

ON COMPATRIOTS RESIDING ABROAD AND DIASPORA ORGANISATIONS

Article 1- Purpose of the Law

The purpose of this Law is to define the principles of state policy of Georgia with regard to compatriots residing abroad and to establish the grounds for the activities of the state authorities of Georgia in order to implement such policy, and to define the legal status of compatriots residing abroad and diaspora organisations.

Article 2- The principles of state policy of Georgia with regard to compatriots residing abroad

1. In the course of the implementation of state policy with regard to compatriots residing abroad, the State of Georgia shall rely upon universally acknowledged principles and norms of international law, and the principles of non-interference in the internal affairs of other countries and the protection of human rights and freedoms.

2. The State of Georgia shall facilitate compatriots residing abroad to maintain their ties with Georgia, to keep their national identity and to return to Georgia.

Article 3 - Definitions of Terms

For the purposes of this Law the terms used herein have the following meanings:

a) applicant for the status of a compatriot residing abroad – a person who applies for the status of a compatriot residing abroad in compliance with the procedure provided for by this Law.

b) compatriot residing abroad – a citizen of Georgia who has been living in another state for a long time or a citizen of another state who is of Georgian origin and/or whose native language belongs to the group of the Georgian-Caucasian languages;

c) Georgian origin – the attribution of a person or his/her ancestor to any ethnic group residing in the territory of Georgia and the recognition of Georgia by such person as the country of his/her origin.

d) ancestor – five ascending lineal generations of a person;

e) close relatives – a spouse or a child of a compatriot residing abroad;

f) honorary representative of Georgia for diaspora issues– a person appointed by the head of the relevant state authority to ensure general coordination of the relationship between the diaspora of another state (the state of residence) and the State of Georgia, and who, in accordance with the procedure provided by this Law, has obtained the status of a compatriot residing abroad;

g) diaspora organisation – a community created in accordance with the legislation of the state of residence for the purposes of popularising Georgian culture, the official language of Georgia and Georgian traditions, for the purposes of establishing links between diaspora organisations, and for the purposes of cooperating with Georgia in cultural, scientific and technical, sports and other fields;

h) register of diaspora organisations in the relevant state authority ('the Register') – a database on diaspora organisations which is created in the relevant state authority for the purposes of the systematisation of diaspora organisations.

i) diaspora – a community of compatriots residing abroad.

Article 4 - Conditions for obtaining the status of a compatriot residing abroad

1. The status of an adult compatriot residing abroad shall be obtained by an adult in accordance with this Law, who meets the following requirements:

a) a person who is a citizen of Georgia and who has been living in another state for a long time;

b) a person who is a citizen of another country, who has a Georgian origin and/or whose native language belongs to the group of the Georgian-Caucasian languages.

2. The Georgian origin of an applicant for the status of a compatriot residing abroad or the attribution of his/her native language to the group of the Georgian-Caucasian languages shall be verified by an appropriate opinion issued by the relevant state authority. For the purposes of verifying the Georgian origin of a compatriot residing abroad or the attribution of his/her native language to the group of the Georgian-Caucasian languages, the relevant state authority shall be authorised to use a document or evidence submitted by an applicant for the status of a compatriot residing abroad, that verifies the Georgian origin of the person or the attribution of his/her native language to the group of the Georgian-Caucasian languages, and also to use the testimony of witnesses who are citizens of Georgia or a document submitted by social organisations that are interested in the matters related to compatriots residing abroad.

3. The status of a compatriot residing abroad shall be granted to a minor on the basis of an application submitted by one of the parents.



4. (Deleted - 20.9.2013, No 1252).

Law of Georgia No 6454 of 12 June 2012 - website, 25.6.2012

Law of Georgia No 1252 of 20 September 2013 - website, 8.10.2013

Article 5 - Documents required for granting the status of a compatriot residing abroad

1. Along with an application, an applicant for the status of a compatriot residing abroad shall submit:

a) two photographs;

b) a passport or other document confirming his/her citizenship and identity;

c) (deleted - 25.5.2012, No 6301);

d) (deleted - 12.6.2012, No 6454);

e) (deleted - 12.6.2012, No 6454);

f) a cover letter;

g) a document certifying the payment of fees for services rendered by the Legal Entity under Public Law within the Ministry of Justice of Georgia called the Public Service Development Agency ('the Agency');

2. The documents referred to in the first paragraph of this article may be appended to the birth certificate of an applicant for the status of a compatriot residing abroad or a document that substitutes for the birth certificate, a characterisation and recommendation made by a social organisation of which the applicant for the status of a compatriot residing abroad is a member, and a document or evidence verifying the Georgian origin of the applicant for the status of a compatriot residing abroad, and the attribution of his/her native language to the group of the Georgian-Caucasian languages.

