [ ] NA

Comments

### 037-3. Are there statistical data on the relation between the perpetrator of the criminal offence and the victim recognised by the court?

( ) Yes

( X ) No

If yes, please specify:

## 2.2.2 Confidence and satisfaction of citizens with their justice system

### 038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?

	National level	Court level
Surveys for judges	[ ] Annual [ ] Other regular [ ] Ad hoc	[ ] Annual [ ] Other regular [ ] Ad hoc
Surveys for court staff	[ ] Annual [ ] Other regular [ ] Ad hoc	[ ] Annual [ ] Other regular [ X ] Ad hoc
Surveys for public prosecutors	[ ] Annual [ ] Other regular [ ] Ad hoc	[ ] Annual [ X ] Other regular [ ] Ad hoc
Surveys for lawyers	[ ] Annual [ ] Other regular [ ] Ad hoc	[ ] Annual [ X ] Other regular [ ] Ad hoc
Surveys for other professionals	[ ] Annual [ ] Other regular [ ] Ad hoc	[ ] Annual [ X ] Other regular [ ] Ad hoc
Surveys for the parties	[ ] Annual [ ] Other regular [ ] Ad hoc	[ ] Annual [ X ] Other regular [ ] Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	[ ] Annual [ ] Other regular [ ] Ad hoc	[ ] Annual [ X ] Other regular [ ] Ad hoc

Surveys for victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for minors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

NA

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above:

### 3. Organisation of the court system

#### 3.1. Courts

##### 3.1.1 Number of courts

##### 042. Number of courts - legal entities.

	Number of courts
Total number of all courts - legal entities (1 + 2)	29 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	29 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.1 First instance courts of general jurisdiction - legal entities	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.2 Second instance courts of general jurisdiction - legal entities	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2 Total number of specialised courts - legal entities	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

##### 043. Number of specialised courts – legal entities.

First instance	Higher instances
----------------	------------------

<b>Total number of specialised courts - legal entities</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Commercial courts (excluded insolvency courts)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Insolvency courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Labour courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Family courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Rent and tenancies courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Enforcement of criminal sanctions courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Fight against terrorism, organised crime and corruption</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Internet related disputes</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Administrative courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Insurance and / or social welfare courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Military courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Juvenile courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Other specialised courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other specialised courts", please specify:

#### 044. Number of courts - geographic locations.

	<b>Number of courts (geographic locations)</b>
<b>First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)</b>	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP

All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)

29  
 NA  
 NAP

Comments

### C. Please indicate the sources for answering the questions in this part

Sources: High Council of Justice of Georgia

## 3.2. Court staff

### 3.2.1 Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	339 <input type="checkbox"/> NA <input type="checkbox"/> NAP	157 <input type="checkbox"/> NA <input type="checkbox"/> NAP	182 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of first instance professional judges	222 <input type="checkbox"/> NA <input type="checkbox"/> NAP	98 <input type="checkbox"/> NA <input type="checkbox"/> NAP	124 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of second instance (court of appeal) professional judges	89 <input type="checkbox"/> NA <input type="checkbox"/> NAP	42 <input type="checkbox"/> NA <input type="checkbox"/> NAP	47 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of Supreme Court professional judges	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please provide any useful comment for interpreting the data above: In 2022, new judges have been appointed at the Supreme Court.

=

046-1-1. Does your system allow part-time work for professional judges with proportionally reduced remuneration?

Yes

No

Comments

046-1-2. If yes, please specify in which situation(s) part-time work can be granted (multiple replies possible).

Child-care

- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- No specific reason required
- Other reason, please specify: .....

Comments

**046-1-3. If yes, what is the number of professional judges working part-time with reduced remuneration?**

	Total	Males	Females
<b>Total (1 + 2 + 3)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. At first instance level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. At second instance (court of appeal) level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. At Supreme Court level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**046-1-4. Are there other possibilities (apart from part-time) for regular adjustment of working time or conditions with or without reduced remuneration?**

	Adjustment of working time or conditions with or without reduced remuneration
<b>Temporary reduction of the workload</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Temporary reduction of the working time / special leave</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Other measures</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

**046-1-5. If yes, please specify in which situation(s) these possibilities can be used?**

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new judges
- No specific reason required



Other reason, please specify: .....

NAP

Comments

=

**046-2. Number of judges (FTE) by case type:**

	Total	Civil and/or commercial	Criminal	Administrative	Other
<b>Total number of judges</b>	339 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>First instance</b>	222 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Second instance</b>	89 <input type="checkbox"/> NA <input type="checkbox"/> NAP	38 <input type="checkbox"/> NA <input type="checkbox"/> NAP	29 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Supreme Court</b>	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

If "Other", please explain which types of cases: Statistical information related with first instance courts is NA, since in few First instance courts (district courts), where number of Judges is 1 or 2, Judge is specialized and can discuss/discusses all or few type of cases.

=

**047. Number of court presidents .**

	Total	Males	Females
<b>Total number of court presidents (1 + 2 + 3)</b>	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Number of first instance court presidents</b>	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Number of second instance (court of appeal) court presidents</b>	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Number of Supreme Court presidents</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments In 7 Courts position of Court President is vacant.

**048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible, on 31 December of the reference year):**

	Figure
<b>Gross figure</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>In full-time equivalent</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
--------------------------------	--

Comments - If necessary, please provide comments to explain the answer provided:

**048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?**

- ( ) Yes If yes, please give specifications on the types of cases and an estimate in percentage. ....
- ( ) No
- NAP

Comments

**049. Number of non-professional judges who are not remunerated but who may receive a simple defrayal of costs (if possible, on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting on a jury):**

	Figure
<b>Gross figure</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>In full time equivalent</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

**049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:**

	Yes	No	Echevinage / mixed bench
<b>Criminal cases (severe)</b>	( )	( )	( )
<b>Criminal cases (misdemeanour and/or minor)</b>	( )	( )	( )
<b>Family law cases</b>	( )	( )	( )
<b>Labour law cases</b>	( )	( )	( )
<b>Social law cases</b>	( )	( )	( )
<b>Commercial law cases</b>	( )	( )	( )
<b>Insolvency cases</b>	( )	( )	( )
<b>Other civil cases</b>	( )	( )	( )

NAP

Comments - If “Other civil cases”, please specify:

**050. Does your judicial system include trial by jury with the participation of citizens?**

Yes

No

Comments

**050-1. If yes, for which type(s) of case(s)?**

Criminal cases

Other than criminal cases

Comments The case shall be heard by a jury if the charges are brought under Articles - 108 (Intentional killing) completed and 109 (intentional killing under aggravating circumstances) completed; Article 117(2; 4;6;8) (Intentional infliction of serious harm to health); Article 126(2) (Domestic violence) and other articles mentioned in article 226 of Criminal Procedural Code of Georgia.

**051. Number of citizens who were involved in such juries for the year of reference:**

114 ]

NA

NAP

Comments

=

**052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled)**

	Total	Males	Females
<b>Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)</b>	1 834 <input type="checkbox"/> NA <input type="checkbox"/> NAP	625 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 209 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Rechtspfleger (or similar bodies) (see Explanatory Note)</b>	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)</b>	842 <input type="checkbox"/> NA <input type="checkbox"/> NAP	131 <input type="checkbox"/> NA <input type="checkbox"/> NAP	711 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)</b>	139 <input type="checkbox"/> NA <input type="checkbox"/> NAP	66 <input type="checkbox"/> NA <input type="checkbox"/> NAP	73 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Technical staff</b>	849 <input type="checkbox"/> NA <input type="checkbox"/> NAP	428 <input type="checkbox"/> NA <input type="checkbox"/> NAP	421 <input type="checkbox"/> NA <input type="checkbox"/> NAP

5. Other non-judge staff	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments - If "Other non-judge staff", please specify:

**052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled).**

	Total	Males	Females
<b>Total non-judge staff working in courts (1+2+3)</b>	1 834 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	625 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 209 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>1. Total non-judge staff working in courts at first instance level</b>	1 319 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	446 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	873 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2. Total non-judge staff working in courts at second instance (court of appeal) level</b>	303 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	97 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	206 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Total non-judge staff working in courts at Supreme Court level</b>	212 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	82 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	130 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

=

**053. If there are Rechtspfleger (or similar bodies), please specify in which fields they have a role:**

- Legal aid
- Family cases
- Payment orders
- Registry cases (land and/or business registry cases)
- Enforcement of civil cases
- Enforcement of criminal cases
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and exact duties: According to Article 316.1 of the Code of Civil Procedure of Georgia, cases involving finding the facts of legal significance (request for a change of name, establishment of paternity etc.) may be considered by a professional judge or by a relevant employee.

**054. Have the courts outsourced certain services under their responsibilities to external providers?**

- Yes
- No

Comments

**054-1. If yes, please specify which services have been outsourced:**

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify): .....

Comments - If “Other types of services”, please specify:

NA

**C1. Please indicate the sources for answering the questions in this part**

Sources: General Department of Common Courts;  
 Supreme Court of Georgia;  
 High Council of Justice of Georgia

**3.3. Public prosecution**

**3.3.1 Public prosecutors and staff**

**055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled.)**

	Total	Males	Females
<b>Total number of prosecutors (1 + 2 + 3)</b>	415 <input type="checkbox"/> NA <input type="checkbox"/> NAP	275 <input type="checkbox"/> NA <input type="checkbox"/> NAP	140 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Number of prosecutors at first instance level</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2. Number of prosecutors at second instance (court of appeal) level</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Number of prosecutors at Supreme Court level</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please indicate any useful comment for interpreting the data above: PSG is not organized according to the court instances. Its structure is as follows:

District Prosecutor’s Offices Regional Prosecutor’s Offices

Tbilisi Prosecutor’s Office Prosecutor’s Offices of the Autonomous Republics of Adjara and Abkhazia

Office of the Prosecutor General Each structural body of PSG has prosecutors and management subordinated to the Prosecutor General and other prosecutors in the hierarchy.

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**055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?**

- Yes
- No

Comments

**055-1-2. If yes, please specify in which situation(s) part-time work can be granted? (multiple replies possible)**

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- No specific reason required
- Other reason, please specify: .....

Comments

**055-1-3. If yes, what is the number of prosecutors working part-time with reduced remuneration?**

	Total	Males	Females
<b>Total (1 + 2 + 3)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. At first instance level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. At second instance (court of appeal) level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. At Supreme Court level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**055-1-4. Are there other possibilities (apart of part-time work) for regular adjustment of working time or conditions with or without reduced remuneration?**

	Adjustment of working time or conditions with or without reduced remuneration
<b>Temporary reduction of the workload</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Temporary reduction of the working time / special leave</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No

<b>Other measures</b>	( ) Yes (X) No
-----------------------	-------------------

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?  
Temporary reduction of the working time does not imply reduction of the remuneration.

**055-1-5 . If yes, please specify in which situation(s) these possibilities can be used?**

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new prosecutors
- No specific reason required
- Other reason, please specify: .....
- NAP

Comments According to Article 24 §6 of the Labor Code of Georgia, employees who are breastfeeding infants under the age of 12 months, may request an additional break of at least 1 hour a day. A break for breastfeeding shall be included in working time and shall be paid.

According to §10 of the same Article prescribes that a legal representative or supporter of a person with a disability may, in addition to rest days, enjoy another paid rest day once a month, or agree on working time other than that provided for by the internal labor regulations.

Besides the legislative guarantees prescribed by the Labor Code of Georgia, the Organic Law on the Prosecution Service of Georgia also enshrines a guarantee. In particular, An employee of the PSG shall be entitled to paid leave of not more than three months once every five years and/or unpaid leave of not more than one year in order to participate in professional development programs outside the system of the PSG (Article 80 §7). With regard to the adjustment of working time, it should be highlighted that the PSG supports its employees to be engaged in their pedagogical activities. Teaching or learning might be a ground for adjustment of working hours.

**056. Number of heads of prosecution offices.**

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Total number of heads of prosecution offices (1 + 2 + 3)</b>	59 [ ] NA [ ] NAP	51 [ ] NA [ ] NAP	8 [ ] NA [ ] NAP
<b>1. Number of heads of prosecution offices at first instance level</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>2. Number of heads of prosecution offices at second instance (court of appeal) level</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>3. Number of heads of prosecution offices at Supreme Court level</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP

Please provide any useful comment for interpreting the data above:

**057. In your judicial system, do other persons have similar duties to those of public prosecutors?**

- ( ) Yes
- (X) No

Comments - If yes, please specify their titles and functions:

**057-1. If yes, please provide the number (in full-time equivalent):**

[            ]  
 [ ] NA

**059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?**

( ) Yes  
 ( ) No  
 [ ] NAP

Comments

**059-1. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?**

	-
<b>Domestic violence</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Sexual violence</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify The PSG has introduced specialization courses for prosecutors and PSG investigators. Only those professionals, who have passed the courses, can perform their duties with regard to the cases of domestic violence and sexual violence.

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**060. Number of staff (non-public prosecutors) attached to the public prosecution services, if possible, on 31 December of the reference year and without the number of non-judge staff, see question 52 (in full-time equivalent and for posts actually filled).**

	Total	Males	Females
<b>Number of staff (non-public prosecutors) attached to the public prosecution service</b>	360 [ ] NA	191 [ ] NA	169 [ ] NA

Comment – please describe which categories of staff you have included in your reply: The statistics includes public employees other than prosecutors.

**C2. Please indicate the sources for answering the questions in this part**

Sources: Prosecution Service of Georgia



### 3.4. Gender equality

#### 3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
<b>judges</b>	( X )	( )
<b>prosecutors</b>	( X )	( )
<b>non-judge staff</b>	( X )	( )
<b>lawyers</b>	( X )	( )
<b>notaries</b>	( X )	( )
<b>enforcement agents</b>	( X )	( )

[ ] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: Judiciary - Article 35(7) of the Organic Law of Georgia “on Common Courts”, states that the competition for holding a position of a judge must be conducted in full compliance with the principles of objectivity and equality and during the competition, equality of candidates for judge must be guaranteed regardless of their gender. Same principles are stipulated in all other relevant laws. It is one of the fundamental principles of the legislation of Georgia that discrimination in any form, including based on gender, is strictly prohibited. Respectively, the legislation of Georgia effectively protects individuals from discrimination.

PSG Comment - According to Georgian legislation, discrimination in any form, including based on gender, is strictly prohibited. The above-mentioned principle is also enshrined in the Organic Law of Georgia on Prosecution Service. Respectively, legislation effectively protects individuals from discrimination. In addition, specific provisions in the Organic Law on Prosecution Service aiming at facilitating the gender balance are in place - during the nomination of the Prosecutor General and election of prosecutor members at the Prosecutorial Council. According to the said provisions, following consultations, the Prosecutorial Council selects three candidates for the position of the Prosecutor General out of which 1/3 must be of different gender; while out of eight members of the Prosecutorial Council elected by the Conference of Prosecutors, 1/4 must be of different gender. Meanwhile, improving gender organizational policy is one of the priorities prescribed by the 2022-2027 PSG Strategy. According to the Strategy, the PSG will further ensure equal opportunities for men and women in terms of professional and career development. On 31 October 2022, based on the Order 208- of the Prosecutor General of Georgia, 2022-2027 Gender Equality Strategy of the PSG was adopted. See the details regarding the Strategy in the answer to Question 061-9.

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
<b>judges</b>	( X )	( )
<b>prosecutors</b>	( X )	( )
<b>non-judge staff</b>	( X )	( )

lawyers	( X )	( )
notaries	( X )	( )
enforcement agents	( X )	( )

Comments - If the situation changed since the reference year or you have additional comments, please specify: Similar with Question 061-2

**061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:**

	Yes / No
Court president	( X ) Yes If “yes”, please specify:[Comment]Answer on question 061-2 ( ) No
Head of prosecution services	( X ) Yes If “yes”, please specify:[Comment]Similar with Question 061-2 ( ) No

Comments

**3.4.2 At national level**

**061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?**

- ( ) Yes  
( X ) No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us? In 2022 the Government was working on the National Strategy of Human Rights of Georgia for 2022-2030 to be submitted to the Parliament. One of the main directions of this Strategy is ensuring and strengthening the Gender Equality in the entire Public and Administrative sector of Georgia.

**061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner) / institution dealing with gender issues in the justice system concerning:**

	Yes, please specify	No
The recruitment of judges	( )	( X )
The promotion of judges	( )	( X )
The recruitment of prosecutors	( )	( X )
The promotion of prosecutors	( )	( X )

<b>The recruitment of non-judge staff</b>	( )	( X )
<b>The promotion of non-judge staff</b>	( )	( X )

Comments - Please specify the status of this person/institution and if it has a consultative function or if its opinions/decisions have legal consequences: Generally, the Public Defender deals with discrimination issues, including based on gender.

