

საია სამხედრო ვალდებულებისა და
სამხედრო სამსახურის შესახებ კანონს
საკონსტიტუციო სასამართლოში
ასაჩივრებს

GYLA IS APPEALING THE LAW ON MILITARY DUTY AND MILITARY SERVICE IN THE CONSTITUTIONAL COURT

The Georgian Young Lawyers' Association has applied to the Constitutional Court on behalf of Ekaterine Cherkezishvili and requested to declare the statutory age for military duty and military service unconstitutional.

Article 35 (1) (b) of the said law determines the age limit for junior officers in contracted (professional) military service, which shall be 45. Reaching the age may become one of the grounds for the dismissal of an officer from the military service without any examination or certification.

Aviation Captain Ekaterine Cherkezishvili was discharged on 2 February 2019 pursuant to the Order of the Georgian Defense Minister. The attainment of the statutory age is mentioned as the basis for the dismissal in the order.

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



GYLA considers that the age limit for military duty and military service set forth in the law for junior officers is discriminatory, as the age limit for other servicemen is 50 or more. The formulaic approach to the age limit for junior officers cannot be regarded as reasonable since reaching the age of 45 is not a circumstance that may deteriorate a person's health. GYLA believes that the impugned norm contradicts Article 11, paragraph 1 of the Constitution of Georgia, which guarantees the right to equality.

The Georgian Young Lawyers' Association is handling the case with the support of USAID / PROLoG.