3. An application form to be submitted for obtaining the status of a compatriot residing abroad shall be approved by the Minister of Justice of Georgia.

4. The documents for obtaining the status of a compatriot residing abroad shall be submitted along with their Georgian translation duly certified in compliance with the procedure provided for by the legislation of Georgia. The document provided for by paragraph 1(b) of this article may be submitted without complying with the requirement of this paragraph if such document contains personal data of a person with its Latin transliteration.

Law of Georgia No 6301 of 25 May 2012 - website, 12.6.2012

Law of Georgia No 6317 of 25 May 2012 - website, 19.6.2012

Law of Georgia No 6454 of 12 June 2012 - website, 25.6.2012

Article 6 - The procedures for granting the status of a compatriot residing abroad

1. For the purposes of obtaining the status of a compatriot residing abroad, an applicant for the status of a compatriot residing abroad shall submit an application to the Agency personally or through a representative. A person staying abroad shall submit an application to a diplomatic or consulate office of Georgia abroad, which shall forward the application to the Agency in the shortest time possible.

2. The application may be submitted in an electronic form by completing the application form available on the Agency's website.

3. The application form shall be completed in the Georgian and/or English language(s).

4. If the Agency determines that the documents submitted by an applicant for the status of a compatriot residing abroad are incomplete, he/she shall be given a reasonable period to correct such deficiency. In case of a failure to submit the documents within the period determined by the Agency, the Agency shall be authorised to refuse reviewing the application.

5. The Agency shall examine the submitted documents and check the compliance of the person with the requirements determined by Article 4 (1) of this Law. For this purpose, within 10 working days after receiving the application, the Agency shall send the case materials to the relevant state authority in order to receive an opinion regarding the Georgian origin of the applicant for the status of a compatriot residing abroad and/or the attribution of his/her native language to the group of the Georgian-Caucasian languages, and, within its scope of authority and for the purposes of the protection of state interests and/or public safety, the Agency shall send the same materials to the Ministry of Internal Affairs of Georgia and the State Security Service of Georgia in order to receive an appropriate opinion with regard to the eligibility of such person to receive the status of a compatriot residing abroad. .

6. For the purposes of preparing an opinion with regard to the Georgian origin of an applicant for the status of a compatriot residing abroad and/or the attribution of his/her native language to the group of the Georgian-Caucasian languages, a commission composed of appropriate experts, including linguists, shall be formed within the system of the relevant state authority. The powers and rules of operation of the commission shall be defined by an order of the head of the relevant state authority.

7. The relevant state authority, the Ministry of Internal Affairs of Georgia and the State Security Service of Georgia shall provide the Agency with their opinions within two months after receiving the case materials.

8. If the Ministry of Internal Affairs of Georgia and the State Security Service of Georgia fail to submit an opinion to the Agency within two months



after receiving the case materials as provided in paragraph 5 of this article, it shall be construed that there are no grounds to refuse to grant the status of a compatriot residing abroad to the person for the purposes of the protection of state interests and/or public safety.

8¹The failure of the relevant state authority to submit to the Agency an opinion within 60 days after receiving the case materials as provided in paragraph 5 of this article, shall serve as grounds to refuse to grant the status of a compatriot residing abroad to the person, and the Agency shall refuse to grant the status of a compatriot residing abroad to the person within 80 days after receiving the application.

9. If an applicant for the status of a compatriot residing abroad meets the requirements provided for by Article 4(1) and Article 5(1) of this Law and if there are no grounds for refusing to grant the status of a compatriot residing abroad to the person as provided for by Article 9 (1) of this Law, the Agency shall grant the status of a compatriot residing abroad to such person and, if required, shall issue a certificate of a compatriot residing abroad which confirms the status of a compatriot residing abroad.

10. Close relatives of an applicant for the status of a compatriot residing abroad shall also be eligible to obtain the status of a compatriot residing abroad. The obligation of confirming the Georgian origin and/or the attribution of their native language to the group of the Georgian-Caucasian languages shall not apply to close relatives of the applicant for the status of a compatriot residing abroad.

11. The Agency shall review an application for obtaining the status of a compatriot residing abroad and shall make a decision within 80 days after receiving the application.

12. Fees for the services rendered by the Agency for granting the status of a compatriot residing abroad and for issuing a certificate of a compatriot residing abroad shall be defined by the legislation of Georgia.