### **3.4.3 At court/public prosecution services level**

**061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work?**

	Yes	No
<b>in courts (judges)</b>	( )	( X )
<b>in public prosecution services (prosecutors)</b>	( X )	( )
<b>for courts' non-judge staff</b>	( )	( X )

Comments - Please specify the details of this person/institution, in particular its titles and function: Public Defender

**061-9. In order to improve gender balance in access to different judicial professions and gender equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:**

have been already implemented (please specify) : According to Georgian legislation, discrimination in any form, including based on gender, is strictly prohibited. The above-mentioned principle is also enshrined in the respective Organic Laws of Georgia on Common Courts and on Prosecution Service. Respectively, legislation effectively protects individuals (Judges/Court staff) from discrimination. In addition, specific provisions in the Organic Law on Prosecution Service aiming at facilitating the gender balance are in place - during the nomination of the Prosecutor General and election of prosecutor members at the Prosecutorial Council. According to the said provisions, following consultations, the Prosecutorial Council selects three candidates for the position of the Prosecutor General out of which 1/3 must be of different gender; while out of eight members of the Prosecutorial Council elected by the Conference of Prosecutors, 1/4 must be of different gender. In 2021, in the framework of the project of the UN Women - Good Governance for Gender Equality in Georgia and with the support of the Ministry of Foreign Affairs of Norway, a participatory gender audit was conducted in the PSG. The audit aimed at assessing gender mainstreaming, and improving the approaches of the PSG in this regard. Based on the recommendation of the same audit, upon the order of the Prosecutor General of Georgia, the PSG has adopted a mechanism for the prevention and response to sexual harassment, which defines the measures to be taken to prevent sexual harassment and the issues of disciplinary proceedings in cases of sexual harassment. On 31 October 2022, based on the Order 208- of the Prosecutor General of Georgia, 2022-2027 Gender Equality Strategy of the PSG was adopted. The main goals of the Strategy are as follows: Ensuring equal and discrimination-free environment in the PSG and supporting women's empowerment; Implementation of effective, accountable and gender-sensitive justice in the PSG. The Strategy prescribes its basic tasks as well. In particular: Enhancing institutional mechanisms and policy related to gender equality in the PSG; Strengthening women employees of the PSG and ensuring equal opportunities for men and women; Improving processing and analysis of gender-disaggregated data in the PSG for gender-sensitive policy planning and evaluation; Supporting the prevention of gender-based hate crimes; Improving coordination with international and local organizations in order to effectively respond to cases of violence against women.

are planned (please specify) : According to the Strategy, the PSG will further ensure equal opportunities for men and women in terms of professional and career development. During the implementation period, the PSG will ensure further awareness-raising and capacity building of its employees on gender-related issues (such as gender equality, sexual harassment, etc.). Besides, the PSG plans to deepen cooperation with NGOs working on gender-related matters. For an effective administration of the mechanism against sexual harassment, upon the order of the Prosecutor General of Georgia, on 15 March 2022, a support group was established within the PSG. Moreover, on 15 May 2022, a Working Group on Gender Issues was established upon the order of the Prosecutor General of Georgia. The tasks of the Working Group are as follows: (a) Developing and updating (when necessary but at least once per year) Gender Equality Strategy and respective Action Plan; (b) Developing legal acts necessary for defining those responsible for working on gender issues and adding relevant functions to job descriptions; (c) Preparing an annual complex report on gender mainstreaming issues and submitting it to the Prosecutor General of Georgia; informing the employees of the PSG on these issues; (d) Effectively enforcing the mechanism for the prevention and response to sexual harassment.

Comments - If the situation changed since reference year, please specify in the comments. no

[ ] NAP

### **061-10. Are there evaluation studies or official reports regarding the main causes of possible gender inequalities with regard to:**

- [ ] Recruitment procedures, please specify: .....
- [ ] Appointment to the position of court president, please specify: .....
- [ ] Appointment to the position of head of prosecution services, please specify: .....
- [ ] Promotion procedures and access to the functions of responsibility, please specify: .....
- [ ] Other studies, please specify: .....

[ ] NAP

Comments - Please specify also the reference documents.

## **3.5. Use of information technologies in courts**

### **3.5.1 Governance**

#### **ICT STRATEGY**

### **062-01. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?**

- ( ) Yes
- ( X ) No

Comments The Information Technology Department of the High Council of Justice of Georgia is working on the ICT Strategy for the judiciary.

### **062-02. If there is an overall ICT strategy in the judicial system, who was involved in the process**

**of its definition?**

- Judges (Judicial council)
- Prosecutors (Prosecutorial or judicial council)
- Ministry of justice
- Lawyers (bar association)
- Notaries (association of notaries)
- Enforcement agents (association of enforcement agents)
- Other (please specify) .....
- NA
- NAP

Comments

**LEGISLATION**

**062-03. Does a national legislation/regulation of ICT in the judicial system exist?**

- Yes
- No

Comments

**062-04. If yes, how is this legislation/regulation of ICT in the judicial system structured?**

- Relevant norms are included in the general e-government legislation/regulation
- Relevant norms are included in specific legislation/regulation only for the judicial system
- Relevant texts are included in dedicated technical documents/specifications
- Other, please specify .....
- NA

Comment - If more than one of the proposed models exist in your country, please select them all and explain the details

- NA

**IMPACT OF IMPLEMENTATION OF ICT SYSTEMS**

**062-05. Have you already organised audits/evaluations/assessments of the impact of the implementation of the ICT system?**

- Yes
- No

Comments

**062-06. If these audits/evaluations/assessments were already organised, please specify their modalities:**

Format	Last conducted audit

<b>ICT Governance</b>	<input type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input checked="" type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Security and risk management</b>	<input type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input checked="" type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Impact on efficiency and quality of the business processes and workflow</b>	<input type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input checked="" type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Impact on human resources (number, workload, wellbeing)</b>	<input type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input checked="" type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Other, please specify in comments</b>	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input checked="" type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation.

**062-07. If these audits/evaluations/assessments were organised in the last 5 years, how did you apply their recommendations/results?**

- Update applications
- Define new ICT projects/modules
- Adjust legislation
- Adjust working processes
- Withdraw/stop use of a module/application
- Reporting purpose only
- Other, please specify .....

NA  
 NAP

### 3.5.2 Electronic case processing

#### ELECTRONIC SUBMISSION OF CASES

062-08. If it is possible to submit a case to a court electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input checked="" type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input checked="" type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA

Comments

062-09. If it is possible to submit a case to a court electronically, please specify the modalities:

Electronic or paper	Possible to be submitted electronically by:	Data integration
---------------------	---	------------------

<b>Civil</b>	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Comments

## SENDING ELECTRONIC DOCUMENTS TO COURT





062-10. If it is possible to send case-related documents to the courts electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA

Comments

062-11. If it is possible to send electronically case related documents to the courts, please specify the modalities:

Electronic or paper	Possible to be submitted electronically by:	Data integration
---------------------	---	------------------

<b>Civil</b>	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details.

## ELECTRONIC NOTIFICATIONS

**062-12. If it is possible for courts to send electronic notifications, what are the deployment and usage rates?**

Deployment rate	Usage rate
-----------------	------------

<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Comments

**062-13. If it is possible for courts to send electronic notifications, please specify the modalities:**

	<b>Electronic or paper</b>	<b>Type of notification</b>	<b>Data integration</b>
<b>Civil</b>	<input type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

<b>Administrative</b>	<input type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details.

## CONSULTATION OF A CASE ONLINE

062-14. If it is possible for external users to consult a case online, what are the deployment and usage rates?

Deployment rate	Usage rate
-----------------	------------

<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA

Comments

**062-15. If it is possible for external users to consult a case online, please specify the modalities:**

	<b>Content</b>	<b>Access</b>	<b>Consultation format</b>
<b>Civil</b>	<input type="checkbox"/> Case status <input type="checkbox"/> Documents <input type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

<b>Administrative</b>	<input type="checkbox"/> Case status <input type="checkbox"/> Documents <input type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> Case status <input type="checkbox"/> Documents <input type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Other”, please specify details.

## REMOTE HEARINGS

062-16. If it is possible to organise remote hearings what are the deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA

<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input checked="" type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input type="checkbox"/> NAP - remote hearings are not possible	<input type="checkbox"/> NAP - remote hearings are not possible
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comments

**062-17. If it is possible to organise remote hearings, please specify the functionalities and modalities:**

	<b>Functionalities</b>	<b>Modalities</b>
<b>Civil</b>	<input type="checkbox"/> Dedicated tool specially designed for the use by courts <input checked="" type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Agreement of the parties is needed <input type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA

<p><b>Administrative</b></p>	<p><input type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input checked="" type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Agreement of the parties is needed</p> <p><input type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>
<p><b>Criminal</b></p>	<p><input type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input checked="" type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input type="checkbox"/> Agreement of the parties is needed</p> <p><input checked="" type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>

Comments

**ELECTRONIC ARCHIVES**



**062-18. If electronic archives of cases exist, what are the deployment and usage rates?**

<p><b>Deployment rate</b></p>	<p><b>Usage rate</b></p>
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<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input checked="" type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input checked="" type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input checked="" type="checkbox"/> NA

Comments

**062-19. If an electronic archive of cases exists, please specify the modalities:**

	<b>Electronic or paper</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA

<b>Criminal</b>	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
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Comments

### 3.5.3 Tools

## CASE MANAGEMENT SYSTEMS (CMS)

062-20. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA

Comments

062-21. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	<b>Functionalities</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Protected log files <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Protected log files <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, because of its importance please specify details.

062-22. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	Functionalities
Criminal	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input type="checkbox"/> Interoperability with prosecution system <input type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Protected log files <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

## WRITING ASSISTANCE TOOLS

062-23. If writing assistance tools exist in courts, what are their deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Comments

**062-24. If writing assistance tools exist in courts, please describe their functionalities:**

	<b>Functionalities</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA

<b>Criminal</b>	<input checked="" type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
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Comment - If you have selected the option “Other special functionality”, please specify the details.

## RECORDING OF COURT HEARINGS

**062-25. If a tool to record court hearings exists, what are the deployment and usage rates?**

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA

Comments

**062-26. If a tool to record court hearings exist, please specify its functionalities:**

<b>Functionalities</b>
------------------------

<p><b>Civil</b></p>	<p><input checked="" type="checkbox"/> Audio recording  <input checked="" type="checkbox"/> Video recording  <input type="checkbox"/> Systematic recording for all hearings  <input type="checkbox"/> Automatically indexed recording  <input type="checkbox"/> Automatic transcript from recording  <input checked="" type="checkbox"/> Possibility to request a copy of the recording  <input type="checkbox"/> Other special functionality, please specify  <input type="checkbox"/> NAP – there is no tool for recording hearings  <input type="checkbox"/> NA</p>
<p><b>Administrative</b></p>	<p><input checked="" type="checkbox"/> Audio recording  <input checked="" type="checkbox"/> Video recording  <input type="checkbox"/> Systematic recording for all hearings  <input type="checkbox"/> Automatically indexed recording  <input type="checkbox"/> Automatic transcript from recording  <input checked="" type="checkbox"/> Possibility to request a copy of the recording  <input type="checkbox"/> Other special functionality, please specify  <input type="checkbox"/> NAP – there is no tool for recording hearings  <input type="checkbox"/> NA</p>
<p><b>Criminal</b></p>	<p><input checked="" type="checkbox"/> Audio recording  <input checked="" type="checkbox"/> Video recording  <input type="checkbox"/> Systematic recording for all hearings  <input type="checkbox"/> Automatically indexed recording  <input type="checkbox"/> Automatic transcript from recording  <input checked="" type="checkbox"/> Possibility to request a copy of the recording  <input type="checkbox"/> Other special functionality, please specify  <input type="checkbox"/> NAP – there is no tool for recording hearings  <input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, please specify the details.

## DATABASE OF COURT DECISIONS

062-27. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.

Percentage of 1st instance decisions published	Percentage of 2nd instance decisions published	Percentage of Supreme court decisions published
--	--	---

<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Comments

**062-28. If there is a national database of court decisions, please specify the modalities in publishing these decisions:**

	<b>1st instance</b>	<b>2nd instance</b>	<b>Supreme court</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA



<b>Administrative</b>	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

- If you have selected the option “Other” because the court decisions are published online in some other way than the presented modalities, please describe. Please see comment on question 062-27

**062-29. If there is a database of court decisions at national level, what are the functionalities of this database?**

	<b>Functionalities</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

<b>Administrative</b>	<input checked="" type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

## STATISTICAL TOOLS

062-30. If there are statistical tools for analysing court case data, what is their deployment rate?

	Deployment rate
<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input checked="" type="checkbox"/> NA

<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input checked="" type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input checked="" type="checkbox"/> NA

Comments

**062-31. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:**

	<b>Functionalities</b>	<b>Data available for statistical analysis</b>
<b>Civil</b>	<input type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input type="checkbox"/> Age of a pending case <input type="checkbox"/> Length of proceedings <input type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input type="checkbox"/> Number of parties in a case <input type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

<b>Administrative</b>	<input type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input type="checkbox"/> Age of a pending case <input type="checkbox"/> Length of proceedings <input type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input type="checkbox"/> Number of parties in a case <input type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input type="checkbox"/> Age of a pending case <input type="checkbox"/> Length of proceedings <input type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input type="checkbox"/> Number of parties in a case <input type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details

## OTHER TOOLS

**062-32. Is there any application for online court-related dispute resolution?**

( ) Yes

( X ) No

Comments

**062-33. If yes, is there a maximum value over which online court-related dispute resolution cannot be organised?**

- Yes, please specify the maximum value .....
- No

Comments

**062-34. If yes, can the online court-related dispute resolution be used in the following areas?**

- Small claim litigation
- Undisputed claim
- Payment order
- Misdemeanour criminal cases
- Enforcement of civil cases
- Other, please specify .....

Comment: Please describe the existing online procedures:

**062-35. Is there a computerised national record centralising all criminal convictions?**

- Yes
- No

Comments

**062-36. If yes, please specify the following information:**

- The computerised record includes biometric data (ex. fingerprint data, picture)
- The computerised record is linked to other European records of the same nature (ex. ECRIS)
- The content is directly available through computerised means for judges and/or prosecutors (ex. interoperability with the CMS)
- The content is directly available for purposes other than criminal (ex. civil and administrative matters)
- The record contains conviction information on third-country nationals and stateless persons

Comments Service Agency of Ministry of Internal Affairs of Georgia has centralized information about criminal convictions. This agency is responsible to issue certificate of Conviction. This information is available only upon the request of the person (personal information about himself/herself) or responsible body regulated by law.

**062-37. Is there a Document Management System (DMS) in the registry of courts?**

- Yes
- No

Comment: If yes, please provide details on the purposes and usage of this system.

**062-38. In addition to the tools listed in the ICT section of this questionnaire does your judicial system use other innovative ICT tools?**

- Yes

( X ) No

Comment: If yes, please list and describe these ICT tools.

### 3.6.Performance and evaluation

#### 3.6.1 National policies applied in courts and public prosecution services

**066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?**

( X ) Yes

( ) No

Comments - If yes, please specify: The High Council of Justice adopted the effective communication standards for the court staff, for the improvement of the functioning of courts. It also adopted court forms, namely: forms of claims and petitions on civil and administrative cases, forms of complaints in the Courts of Appeal and the Supreme Court that are available on the website of High Council of Justice.

**067. Do you have specialised personnel entrusted with implementation of these national level quality standards?**

	Yes / No
<b>within the courts</b>	( X ) Yes ( ) No
<b>within the public prosecution services</b>	( ) Yes ( X ) No

Comments The Department of Court Management of the HCJ – the body created by the LLC specifically for ensuring efficiency and quality of the common courts system. Quality standards in each court are locally implemented by Court Managers.

#### 3.6.2 Measuring court/public prosecution services

**070. Do you regularly monitor court activities (performance and quality) concerning:**

[ X ] number of incoming cases

[ X ] length of proceedings (timeframes)

[ X ] number of resolved cases

[ X ] number of pending cases

[ X ] backlogs

[ ] productivity of judges and court staff

[ ] satisfaction of court staff

[ X ] satisfaction of users (regarding the services delivered by the courts)

[ ] costs of the judicial procedures

[ X ] number of appeals

[ X ] appeal ratio

[ X ] clearance rate

[ ] disposition time

[ ] other (please specify): .....

Comments

**070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:**

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):Overall quality of prosecutorial activities.

Comments

**071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:**

- civil law cases
- criminal law cases
- administrative law cases

Comments

**072. Do you monitor waiting time during judicial proceedings?**

	Yes (If yes, please specify)	No
<b>within the courts</b>	( X )	( )
<b>within the public prosecution services</b>	( )	( X )

Comments

**073. Do you have a system to evaluate regularly court performance based on the monitored indicators of question 70?**

- Yes
- No

Comments

**073-0. If yes, please specify the frequency:**

- Annual
- Less frequent
- More frequent

Comments - If "Less frequent" or "More frequent", please specify:

**073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?**

- Yes
- No

Comments

**073-2. If yes, which courses of action are taken (multiple replies possible)?**

- Identifying the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance)
- Reengineering of internal procedures to increase efficiency
- Other (please specify): .....

Comments

**073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based on the monitored indicators of question 70-1?**

- Yes
- No

Comments

**073-4. If yes, please specify the frequency:**

- Annual
- Less frequent
- More frequent

Comments - If "less frequent" or "more frequent", please specify:

**073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?**

- Yes
- No

Comments

**073-6. If yes, which courses of action are taken (multiple replies possible)?**

- Identifying the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance)



Reengineering of internal procedures to increase efficiency

Other (please specify): .....

Comments

=

### **079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?**

High Judicial Council

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify):President of Court; Management department of High Council of Justice of Georgia

Comments

### **079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?**

Public Prosecutorial Council

Ministry of Justice

Head of the organisational unit or hierarchically superior public prosecutor

Prosecutor General /State public prosecutor

External audit body

Other (please specify):The Department for Supervision of Prosecutor Activities and Strategic Development at the Office of the Prosecutor General of Georgia

Comments

## **3.6.3 Information regarding courts /public prosecution services activity**

### **080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?**

Yes (please indicate the name and the address of this institution):Statistical Sector of Supreme court of Georgia

No

Comments Approximately all large Courts have Statistical Sectors or Court statistics. All important information is collected and accumulated at Statistical Sector of Supreme Court of Georgia.

### **080-1. Are the statistics on the functioning of each court published?**

Yes, on the internet (please provide the link)Yes, on the internet (please provide the link) [www.supremecourt.ge](http://www.supremecourt.ge)

No, only internally (on an intranet website)

No

Comments

=

**080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?**

Yes (please indicate the name and the address of this institution):The Prosecution Service of Georgia and National Statistics Office of Georgia.

