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GYLA calls on the Constitutional Court to consider Londa Toloraia's claim on time

As it is known to the public, Londa Toloraia, with the assistance of GYLA, applied to the Constitutional Court regarding the unconstitutional declaration of the abolishment of the State Inspector position. The Constitutional Court registered this lawsuit on January 28, 2022. The challenged norms provide for the abolition of the position of State Inspector and the creation of two new services in its place - the Personal Data Protection and the Special Investigation Service.

By the orders, №12 and №13 of the Prime Minister of Georgia of January 21, 2022, the competition commissions for the selection of the head of the Special Investigation Service and the head of the Personal Data Protection Service have already been established. The process of submitting applications/ attached documents for selecting the Head of the Investigation Service and the Head of the Personal Data Protection Service started on January 25, 2022, and ended on February 1. These commissions must select at least two and no more than five candidates for each position to be presented to the Prime Minister of Georgia. Two candidates will be nominated to the Parliament of Georgia for election as the Head of the Special Investigation Service and the Head of the Personal Data Protection Service. [\[1\]](#) A meeting of the commission is scheduled for February 4, 2022, which must identify the candidates who, if elected, will take office from March 1, 2022.

Londa Toloraia's term of office expires on March 1, 2022. The Head of the Personal Data Protection Service and the Head of the Special Investigation Service will be elected at this time. Therefore, we call on the Constitutional Court to consider the constitutional claim and its motion to suspend the disputed norms by March 1, 2022. Even if the lawsuit is upheld by the Constitutional Court after March 1, 2022, Londa Toloraia will not be reinstated in the abolished position of State Inspector, and the

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authority of the Head of the Special Investigation Service and the Head of the Personal Data Protection Service will not be terminated. Accordingly, to prevent the restoration of Londa Toloraia's rights from being impossible, the Constitutional Court must prioritize the claim and decide by March 1, 2022, to suspend the norm.

[1] This information is posted on the official website of the Government of Georgia.
See at: https://www.gov.ge/index.php?lang_id=GEO&sec_id=288&info_id=81216