13. The Agency shall communicate with an applicant for the status of a compatriot residing abroad through the publication of an appropriate notification on the website of the Agency. When submitting the application to the Agency the person shall be entitled to indicate an electronic mail as an additional means of communication with the Agency. If the electronic mail is indicated the communication with the person shall be carried out through the website of the Agency and the electronic mail.

Law of Georgia No 6301 of 25 May 2012 – website, 12.6.2012

Law of Georgia No 6454 of 12 June 2012 - website, 25.6.2012

Law of Georgia No 3963 of 8 July 2015 - website, 15.7.2015.

Article 7 - The grounds to reapply to the Agency for obtaining the status of a compatriot residing abroad

1. If an applicant for the status of a compatriot residing abroad has been refused to be granted the status of a compatriot residing abroad on the grounds provided for by Article 9(1)(c) of this Law, he/she shall be entitled to reapply to the Agency for the status of a compatriot residing abroad within six months after receiving a negative decision with regard to his/her status.

2. If an applicant for the status of a compatriot residing abroad has been refused to be granted the status of a compatriot residing abroad on the grounds provided for by Article 9 (1)(a) or (b) of this Law or if the status of a compatriot residing abroad which has been already obtained is terminated on the grounds provided for by Article 10(1)(a), (b) or (c) of this Law, he/she shall not be entitled to reapply to the Agency for obtaining the status of a compatriot residing abroad.

Article 8 - The certificate of a compatriot residing abroad

1. The certificate of a compatriot residing abroad is a document confirming the status of a compatriot residing abroad.

2. The certificate of a compatriot residing abroad, along with a photograph of its holder, shall contain:

- a) the given name and the family name of the holder;
- b) the date of birth of the holder;
- c) the place of birth of the holder;
- d) the personal number of the holder assigned by the Agency;
- e) the personal signature of the holder;
- f) the citizenship of the holder;
- g) the name of the body issuing the certificate;
- h) the signature of an authorised person;
- i) the date of issuance and the validity of a certificate;
- j) the serial number of a certificate; and
- k) the seal.

3. The form of a certificate of a compatriot residing abroad, and the procedures for issuing and revoking such certificate shall be defined by the Minister



of Justice of Georgia.

4. A certificates of a compatriot residing abroad shall be issued to persons under the age of 20 for the term of three years, and for persons of the age from 20 to 65 such certificate shall be issued for the term of 10 years, whereas to persons over the age of 65 it shall be issued for an indefinite term. In the event the term of a certificate of a compatriot residing abroad expires, the person shall apply to the Agency for the issuance of a new certificate.

5. In the event the holder of a certificate of a compatriot residing abroad changes their first name, second name or citizenship, or where an inaccuracy in the data entry is detected, the holder of a certificate of a compatriot residing abroad shall notify the Agency or the relevant state authority thereof within 30 days. In this case a new certificate shall be issued to such person.

6. A person shall be entitled to replace a certificate of a compatriot residing abroad if:

- a) the validity of a certificate has expired;
- b) a certificate is no longer usable (has worn out is damaged) or has been lost.

7. In the event of the termination of the status of a compatriot residing abroad the certificate of a compatriot residing abroad shall be invalid.

Law of Georgia No 6301 of 25 May 2012 – website, 12.6.2012

Article 9 - Grounds for refusing to grant the status of a compatriot residing abroad

1. The grounds for refusing to grant the status of a compatriot residing abroad shall be:

- a) an opinion of an authorised body regarding the action conducted by an applicant for the status of a compatriot residing abroad, which is prejudicial to the interests of the State of Georgia or an opinion of the Ministry of Internal Affairs of Georgia or the State Security Service of Georgia regarding an inadvisability to grant the status of a compatriot residing abroad to a person for the purposes of ensuring the state or public security;
- b) the submission of false data or forged documents by a person for the purposes of obtaining the status of a compatriot residing abroad;
- c) the failure to meet the requirements for obtaining the status of a compatriot residing abroad determined by Article 4 (1) of this Law or the failure by the relevant state authority to submit an opinion to the Agency within 60 days after receiving the case materials as provided for by Article 6 (5) of this Law.

2. In the event of a negative decision a person shall be notified of the refusal to grant the status of a compatriot residing abroad to such person.

3. The Agency is not obliged to justify its decision with regard to the refusal to grant the status of a compatriot residing abroad to a person.

4. A decision refusing to grant the status of a compatriot residing abroad to a person shall be appealed to a court in compliance with the procedure provided for by the legislation of Georgia.

Law of Georgia No 6301 of 25 May 2012 – website, 12.6.2012

Law of Georgia No 3963 of 8 July 2015 - website, 15.7.2015.