No

Comments

**080-3. Are the statistics on the functioning of each public prosecution service published?**

Yes, on the internet (please provide the link)<https://pog.gov.ge/page/default/saprokuroro-sabWosTvis-wardgenili-angarishebi>

No, only internally (on an intranet website)

No

Comments Reports of the Prosecutor General of Georgia are publicly available in Georgian at:  
<https://pog.gov.ge/page/default/saprokuroro-sabWosTvis-wardgenili-angarishebi>

=

**081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?**

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is primarily intended): Activity report of Courts and High Council of Justice of Georgia is annually prepared by Chairperson of High Council of Justice of Georgia. Reports are presented at Annual Conference of Judges of Common Courts of Georgia and are also published on the website. Reports show statistical and analytical overview of the activities of the High Council of Justice of Georgia, as well as activities of Courts.

**081-1. If yes, please specify in which form this report is released:**

Internet

Intranet (internal) website

Paper distribution

Comments Activity report of Courts and High Council of Justice of Georgia is annually prepared by Chairperson of High Council of Justice of Georgia. Reports are presented at Annual Conference of Judges of Common Courts of Georgia and are also published on the website. Reports show statistical and analytical overview of the activities of the High Council of Justice of Georgia, as well as activities of Courts.

**081-2. If yes, please, indicate the periodicity at which the report is released:**

Annual

Less frequent

More frequent

Comments

=

**081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?**

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. for whom the report is primarily intended): The report includes statistical and analytical overview of the activities of the PSG, implemented criminal policy, challenges and plans.

**081-4. If yes, please specify in which form this report is released:**

Internet

Intranet (internal) website

Paper distribution

Comments The Report of the Prosecutor General of Georgia about the activities of the PSG during 12 months is released annually, and published on the website.

**081-5. If yes, please, indicate the periodicity at which the report is released:**

Annual

Less frequent

More frequent

Comments

### **3.6.4 Performance and evaluation of judges and public prosecutors**

**083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?**

Yes

No

Comments

**083-1. Who is responsible for setting these targets for each judge?**

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example the High Judicial Council, Supreme Court)

President of the court

Other (please specify): .....

NAP

Comments

**083-1-1. What are the consequences for a judge if these targets are not met?**

Consequences:

<b>Without disciplinary procedure</b>	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
<b>With disciplinary procedure</b>	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
-	<input type="checkbox"/> No consequences
-	<input type="checkbox"/> NAP (no targets defined)

Comments

**114. Is there a system of individual evaluation of the judges' work?**

	<b>Existence of a system of individual evaluation of the judges' work</b>
<b>Quantitative</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Qualitative</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

**114-1. Please specify the frequency of this evaluation:**

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify: .....
- NAP

=

**083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?**

- Yes
- No

Comments

**083-3. Who is responsible for setting these targets for each public prosecutor?**

- Executive power (for example the Ministry of Justice)
- Prosecutor General /State public prosecutor
- Public Prosecutorial Council

Head of the organisational unit or hierarchically superior public prosecutor

Other (please specify): .....

NAP

Comments

### 083-3-1. What are the consequences for a prosecutor if these targets are not met?

	Consequences:
<b>Without disciplinary procedure</b>	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input checked="" type="checkbox"/> NAP
<b>With disciplinary procedure</b>	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input checked="" type="checkbox"/> NAP
<b>No consequences</b>	<input type="checkbox"/> No consequences <input checked="" type="checkbox"/> NAP

Comments

### 120. Is there a system of individual evaluation of the public prosecutors' work?

	Existence of a system of individual evaluation of the public prosecutors' work
<b>Quantitative</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Qualitative</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used: The performance appraisal of prosecutors is conducted based on the Organic Law on the Prosecution Service of Georgia (Chapter XIV) and Order #047 of the Prosecutor General of Georgia on the Adoption of the Performance Appraisal System of Prosecutors and Investigators, which are available online. The assessment is conducted once in 2 years. There is an exam in case of failure to meet the lowest level of competence followed by the re-evaluation. The results of the evaluation can be appealed. The performance appraisal is taken into account when deciding on grading, incentivizing and promoting prosecutors. The evaluation is carried out by the specialised PSG department through the extensive use of the electronic criminal case management system. There are three main areas for evaluation: Quality of work; Workload; and Assessment of supervisor. The below factors have no direct impact on the performance appraisal, but they are taken into account during the decision-making on grading, incentivizing, promotion, disciplining, demotion and dismissal of prosecutors and investigators: Participation in the Mentorship Program; Participation in trainings and training results; Participation in preventive and other activities. The appraisal system is based on clear and objective criteria and transparent procedures. The PSG first introduced it in 2017. Since then, it had been gradually improved and upgraded.

### 120-1. Please specify the frequency of this evaluation:

Annual

Less frequent

( ) More frequent

( ) Different frequencies used, please specify: .....

[ ] NAP

Comments

### C4. Please indicate the sources for answering the questions in this part

Sources: High Council of Justice of Georgia  
 Organic Law on Common Courts  
 Prosecution Service of Georgia  
 Organic Law on the Prosecution Service of Georgia

## 4. Fair trial

### 4.1. Principles

#### 4.1.1 Principles of fair trial



**084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?**

[            ]

[ X ] NA

[ ] NAP

Comments - Please add methodology for calculation used.

**085. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the judge is not impartial?**

( X ) Yes

( ) No

Comments - Please could you briefly specify:

**085-1. If yes, what are:**

	-
<b>The total number of the initiated procedures in the reference year</b>	[ X ] NA [ ] NAP
<b>The total number of recusals pronounced in the reference year</b>	[ X ] NA [ ] NAP

Comment - Please, could you briefly specify: Detailed procedures and grounds for recusal of a Judge are regulated by Civil, Administrative and Criminal Procedural Codes of Georgia.

## 086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

For civil procedures (non-enforcement)

For civil procedures (timeframe)

For criminal procedures (timeframe)

NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations): According to the Law of Georgia on the Structure, Powers, and Rules of Activity of the Government of Georgia, the sphere of governance of the Ministry is defined by the Statute of the Government of Georgia. The para. p, Article 4 of the Statute the content and scope of the powers in this regard is set out the following: The powers of the Ministry of Justice among others include the development of proposals for the enforcement of judgments of the European Court of Human Rights against Georgia and the promotion of their implementation not only for the violation of the 6th article of the ECHR but also related to all the judgments regardless of their matters. The Ministry of Justice of Georgia submits an annual report to the Parliament of Georgia on the enforcement of judgments by the European Court of Human Rights on Georgia.

## 086-1. Is there in your country a possibility to review/reopen a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?

For civil cases

For criminal cases

For administrative cases

NAP

Comments

## D1. Please indicate the sources for answering the questions in this part

Sources: Procedural and Material Legislation; Information from Statistical Department

## 4.2. Timeframe of proceedings

### 4.2.1 General information

## 087. Are there specific procedures for urgent matters regarding:

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify:

## 088. Are there simplified procedures for:

civil cases (small disputes)

criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify:

**088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?**

civil cases

criminal cases

administrative cases

Comments - If yes, please specify:

**089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions etc.)?**

	Yes	No
Agreement on general arrangements	( )	( X )
Agreement in specific cases	( )	( X )

Comments

**4.2.2 Case flow management – first instance**



**091. First instance courts: number of other than criminal law cases.**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	81 244 [ ] NA [ ] NAP	110 968 [ ] NA [ ] NAP	109 305 [ ] NA [ ] NAP	82 907 [ ] NA [ ] NAP	32 233 [ ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	65 638 [ ] NA [ ] NAP	89 220 [ ] NA [ ] NAP	90 877 [ ] NA [ ] NAP	63 981 [ ] NA [ ] NAP	27 069 [ ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	2 504 [ ] NA [ ] NAP	8 100 [ ] NA [ ] NAP	7 509 [ ] NA [ ] NAP	3 095 [ ] NA [ ] NAP	194 [ ] NA [ ] NAP



<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.3. Other non-litigious cases</b>	2 504 [ ] NA [ ] NAP	8 100 [ ] NA [ ] NAP	7 509 [ ] NA [ ] NAP	3 095 [ ] NA [ ] NAP	194 [ ] NA [ ] NAP
<b>3. Administrative law cases</b>	13 102 [ ] NA [ ] NAP	13 648 [ ] NA [ ] NAP	10 919 [ ] NA [ ] NAP	15 831 [ ] NA [ ] NAP	4 970 [ ] NA [ ] NAP
<b>4. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments Difference between number of Pending cases on 31 December of 2021 and Pending cases on 1 January 2022 is resulted by the additional technical corrections related with statistical data of resolved cases in 2021. Increase of incoming cases reflected on the number of pending cases and the percentage of cases that have not been reviewed for more than 2 years.

**092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:**

. NAP
-------

**093. Please indicate the case categories included in the category "other cases":**

. NAP
-------

#### 094. First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of criminal law cases (1+2+3)</b>	5 635 [ ] NA [ ] NAP	44 316 [ ] NA [ ] NAP	43 415 [ ] NA [ ] NAP	6 536 [ ] NA [ ] NAP	809 [ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	2 363 [ ] NA [ ] NAP	7 880 [ ] NA [ ] NAP	7 434 [ ] NA [ ] NAP	2 809 [ ] NA [ ] NAP	317 [ ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	3 272 [ ] NA [ ] NAP	36 436 [ ] NA [ ] NAP	35 981 [ ] NA [ ] NAP	3 727 [ ] NA [ ] NAP	492 [ ] NA [ ] NAP
<b>3. Other criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify According Criminal Procedural Code of Georgia, those criminal cases where detention as a measure of restraint isn’t used against accused, should be resolved in 24 months (and few kind of cases in 36 months) by First Instance Court. Thus, time limit for first Instance court for above mentioned criminal cases (where detention against accused isn’t used) is about two years. In 2022, 25 420 cases (Received and Resolved) are Administrative offences and is included in Data of Misdemeanor/minor criminal cases according to the Explanatory Note.

#### 4.2.3 Case flow management – second instance

#### 097. Second instance courts (appeal): Number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	3 849 [ ] NA [ ] NAP	9 012 [ ] NA [ ] NAP	9 210 [ ] NA [ ] NAP	3 651 [ ] NA [ ] NAP	323 [ ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	2 314 [ ] NA [ ] NAP	5 148 [ ] NA [ ] NAP	5 174 [ ] NA [ ] NAP	2 288 [ ] NA [ ] NAP	149 [ ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	0 [ ] NA [ ] NAP	34 [ ] NA [ ] NAP	34 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.3. Other non-litigious cases</b>	0 [ ] NA [ ] NAP	34 [ ] NA [ ] NAP	34 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>3. Administrative law cases</b>	1 535 [ ] NA [ ] NAP	3 830 [ ] NA [ ] NAP	4 002 [ ] NA [ ] NAP	1 363 [ ] NA [ ] NAP	174 [ ] NA [ ] NAP
<b>4. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If "Other cases" please specify

### 098. Second instance courts (appeal): Number of criminal law cases.

	<b>Pending cases on 1 Jan. ref. year</b>	<b>Incoming cases</b>	<b>Resolved cases</b>	<b>Pending cases on 31 Dec. ref. year</b>	<b>Pending cases older than 2 years from the date the case came to the second instance court</b>
<b>Total of criminal law cases (1+2+3)</b>	757 [ ] NA [ ] NAP	6 114 [ ] NA [ ] NAP	5 958 [ ] NA [ ] NAP	913 [ ] NA [ ] NAP	127 [ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	501 [ ] NA [ ] NAP	1 015 [ ] NA [ ] NAP	991 [ ] NA [ ] NAP	525 [ ] NA [ ] NAP	118 [ ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	256 [ ] NA [ ] NAP	5 099 [ ] NA [ ] NAP	4 967 [ ] NA [ ] NAP	388 [ ] NA [ ] NAP	9 [ ] NA [ ] NAP

<b>3. Other criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
--------------------------------	---------------------	---------------------	---------------------	---------------------	---------------------

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify: In Data of Misdemeanour/Minor cases are also included Administrative offences (Pending - 48 (on 1st January 2022) cases; Incoming - 2760 cases; Resolved - 2679 cases; pending on 31st December 2022 - 129 cases.

#### 4.2.4 Case flow management – Supreme Court

##### 099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of other than criminal law cases (1+2+3+4)</b>	2 309 [ ] NA [ ] NAP	3 377 [ ] NA [ ] NAP	3 560 [ ] NA [ ] NAP	2 126 [ ] NA [ ] NAP	128 [ ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	1 151 [ ] NA [ ] NAP	1 847 [ ] NA [ ] NAP	2 009 [ ] NA [ ] NAP	989 [ ] NA [ ] NAP	89 [ ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

<b>2.3. Other non-litigious cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Administrative law cases</b>	1 158 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 530 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 551 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 137 <input type="checkbox"/> NA <input type="checkbox"/> NAP	39 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other cases", please specify

### 099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

( X ) Yes, please indicate the number of cases closed by this procedure: 3421

( ) No

Comments

### 100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of criminal law cases (1+2+3)</b>	341 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 358 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 342 <input type="checkbox"/> NA <input type="checkbox"/> NAP	357 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Severe criminal cases</b>	129 <input type="checkbox"/> NA <input type="checkbox"/> NAP	519 <input type="checkbox"/> NA <input type="checkbox"/> NAP	507 <input type="checkbox"/> NA <input type="checkbox"/> NAP	141 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	212 <input type="checkbox"/> NA <input type="checkbox"/> NAP	839 <input type="checkbox"/> NA <input type="checkbox"/> NAP	835 <input type="checkbox"/> NA <input type="checkbox"/> NAP	216 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Other criminal cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If "Other criminal cases", please specify

### 4.2.5 Case flow management and timeframes – specific cases



#### 101. Number of specific litigious cases received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Litigious divorce cases</b>	945 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 729 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 790 <input type="checkbox"/> NA <input type="checkbox"/> NAP	884 <input type="checkbox"/> NA <input type="checkbox"/> NAP	91 <input type="checkbox"/> NA <input type="checkbox"/> NAP

<b>Employment dismissal cases</b>	333 [ ] NA [ ] NAP	773 [ ] NA [ ] NAP	641 [ ] NA [ ] NAP	465 [ ] NA [ ] NAP	52 [ ] NA [ ] NAP
<b>Insolvency</b>	143 [ ] NA [ ] NAP	54 [ ] NA [ ] NAP	79 [ ] NA [ ] NAP	118 [ ] NA [ ] NAP	73 [ ] NA [ ] NAP
<b>Robbery case</b>	32 [ ] NA [ ] NAP	79 [ ] NA [ ] NAP	77 [ ] NA [ ] NAP	34 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP
<b>Intentional homicide</b>	87 [ ] NA [ ] NAP	65 [ ] NA [ ] NAP	65 [ ] NA [ ] NAP	87 [ ] NA [ ] NAP	6 [ ] NA [ ] NAP

Comments



=

**101-0. Number of cases relating to asylum seekers and to the right of entry and stay for aliens.**

	<b>Pending cases on 1 Jan. ref. year</b>	<b>Incoming cases</b>	<b>Resolved cases</b>	<b>Pending cases on 31 Dec ref. year</b>	<b>Pending cases for more than 2 years</b>
<b>Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	334 [ ] NA [ ] NAP	535 [ ] NA [ ] NAP	412 [ ] NA [ ] NAP	457 [ ] NA [ ] NAP	37 [ ] NA [ ] NAP
<b>Court cases relating to the right of entry and stay for aliens</b>	335 [ ] NA [ ] NAP	1 398 [ ] NA [ ] NAP	1 377 [ ] NA [ ] NAP	356 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP

Comments

**101-1. Could you briefly describe the system in your country dealing with legal remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:**

. The Law of Georgia on International Protection (the "Law") regulates the entry into and the stay in Georgia of aliens and stateless persons and who have requested international protection in accordance with this Law. It provides the standards for treatment of aliens and stateless persons; defines the legal status, rights and obligations as well as the social and economic guarantees of asylum seekers, refugees and humanitarian status holders, and persons under temporary protection; the grounds and procedures for granting, terminating, revoking and withdrawing refugee and humanitarian status or the status of a person under temporary protection, and grounds for exclusion from the relevant status; the authorities of state agencies in the field of ensuring asylum procedures. Pursuant to article 47 of the Law any decision made by the Ministry for Internally Displaced Persons from Occupied Territories, Accommodation and Refugees of Georgia (the "Ministry") may be appealed in a court within a month after the issuance of the decision. Pursuant to the Code of Administrative Procedure of Georgia, a refugee, a humanitarian status seeker or an asylum seeker shall have the right to apply to a district (city) court for a refugee or humanitarian status or asylum within 1 month after receiving the refusal for a status. The District (City) Court shall consider the dispute over the issue of international protection or asylum case and send the decision to the parties within two months after submitting the claim to the court. An appeal to annul the decision shall be filed with the court rendering the decision within 1 month after its delivery to the party. The judge shall immediately forward the appeal, together with the case material, to the court of appeals. An appeal shall be considered at the court of appeals within one month after the court admits the appeal. Failure of the parties to appear at the court of appeals shall not hinder considering the appeal. The decision of the Court of Appeal is final.

Pursuant to Article 4 of the Law of Georgia on The Legal Status of Aliens and Stateless Persons aliens shall enter and depart from Georgia during the hours established for cross-border movement via border checkpoints if they hold a valid travel document and will obtain a permit to stay in Georgia. An authorized body of the Ministry of Internal Affairs (MIA) of Georgia may, in special cases defined by the Ministry of Internal Affairs, permit an alien to cross the state border of Georgia without a travel document and stay in Georgia for up to three months.

