GYLA Appeals Retirement Age for Academic Position in Constitutional Court

Today, GYLA applied to the Constitutional Court on behalf of Giorgi Gogoshidze and Indiko Abashidze. The impugned norms set the retirement age for academic staff who reached the age of 65 in state-based higher education institutions. According to the GYLA □□ position, the disputed norms are the prevailing norms over the Judgment of the Constitutional Court N2/2/863, which is why they should be declared unconstitutional regarding the right to equality before the law without substantive consideration.

In its Judgment N/2/2/863 of 22 February 2018, the Constitutional Court declared

unconstitutional the norms that prohibited the election of persons who have reached the age of 70 to administrative positions of the National Academy of Sciences, namely to the positions of President and Vice-President of the Academy. In that Judgment, the Court found that for positions that require mental activity and are not related to the performance of physical duties, advancing age does not deprive the individual of the opportunity to perform the duties assigned to them.

According to GYLA's position, similar to Judgment N863, the impugned norms set a discriminatory retirement age for persons who reached 65 years of age. Activities in an academic position are related to mental work and do not require heavy physical exertion. Thus, a ban on holding an academic position for persons who have reached the age of 65 is an irrational rule and should be declared unconstitutional.

GYLA litigates this case within the framework of the project "Protection and Promotion of the Rights of the Elderly," funded by the Open Society Foundation.