Article 10 - The grounds for the termination of the status of a compatriot residing abroad

1. The grounds for the termination of the status of a compatriot residing abroad shall exist where:

- a) the status of a compatriot residing abroad has been obtained by a person on the basis of submitting false data or forged documents;
- b) the actions referred to in Article 9 (1)(a) of this Law have been taken by a person;
- c) a compatriot residing abroad has submitted an application to terminate the status of a compatriot residing abroad;
- d) a compatriot residing abroad has returned to Georgia to live;

2. In the event that any circumstance provided for by the first paragraph of this article is detected, the Agency shall be authorised, at its own initiative, to immediately terminate the status of a compatriot residing abroad.

3. (Deleted - 20.9.2013, No 1252).

4. In the event of the termination of the status of a compatriot residing abroad the certificate of a compatriot residing abroad of a person shall be seized.

5. The relevant state authority and the State Security Service of Georgia shall be notified regarding the termination of the status of a compatriot residing abroad.

Law of Georgia No 6301 of 25 May 2012 – website, 12.6.2012

Law of Georgia No 1252 of 20 September 2013 - website, 8.10.2013

Law of Georgia No 3963 of 8 July 2015 - website, 15.7.2015 Law of Georgia No 190 of 22 December 2016 - website, 29.12.2016



Article 11 - Rights of compatriots residing abroad

1. A citizen of another state holding the status of a compatriot residing abroad who legally stays in the territory of Georgia shall enjoy the rights and freedoms provided for by the Law of Georgia on the Legal Status of Aliens and Stateless Persons. In addition to this, he/she shall be privileged to :

- a) participate in sports competitions on behalf of Georgia in the national team of Georgia, in the event of a consent from the relevant International Federation in the field of the relevant sport;
- b) cross the state border of Georgia without a visa and to stay in the territory of Georgia for maximum 30 days, if he/she is a citizen of the state the citizens of which need a visa to enter Georgia;
- c) pay the service fees on concessional terms for filing an application to obtain the Georgian citizenship as provided for by the ordinance of the Government of Georgia.
- d) receive general and higher education in Georgia under the state financing as provided for by law .
- e) be employed in the public service on the basis of an employment contract if the requirements determined by law are met.

2. A compatriot residing abroad may participate in different target programs funded by the State of Georgia which are designed for diaspora organisations.

Law of Georgia No 6317 of 25 May 2012 - website, 19.6.2012

Law of Georgia No 6437 of 12 June 2012 - website, 25.6.2012

Law of Georgia No 2054 of 5 March 2014 – website, 17.3.2014

Article 12 - Competence of the relevant state authority

1. General coordination of the activities of compatriots residing abroad and diaspora organisations determined by this Law shall be carried out by the relevant state authority.

2. Main tasks and functions of the relevant state authority shall be defined by an ordinance of the Government of Georgia.

Article 13 - Honorary representatives of Georgia for diaspora issues

1. Honorary representatives of Georgia for diaspora issues shall be appointed for a term of three years and shall be dismissed from the position by the head of the relevant state authority. The said term may be extended by the same term under a decision of the relevant state authority.

2. Honorary representatives of Georgia for diaspora issues may be appointed in the entire territory of another state or in any part thereof which is densely populated by compatriots residing abroad. An honorary representative of Georgia for diaspora issues may be appointed for several states.

3. A citizen of Georgia or a citizen of a state of residence may be appointed as an honorary representative of Georgia for diaspora issues, if he/she meets the following requirements:

- a) he/she holds certain social status and personal characteristics which are necessary to effectively fulfil the entrusted duties;
- b) he/she has been appointed for the state interests of Georgia;
- c) he/she has a good command of the official language of the state of residence;
- d) he/she is able to support the policy of Georgia in the diaspora of the state of residence and to contribute to the development of economic, scientific, commercial, tourism, cultural, sports and other relations between Georgia and the diaspora, as well as to attract investments to the economy of Georgia.
- e) he/she is a compatriot residing abroad.

4. Desirably a person to be appointed as an honorary representative of Georgia for diaspora issues shall have certain merits to Georgia and/or a good command of the official language of Georgia .

5. A person shall be appointed as an honorary representative of Georgia for diaspora issues on the basis of his/her written consent.

6. The authority of an honorary representative of Georgia for diaspora issues shall be terminated :

- a) on the basis of a personal application;
- b) for the improper performance of the required duties;
- c) on the basis of the termination of the status of a compatriot residing abroad ;
- d) if his/her citizenship (if he/she has not obtained the citizenship of another country) is lost;



e) for failure to perform the duties due to the health conditions;

f) in the case of his/her death.

7. General coordination of the activities of an honorary representative of Georgia for diaspora issues shall be carried out by the relevant state authority.