**101-2. Number of cases relating to child sexual abuse and child pornography received and processed by first instance courts.**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Child sexual abuse</b>	55 [ ] NA [ ] NAP	194 [ ] NA [ ] NAP	161 [ ] NA [ ] NAP	88 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP
<b>Child pornography</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: Article - 137-141, 255, 255.1, 255.2 of Criminal Code of Georgia

**102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.**

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
<b>Civil and commercial litigious cases</b>	_____ Allow decimals : 2 0.9 [ ] NA [ ] NAP	179 [ ] NA [ ] NAP	169 [ ] NA [ ] NAP	283 [ ] NA [ ] NAP	1 102 [ ] NA [ ] NAP	_____ Allow decimals : 2 57.7 [ ] NA [ ] NAP
<b>Litigious divorce cases</b>	_____ Allow decimals : 2 0.3 [ ] NA [ ] NAP	153 [ ] NA [ ] NAP	112 [ ] NA [ ] NAP	93 [ ] NA [ ] NAP	545 [ ] NA [ ] NAP	_____ Allow decimals : 2 50 [ ] NA [ ] NAP
<b>Employment dismissal cases</b>	_____ Allow decimals : 2 18.9 [ ] NA [ ] NAP	178 [ ] NA [ ] NAP	174 [ ] NA [ ] NAP	265 [ ] NA [ ] NAP	944 [ ] NA [ ] NAP	_____ Allow decimals : 2 40 [ ] NA [ ] NAP

<b>Insolvency cases</b>	_____ Allow decimals : 2 <b>34</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>890</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>17</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<b>908</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Robbery cases</b>	_____ Allow decimals : 2 <b>23.4</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>133</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>177</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>96</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>465</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <b>0</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Intentional homicide cases</b>	_____ Allow decimals : 2 <b>28</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>183</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>118</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>114</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>622</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <b>0</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.**

. The length of proceedings on every case is calculated regarding each category, from the date the application to the court is lodged to the date the final judgment is made. The average length of case review is calculated using the arithmetic mean as follows: The difference (in days) between the closing and entry dates of each case is summed and divided by the number of cases. The methodology for calculating the average length of proceedings has not changed.

**4.2.6 Case flow management – public prosecution**

**105. Role and powers of the public prosecutor in the criminal procedure (multiple replies possible):**

- to conduct or supervise investigation
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- other significant powers (please specify): .....

Comments

**106. Does the public prosecutor also have a role in:**

- civil cases



administrative cases

insolvency cases

Comments - If yes, please specify:



=

### 107. Public prosecutors: Total number of 1st instance criminal cases.

	Number of cases
<b>1.Pending cases on 1 Jan. ref. year</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.Incoming/received cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.Processed cases (3.1+3.2+3.3+3.4)</b>	59 194 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)</b>	36 697 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.1 Discontinued by the public prosecutor because the offender could not be identified</b>	16 622 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation</b>	15 525 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.3 Discontinued by the public prosecutor for reasons of opportunity</b>	3 768 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.4 Discontinued for other reasons</b>	782 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor</b>	3 601 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.3.Cases brought to court</b>	18 896 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4.Pending cases on 31 Dec. ref. year</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments „A considerable increase in the number in comparison to previous reporting was caused by the massive review of old criminal cases by prosecutors in 2021 followed by the decisions to discontinue the ones where offenders could not be identified due to the objective reasons. This trend of reviewing old criminal cases was motivated by the PSG performance appraisal system. The PSG, through its relevant departments, has monitored the terminated cases in order to make sure that the decisions on discontinuation were made on valid and justified grounds.”

According to Article 105 of the Criminal Procedure Code of Georgia, other reasons for discontinuing a case include as follows:

-New law decriminalizes an act; -The law based on which the charges were brought, was declared unconstitutional by the Constitutional Court of Georgia; -A final judgment regarding the same charges and/or order of a court on the termination of prosecution regarding the same charges are in place; -A decree of a prosecutor regarding termination of a prosecution/investigation is in place; -Voluntary

abandoning the commission of a crime; -Effective regret; -Change of circumstances does not merit a criminal prosecution; -A person has not reached the age of criminal liability (age of 14); -Insanity of a person during the commission of a crime; -Death of a defendant; -If a person created fake official computer data (Article 2862 of the CCG), breached the rule of entering the occupied territories (Article 3221 of the CCG), illegally crossed the state border of Georgia (Article 344 of the CCG) or made/sold/used a forged document/seal/stamp/blank forms (Article 362 of the CCG) while being a victim of human or child trafficking;

(sub-category 3.1.3): Reply of the Prosecution Service of Georgia (PSG): According to Article 166 of the Criminal Procedure Code of Georgia, a prosecutor has discretionary power to decide to initiate and terminate prosecution. These prosecutorial decisions should be based on the public interest and correspond to the guiding principles of the criminal justice policy. The main reason for the increase of cases discontinued by a prosecutor on the ground of reasons of opportunity in 2022 was an application of diversion from criminal prosecution in juvenile justice cases during this year, in line with the 2022 PSG policy and written guidelines. The COVID-19 pandemic also had an impact on a lower number of discontinued cases and diversions (see answer to question N107. sub-category 3.2) in 2020-2021 than in 2022.

sub-category 3.2. : PSG reply: Original question N107 (sub-category 3.2) stipulated as follows: “number of cases ... concluded by a penalty or a measure imposed or negotiated by the public prosecutor.” The cases concluded by a measure negotiated by a prosecutor are the cases, where a prosecutor applied diversion. According to Article 1681 of the Criminal Procedure Code of Georgia, a prosecutor has the right to terminate prosecution or refuse to initiate it, if a person subject to diversion meets one or several of the following conditions: Transfers the illicitly obtained property to the State or compensates its value; Transfers the instrumentalities of a crime / illegal object to the State; Partially or completely reimburses the damages; Pays funds in favour of the State Budget in the amount of not less than GEL 500; Performs community service for a term of 40 to 400 hours; In the case of domestic violence undergoes compulsory training aimed at changing the violent attitude and behaviour. Please see the explanation regarding the increase of diversions in 2022 in the answer to Question N107 (sub-category 3.1.3).

### 107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?

	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
<b>Total number of guilty plea procedures</b>	11 865 [ ] NA [ ] NAP	5 778 [ ] NA [ ] NAP	6 087 [ ] NA [ ] NAP
<b>Before the main trial</b>	8 336 [ ] NA [ ] NAP	3 394 [ ] NA [ ] NAP	4 942 [ ] NA [ ] NAP
<b>During the main trial</b>	3 529 [ ] NA [ ] NAP	2 384 [ ] NA [ ] NAP	1 145 [ ] NA [ ] NAP

Comments According to PSG reply: It is the PSG policy priority to use plea agreements for the expediency and quality of justice when there are appropriate grounds in place. The applicable criteria include as follows: the defendant cooperates with the investigation and provides information about a crime, he/she reimburses damages, agreed sanctions are lawful and fair, a plea agreement is not against the public interest and it corresponds with the criminal justice policy guidelines. If justified by the circumstances, the PSG favours concluding a plea agreement at the pre-trial stage, but depending on the time of meeting the criteria, it could be also concluded at the trial stage. The PSG was able to implement its plea agreement policy more effectively in 2022 than in 2020-2021. The COVID-19 pandemic also affected the use of plea agreements during the latter two years.

### 109. Do the figures provided in Q107 include traffic offence cases?

( X ) Yes

( ) No

Comments

### D2. Please indicate the sources for answering the questions in this part

Sources: Prosecution Service of Georgia

## 5. Career of judges and public prosecutors

### 5.1. Recruitment and promotion

#### 5.1.1 Recruitment and promotion of judges

##### 110. How are judges recruited?

through a competitive exam (open competition)

through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

other (please specify): .....

Comments Judges are recruited according a combination of both (competitive exam and working experience) ways. Apart from passing the qualification exam, candidates are expected to have masters' degree in law and 5 years' experience. Candidates should complete special training course of 16-months duration conducted by the High School of Justice. Candidates participate in a competition announced by High School of Justice. The later requirement does not extend to candidates who are former Supreme Court judges, or former judges with 18 months experience of judgeship. Decision on appointment of the first and second instance judges is made by the High Council of Justice. Supreme Court judges are nominated by High Council of Justice and appointed by the Parliament of Georgia.

##### 110-1. Please briefly describe the recruitment procedure(s) for judges in your country:

. A competent citizen of Georgia of 30 years of age who has a higher legal education with at least a master's or equal academic degree/higher education diploma, at least five years of working experience in the specialty, has the command of the official language, has passed a judge's qualification exam, has completed a full training course of the High School of Justice and is entered on the Justice Trainee Qualifications List may be appointed (elected) as a judge. The later requirement does not extend to candidates who are former Supreme Court Judges, Constitutional Court Judges or former judges with 18 months experience as judges and a person nominated for election to the office of a Supreme Court judge. A person to be elected to the position of a judge of the Supreme Court shall be released for passing a judicial qualification exam.

A former judge of general courts of Georgia shall be released from the judge's qualification exam until 10 years have passed after the powers of the judge are terminated.

The decision on appointment of judges of the first and the second instance courts is made by the High Council of Justice of Georgia. Supreme Court judges after open competition, interviews and assessment are nominated by the High Council of Justice and elected by the Parliament of Georgia.

A person with previous conviction, or a person who has been discharged from the position of a judge on the ground of committing disciplinary misconduct or committing a corruption offence as determined in the Law of Georgia on Conflicts of Interest and Corruption at Public Institutions may not be appointed/elected to the position of a judge.

##### 110-2. What are the recruitment requirements for judges (multiple replies possible)?

Age

Nationality

- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for judges
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify:

**110-3. In the frame of these recruitments, please indicate the number of applicants for the position of judge and the number of recruitments actually made during the reference year:**

	Total	Males	Females
<b>Number of applicants</b>	21 <input type="checkbox"/> NA	9 <input type="checkbox"/> NA	12 <input type="checkbox"/> NA
<b>Number of recruited persons</b>	8 <input type="checkbox"/> NA	3 <input type="checkbox"/> NA	5 <input type="checkbox"/> NA

Comments

**110-4. If the number of applicants decreased in the last years did you take any remedial measures?**

- Yes
- No

Comments

**110-5. If yes, please specify what remedies you implemented:**

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new judges
- Other

Comments: If "other", please, specify:

=

**111. Authority(ies) responsible for recruitment - are judges initially/at the beginning of their career**

**recruited and nominated by:**

- An authority made up of judges only
- An authority made up of non-judges only
- An authority/authorities made up of judges and non-judges
- Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: The judges of a district/city court and Court of Appeals are appointed by the High Council of Justice. The Supreme Court judges are selected and nominated by the High Council of Justice of Georgia and elected by the Parliament of Georgia.

**111-1. How many members compose this authority?**

	Total	Males	Females
<b>Members</b>	10	7	3
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: The High Council of Justice of Georgia by law should be composed of 15 members; in 2022 it was composed of 10 members (7 male, 3 female).

The judge members of the Council are elected by their peers representing all levels of the common courts. Furthermore, a member elected by the Conference of Judges of Georgia may not be a judge assigned to the position for a three-year term (except when he/she has at least five years’ experience of working as a judge), a member of the Disciplinary Chamber or the Qualification Chamber of the Supreme Court. According to the Organic Law, more than a half of the members elected by the Conference of Judges of Georgia may not be a chairperson of a court, his/her first deputy or a deputy, or the chairperson of a judicial panel or a chamber. The Conference of Judges elects judicial members of the HCJ by a 2/3 majority present at its meeting. The non-judicial members of the Council are elected by the Parliament and the President of Georgia. In particular, the Parliament elects five members of the Council on a competition basis. The Parliament may elect as a member of the High Council of Justice a Georgian citizen who has a higher legal education with a master’s or equivalent academic degree/higher education diploma, at least 5 years of working experience in the legal profession, and an excellent reputation, recognized as a specialist in the field of law. Candidates for membership of the High Council of Justice of Georgia shall be selected from among the professors and scholars working at higher education institutions of Georgia, members of the Bar Association of Georgia and/or the persons nominated by nonentrepreneurial (non-commercial) legal entities of Georgia, upon recommendation of a collegial management body of the organization concerned. One of the fields of activity of the above non-entrepreneurial (non-commercial) legal entities shall be, for at least the last two years before the announcement of the competition, participation with representative authority in court proceedings. As a restriction, a member of the Parliament of Georgia, a judge or a prosecutor may not be nominated as candidates for membership of High Council of Justice of Georgia.

**111-2. May non-selected candidates appeal against the decision on recruitment/appointment?**

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal: A candidate may appeal the decision of the High Council of Justice of Georgia on refusing to appoint or nominate him/her for the position of a judge to the Chamber of Qualification of the Supreme Court. The decision of the Parliament can be appealed in court.

**112. Is the same authority (Q111) competent for the promotion of judges?**

- Yes
- No

### 113. What is the procedure for the promotion of judges? (multiple replies possible)

- Competitive test / Exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured: Promotion of judge at Court of Appeal - According to Article 35 of the LCC, a judge of the first instance court may be appointed to the court of appeals through the competition announced by the HCJ. More precisely, the HCJ announces the competition in case there is a vacant position of a judge inter alia at the court of appeals and determines the period for submission of applications which should not be less than 15 calendar days. The HCJ shall review the applications of judges participating in the competition, and the attached documents within five working days. After verifying that the applications and the enclosed documents submitted by the candidates comply with the requirements of the law, the relevant structural unit of the HCJ commences obtaining of reliable information about candidates prior to their interviewing. Importantly, while reviewing the applications, the HCJ takes into account that applicants have at least 5 years of judicial experience. In the course of the process the unit thoroughly studies the professional reputation and professional activities of the

candidates. Importantly, the brief background information of those candidates whose documents comply with the requirements established under the legislation of Georgia shall be published on the website of the HCJ. The applicant judge shall be evaluated on the basis of two criteria – integrity and competence - prescribed by Articles 36.2 and 36.3 of the LCC, the examination of cases, the points-based assessment system and the forms filled out by members of the HCJ independently following the interview. The High Council of Justice shall appoint a person as a judge of appeal court, if the candidate is supported by at least 2/3 of the full composition of the High Council of Justice, by a secret ballot. After the legal changes made in organic law on Common Courts of Georgia in June 2023, for appointment of Judge in first Instance or Appeal court, there are same standards and procedures as it is for Judges of Supreme Court of Georgia. 2.

Appointment of judge at Court of Appeal under article 37 - Article 37 of the LCC sets forth the rule for appointment of a judge to another court (to another court of the same instance or to the court of appeals). In particular, “when there is a vacancy, a judge of a district (city) court may be appointed to the court of appeals without competition if he/she meets the requirements set forth in Article 41.” Article 41 concerns promotion of a judge and prescribes that “a judge of a district (city) court may be appointed in the court of appeals if he/she has at least five years’ experience of working as a judge of district (city) court”. Article 13.1 of the Rules of Procedure of the HCJ regulates the procedure for hearing an issue on appointing a judge to another court. According to article 13.1 of the mentioned rule: For the purpose of ensuring the right to be promoted, also for the purposes of the mobility of judges and efficient use of the experience of the acting judges, the HCJ may, in case of existence of vacancies at the court of appeal, determine the number of the vacant positions designated for judicial promotion. The information on vacancies shall be published on the official website of the HCJ. “Any judge of the common courts is entitled to submit an application. The HCJ reviews the applications and invites the candidates for interview. “While making the decision, the member of the HCJ shall take into consideration the quantitative and qualitative indicators of the judge’s performance, the number of ratios of cases considered, the complexity of the cases completed, adherence to procedural time frames of considering cases, adherence to procedural time frames for preparing decision, stability of the decisions, working discipline, reputation of the judge among colleagues, participation of the judge in mentoring and teaching young judges and lawyers, his/her active role in discussing judicial and legal issues, his/her organizational skills, scientific and pedagogical activity, adherence to ethical and professional standards, tendencies of his/her professional growth and etc.” “The HCJ shall appoint a person as a judge of appeal court, if the candidate is supported by at least 2/3 of the full composition of the HCJ, by a secret ballot.”

3. Appointment of Supreme Court Judges - In the course of 2019-2021 and also in 2023, the Parliament of Georgia adopted the legislation, which regulates the process of selection and election of judges of the Supreme Court. More precisely, the LCC has been amended several times for the purpose of complying the selection procedure of the Supreme Court judges with international standards and the recommendations delivered by the Venice Commission. Currently, some of the key characteristics of this process are:

- The High Council of Justice and the Parliament of Georgia are engaged in the process that increase transparency, objectivity, and broad and inclusive participation.
- Open and fair voting procedure in the HCoJ – the members of the High Council of Justice provide written justifications of their evaluations, which are public and open and uploaded on the website.
- Formation of the list of candidates to be nominated to the Parliament according to the points (best rating indicators) accumulated by

them during the evaluation of the candidates' competence and integrity criteria;

- Admissibility of re-appeals of decisions of the High Council of Justice as a result of appeals;
- Clearly stated principle of equal treatment of candidates during the public hearing in the High Council of Justice;
- Open committee hearings in the Parliament, with live broadcasting and the opportunity for attendance at and engagement in the process of the hearings from local and international nongovernmental organizations, diplomatic corps, citizens, etc.;
- High quorums for voting both in the High Council of Justice and the Parliament of Georgia.

**113-0. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:**

	Total	Males	Females
Number of applicants	27 [ ] NA	16 [ ] NA	11 [ ] NA
Number of promoted persons	7 [ ] NA	3 [ ] NA	4 [ ] NA

Comments

**113-1. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)**

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):  
A judge may be appointed as a judge of the Court of Appeals, if his/her competence, experience, business and moral reputation is compliant with the high rank of the judge of Court of Appeals and he/she has at least five years’ experience of working as a judge of district/city court. While making the decision, the member of the High Council of Justice shall take into consideration the quantitative and qualitative indicators of the judge’s performance, the number of ratios of cases considered, the complexity of the cases completed, adherence to procedural time frames of considering cases, adherence to procedural time frames for preparing decision, stability of the decisions, working discipline, reputation of the judge among colleagues, participation of the judge in mentoring and teaching young judges and lawyers, his/her active role in discussing judicial and legal issues, his/her organizational skills, scientific and pedagogical activity, adherence to ethical and professional standards, tendencies of his/her professional growth and etc.

