

2024 REPORT OF THE PRESIDENT

Country Report of Georgia

European Presidents Conference

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This report provides an overview of the key aspects of the functioning of the Georgian Bar to date.



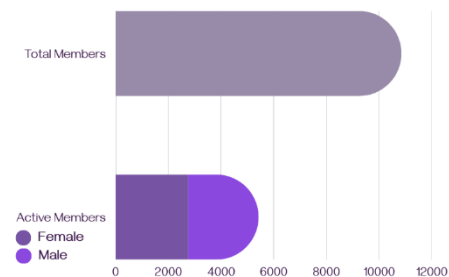
The Georgian Bar Association (GBA) plays a central role in organizing and overseeing the legal profession in Georgia. As of now, it unites a total of 10,851 licensed advocates, professionals who have fulfilled the necessary legal education, training, and licensing requirements to practice law in the country. These advocates are legally eligible to represent clients in court, provide legal advice, and participate in various legal proceedings. However, out of the total number of licensed advocates, 5,430 are currently active members of the GBA.

The legal profession in Georgia boasts a history of over a century, while the Georgian Bar Association itself has been in existence for nearly two decades. Over these years, the Georgian Bar has successfully sustained and significantly expanded its activities, ensuring the effective functioning of the crucial institution guarding the rule of law. Georgian Bar Association represents a proactive and efficient self-regulatory body, safeguarding the professional and ethical standards of the legal community in Georgia. Establishing a self-governing entity, uniting legal professionals across the entire nation and gaining international support from esteemed organizations such as the CCBE represent notable achievements. This not only fosters solidarity and collaboration within the legal community but also strengthens the profession as a whole by promoting a unified voice and approach to legal issues.

The Status of Georgian Bar Association

According to Art. 1 of the Law of Georgia on Lawyers, a lawyer is a professional who answers only to the law and professional ethical norms, and **who is a member of the Georgian Bar Association**.¹ Membership in the Georgian Bar Association is mandatory for practicing law in Georgia. The same law defines the status of the association according to which (Art. 20), the Georgian Bar Association (GBA) is a legal entity under public law (LEPL). The association is a membership-based self-governing body that unifies all lawyers and through them acts as a voice of the legal profession in Georgia. It is tasked with the regulation and supervision of the legal field in Georgia, establishing criteria for bar admissions and ensuring adherence to professional conduct and ethical standards. As of February 2025, there are a total of 10 851 licensed advocates in Georgia, of whom 5430 are currently active members. Among the active members, 2759 are female and 2671 are male.

Membership Statistics



According to the Constitution², the unrestricted exercise of the rights of a lawyer, as well as the right of lawyers to self-organization, shall be guaranteed by law. Unimpeded implementation of the rights of advocate and the right to self-organization of advocates shall be guaranteed by law. Additionally, the Criminal code of Georgia establishes

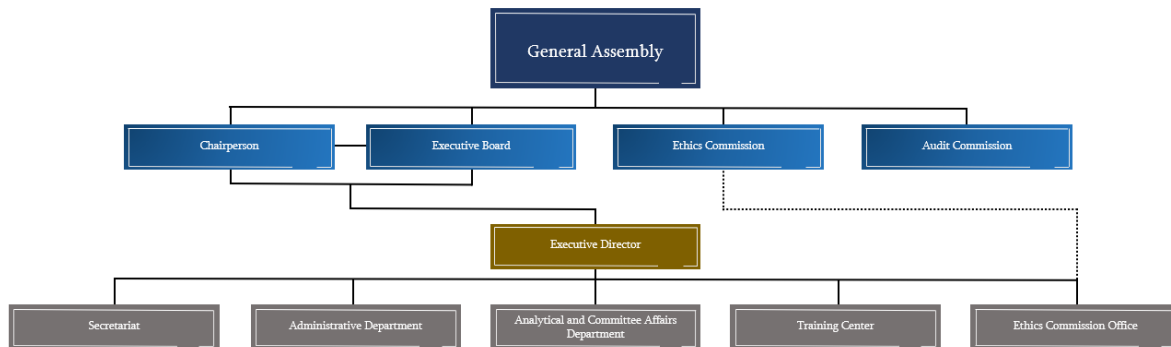
¹ Law of Georgia on Lawyers, LHG, 22, 06/07/2001.
<https://matsne.gov.ge/en/document/view/15472?publication=16>

² Article 21.3.

penalties for illegal interference with lawyers’ activities aimed at impeding their defense efforts, with a potential punishment of up to two years of imprisonment.

GBA’s Organizational Structure

The governing body of the Association is the Executive Board of the Association. The Executive Board is composed of 12 members, of whom 11 are elected by the General Assembly of the Bar Association for a term of four years, by secret ballot, from among the members of the Bar Association. The Chairman of the Association is an *ex officio* member of the Executive Board.



The staff ensures the efficient functioning of the association on a daily basis as well as the implementation of the decisions of the governing bodies. The staff of the Georgian Bar Association is structured into five primary divisions: the Secretariat, Administrative Department, Analytical and Committee Affairs Department, Training Center, and Ethics Commission. The Executive Director is responsible for supervising the association’s staff.

Judgment of the Constitutional Court of Georgia

A group of lawyers initiated legal action by bringing a case before the Constitutional Court of Georgia, seeking a declaration of the unconstitutionality of the principle of a single association. They argued that monopolistic activities should generally be prohibited, unless specifically permitted by law, and emphasized that freedom of association includes the right to form professional unions according to individual interests, without mandatory membership in a single association.

