

**Ordinance No. 314 of the Government of Georgia  
13 October, 2010**

**Tbilisi**

**On Establishing State Commission on Migration Issues and Approving its Statute**

**Article 1.** “In accordance with Paragraph 1 of Article 29 of the Law of Georgia on Structure, Authorities and Order of Proceedings of Government of Georgia, a State Commission on Migration Issues (hereinafter – the “SCMI”) shall be set up with the following composition:

1. Minister of Justice of Georgia – Chairperson of the SCMI;
2. Deputy Minister of Internal Affairs of Georgia – Co-Chairperson of the SCMI;
3. Deputy Minister of Foreign Affairs of Georgia;
4. Deputy Minister of Finance of Georgia;
5. Deputy Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia;
6. Deputy Minister of Education, Science, Culture and Sports of Georgia;
7. Deputy Minister of Economy and Sustainable Development of Georgia;
8. Deputy Executive Director of Legal Entity of Public Law - National Statistics Office of Georgia;
9. Deputy Head of State Security Service of Georgia.

*Ordinance No. 94 of the Government of Georgia dated 23 February, 2011 – website, 28.02.2011*

*Ordinance No. 51 of the Government of Georgia dated 14 February, 2012 – website, 17.02.2012*

*Ordinance No. 470 of the Government of Georgia dated 17 December, 2012 – website, 20.12.2012*

*Ordinance No. 95 of the Government of Georgia dated 25 April, 2013 – website, 29.04.2013*

*Ordinance No. 483 of the Government of Georgia dated 15 September 2015 – website, 16.09.2015*

*Ordinance No. 89 of the Government of Georgia dated 15 February 2017 – website, 08.02.2017*

*Ordinance No.407 of the Government of Georgia dated 10 August 2018 – website, 10.08.2018.*

**Article 1<sup>1</sup>.** The following parties shall be requested to take part in the work of the SCMI:

- a) Representative of the International Organization for Migration (IOM);
- b) Representative of the Delegation of the European Union to Georgia (EU Delegation);
- c) Representative of the UN High Commissioner for Refugees (UNHCR);
- d) Representative of the International Centre for Migration Policy Development (ICMPD);
- e) Representative of the German International Cooperation Society (GIZ);
- f) Innovations and Reforms Centre;
- g) Migration Centre;
- h) Georgian Young Lawyer’s Association;
- i) Civil Development Agency.

*Ordinance No. 470 of the Government of Georgia dated 17 December, 2012 – website, 20.12.2012*

*Ordinance No. 396 of the Government of Georgia dated 17 June, 2014 – website, 18.06.2014*

*Ordinance No.407 of the Government of Georgia dated 10 August 2018 – website, 10.08.2018.*

**Article 1<sup>2</sup>.** Organizations specified in Article 1<sup>1</sup> of this Ordinance enjoy the consultative status. The requirements specified in Paragraph 2 of Article 4<sup>1</sup> of this Ordinance do not extend to these organizations.

*Ordinance No.144 of the Government of Georgia dated 23 March 2017 – website, 27.03.2018*

**Article 2.** The attached Statute of the State Commission on Migration Issues shall be approved.

**Article 3.** The Ordinance shall come into effect upon its publishing.

**Prime-Minister**

**N. Gilauri**

**State Commission on Migration Issues of Georgia**  
*Statute*

**Article 1. Aim of State Commission on Migration Issues**

The State Commission on Migration Issues (hereinafter – the "SCMI") has been set up in order to define a unified policy of the Government of Georgia in the sphere of migration and improve the management of migration processes in Georgia.

*Ordinance No. 369 of the Government of Georgia dated 23 September, 2011 – website, 27.09.2011*

**Article 2. Objectives of the SCMI**

The functions and objectives of the SCMI shall be as follows:

a) Develop proposals and recommendations in order to define a unified policy of the Government of Georgia in the sphere of internal and external migration and improve the state system for management of migration process in Georgia;

b) Develop proposals for reintegration of citizens of Georgia returned from emigration;

c) Develop proposals regarding measures to be taken in the sphere of migration based on the European Neighborhood Policy Action Plan.

*Ordinance No. 369 of the Government of Georgia dated 23 September, 2011 – website, 27.09.2011*

**Article 3. Authorities of the SCMI**

The SCMI shall be authorized to:

a) Develop draft resolutions and legal acts, and submit them to the Government of Georgia for consideration;

a<sup>1</sup>) Establish relations with state organizations of foreign countries and/or international organizations and take part, within the limits of its competence, in elaboration and reviewing international documents on migration issues within the country;

a<sup>2</sup>) Coordinate relations with donor organizations when initiating and implementing projects on migration issues by state bodies with support of international organizations;

a<sup>3</sup>) Conclude agreements on cooperation in the sphere of migration with respective bodies of foreign countries that are not international agreements;

a<sup>4</sup>) Assist agencies of foreign countries and international organizations in communicating with state bodies of Georgia on migration issues;

a<sup>5</sup>) Review draft legal acts that can have an impact on various issues from the sphere of migration management;

a<sup>6</sup>) Grant or suspend the consultative status to the organizations working in the field of migration according to the rule established by Article 4<sup>1</sup> of this Statute;

b) Request and receive from the Georgian ministries, other public institutions and organizations information being necessary for the effective functioning of the SCMI;

c) Set up thematic Working Groups with participation of relevant ministries, state agencies, organizations and independent experts;

d) Develop proposals on introducing changes to the composition of the SCMI.