**5.1.2 Status, recruitment and promotion of prosecutors**

**115. What is the status of public prosecution services?**

- Has an independent status as a separate entity among state institutions
- Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the executive power (without functional independence)
- Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the judicial power (without functional independence)
- Is a mixed model (please explain)
- Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.).Furthermore, if "mixed model" or "other", please specify. The PSG is an independent institution outside of the executive, legislative and judicial branches. The guarantee for its institutional independence is provided for at the highest level of legislation, the Constitution of Georgia. The head of the PSG is the Prosecutor General, who is elected for the six years term by the Parliament of Georgia, upon the nomination by the Prosecutorial Council. The Prosecutorial Council, an independent collegial body, itself has constitutional status as well and has a mandate to ensure the independence, transparency and efficiency of the PSG. Article 71 §2 of the Organic Law on the Prosecution Service of Georgia guarantees the financial independence of the PSG. A reduction of the PSG budget in comparison to the budget for the previous year is only possible with the prior consent of the Prosecutor General.

**115-1. Are specific instructions addressed to a public prosecutor to prosecute or not prohibited by law or other regulation?**

Yes

No

Comments - If yes, please specify: According to the Georgian legislation, a prosecutor is independent in his/her activity and no one has the right to interfere. Respectively, the law prohibits giving specific instructions to prosecutors on whether to prosecute or not. The Prosecutor General of Georgia has the right to issue written guidelines for prosecutors, inter alia, on application of discretionary power.

**115-2. If they are prohibited by law or other regulation, are there exceptions?**

Yes

No

NAP

Comments - Please describe these exceptions:

**115-3. Which authority can issue such specific instructions?**

General Prosecutor

Higher prosecutor/Head of prosecution office

Executive power

Other

NAP

Comments - If "Other", please specify: Please See comment on question 115-1

**115-4. What form these instructions may take?**

Oral instruction

Oral instruction with written confirmation

Written instruction

Other

NAP

Comments - If "Other", please specify:

**115-5. In that case, are the instructions:**

Issued seeking prior advice from the competent public prosecutor

Mandatory

Reasoned



Recorded in the case file

Other

NAP

Comments - If "Other", please specify:

**115-6. What is the frequency of this type of instructions:**

Exceptional

Occasional

Frequent

Systematic

NAP

Comments

**115-7. Can the public prosecutor oppose/report an instruction to an independent body?**

Yes

No

NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions.

=

**116. How are public prosecutors recruited?**

through a competitive exam (open competition)

through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

other (please specify): .....

Comments Prosecutors are recruited through mixed procedure that involves both, a competitive exam and working experience.

**116-1. Please briefly describe the recruitment procedure(s) for prosecutors in your country:**

. The most commonly used mechanism for selection of prosecutors is an internship program. Apart from that, prosecutors can be appointed through competition and in exceptional circumstances, based on the criteria set forth in the Organic Law on the Prosecution Service of Georgia and justified decision of the Prosecutor General, without internship and competition.

Appointment through internship (Pursuant to Order #040 of the Prosecutor General of Georgia)

The internship commission conducts interviews of candidates (who successfully passed the written exam) with a view of assessing their theoretical knowledge and compatibility with the requirements of the position. Commission shall make a decision by considering skills and capabilities, professional qualification and experience of candidates. The Commission uses specific evaluation forms for decision-making. Based on the results of the contest, Chairperson of the Commission submits information on the internship candidates, who successfully passed all stages of the contest, to the Prosecutor General. After that, internship candidates undergo training, which is organized by the Human Resources Management and Development Department of the Office of the Prosecutor General of Georgia. Results of the training are taken into account at the time of appointing the intern at the Prosecution Service. Prosecutor General assigns the head of the structural unit of the Prosecution Service, where the intern undergoes the internship, as internship supervisor. The latter assigns mentor to the intern. Prosecutor General also approves minimal activity programs to be completed during the mentorship process and internship. Upon the recommendation of the Human Resources Management and Development Department, the internship supervisor shall define the job description for the intern. Intern, who fails to meet the requirements established for an intern during his/her internship, is removed from internship based on the assessment of the internship

supervisor and/or relevant testing. An intern performs the duties of a prosecutor and investigator. Under supervision of the internship supervisor, an intern submits a monthly work report to the Human Resources Management and Development Department. Internship supervisor ensures the professional development of the intern and personally supervises the work done by the latter. He/she provides the intern with study topics, gives assignments/tasks and, correspondingly, controls the fulfilment of the work description of the intern. Internship supervisor is obliged to direct the intern and define specific deadline for submitting relevant work as well as provide timely and correct information concerning the above-mentioned. Internship supervisor is obliged to provide information concerning the results of the internship to the Human Resources Management and Development Department once in 3 months. Internship supervisor is obliged to discuss the evaluation with participation of the mentor and the intern. The Human Resources Management and Development Department coordinates the internship. After the internship supervisor presents the specific evaluation form of an intern, the Head of the Human Resources Management and Development Department submits information about the fulfilment of the rights and obligations by the intern to the Head of the Internship Commission and the Prosecutor General. For the purpose of verifying the theoretical and practical knowledge in the course of internship, Human Resources Management and Development Department organizes trainings and relevant testing for interns. Final testing may be organized within a reasonable term for interns before the expiration of the internship term. After expiration of the internship term, taking into account the results gained through the internship period, the Internship Commission holds interviews and evaluates interns in terms of whether, with the qualification and skills gained through the internship term, they meet the requirements for being appointed as prosecutors or investigators. In case of the positive assessment, the head of the Internship Commission submits the information about the successful interns to the Prosecutor General for the appointment. If, due to unavailability of the vacancy, individual, who successfully completed internship, was not appointed to a vacant position of a prosecutor/investigator, he/she is included in the personnel reserve of the Prosecutor' Office.

Appointment through competition (Pursuant to Order #039 of the Prosecutor General of Georgia) During interviewing candidates (who successfully passed written exams), the Contest Commission uses the evaluation forms for making a decision. The Commission shall make a decision in consideration of candidate's skills, qualifications, experience and overall compatibility with the requirements of the job opening. Based on the results of the contest, the Chairperson of the Commission submits information about the successful candidates to the Prosecutor General for the appointment. The candidates shall undergo a professional training. The Human Resources Management and Development Department of the Office of the Prosecutor General of Georgia is responsible for providing the training. The results of the training are taken into account when appointing the candidates. After completing all stages successfully, the contestant is appointed on the position.

All decisions made regarding the above-mentioned procedures shall be substantiated and may be appealed in the court.

2020 Rule on Recruitment and Promotion of Prosecutors and the Rule on Internship at the Prosecution Service of Georgia explicitly provide that all decisions regarding appointment of prosecutors should be reasoned (Article 1 § 5 and Article 2 § 3 respectively) and that information on any decision taken under these rules should be published online (Article 1 §6 and Article 7 §1 respectively). In March 2021, GRECO concluded that Georgia had implemented its recommendation xi satisfactorily. The recommendation stipulated, "(i) regulating, in more detail, the recruitment and promotion of prosecutors so as to ensure that decisions are based on precise and objective criteria, notably merit; (ii) providing for transparent procedures – including by making the above-mentioned criteria public – and ensuring that any decisions in those procedures are reasoned".

Appointment without internship or competition In exceptional cases, an individual may be appointed as a prosecutor/PSG investigator without internship or competition upon the justified decision of the Prosecutor General. Along with general requirements, an individual should also meet the criteria prescribed by the Organic Law on the Prosecution Service of Georgia. In particular:

- a) an individual should have at least four years' experience of working as an investigator, a judge or a lawyer specialised in criminal law;
- b) an individual should have at least two years' experience of working as a prosecutor/PSG investigator and has been discharged from the PSG for the past 10 years on the grounds of a personal application, the deterioration of health, redundancy, or moving to another job;
- c) an individual has been enrolled in the personnel reserve of the system of the PSG;
- d) an individual has completed an internship in the bodies of the PSG and not more than three years have passed from the completion of the internship;
- e) an individual is recognized in the highest academic circles as a specialist in criminal law. This appointment mechanism is exclusively reserved for the experienced former PSG employees.

**116-2. What are the recruitment requirements for prosecutors (multiple replies possible)?**

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for prosecutors
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If “other”, please specify: Article 34 (3) of the Organic Law On Prosecution Service of Georgia prescribes main criteria of selection of public prosecutor. The criteria are as follows:

A citizen of Georgia who has a higher education in law, has a command of the language of legal proceedings, has passed a qualification examination for the Prosecution Service, has completed an internship in the bodies of the Prosecution Service, has taken the oath of an employee of the Prosecution Service, and is able, based on his/her working and moral qualities, as well as his/her health status, to perform the duties of a prosecutor or investigator of the Prosecution Service, may be appointed to the position of a prosecutor of the Prosecution Service.

**116-3. In the frame of these recruitments, please indicate the number of applicants for the position of prosecutor and the number of recruitments actually made during the reference year:**

	Total	Males	Females
Number of applicants	645 <input type="checkbox"/> NA	247 <input type="checkbox"/> NA	398 <input type="checkbox"/> NA
Number of recruited persons	38 <input type="checkbox"/> NA	21 <input type="checkbox"/> NA	17 <input type="checkbox"/> NA

Comments

**116-4. If the number of applicants decreased in the last years did you take any remedial measures?**

- Yes
- No

Comments

**116-5. If yes, please specify what remedies you implemented:**

- Increase of salary
- Other financial incentives
- Improving working conditions

- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new prosecutors
- Other

Comments: If “other”, please, specify:

**117. Authority(ies) responsible for recruitment - Are public prosecutors initially/at the beginning of their career recruited by:**

- An authority composed of public prosecutors only
- An authority composed of non-public prosecutors only
- An authority composed of public prosecutors and non-public prosecutors
- Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: Please See detailed information in the answer to Question 116-1.

**117-1. How many members compose this authority?**

	Total	Male	Female
<b>Members</b>	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: the Internship Commission was composed of the First Deputy Prosecutor General, three Deputies of the Prosecutor General, Head of the PSG General Inspectorate, Head of Administration, Head of the PSG Department for HR Management and Development, Head and Deputy Head of the PSG Department for Supervision over Prosecutorial Activities and Strategic Development, Head of the PSG International Relations and Legal Department, Head of the PSG Department for Procedural Guidance over the Investigation at the State Inspector’s Service, Head of the PSG Human Rights Protection Department, Deputy Tbilisi Prosecutor, Head of the PSG Unit for Prosecutorial Supervision, Deputy Regional Prosecutor of Shida Kartli and Mtskheta-Mtianeti Region, District Prosecutor of Tbilisi Gldani-Nadzaladevi District, District Prosecutor of Tbilisi Didube-Chughureti District, District Prosecutor of Tbilisi Isani-Samgori District, Ozurgeti District Prosecutor and Poti District Prosecutor.

In 2022, the membership of Internship Commission has been expanded from 15 to 20 members in order to bring more expertise and strengthen the role of elected prosecutors and PSG investigators in the process of selecting the candidates for prosecutors and investigators. Respectively, three persons with human rights and international cooperation expertise and two elected members of the Prosecutorial Council were added to the Internship Commission.

**117-2. May non-selected candidates appeal against the decision on recruitment/appointment?**

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal: All decisions made regarding the above-mentioned procedures (recruitment/appointment) shall be substantiated and may be appealed in general courts according the general rules of Administrative legislation of Georgia.

**118. Is the same authority (Q.117) competent for the promotion of public prosecutors?**

- Yes
- No, please specify which authority is competent for promoting public prosecutors .....

Comments The Career Management, Ethics and Incentives Council plays a key role in the promotion of prosecutors. It is composed of the following 15 members: the the First Deputy General Prosecutor; 3 Deputy General Prosecutors; 8 members of the Prosecutorial Council; the head of the General Inspection Unit; the head of the Human Resources Management and Development Department and the head of the Department for Supervision over Prosecutorial Activities and Strategic Development.

The General Prosecutor promotes the candidates recommended by the Career Management, Ethics and Incentives Council. He/she may decline the recommended promotion. In this case, the General Prosecutor shall provide the reasons.

**119. What is the procedure for the promotion of prosecutors? (multiple replies possible)**

- Competitive test / exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured: The Career Management, Ethics and Incentives Council plays an important role in promotion of prosecutors. The Career Management, Ethics and Incentives Council assesses the fulfilment of the competence and skills criteria by the promotion candidate through reviewing his/her previous individual evaluation results and interviewing him/her personally.

The Prosecutor General may disagree with the recommendation of this Council, but he/she is required to substantiate the dissenting opinion.

A prosecutor may be promoted to a managerial position based on the experience and conditions stipulated by Article 36 of the Organic Law on the Prosecution Service of Georgia. As a rule, upon the recommendation of the Career Management, Ethics and Incentives Council, the Prosecutor General is authorized to decide on the promotion of a prosecutor, based on the following criteria:

Length of work and experience; Competence;

Personal and professional skills;

Results of the performance appraisal. The Prosecutor General may disagree with the recommendation of the Career Management, Ethics and Incentives Council, however, in the latter case, he/she has an obligation to substantiate the dissenting opinion. In exceptional cases (for high level performance of duties and/or achieving best results), the Prosecutor General is authorized to decide on the promotion of a prosecutor without a recommendation of the Career Management, Ethics and Incentives Council, based on the personal application of a prosecutor or reasoned nomination by a head of the structural division of the Prosecution Service and/or the Department for Supervision over Prosecutorial Activities and Strategic Development. 2020 Rule on Recruitment and Promotion of Prosecutors and the Rule on Internship at the Prosecution Service of Georgia explicitly provide that all decisions regarding the promotion of prosecutors should be reasoned and that information on any decision taken under these rules should be published online. In March 2021, GRECO concluded that Georgia had implemented its recommendation xi satisfactorily. The recommendation stipulated, “(i) regulating, in more detail, the recruitment and promotion of prosecutors so as to ensure that decisions are based on precise and objective criteria, notably merit; (ii) providing for transparent procedures – including by making the above-mentioned criteria public – and ensuring that any decisions in those procedures are reasoned”

**119-1. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:**

	Total	Males	Females
Number of applicants	37 <input type="checkbox"/> NA	20 <input type="checkbox"/> NA	17 <input type="checkbox"/> NA
Number of promoted persons	25 <input type="checkbox"/> NA	14 <input type="checkbox"/> NA	11 <input type="checkbox"/> NA

Comments

**119-2. Please indicate the criteria used for the promotion of a prosecutor:**

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):

### **5.1.3Mandate and retirement of judges and prosecutors**

#### **121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?**

- Yes, please indicate the compulsory retirement age:65
- No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Article 63 (6) of the Constitution of Georgia prescribes the rule for appointment of judges of general courts for life tenure. However, before lifetime appointment of a judge, in case of the first appointment, the judge may be appointed for three-year term until 31 December 2024.

#### **121-1. Can a judge be transferred to another court without his/her consent:**

- For disciplinary reasons
- For organisational reasons
- For other reasons (please specify modalities and safeguards): .....
- No

Comments “If a district (city) court or court of appeals lacks a judge or if there is a dramatic increase in the number of cases and/or there are objective circumstances, it can be done for maximum 2 years, which can be prolonged for no more than 2 years.”

Legal changes mentioned in the comment were made in legislation and came into the legal force from January 2022. Additional Legislative changes were also made in this aspect in June 2023.

#### **122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?**

- Yes, duration of the probation period (in years):3
- No

Comments Before lifetime appointment of a judge, in case of the first appointment, the judge may be appointed for three-year term until 31 December 2024.

#### **123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?**

- Yes, please indicate the compulsory retirement age: .....
- No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: All prosecutors, except for the General Prosecutor, are appointed for an undetermined period. The legislation of Georgia does not stipulate compulsory retirement age. According to the Organic Law of Georgia on Prosecution Service and the Law of Georgia on State Pension, male prosecutors who have reached 65 years and female prosecutors having reached 60 years are eligible for retirement. The retirement in this case is not mandatory. It depends

on the will of the person reaching the retirement age. The term of office of the Prosecutor General of Georgia is 6 years. The same person cannot be re-elected for a consecutive term.

**124. Is there a probation period for public prosecutors? If yes, how long is this period?**

- Yes, duration of the probation period (in years): .....
- No

Comments

**125. If the mandate of judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?**

- [ ]
- NA
- NAP

Comments

**125-1. Is it renewable?**

- Yes
- No
- NAP

Comments

**126. If the mandate of public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?**

- [ ]
- NA
- NAP

Comments

**126-1. Is it renewable?**

- Yes
- No
- NAP

Comments

**E1. Please indicate the sources for answering the questions in this part**

Sources: Organic Law on Common Courts of Georgia  
Organic Law on Prosecution Service of Georgia  
Information received from Prosecution Service of Georgia

**5.2. Training**

## 5.2.1 Training of judges

### 127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in a court)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
In-service training on ethics	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on gender equality	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other in- service training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

### 128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input checked="" type="checkbox"/> No training proposed



<b>In-service training on ethics</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on child-friendly justice</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on gender equality</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>Other in- service training</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges: In 2021, trainings were conducted (for example in Children Rights) on regular basis according to the requirement of Code on Rights of a Child. Since 2022 these trainings are conducted on accessional basis - as needed (for example when new Judges are appointed).

### 128-1. Do you have a minimum number of compulsory trainings per judge:

	Per judge
<b>Initial compulsory training – minimum number of trainings</b>	_____ Min numeric value allowed : 0 85 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Initial compulsory training – minimum number of days</b>	_____ Min numeric value allowed : 0 240 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of trainings per year</b>	_____ Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of days per year</b>	_____ Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments In-service compulsory training for judges: minimum 5 days of training every 3 years.

