

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



ეს კოდექსი ჩვენს უფლებებს არღვევს



GYLA addresses to the parliament to create a working group to review the Administrative Offenses Code of Georgia

On November 12, GYLA addressed the chairman of the parliament of Georgia with a request to create a working group to review the Administrative Offenses Code.

Georgia still uses the Code of Administrative Offenses that has remained from the Soviet period, the reform of which has been on the agenda for many years. GYLA makes an effort to limit the unconstitutional use of the Administrative Offenses Code through strategic proceeding. To this end, GYLA filed six lawsuits in the Constitutional Court. The decision is already reached on one of them. In particular, in the case that is under the proceeding of GYLA - "Georgian citizen Davit Malania vs. parliament of Georgia", the Constitutional Court recognized certain articles of the Code of Administrative offences as unconstitutional and recognition of these article as void was postponed until March 31, 2019 to give the parliament a possibility to settle the issue according to the requirements of the Constitution.

The Constitutional Court has differentiated serious offenses, on which the parliament has been ordered to distribute the relevant procedural guarantees. The progressive decision of the Constitutional Court confirmed once again the need for systematic reform of the Administrative Offences Code.

Given the significance of the issue, GYLA believes that Parliament of Georgia should create the working group to prepare legislative amendments in accordance with the decision of the Constitutional Court. It is important that the mandate of the working group is not limited to the decision of the Constitutional Court and the work should be accomplished for the substantive change of the Administrative Offences Code. GYLA hopes that the working group will be created in the nearest future and expresses readiness to engage actively in his work.