The Constitutional Court was faced with heightened scrutiny and ultimately affirmed that the presence of a single association aligns entirely with the Constitution. The Constitutional Court recognized that lawyers’ activity is not entrepreneurial activity and the GBA cannot be considered as a monopoly since it does not carry out either entrepreneurial or economic activity. The Constitutional court stressed that the unique form of the GBA is presupposed by its purposes, i.e. the fulfillment of legitimate public functions and, therefore, mandatory membership to the GBA is justified constitutionally, as it fulfills crucial public roles. The Court also considered European practice, underlining that legal profession is not entrepreneurial and lawyers play independent roles in the realm of justice rather than simply selling legal advice.

This judgment holds significant implications for the legal profession within the country, since it reinforced the importance of a unified and regulated legal profession in safeguarding the rule of law and promoting access to justice within the country.

The Engagement of GBA in Justice Reforms

Georgian Bar Association is actively engaged in judicial reforms. To this end, a Justice and Judicial Reforms Committee was established, with the aim of engaging lawyers in promoting independent and high-quality justice. To accomplish these goals, the Committee develops draft laws, proposals, reports, and recommendations on the rule of law and justice reforms. For instance, the committee participates in the process of judicial selection and evaluation. Recently, the Committee developed guidelines for assessing candidates for judicial positions in first and second instance courts in Georgia, outlining criteria and methodologies for fair selection. Additionally, the committee conducted research and compiled a report with recommendations concerning case management in Georgian courts, addressing one of the prominent challenges in Georgian justice.

David Asatiani has been elected as the President of the European Association of Lawyers (AEA-EAL)

David Asatiani, Chairman of the Georgian Bar Association, has been elected as the President of the European Association of Lawyers (AEA-EAL) in an election held on June 13. This achievement sets a significant milestone, as it is the first time in the history of European professional lawyer associations that a president has been chosen from a non-EU country. His presidency will foster closer cooperation between the AEA-EAL and non-EU legal organizations, further expanding the scope and inclusivity of the association's work across borders.

This precedent will bring new perspectives to the organization's leadership, encouraging greater collaboration on issues such as the rule of law, professional development of lawyers and human rights beyond the EU's borders. The president's role also provides opportunities to strengthen ties between European and Georgian legal frameworks, enhancing mutual understanding and cooperation in various areas of law.



Adoption of the Law on Transparency of Foreign Influence

The law on transparency of foreign influence was adopted on May 14, 2024 in Georgia. The law requires non-entrepreneurial legal entities (NNLEs) and media organizations, whose revenue from foreign powers exceeds 20% of the total annual revenue, to register and submit information to be included in a special registry of “implementing organizations of foreign power interests” (IOFPs) to be maintained by the Ministry of Justice (the MoJ). Specific implementation details such as registration of an organization as an IOFP, maintaining the Registry of IOFP, etc. were further clarified in regulation issued by the Ministry of Justice. The law sparked significant controversy and opposition, both domestically and internationally. Critics argue that it poses a threat to freedom of speech, civil society, and democracy in Georgia. Opponents also fear it stifles the work of NGOs and media organizations, which play a vital role in promoting democratic values, human rights, and transparency.

Georgian Bar Association issued [statement](#) regarding the initiation of the above-mentioned law and stressed that it is essential for Georgia to develop democratic institutions, strengthen the rule of law, safeguard human rights, and ensure quality justice, in which civil society organizations make a valuable contribution. The Georgian Bar Association reiterated that numerous lawyers who are members of the Georgian Bar Association are actively involved in civil society organizations, engaging in strategic legal actions and providing legal aid to vulnerable groups. Accordingly, the adoption of a term like “agents of foreign influence” may contribute to the marginalization of human rights lawyers, thereby violating the principles of lawyer equality and non-discrimination. Considering the above, the

Georgian Bar Association called upon the Parliament of Georgia to actively cooperate with international partners and align its actions with the prerequisites of the European Union integration agenda when assessing the potential adoption of the draft law.

Lastly, it should be stressed, the Georgian Bar Association maintains firm position that, under no circumstances, should there be any deviation from the fundamental principles governing legal practice, regardless of the provisions of other laws. The integrity, independence, professional secrecy and ethical standards of the legal profession must remain intact, and any attempt to circumvent or undermine these core principles, whether through legislative or regulatory means, is deemed unacceptable.

The Introduction of Specialized Practice Areas within the Georgian Bar Association

In 2024, the Georgian Bar Association, in partnership with the Ludwig Maximilian University of Munich and the German-Georgian Law Institute, implemented a system of narrow specialization of lawyers. The voluntary system of narrow specialization was developed after a study of the German and Swiss models and aims to provide lawyers with in-depth qualifications in various narrow areas of law.



The Establishment of Pro Bono Center



The Georgian Bar Association is committed to fostering a culture of *pro bono* legal services within the legal profession, encouraging individual lawyers and law firms to incorporate pro bono work into their practice. To support this initiative, in October, 2024 a Pro Bono Center was established within the Bar Association's premises. By integrating pro bono activities, the Bar aims to enhance access to justice for vulnerable groups and strengthen social responsibility within the profession. The establishment of the Pro Bono Center is expected to play a crucial role in safeguarding the rights of underprivileged communities, promoting a culture of pro bono within the bar, and improving the justice system's efficiency.

Official visit to the United States of America

A high-profile visit took place in June, 2024. The visit aimed to strengthen ties between the Georgian legal community and their counterparts in the United States, fostering mutual learning and collaboration on legal and judicial practices. Throughout the visit, participants had the opportunity to gain an in-depth understanding of judicial practices at both federal and state levels in the U.S., focusing on the critical role that bar associations play in the process of selecting judicial candidates.