## 5.2.2 Training of prosecutors

### 129. Types of different trainings offered to public prosecutors:

Compulsory	Optional	No training proposed
------------	----------	----------------------

<b>Initial training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>General in-service training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in office</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on ethics</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training on child-friendly justice</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training on gender equality</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Other in- service training</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

Comments

### 130. Frequency of the in-service training of public prosecutors :

	<b>Frequency of the in-service training</b>
<b>General in-service training</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	[ ] Regularly (for example every year) [ X ] Occasional (as needed) [ ] No training proposed
<b>In-service training for the use of computer facilities in office</b>	[ ] Regularly (for example every year) [ X ] Occasional (as needed) [ ] No training proposed
<b>In-service training on ethics</b>	[ ] Regularly (for example every year) [ X ] Occasional (as needed) [ ] No training proposed

<b>In-service training on child-friendly justice</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on gender equality</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>Other in- service training</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

### 130-1. Do you have a minimum number of compulsory trainings per prosecutor:

	Per prosecutor
<b>Initial compulsory training – minimum number of trainings</b>	_____ Min numeric value allowed : 0 37 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Initial compulsory training – minimum number of days</b>	_____ Min numeric value allowed : 0 40 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of trainings per year</b>	_____ Min numeric value allowed : 0 3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of days per year</b>	_____ Min numeric value allowed : 0 7 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

## 5.2.3 Training institutions

### 131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
<b>Institution(s) for judges</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Institution(s) for prosecutors</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Institution(s) for both judges and prosecutors</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

**131-0. If yes, what is the implemented budget of such institution(s)?**

	Implemented budget of the institution for the reference year, in €
Institution(s) for judges	462 454 [ ] NA [ ] NAP
Institution(s) for prosecutors	[ ] NA [X] NAP
Institution(s) for both judges and prosecutors	[ ] NA [X] NAP

Comments As mentioned in the answer to Question 13-1, the PSG finances trainings through its budget. The separate budget does not exist. In 2022, the PSG spent EUR 17 361 on learning activities. However, most of these activities are organized with the complete financial support of donor organizations. They are directly managing their expenses, without the PSG involvement. For this reason, information on the amount spent by donors for the PSG is not available.

**131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how judges and/or prosecutors are trained?**

. NAP

**5.2.4 Number of trainings**

**131-2. Number of in-service trainings available and delivered (in days) by the public institution(s) responsible for training.**

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
<b>Total</b>	164 [ ] NA [ ] NAP	247 [ ] NA [ ] NAP	1 022 [ ] NA [ ] NAP	20 [ ] NA [ ] NAP
<b>For judges</b>	22 [ ] NA [ ] NAP	22 [ ] NA [ ] NAP	44 [ ] NA [ ] NAP	8 [ ] NA [ ] NAP
<b>For prosecutors</b>	82 [ ] NA [ ] NAP	137 [ ] NA [ ] NAP	654 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP
<b>For non-judge staff</b>	20 [ ] NA [ ] NAP	20 [ ] NA [ ] NAP	28 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP
<b>For non-prosecutor staff</b>	40 [ ] NA [ ] NAP	68 [ ] NA [ ] NAP	296 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP

Comments In 2022, many new training Modules and Courses have been adopted and became available for Judges, non-judge staff, for prosecutors and non-prosecution staff. Additionally, there were changes in the duration of available training modules: the duration of some trainings has been reduced and the duration of some trainings has been extended. Moreover, in 2021 the new Code of Children Rights was adopted, and it became mandatory to deliver trainings on Children's rights for all Judges and non-judge staff members. PSG Comment - Compared to 2021, in 2022 the number of delivered trainings for prosecutors increased also because of the COVID-19 pandemic, the PSG conducted relatively less trainings in 2021 and more trainings in 2022. In addition, unlike 2021, in 2022, the prosecutors participated in a number of long-term live trainings each exceeding 11 days, which also contributed to the higher number of training days in 2022 than during the preceding year. There was also one methodological factor regarding the non-prosecution staff involving the PSG investigators. In 2021, the PSG Training Centre did not count them in the trained non-prosecution staff, while in 2022, they were involved.

### 131-3. Number of participants in the trainings during the reference year.

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
<b>Total</b>	1 973 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Judges</b>	327 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Prosecutors</b>	1 096 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Non-judge staff</b>	209 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Non-prosecutor staff</b>	341 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Statistical information of Internet-based trainings provided by Other Institutions (not by the Training Institution, For example - HELP platform) is not' provided in this question.

### E2. Please indicate the sources for answering the questions in this part

Sources: High School of Justice of Georgia  
Prosecution Service of Georgia

## 5.3.Practice of the profession

### 5.3.1Salaries and benefits of judges and prosecutors

#### 132. Salaries of judges and public prosecutors on 31 December of the reference year:

Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency

<b>First instance professional judge at the beginning of his/her career</b>	30 024 [ ] NA [ ] NAP	23 538 [ ] NA [ ] NAP	86 600 [ ] NA [ ] NAP	67 894 [ ] NA [ ] NAP
<b>Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)</b>	47 812 [ ] NA [ ] NAP	37 485 [ ] NA [ ] NAP	137 910 [ ] NA [ ] NAP	108 121 [ ] NA [ ] NAP
<b>Public prosecutor at the beginning of his/her career</b>	14 900 [ ] NA [ ] NAP	11 921 [ ] NA [ ] NAP	42 913 [ ] NA [ ] NAP	34 333 [ ] NA [ ] NAP
<b>Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).</b>	33 568 [ ] NA [ ] NAP	27 976 [ ] NA [ ] NAP	96 676 [ ] NA [ ] NAP	80 572 [ ] NA [ ] NAP

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor: PSG is not organized according to the court instances. The position of the Public Prosecutor of the Supreme Court does not exist. Therefore, the salary of the regional prosecutor is indicated in the respective section instead.

### 133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
<b>Reduced taxation</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Special pension</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Housing</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Other financial benefit</b>	( X ) Yes ( ) No	( X ) Yes ( ) No

Comments

### 134. If “other financial benefit”, please specify:

. other financial benefits for judges:

- 1.Life and health insurance,
- 2.Limits on mobile phone calls,
- 3.Senior judges use an official car,
- 4.Some judges who have to travel from their place of residence to other territorial units to carry out their duties are given fuel for their personal cars.

Other financial benefits for prosecutors include medical insurance, fuel and cell deposit, and bonuses.

[ ] NAP



### 135. Can judges combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	( X ) Yes ( ) No	( X ) Yes ( ) No
Research and publication	( X ) Yes ( ) No	( X ) Yes ( ) No
Arbitrator	( ) Yes ( X ) No	( ) Yes ( X ) No
Consultant	( ) Yes ( X ) No	( ) Yes ( X ) No
Cultural function	( ) Yes ( X ) No	( X ) Yes ( ) No
Political function	( ) Yes ( X ) No	( ) Yes ( X ) No
Mediator	( ) Yes ( X ) No	( ) Yes ( X ) No
Other function	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify.

### 137. Can public prosecutors combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	( X ) Yes ( ) No	( X ) Yes ( ) No
Research and publication	( X ) Yes ( ) No	( X ) Yes ( ) No
Arbitrator	( ) Yes ( X ) No	( ) Yes ( X ) No
Consultant	( ) Yes ( X ) No	( ) Yes ( X ) No
Cultural function	( ) Yes ( X ) No	( X ) Yes ( ) No
Political function	( ) Yes ( X ) No	( ) Yes ( X ) No
Mediator	( ) Yes ( X ) No	( ) Yes ( X ) No
Other function	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify.

specify:

**139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?**

Yes

No

Comments - If yes, please specify the conditions and if possible the amounts:

### 5.3.2 Body/institution of ethics

**138. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)?**

Yes

No

Comment - Please specify:

**138-1. If yes, who are the members of this institution/body?**

Only judges

Judges and other legal professionals

Other, please specify: .....

Comments

**138-2. Are the guidelines and/or opinions of this institution / body publicly available?**

Yes

No

Comments - Please describe the work of this institution / body, the frequency of the guidelines and/or opinions, etc.:

**138-2-1. How many guidelines and/or opinions were given during the reference year?**

[            ]

[ ] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

**138-3. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)**

Yes

No

Comment: Please specify

**138-4. If yes, who are the members of this institution/body?**



- Only prosecutors
- Prosecutors and other legal professionals
- Other, please specify: .....

Comments The General Inspectorate of the Office of the Prosecutor General, which is in charge of conducting administrative investigations into the disciplinary violations, also provides counselling to the interested PSG employees regarding the ethical questions of the conduct of prosecutors.

**138-5. Are the guidelines and/or opinions of this institution / body publicly available?**

- Yes
- No

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. On 22 September 2020, the Office of the Prosecutor General of Georgia issued the Commentary to the Ethics Code and the Disciplinary Proceedings for the Employees of the Prosecution Service of Georgia, which was circulated among all PSG staff electronically on the same day. Detailed examples were included in the Commentary to the Ethics Code and the Disciplinary Proceedings for the Employees of the Prosecution Service of Georgia about the disciplinary liability and applicable sanctions, inter alia, violation of specified requirements of the Code of Ethics/ In view of the carried out reforms, in March 2021, GRECO concluded that Georgia had implemented its recommendation xiii satisfactorily. The recommendation stipulated that the “Code of Ethics for Employees of the Prosecution Service of Georgia” continues to be updated, is communicated to all prosecutors and made easily accessible to the public; (ii) that it be complemented by practical measures for the implementation of the rules, such as further written guidance and explanations, further training and confidential counselling”.

**138-5-1. How many guidelines and/or opinions were given during the reference year?**

- [            ]
- NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions The General Inspectorate of the Office of the Prosecutor General of Georgia, which is in charge of conducting administrative investigations into the disciplinary violations, also provides counselling to the interested PSG employees regarding the ethical questions of the conduct of prosecutors. The statistics of such consultations is not kept.

See information regarding the guideline in the answer to Question 138-5.

**5.4. Disciplinary procedures**

**5.4.1 Authorities responsible for disciplinary procedures and sanctions**

**140. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?**

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court
- Disciplinary body
- Ombudsman
- Parliament
- Executive power (please specify): .....

Other (please specify): .....

This is not possible

Comments

**141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple replies possible):**

Citizens

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General /State public prosecutor

Public prosecutorial Council (High Judicial Council)

Disciplinary court

Disciplinary body

Ombudsman

Professional body

Executive power (please specify): .....

Other (please specify): .....

This is not possible

Comments

**142. Which authority has disciplinary power over judges (multiple replies possible)?**

Court

Higher Court / Supreme Court

High Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify): .....

Other (please specify): .....

Comments

**143. Which authority has disciplinary power over public prosecutors (multiple replies possible)?**

Supreme Court

Head of the organisational unit or hierarchical superior

Prosecutor General /State public prosecutor

Public prosecutorial Council (High Judicial Council)

Disciplinary court or body

Ombudsman

Professional body

Executive power (please specify): .....

[ ] Other (please specify): .....

Comments

## 5.4.2 Number of disciplinary procedures and sanctions

**144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)**

	Judges	Prosecutors
<b>Total number (1+2+3+4)</b>	212 [ ] NA [ ] NAP	26 [ ] NA [ ] NAP
<b>1. Breach of professional ethics</b>	[ ] NA [X] NAP	5 [ ] NA [ ] NAP
<b>2. Professional inadequacy</b>	33 [ ] NA [ ] NAP	16 [ ] NA [ ] NAP
<b>3. Criminal offence</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>4. Other</b>	179 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP

Comments - If "other", please specify: a.a - Political or social influence or influence of personal interests when a judge exercises judiciary powers;

b.d - Judge's refusal to recuse oneself or satisfy a request for recusal when clear legal grounds for recusal exist;

e.a - Discriminatory verbal or other action by a judge towards any person on any grounds, performed when performing judiciary duties ;

e.b - Judge's failure to react if he or she witnesses a discriminatory verbal or other action towards a participant in a process by a court staffer or a participant in a process ;

d.a - Establishment of personal and intense (friendly, familial) relations with a participant in a process to be held for a case to be handled by him or her personally, which results in the judge's bias and/or placement of a participant in a process in a favorable position, if the judge had an information about the side ;

b.a - Public expression of an opinion by a judge on a case currently handled by court. Judge's commentary on organizational and technical matters pertaining to the case currently handled by court for the purpose of informing the public shall not constitute disciplinary misconduct;

b.b - Disclosure of the outcome of a case to be heard by a judge in advance, except in the circumstances specified by the Georgian procedural law

**145. Number of sanctions pronounced during the reference year against judges and public prosecutors:**

	Judges	Prosecutors
<b>Total number (total 1 to 10)</b>	1 [ ] NA [ ] NAP	9 [ ] NA [ ] NAP

<b>1. Reprimand</b>	<b>1</b> [ ] NA [ ] NAP	<b>6</b> [ ] NA [ ] NAP
<b>2. Suspension</b>	[ ] NA [ X ] NAP	<b>0</b> [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>4. Fine</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>5. Temporary reduction of salary</b>	<b>0</b> [ ] NA [ ] NAP	<b>0</b> [ ] NA [ ] NAP
<b>6. Position downgrade</b>	[ ] NA [ X ] NAP	<b>0</b> [ ] NA [ ] NAP
<b>7. Transfer to another geographical (court) location</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>8. Resignation</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>9. Other</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>10. Dismissal</b>	<b>0</b> [ ] NA [ ] NAP	<b>3</b> [ ] NA [ ] NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons.

### E3. Please indicate the sources for answering the questions in this part

Sources: Prosecution Service of Georgia Office of Independent Inspector
--

## 6.Lawyers

### 6.1.Profession of lawyer

#### 6.1.1Status of the profession of lawyers

146. Total number of lawyers practising in your country:

Total	Males	Females

Number of lawyers	4 942 <input type="checkbox"/> NA	2 498 <input type="checkbox"/> NA	2 444 <input type="checkbox"/> NA
-------------------	--------------------------------------	--------------------------------------	--------------------------------------

Comments

**147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?**

Yes ( )

No ( X )

Comments

**148. Number of legal advisors who cannot represent their clients in court:**

[ ]

[ ] NA

[ X ] NAP

Comments

=

**149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)**

	First instance	Second instance	Highest instance court (Supreme Court)
<b>Civil cases</b>	( ) Yes always ( ) Yes in some cases ( X ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP
<b>Dismissal cases</b>	( ) Yes always ( ) Yes in some cases ( X ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP
<b>Criminal cases – Defendant</b>	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP
<b>Criminal cases – Victim</b>	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP
<b>Administrative cases</b>	( ) Yes always ( ) Yes in some cases ( X ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights: In Civil and Administrative cases, in first Instance court person can be represented in Court by other persons, not mandatory by the lawyer, but in Second and Highest instances, person can be represented in the court only by a lawyer. For Criminal cases person can be represented only by the lawyer.

**149-0. If other than lawyers may represent a client in court, please specify who:**

	First instance	Second instance	Highest instance court (Supreme Court)
<b>Civil society organisation</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Family member</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Self-representation</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Trade union</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Other</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s): Citizens may pursue proceedings in courts personally, legal persons - through an official who is authorized to act on behalf of the legal person or the organization under respective regulations or statute. Parties can pursue proceedings in court through an attorney. Party can be presented in the court by civil society organization, but representative of this organization in Second and Highest instance courts should be lawyer. The pursuit of proceedings through an attorney shall not deprive the parties from participating themselves in the proceedings.

**149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?**

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other (please specify): .....

Comments According the Law of Georgia of Lawyers (Article 2) - The practice of the profession of lawyer involves: the provision of legal advice to persons who apply to a lawyer for assistance (clients); the representation of a client in constitutional disputes, in criminal, civil or administrative proceedings in a court, or in arbitration, detention or investigation bodies; the drafting of legal documents with respect to a third party and the submission of any documents on behalf of a client; and the provision of such legal assistance that is not related to representation before a third party.

**149-2. Professional lawyers may have the status of:**

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

**150. Is the lawyer profession organised through:**

- a national bar association
- a regional bar association
- a local bar association

Comments

**151. Is there a specific initial training and/or exam to enter the profession of lawyer?**

Yes

No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees:

**152. Is there a mandatory general in-service professional training system for lawyers?**

Yes

No

Comments

**153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?**

Yes

No

Comments - If yes, please specify:

**F1. Please indicate the sources for answering the questions in this part**

Sources: Georgian Bar Association

**6.1.2 Practicing the profession of lawyer**



**154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?**

Yes

No

Comments There is no concrete document which regulates amount of Lawyers fees. In practice, it depends on the case details, lawyers' experience, the work complexity, duration of the proceedings and in the case of property disputes – value and importance of the disputed subject (cost of claim). According to the ethics code of lawyers of Georgia (Article 8.8) the procedure of calculation and the rate of lawyer's fees shall be known to and acceptable for the client in advance.

**155. Are lawyers' fees freely negotiated?**

Yes

No

Comments

**156. Do laws or bar standards provide any rules on lawyers' fees (including those freely negotiated)?**

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

### 6.1.3 Quality standards and disciplinary procedures for lawyers

#### 157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used? Specialization; continuing legal trainings; quality assurance mechanisms.

#### 158. If yes, who is responsible for formulating these quality standards:

the bar association

the Parliament

other (please specify): .....

Comments

#### 159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify:

#### 160. Which authority is responsible for disciplinary procedures?

a judge

Ministry of Justice

a professional authority

other (please specify): .....

Comments

#### 161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	36 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	24 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP



<b>3. Criminal offence</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Other</b>	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: other - the non-performance of the duties provided for in Article 5-9 of this Law (law on Lawyers), except article 5.b, which is already mentioned in sub-category 1 (A lawyer shall: (b) precisely and strictly observe the principles of professional ethics).

