

საია ჩხრეკა/ამოღების გასაჩივრების წესს
საკონსტიტუციო სასამართლოში ასაჩივრებს

GYLA appeals the Rules on Search/Seizure Appellate Procedure to the Constitutional Court

Today, the Georgian Young Lawyers' Association applied to the Constitutional Court on behalf of Giorgi Putkaradze. According to the appealed norm, the Ruling of the court of first instance on the investigative action carried out on the basis of urgent necessity is appealed to the Investigative Panel of the Court of Appeals from the execution of the Ruling and not from the moment of handover.

According to the appealed norm, in case of failure to handover the Ruling (non-delivery to the party), the person does not have the opportunity to get acquainted with the court's reasoning before the expiration of the appeal period, whether there was a reasonable belief for conducting search or seizure on the basis of urgent necessity and then file a reasoned appeal. Consequently, the possibility of fully and effectively defending the right by filing an appeal in a court of higher instance is

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limited.

According to GYLA, such restriction of the right to a fair trial contradicts the first paragraph of Article 31 of the Constitution of Georgia.

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