*Ordinance No. 369 of the Government of Georgia dated 23 September, 2011 – website, 27.09.2011*

*Ordinance No. 144 of the Government of Georgia dated 23 March 2017 – website, 27.03.2017*

**Article 4. Governing SCMI and the order of proceedings**

1. A SCMI sitting is qualified if it is attended by more than a half of the SCMI members or their representatives.

1<sup>1</sup>. A representative of the SCMI member shall participate in the work of the SCMI with a status of a SCMI member only when making decisions on the issues preliminarily defined by the agenda of the sitting.

2. (Deleted -17.12.2012, No. 470).

2<sup>1</sup>. SCMI is headed by the Chairperson of the SCMI, which:

a) Leads the SCMI's activities;

b) Approves the SCMI's working schedule presented by the Secretary of the SCMI;

c) Convenes and leads the SCMI sittings;

- d) Represents the SCMI in relations with third parties;
  - e) Ensures implementation of other measures necessary for effective functioning of the SCMI.
3. In case of absence of the Chairperson of the SCMI, the SCMI sitting shall be led by the Co-Chairperson of the SCMI.
4. The SCMI sittings are organized, and control over fulfilling of assignments given by the SCMI Chairperson is ensured by the Secretary of the SCMI who at the same time is an employee of the SCMI Secretariat of the Public Services Development Agency – Legal Entity of Public Law acting under the Ministry of Justice of Georgia (hereinafter – the "Secretariat").
5. (Deleted - 23.09.2011, No. 369).
6. Each member of the SCMI has one voting right.
7. The SCMI shall make decisions by a simple majority of votes of the members present. In case of equal distribution of votes, the Chairperson's vote shall be the casting vote.
8. On the basis of the decision registered in the minutes of the sitting, the SCMI shall assign the Working Group to study specific issues and prepare relevant draft decisions to be reviewed at the SCMI sitting.
9. The minutes of the SCMI sitting and relevant assignments of the SCMI Chairperson shall be formalized and prepared for signing by the SCMI Secretary.
10. The SCMI shall, generally, meet twice a year on the initiative of the Chairperson or one third of the SCMI members. When necessary, an extraordinary sitting of the SCMI shall be convened on the basis of a request of the Chairperson or majority of the SCMI members.

*Ordinance No. 369 of the Government of Georgia dated 23 September, 2011 – website, 27.09.2011*

*Ordinance No. 470 of the Government of Georgia dated 17 December, 2012 – website, 20.12.2012*

#### **Article 4<sup>1</sup>. Consultative status**

1. Consultative status of the organization aims at enhancing and contributing to analytical and expert capacities of the SCMI.
2. The consultative status can be assigned to the organization, which has:
  - a) At least 5-year experience of working in the field of migration that is verified by short description of implemented activities;
  - b) Initiated and implemented, during the last 3 years, the projects in the field of migration; among them, at least 2 projects during the last 2 years stemming from strategic objectives of the country, that is verified by project description and achieved results.
3. An application requesting the consultative status and the documentation specified by Paragraph 2 of this Article shall be submitted to the Secretariat, which will prepare and present the relevant issue at the SCMI sitting for consideration.
4. In case when specific need arises, based on the decision/invitation of the SCMI, organizations having consultative status can attend the SCMI sittings and the Working Group meetings, participate in discussions and submit relevant proposals.
5. Organizations having consultative status participating in the sittings of the SCMI and the meetings of the Working Groups do not have the right to vote.
6. The consultative status may be suspended if the organization:
  - a) Has not attended the SCMI sitting and/or the Working Group meeting twice in a year, in spite of relevant invitation;
  - b) Has not implemented projects in the field of migration during the last one year;
  - c) The projects implemented by the organization since it has been assigned the consultative status do not correspond the strategic objectives of the country in the field of migration.
7. In case stipulated by Subparagraph 'a' of Paragraph 6 of this Article, the organization shall be terminated consultative status without discussing the issue; while in case stipulated by Subparagraphs 'b' and 'c' of Paragraph 6 of this Article, the issue of suspension of consultative status shall be discussed and decided upon by the SCMI.
8. The list of the organizations having consultative status shall be published at the website of the SCMI: [www.migration.commission.ge](http://www.migration.commission.ge)

*Ordinance No. 144 of Government of Georgia dated 23 March 2017, website 27.03.2017*

#### **Article 5. Organizational and technical support of the SCMI**

1. Organizational, technical and intellectual support of the SCMI shall be carried out by the Secretariat.
2. The Secretariat shall ensure:

- a) Exchange of information and coordination of action between the representatives of state bodies – members of the SCMI aimed at fulfilling the assignments given by the SCMI;
- b) Elaboration of information and analytical materials in the sphere of migration;
- c) Providing assistance to the SCMI in communicating with media and civil society organizations;
- d) Preparation of meetings, conferences and seminars initiated by the SCMI;
- e) Carrying other activities necessary for effective functioning of the SCMI.

*Ordinance No. 369 of Government of Georgia dated 23 September 2011, website 27.09.2011*

*Ordinance No. 470 of Government of Georgia dated 17 December 2012, website 20.12.2012*

#### **Article 6. Termination of the activities of the SCMI**

Decision on termination the SCMI activities shall be taken by the government of Georgia in accordance with established procedure.