**Article 5 - Obligations of a lawyer**

A lawyer shall:

- a) perform professional functions in good faith; c) not infringe on the rights of the court and of other participants in proceedings; d) respect professional secrecy; e) perform obligations imposed under the procedural legislation of Georgia and in the case of a conflict of interests, inform the client immediately; f) participate in the mandatory continuous legal education programme approved by Executive Board of the Georgian Bar Association;
- g) provide the Georgian Bar Association with information regarding transactions provided for by the Law of Georgia on the Facilitation of Prevention of Illicit Income Legalisation; the Georgian Bar Association shall ensure the submission of the relevant information to the Financial Monitoring Service of Georgia in the form and manner established by the said Law and the relevant normative act of the Financial Monitoring Service of Georgia.

**Article 6 - Protection of the interests of a client**

- 1. A lawyer may, in order to defend the interests of a client, use all means that are not prohibited by law or by the principles of professional ethics. 2. A lawyer shall, in a timely manner, provide a client with all information and explain all possible financial liabilities related to the conduct of the client's case. Article 7 - Professional secrecy

1. A lawyer shall:

- a) respect professional secrecy, regardless of the time elapsed; b) not disseminate, without the consent of the client, information that was obtained from the client in the course of the practice of the profession of lawyer. 11. A lawyer shall transmit a reporting form on a transaction subject to monitoring under the Law of Georgia on the Facilitation of Prevention of Illicit Income Legalisation, provided the transmission of the reporting form does not contravene the principle of professional secrecy provided for by legislation regulating the profession of lawyer. 2. The violation of professional secrecy by a lawyer shall incur liability as provided for by this Law and the Code of Professional Ethics for Lawyers. Article 8 - Conflict of interests

- 1. A lawyer shall not carry out such activities or establish such relations that threaten the interests of a client, or the professional activity of the lawyer or his/her independence. 2. A lawyer may not perform his/her professional functions if he/she has already acted as a lawyer on the same case on behalf of the other party. 3. A lawyer may not perform his/her professional functions in a case where he/she has already acted in the capacity of a judge, prosecutor, investigator, person conducting initial inquiry, secretary of a court session, interpreter, attendee, witness, expert, specialist, public servant or notary or in any other capacity provided for by the procedural legislation. Article 9 - Insurance for lawyers

A lawyer shall, for the purpose of compensating possible material damage to a client, insure their professional liability in the manner and in cases provided for by law.

**162. Sanctions pronounced against lawyers.**

	<b>Number of sanctions</b>
<b>Total number of sanctions (1 + 2 + 3 + 4 + 5)</b>	24 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

<b>3. Withdrawal from cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Fine</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>5. Other</b>	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. other - Personal letter of advice

## 7. Court related mediation and other alternative Dispute Resolution

### 7.1. Court related mediation

#### 7.1.1 Details on court related mediation

#### 163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

#### 163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned:

#### 163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

#### 164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
<b>Civil and commercial cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Family cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

<b>Administrative cases</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [ X ] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [ X ] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [ X ] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [ X ] NAP
<b>Labour cases including employment dismissals</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP
<b>Criminal cases</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [ X ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP
<b>Consumer cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP

Comments

**165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?**

- Yes  
 No  
[ ] NAP

Comments - If yes, please specify: Legal Aid for court-related mediation.



=

**166. Number of accredited or registered mediators for court-related mediation:**

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Number of mediators</b>	172 [ ] NA [ ] NAP	63 [ ] NA [ ] NAP	109 [ ] NA [ ] NAP

Comments

**166-1. Could you please describe what are the requirements and what is the procedure to become an accredited or registered mediator in your country (educational requirements, working experiences, accrediting procedure etc.)?**

. LEPL The Georgian Association of Mediators has approved the Professional Standard for Mediators and determined qualification requirements to become a mediator in accordance with the law. The prerequisite for obtaining the status of a mediator consists of three parts:

1. mediation / mediator training (Mediation/mediator training is approved by the association at least 60 hours of content-specific mediation / mediator training and which is carried out, including by any interested private a person, based on accreditation. In particular, the right to organize and conduct mediation/mediator training, has the association and the institutions offered by them mediation/mediator training standard for mediator certification it is in full compliance with the standard established by the program);
2. LEPL Georgian Association of Mediators by its evaluation system is checking the practical skills of the person who wants to be a mediator;
3. Development of the skills of leading a real mediation for a person who wants to become a mediator (observing of a real court-mediation).

**167. Number of court-related mediations:**

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
<b>Total (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Civil and commercial cases</b>	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	76 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Family cases</b>	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP	59 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Administrative cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Labour cases including employment dismissal cases</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	49 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Criminal cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>6. Consumer cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Other cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source:

=

**168. Do the following alternative dispute resolution (ADR) methods exist in your country?**

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify): .....

Comments

**G1. Please indicate the sources for answering the questions in this part**

Source: Procedural Legislation  
Association of Mediators and Mediation Centers of Courts

## 8.Enforcement of court decisions

### 8.1.Execution of decisions in civil matters

#### 8.1.1 Number of enforcement agents, status and mandate

##### 169. Number and type of enforcement agents in your country.

	Total	Male	Female
<b>Total (1+2+3+4)</b>	186 [ ] NA	104 [ ] NA	82 [ ] NA
<b>1. Private professionals under the authority (control) of public authorities</b>	29 [ ] NA [ ] NAP	21 [ ] NA [ ] NAP	8 [ ] NA [ ] NAP
<b>2. Enforcement agents working in a public institution (civil servants paid by state)</b>	157 [ ] NA [ ] NAP	83 [ ] NA [ ] NAP	74 [ ] NA [ ] NAP
<b>3. Judges</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>4. Other</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If other, please specify their status and competences:

##### 170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other

Comments - If "other", please specify: Qualification exam is mandatory.

##### 171. Are enforcement agents appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- Yes, please indicate the age of retirement: Male 65; Female 60
- No, please specify the duration of the appointment: .....

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Dismissal is a disciplinary sanction.

#### 8.1.2 Activities/scope of competence

##### 171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

	Access to information	Direct electronic access to information
Address	( X ) Yes ( ) No	( X ) Yes ( ) No
Date of birth	( X ) Yes ( ) No	( X ) Yes ( ) No
Civil status	( ) Yes ( X ) No	( ) Yes ( X ) No
Cohabitant	( ) Yes ( X ) No	( X ) Yes ( ) No
Employer	( ) Yes ( X ) No	( ) Yes ( X ) No
Motor vehicle	( ) Yes ( X ) No	( X ) Yes ( ) No
Movable property	( ) Yes ( X ) No	( X ) Yes ( ) No
Immovable property	( ) Yes ( X ) No	( X ) Yes ( ) No
Bank account	( ) Yes ( X ) No	( X ) Yes ( ) No
Other enforcement proceedings underway	( ) Yes ( X ) No	( X ) Yes ( ) No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	( ) Yes ( X ) No	( X ) Yes ( ) No
Other	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If "other", please specify: In 2022, our responses to the questionnaire shifted from "No" to "Yes" regarding Direct Electronic Access to information. This adjustment signifies an improved understanding of information access during enforcement procedures. The principle guiding our responses is as follows:

o Access to information: Refers to information/details specified in the execution writ.

o Direct electronic access to information: Leveraging software connections that enable enforcement agents to access channels efficiently. This adjustment is not tied to legislative or procedural changes but signifies our commitment to a more comprehensive and technologically efficient approach. It enables enforcement agents to use direct electronic access through established software connections, ensuring a swift acquisition of debtor information at the beginning of the enforcement procedure.

We remain committed to compliance with legal frameworks while embracing technological advancements to enhance our processes.

We do confirm. Since 2010, enforcement procedures have been conducted through the electronic program of enforcement proceedings.

This program is continually evolving, which leads to more effective access to various types of information.

For this reason, we are expanding the avenues for obtaining debtor's information that enforcement agent can access at the initiation of the enforcement procedure, aligning with our commitment to enhance the effectiveness and scope of information retrieval.

## 171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

Option
--------

<b>Seizure of movable tangible properties</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Preventive seizure of movable tangible properties</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of immovable properties</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Preventive seizure of immovable properties</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure from a third party of the debtor claims regarding a sum of money</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of remunerations</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of motorised vehicles</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Eviction measures</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

<b>Seizures of boats and ships</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of aircrafts</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of electronic assets (e.g cryptocurrency)</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Enforced sale by public tender of seized properties</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Sale of shares</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments For preventive seizure of movable tangible properties and preventive seizure of immovable properties, we indicated "Yes, but not exclusively" because these measures are assumed to be used by the court for provisional measures.

A technical error occurred during the marking of the Seizure of motorized vehicles, Seizures of boats and ships, and Seizure of aircraft in the 2022 questionnaire. The correct status should be "Yes, exclusively."

In 2022, the Seizure of electronic assets (e.g., cryptocurrency) is marked "NAP" due to a lack of legal and technical foundation. However, it is noteworthy that in 2020, there was a single enforcement case involving virtual assets, leading to the affirmative response "Yes."

### **171-3. Apart from the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?**

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary or public auctions of moveable or immovable property
- Custody of goods



- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments The shift in responses can be contextualized as follows:

In 2020, the question was framed broadly, encompassing the powers of the National Enforcement Bureau in general. The inclusion of debt recovery, voluntary or public auctions of moveable or immovable property, and custody of goods may have been interpreted within this broader context.

In 2022, a more specific understanding was applied, focusing on actions performed in addition to the execution of court decisions. Recording and reporting of evidence was clarified as Yes, reflecting the role of enforcement agents in documenting and reporting pertinent information. Likewise, the Provision of legal advice was acknowledged as “Yes” in 2022, indicating a more specific recognition compared to the broader scope of the 2020 period.

### 8.1.3 Training and ICT

#### **172-1. Is there a system of mandatory general continuous training for enforcement agents?**

- Yes
- No

Comments

#### **172-2. Do you have an e-learning training system established for enforcement agents?**

- Yes
- No

Comments - If yes, please specify:

#### **172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?**

- Yes
- No

Comments - If yes, please specify:

#### **172-4. Have an electronic service of documents or electronic notifications been introduced in your country?**

- Yes
- No

Comments Since 2010, enforcement procedures have been conducted through the electronic program of enforcement proceedings. This program is integrated with all banking institutions and public authorities responsible for property asset registration. Through this connection, comprehensive and up-to-date information about the debtor's property and social conditions can be instantly accessed. By

utilizing the electronic program of enforcement proceedings, enforcement agents carry out all actions electronically. Presently, all enforcement actions involve the delivery of electronic documents, which are automatically uploaded into the database. This electronic procedure, established by the National Bureau of Enforcement in accordance with international standards, ensures transparency, rapid, continuous availability, and efficiency in enforcement procedures.

**172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?**

Yes

No

Comments - Please explain: Alongside with the development of new technologies, the electronic system of enforcement procedures is developing, which ensures the individual's right to have the easy access to the enforcement proceedings, transparency, and confidentiality of the dispute solutions. The National Bureau of Enforcement consistently incorporates digital technologies into its services and enforcement proceedings. In addition to software updates, there are plans to implement artificial intelligence in enforcement proceedings. This would enable the AI system to handle various technical tasks, thereby saving the time and resources of enforcement officers and specialists. Currently, enforcement proceedings are partially automated.

**8.1.4 Fees**

**174. Are enforcement fees easily established and transparent for parties?**

Yes

No

Comments

**175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?**

Yes

No

Comments

**175-2. Who has to pay these fees if the enforcement proceedings are successful?**

The debtor

The creditor

Other – please specify .....

Comments

**176. Do laws provide any rules on enforcement fees (including those freely negotiated)?**

Yes

No

Comments

**H0. Please indicate the sources for answering the questions in this part**

Source: National Bureau of Enforcement of Georgia  
Ministry of Justice of Georgia

## 8.1.5 Organisation of profession and efficiency of enforcement services



### 177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

### 178. Which authority is responsible for supervising and monitoring enforcement agents?

professional body

judge

Ministry of Justice

public prosecutor

other (please specify): .....

Comments The Minister of Justice of Georgia shall determine the procedure for monitoring the activities of a private bailiff and imposing liability upon him/her for breaches under Article 1414(g and h) of the Law on Enforcement Proceedings

### 181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

Yes

No

Comments - If yes, please specify: In the course of enforcing a decision on a financial obligation to be discharged from time to time by public authorities, the creditor may request, by means of a written application, the discharge of such an obligation in advance as a one-off compensation. The decision on payment of the amount as a one-off compensation shall be made by the Government of Georgia that shall serve as the basis for a compulsory enforcement. The amount and period of payment of a one-off compensation shall be approved by the Government of Georgia upon proposal of the Ministry of Justice of Georgia. The creditor does not need to provide the new writ of execution for the amount to be paid as one-off compensation. A compulsory enforcement against a legal entity under public law in terms of recovery of a sum of money shall be initiated after elapse of one month after being informed by the National Bureau of Enforcement of a voluntary fulfilment of the decision except immediately enforceable court decisions under Article 268(1) of the Civil Procedure Code of Georgia. A compulsory enforcement against a budgetary organization in terms of recovery of a sum of money shall be initiated after elapse of one month after being informed by the National Bureau of Enforcement of a voluntary fulfilment of the decision.

### 182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

Yes

No

Comments - If yes, please specify: The party to an enforcement proceeding or an interested person whose legitimate interests are directly and proximately affected by a bailiff's act may file, on a one-off basis, with the Chairperson of the National Bureau of Enforcement, an appeal against the bailiff's act within 15 calendar days after the performance of such act.

### 183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

no execution at all

non execution of court decisions against public authorities

- lack of information
- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- unethical behaviour of enforcement agent
- other (please specify): .....

Comments The party to an enforcement proceeding or an interested person whose legitimate interests are directly and proximately affected by a bailiff's act may file, on a one-off basis, with the Chairperson of the National Bureau of Enforcement, an appeal against the bailiff's act within 15 calendar days after the performance of such act. The appeal shall be lodged with the National Bureau of Enforcement. It shall state the identity of the bailiff whose act is appealed; the appellant's claim and its grounds as a matter of fact and as a matter of law

**185. Is there a system measuring the length of enforcement procedures:**

	Existence of the system
for civil cases	( X ) Yes ( ) No
for administrative cases	( X ) Yes ( ) No

Comments

**186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):**

- between 1 and 5 days
- between 6 and 10 days
- between 11 and 30 days
- more (please specify): .....
- NA

Comments

**187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)**

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	16 [ ] NA [ ] NAP
1. For breach of professional ethics	7 [ ] NA [ ] NAP

<b>2. For professional inadequacy</b>	9 [ ] NA [ ] NAP
<b>3. For criminal offence</b>	0 [ ] NA [ ] NAP
<b>4. Other</b>	0 [ ] NA [ ] NAP

Comments - If "other", please specify:

### 188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
<b>Total number of sanctions (1+2+3+4+5)</b>	16 [ ] NA [ ] NAP
<b>1. Reprimand</b>	1 [ ] NA [ ] NAP
<b>2. Suspension</b>	0 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	[ ] NA [X] NAP
<b>4. Fine</b>	[ ] NA [X] NAP
<b>5. Other</b>	15 [ ] NA [ ] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: Other - "Notice/ Warning." The array of sanctions comprises:

For Public Bailiffs:

- a) Notice/ Warning;
- b) Reprimand;
- c) Severe reprimand;
- d) Withholding/ Deduction of 10 official days' salary;
- e) Removal from the performance of official duties by suspending the payment of salary - no more than ten working days;
- f) Transfer to an official position of a lower rank - no more than one year;
- g) Dismissal from work/termination of employment contract.

For Private Bailiffs, the sanctions are specified as follows:

- a) Warning;
- b) Cancellation of the license for enforcement proceedings.

This detailed list aims to provide comprehensive information on the spectrum of sanctions available, ensuring transparency and clarity regarding the consequences associated with potential misconduct.

### H1. Please indicate the sources for answering the questions in this part

Source: National Enforcement Bureau

## 8.2. Execution of decisions in criminal matters

### 8.2.1 Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple replies possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Enforcement agent
- Other authority (please specify): .....

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). Enforcement agent - a court judgment of conviction in force delivered against a natural and/or legal person in a criminal case imposing a fine and/or deprivation of property as a measure of punishment.

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
- No

Comments

191. If yes, what is the recovery rate?

- 80-100%
- 50-79%
- less than 50%

Comments - Please indicate the source for answering this question: Annual Statistics of the LEPL National Enforcement Bureau.

## 9. Notaries

### 9.1. Profession of notary

#### 9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Males	Females
<b>TOTAL (1+2+3+4)</b>	289 <input type="checkbox"/> NA <input type="checkbox"/> NAP	45 <input type="checkbox"/> NA <input type="checkbox"/> NAP	244 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Private professionals (without control from public authorities)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2. Holders of public offices appointed by the State</b>	289 <input type="checkbox"/> NA <input type="checkbox"/> NAP	45 <input type="checkbox"/> NA <input type="checkbox"/> NAP	244 <input type="checkbox"/> NA <input type="checkbox"/> NAP

3.Civil servants (paid by the State)	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
4. Other	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure:

**192-1. What are the access conditions to the profession of notary (multiple replies possible):**

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify): .....

Comments

**192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?**

- yes, please indicate the age of retirement:70
- no, please specify the duration of the appointment: .....

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

**9.1.2 Activities/scope of competences**

**194. What kind of activities do notaries perform (multiple options possible)?**

	Please select one option
<b>Authentication</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Certification of signatures</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

<b>Mediation</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Taking of oaths</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Act as civil servant (for example performing marriage, please specify)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Other judicial functions (for example, payment orders)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Public auctions</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Other (for example collect taxes, run registers etc.)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify. Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or, on the opposite, other bodies that also have competences for the listed activities.