8. An honorary representative of Georgia for diaspora issues shall:

a) promote the relationship between Georgia and the relevant diaspora;

b) promote the activities of compatriots residing abroad and diaspora organisations determined by this Law;

c) promote the involvement of diaspora in the ongoing processes in Georgia;

d) promote the protection of the rights and freedoms of compatriots residing abroad within the scope of his/her authority;

e) coordinate projects and programmes of the relevant state authority in the state of residence;

f) take an active part in the activities of diaspora organisations and promote their coordinated operation;

g) provide the relevant state authority with information regarding the developments related to the diaspora;

h) present to the relevant state authority, periodically or upon a request, information regarding the activities performed;

i) promote the relationship between the relevant diaspora and the diaspora organisations of other friendly states represented in the state of residence .

j) perform the tasks of the head of the relevant state authority.

9. An honorary representative of Georgia for diaspora issues shall not be in the public service and shall conduct its activities on a voluntary basis.

10. Under a decision of the head of the relevant state authority, the projects initiated by an honorary representative of Georgia for diaspora issues shall be funded within the appropriations allocated under the annual budget law for the relevant state authority in accordance with the procedure provided for by the legislation of Georgia.

11. Projects initiated by an honorary representative of Georgia for diaspora issues may also be funded within the appropriations under the annual budget law allocated for the Ministries or the Offices of the State Ministers in accordance with the procedure provided for by the legislation of Georgia and on the basis of the recommendation from the relevant state authority.

12. An honorary representative of Georgia for diaspora issues shall collaborate with the state authorities of the state of residence through the assistance and recommendation of the relevant state authority.

13. (Deleted - 22.12.2016, No 190). .

14. The head of the relevant state authority shall be authorised to decide on the creation of working conditions for the honorary representative of Georgia for diaspora issues at the diplomatic representations and/or consulate offices of Georgia.

15. An honorary representative of Georgia for diaspora issues shall visit Georgia periodically but at least once a year at his/her own expense upon the request of the head of the relevant state authority and shall submit a report to the head of the relevant state authority with regard to activities performed.

16. An honorary representative of Georgia for diaspora issues may have deputies who shall be appointed and dismissed by the head of the relevant state authority upon the recommendation of the honorary representative of Georgia for diaspora issues.

17. Deputy honorary representatives of Georgia for diaspora issues shall perform tasks assigned to them by the honorary representative of Georgia for diaspora issues.

Law of Georgia No 190 of 22 December 2016 - website, 29.12.2016

Article 14 - Diaspora Organisations

1. Diaspora organisations shall ensure the deepening of cultural and scientific relations between Georgia and compatriots residing abroad, shall contribute to the establishment of Georgian education institutions in the state of residence, the development of educational programmes for teaching the official language of Georgia, and shall contribute to the maintaining of cultural identity and to the successful implementation of joint projects.

2. The following data shall be included in the Register:

a) a full name of a diaspora organisation;

b) a legal address of a diaspora organisation;

c) data regarding the founders of a diaspora organisation;

d) objectives and tasks of a diaspora organisation;

e) the documents that certify the establishment of a diaspora organisation in accordance with the legislation of the state of residence.



3. For the purposes of its registration in the Register a diaspora organisation shall:

- a) be created in accordance with the legislation of the state of residence;
- b) be represented by at least 2/3 of its founder compatriots residing abroad;
- c) ensure the compliance of its objectives and tasks of activities with the state interests of Georgia.

4. The registration in the Register shall be mandatory for the purposes of obtaining the status of a diaspora organisation.

5. Diaspora organisations shall cooperate with the state agencies and participate in different projects and programmes with the assistance and upon the recommendation of the relevant state authority.

Law of Georgia No 190 of 22 December 2016 - website, 29.12.2016

Article 15 - Transitional provisions

1. The Government of Georgia shall ensure the compliance of subordinate normative acts that have been adopted prior to the entry of this Law into force with this Law and shall adopt appropriate legal acts in accordance with the provisions of this Law.

2. The President of Georgia shall be requested to declare Ordinance No 761 of the President of Georgia on the Approval of Regulations on an Honorary Representative of Georgia for Diaspora Issues adopted on 17 September 2010 as null and void.

3. The Ministry of Internal Affairs of Georgia shall be deemed as the relevant state authority referred to in this Law.

Law of Georgia No 190 of 22 December 2016 - website, 29.12.2016

Article 16 - Entry into force of the Law

This law shall enter into force from 1 March 2012.

President of Georgia

M.Saakashvili

Tbilisi

24 November 2011

No5301- IIIb