**194-2. In which areas of law do notaries perform their activities (multiple replies possible)?**

Real estate transaction

Family law

Succession law



- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments

### 9.1.3 ICT, organisation of the profession and training

#### 194-3. Do notaries use specialised ICT systems in their activity?

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)
- In their relations with their clients
- In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

#### 194-4. Which computerised registries can notaries consult?

- Land registry
- Business registry
- Civil status / Population registry
- Succession / Family law registry
- Any other registry (please specify) .....
- None

Comments

#### 194-5. Are there registries/ registry infrastructures run by the notaries?

- Yes
- No

Comments - If yes, please specify: Since 2009, an electronic registry of notary acts has been operating at the Notary Chamber of Georgia. The E-Register contains all the notary acts of inheritance related legal cases and wills (collected before in the archive). After the registration of the notary act in the E-Register, in line with the instructions notary is obliged to upload the documents in the form of Public Acts.

E-Register of Notary Acts is also available for the citizens by using the website of the Chamber ([www.notary.ge](http://www.notary.ge)). Information about proceedings of inheritance related cases is accessible on the website of the Chamber ([www.memkvidreoba.ge](http://www.memkvidreoba.ge)).

#### 194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
<b>Land registry</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Business registry</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

<b>Civil status/ Population registry</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>Succession / Family law registry</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>Any other registry (please specify)</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>None</b>	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP

Comments According to the Order of 31 March 2010 of the Minister of Justice of Georgia on Approval of the Instruction on the Procedure for Performing Notary Actions, an authorized notary who has notarized an agreement on the origin/change of a mortgage is obliged to ensure registration of the application of an interested person in the relevant electronic program of the Legal Entity of Public Law - the National Agency of Public Registry, if this person is not against the registration of acceptance of the application by a notary. In case of proper authorization from the Agency, the notary is also authorized to register the origin/change of the mortgage.

As for the business registry, the authorized notary can submit the application on the business registry to the National Agency of Public Registry for registration, if such notary went through the specialized training for performing this activity. Accordingly, the notary is involved in the process indirectly.

According to the Order of 31 January 2012 of the Minister of Justice of Georgia on Approval of Civil Status Registration Rules, within the capacity of delegated authority from the state registry (Public Service Development Agency), a notary may register marriage and divorce in the manner prescribed by the law of Georgia on Civil Acts. So far, such authority has not been delegated to notary by Law.

=

#### 194-7. What ICT tools are used by notaries in their relations with clients?

- Videoconferencing (e.g. digital advice)
- Digital act
- Digital identification
- Digital archiving
- Other, please specify .....
- None

Comments

#### 194-8. Who is responsible to run the digital archives?

- Notariat / Professional body
- Other public authority
- Another entity (please specify) .....

Comments In accordance with the Order of the Minister of Justice of Georgia dated March 31, 2010 on the approval of the instruction "on the procedure for performing notarial actions", the Notary Chamber of Georgia is responsible to run digital archives. In 2016 the Notary Chamber of Georgia started digitalizing archives in digital register and the process is ongoing. Under the mentioned Order, other public authority such as National Archives of Georgia is responsible to support the Notary Chamber in terms of searching and sending notarial deeds to the Chamber.

#### 195. Is there an authority entrusted with supervising and monitoring the notaries' work?

( X ) Yes

( ) No

Comments

**196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?**

[ X ] professional body

[ ] court

[ X ] Ministry of Justice

[ ] public prosecutor

[ ] other (please specify): .....

Comments

**196-1. Is there a system of general continuous training for all notaries?**

( X ) Yes

( ) No

Comments According to the Georgian legislation, notaries have a system of general continuous training. For all notaries an annual 16 hours mandatory training. The selection of training topics is based on legislative changes and assessment of the needs of notaries. In addition to mandatory trainings, notaries are also offered trainings on various issues, which they attend voluntarily.

**196-2. Do notaries have training on:**

	Yes	No
European law	( X )	( )
Law of another Member State (cross-border training programmes)	( )	( X )

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities: European succession law.

Due to pandemic period caused by Covid-19, in 2022 the trainings on the law of another member state (cross border training programs) were not conducted. From 2023 the training cycle on this topic has been renewed.

**II. Please indicate the sources for answering the questions in this part**

Sources: Notary Chamber of Georgia

**10.Judicial experts**

**10.1.Profession of judicial expert**

**10.1.1Status of judicial experts**



**202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):**

- Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court
- Experts appointed by the court or other authority independent of the parties
- Other system of judicial expertise, please specify .....

Comments - Please specify who is proposing and appointing experts in an individual case. 1. If a judge has no specialized knowledge of a matter related to the case at hand, the court may, on its own initiative, order an expert examination at any stage of the hearing, only if clarification of this matter is essential to deciding the case, and if it is impossible to make a decision without it. In that case, the court shall deliver a reasoned judgement.

2. The parties may arrange expert examination independently from the court. In that case, an expert’s report shall be submitted to the court upon filing a claim or during the preparatory stage of the proceedings. When filing a claim (response), the party may request to be allowed a certain period of time for submitting an expert report.

**202-1. Are there lists or any other form of official registration for judicial experts?**

- Yes
- No

Comments There is no form of official registration of judicial experts. However there exists a specialized forensic institution - LEPL Levan Samkharauli National Forensic Bureau which was established on November 4, 2004. The Bureau is a government forensic agency, a Legal Entity under the Public Law and its operation is regulated by a government decree and other respective normative acts. The Bureau provides its services to the state and budgetary agencies; to private, commercial and non-commercial institutions, as well as to physical and legal entities/persons. The Bureau employs more than 400 qualified professionals, who are consistently trained and updated in various world leading forensic organizations/institutions. see <http://expertiza.gov.ge/>

**202-1-1. If yes, at which level is the list established (multiple replies possible):**

- national
- administrative district or federal entity
- judicial district
- other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?):

**202-1-2. Are these lists publicly available?**

- Yes, available on the internet
- Yes
- No

Comments

**202-2. Which authority is competent for the registration of judicial experts?**

- Ministry of justice
- Courts
- Administrative body
- Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria: No Competent Institution

**202-3. Is the registration of judicial experts limited in time?**

Yes, for how long .....

No

Comments NAP

**202-4. Can an expert who is not on the list or not registered be appointed in a case?**

Yes

No

Comment - If yes, please specify in which cases:

**203. Is the title of judicial experts protected?**

Yes

No

Comments - If appropriate, please explain the meaning of this protection: According to article 335 of Criminal Code of Georgia, the coercion of a person by deception, blackmail or other unlawful act by an official or by a person equal thereto to provide an explanation or evidence, or coercion of an expert to provide an opinion, shall be punished by imprisonment for a term of two to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to five years.

According to Article 365 of the Criminal Code, any threat to kill or to damage the health or destroy the property committed against a prosecutor, investigator, lawyer, expert, enforcement officer, other participant of the legal proceedings or their close relatives, in connection with the investigation, conduct of defense, court hearing of a case or material and/or with the enforcement of a judgement or other court decisions, shall be punished by a fine or imprisonment for up to two years.

Article 372 of the same code regulates the exertion of influence on an interviewee, a witness, a victim, an expert or an interpreter.

**203-1. Does the judicial expert have an obligation of training?**

	Obligation of training
<b>Initial training</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Continuous training</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

**203-2. If yes, does this training concern:**

judicial proceedings

the profession of expert

other

Comments NAP

**204. Is the function of judicial experts regulated by legal norms?**



Yes

No

Comments

**204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?**

Yes

No

Comments - If yes, please specify: This obligation is regulated by Articles 35 and 31 of the Civil Procedure Code and Article 52.2.c of the Criminal Procedure Code.

**205. Number of accredited or registered judicial experts:**

	Total	Males	Females
Number of experts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

**206-1. Number of cases where an expert opinion was ordered by a judge or requested by the parties**

	Number of cases
Total (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1.Civil and commercial litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3.Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4.Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**205-1. Who defines the amount of the expert remuneration?**

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

<b>Defined by the court/judge</b>	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>Defined by the Ministry of Justice or another ministry (setting a tariff for example)</b>	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP
<b>Salary of public official (in case of forensic or another specialist – who is public employee)</b>	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>Freely agreed between expert and the parties</b>	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>Other</b>	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP

Comments - If other, please specify:

**206. Are there binding provisions for judicial experts regarding:**

	Yes	No
<b>Deadlines to provide expertise</b>	( X )	( )
<b>Quality of expertise</b>	( X )	( )
<b>Other</b>	( X )	( )

[ ] NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions: The rights and obligations of experts are regulated by procedural law. In case of incorrect report an expert may be subject to prosecution.

According to Art. 51 (2) of the Criminal Procedure Code of Georgia, “an expert shall be impartial regardless of the party that has summoned him/her”. Furthermore, Art. 52 (2) of the Criminal Procedure Code defines the obligation of the expert to:

- a) include in the expert opinion the circumstance established during the expert examination about which the person who initiated the expertise, and/or other authorized participants of the proceedings have not asked questions; b) safeguard the object of expert examination and return it after the expert examination to the person who initiated the expertise, unless this object has been fully used up during the examination;
- c) file for self-disqualification if there are relevant grounds provided for by law.

**207-1. Does the judge or another body control the progress of the expertise?**

( ) Yes

( X ) No

If yes, please specify:

**207-2. Are judicial experts’ associations involved in:**

[ ] Selection processes

[ ] Initial or continuous training

[ ] Disciplinary procedures

[ X ] NAP

## **K1. Please indicate the sources for answering the questions in this part**

Sources: Procedural (Civil, Administrative and Criminal) Legislation of Georgia Ministry of Justice of Georgia  
<http://expertiza.gov.ge/>

### **11.Reforms in judiciary**

#### **11.1.Foreseen reforms**

##### **11.1.1Reforms**

**208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:**

##### **208-1. (Comprehensive) reform plans**

- Yes (planned)  
 Yes (adopted)  
 Yes (implemented during year of reference +1)  
 No  
 NA

Comments - If yes, please specify: For complete fulfillment of EU's 12-Point Recommendations

##### **208-2. Budget**

- Yes (planned)  
 Yes (adopted)  
 Yes (implemented during year of reference +1)  
 No  
 NA

Comments - If yes, please specify:

**208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)**

- Yes (planned)  
 Yes (adopted)  
 Yes (implemented during year of reference +1)



No

NA

Comments - If yes, please specify: PSG- In order to improve the work environment and introduce the concept of green office, important infrastructure projects were implemented in the Office of the Prosecutor General of Georgia (OPG). In 2022, as a result of the renovation and reconstruction of several floors in the OPG, renewed, technically equipped, and modern working spaces were created. Moreover, to promote a healthy lifestyle among the employees, a gym and sports hall were renovated. To implement the concept of Green Office and optimize the consumption of natural resources, solar energy panels were installed on the building of the OPG. In future, the PSG plans to equip other administrative buildings with similar solar energy panels, which will significantly reduce electricity consumption. The infrastructure projects will continue in the future.

Judiciary - High Council of Justice of Georgia is working on IT Strategy. Important infrastructure projects were implemented and will be implemented in the Courts.

#### **208-4. Access to justice and legal aid**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: New Regulations regarding the publication of Court decisions (According Constitutional Court decision) was adopted. It will entry in to force from 1st January, 2024.

#### **208-5. High Judicial Council (competent for judges and/or prosecutors)**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: According to the new procedure, the selection/appointment of first instance/appellate court judges will be conducted in the same way as it is for Supreme Court judges - by an open vote, the identity of HCJ members will be disclosed and all the scores and evaluations made, be substantiated by each member which will finally ensure the highest quality reasoning for all appointments. It's planned to have additional legal changes regarding the High Council of Justice (HCoJ).

#### **208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Judiciary- Please see our comment on Question 208-5.

Prosecution Service Reforms: Improving the rules for recruitment and promotion of prosecutors On 26 August 2020, the Prosecutor General of Georgia adopted the Rule on Recruitment, Vetting, Competition, Internal Competition, Promotion, Demotion and Rotation of Employees at the Prosecution Service of Georgia and the Rule on Internship at the Prosecution Service of Georgia, which entered into force next day. These rules regulated the recruitment and promotion of prosecutors in more detail and provided additional guarantees for

the transparency of the process and reasoning of decisions. In view of the carried out reforms, in March 2021, GRECO concluded that Georgia had implemented its recommendation xi satisfactorily. The recommendation stipulated, “(i) regulating, in more detail, the recruitment and promotion of prosecutors so as to ensure that decisions are based on precise and objective criteria, notably merit; (ii) providing for transparent procedures – including by making the above-mentioned criteria public – and ensuring that any decisions in those procedures are reasoned.”

Updating the Code of Ethics for prosecutors, issuing written explanations and providing trainings On 26 August 2020, the Prosecutor General adopted the Ethics Code for the Employees of the Prosecution Service (Order #038), entering into force on 27 August 2020. It replaced the previously existing 2017 Ethics Code. The aim of adopting the new Code was streamlining it with the provisions of the PSG Organic Law, including removing certain provisions on disciplinary violations, which duplicated or contradicted the Organic Law provisions. On 22 September 2020, the Office of the Prosecutor General of Georgia issued the Commentary to the Ethics Code and the Disciplinary Proceedings for the Employees of the Prosecution Service of Georgia, which was circulated among all PSG staff electronically on the same day. In view of the carried out reforms, in March 2021, GRECO concluded that Georgia had implemented its recommendation xiii satisfactorily. The recommendation stipulated that the “Code of Ethics for Employees of the Prosecution Service of Georgia” continues to be updated, is communicated to all prosecutors and made easily accessible to the public; (ii) that it be complemented by practical measures for the implementation of the rules, such as further written guidance and explanations, further training and confidential counselling”.

Defining disciplinary offences more precisely and ensuring proportionality of sanctions

For defining disciplinary offences more precisely and ensuring proportionality of sanctions, in 2021, the special working group at the Prosecution Service of Georgia (PSG) composed of the representatives of the PSG General Inspectorate, the International Relations and Legal Department and the Career Management, Ethics and Incentives Council, started the review of the 7 years PSG disciplinary practice. Based on the carried out review and analysis, the working group elaborated the clarification of the grounds for disciplinary liability and categories of disciplinary misconducts of the employees of the Prosecution Service of Georgia. On 13 May 2022, it was submitted to the members of the Career Management, Ethics and Incentives Council . After collecting the feedback and amending the draft accordingly, on 16 May 2022, the Prosecutor General of Georgia adopted Rule #014 on the Grounds for Disciplinary Liability and Categories of Disciplinary Misconducts of the Employees of the Prosecution Service of Georgia. On the same day, it was published on the website of the Legislative Herald of Georgia. On 17 May 2022, the Rule entered into force.

In view of the PSG 7 year’s practice of handling the disciplinary cases, the Rule on the Grounds for Disciplinary Liability and Categories of Disciplinary Misconducts of the Employees of the Prosecution Service of Georgia provides for the detailed specification of individual disciplinary violations and applicable sanctions. It further defines that the conduct which formally contains the elements of disciplinary violation shall not be considered as disciplinary misconduct, if it did not cause damage or create the risk of this damage. In view of the carried out reforms, in June 2022, GRECO concluded that Georgia had implemented its recommendation xv satisfactorily. The recommendation stipulated, “reviewing the disciplinary regime applicable to prosecutors, including by defining disciplinary offences more precisely and ensuring proportionality of sanctions”.

## 208-7. Gender equality

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1. Amendments to the Organic Law on Normative Acts, introducing gender impact assessments related to draft laws, in 2022;

2.The State Concept on Gender Equality, in 2022;

3. The fourth National Action Plan (NAP) on Women, Peace and Security 2022-2024, in 2022; On October 25, 2022, the Government adopted two separate action plans for 2022-2024: “National Action Plan on the Implementation of the UN Resolutions 1325 on Women, Peace and Security” and the “National Action Plan for the Elimination of Violence against Women and Domestic Violence.” In order to ensure efficient implementation of the afore-mentioned plans, clear cut indicators, baselines and targets and activity-based targeted budget are being determined at the outcome and output levels.

4.The Gender Equality Strategy and Action Plan developed by the Civil Service Bureau aimed at establishing a gender-responsive public service, in 2022;

5. The Gender Equality Strategy 2022-2025 for the Ministry of Foreign Affairs, in 2021;
6. National Strategy of Human Rights for 2022-2030; Parliament of Georgia; 2023. The Government of Georgia adopted a new Human Rights Strategy 2022-2030 on 5 September 2022, and the Parliament approved it on 23 March 2023. The new strategy addresses fundamental human rights and freedoms and puts special emphasis on the protection of the rights of vulnerable groups.
7. Adoption of Women Economic Empowerment Strategy.
8. Extension of gender quotas until 2032 parliamentary election.

## **208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: Minor legal changes has been adopted and can be implemented, but not the new Reforms.

## **208-9. Enforcement of court decisions and in particular regarding decisions against public authorities**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

## **208-10. Mediation and other Alternative Dispute Resolution**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: Minor legal changes has been adopted in law of Mediation, but not the new Reforms.

## **208-11. Fight against crime**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: Minor legal changes has been adopted in law, but not the new Reforms.

## **208-12. Prison system**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

### **208-13. Child friendly justice**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

### **208-14. Domestic violence**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: 1. Government Decree No. 523 of 9 November 2022, establishing the rule that victims of gender-based violence against women, including domestic violence, can obtain State-funded compensation from the State Care Agency, as determined by a court decision;

2. Legislative amendments removing the requirement of an official status as victim of gender-based violence against women for accessing State-funded support services, in 2022, which will enter into force on 1 July 2023;

3. The National Action Plan on Ending Violence against Women, in 2022;

4. National Strategy of Human Rights for 2022-2030; Parliament of Georgia; 2023.

### **208-15. New information and communication technologies**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: It's planned to improve the legal framework regarding the New Information and Communication Technologies in different fields and aspects.

### **208-16. Other**

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: