

**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 Commission”) shall be set up with following members:

1. Minister of Justice of Georgia – SCMI Chair;
2. Deputy Minister of Internal Affairs of Georgia – SCMI Co-Chair;
3. Deputy Minister of Foreign Affairs of Georgia;
4. Deputy Minister of Finance of Georgia;
5. Deputy Minister of Internally Displaced Persons from Occupies Territories, Labour, Health and Social Affairs of Georgia;
6. Deputy Minister of Education and Science of Georgia;
7. Deputy Minister of Economy and Sustainable Development of Georgia;
8. Deputy Chief Executive Officer 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 of the Legislative Herald of Georgia, 28.02.2011.*

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

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

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

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

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

*Ordinance No. 407 of the Government of Georgia dated 8 August 2018 – website of the Legislative Herald of Georgia, 10.08.2018.*

*Ordinance No. 372 of the Government of Georgia dated 18 July 2022 – website of the Legislative Herald of Georgia, 19.07.2022.*

**Article 1<sup>1</sup>.** The Public Defender of Georgia shall be requested to take part in the work of the Commission with consultative status.

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

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

*Ordinance No. 407 of the Government of Georgia dated 8 August 2018 – website of the Legislative Herald of Georgia, 10.08.2018.*

*Ordinance No. 370 of the Government of Georgia dated 23 July 2021 – website of the Legislative Herald of Georgia, 26.07.2021.*

*Ordinance No. 372 of the Government of Georgia dated 18 July 2022 – website of the Legislative Herald of Georgia, 19.07.2022.*

**Article 1<sup>2</sup>.** The requirements stipulated under Paragraphs 2, 3, 6 and 7 of Article 4<sup>1</sup> of the Statute of the State Commission on Migration Issues adopted approved by this Ordinance shall not extend to the Public Defender of Georgia.

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

*Ordinance No. 370 of the Government of Georgia dated 23 July 2021 – website of the Legislative Herald of Georgia, 26.07.2021.*

*Ordinance No. 372 of the Government of Georgia dated 18 July 2022 – website of the Legislative Herald of Georgia, 19.07.2022.*

**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 promulgation.

**Prime Minister**

**N. Gilauri**

## State Commission on Migration Issues of Georgia

### S t a t u t e

#### Article 1. Aim of the State Commission on Migration Issues

The State Commission on Migration Issues (hereinafter – “the Commission”) is established in order to define a unified policy of the Government of Georgia in the field of migration and improve the management of migration processes in Georgia.

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

#### Article 2. Objectives of the Commission

The objectives of the SCMI are the following:

- a) Develop proposals and recommendations aimed at defining unified state policy of Georgia in the field of migration (facilitate legal migration, fight against illegal migration, engaging diaspora in country’s development, asylum system, reintegration and integration of migrants, etc.) and improve the system of managing migration processes in the country;
- b) Elaborate migration strategy and facilitate its implementation;
- c) Contribute to ensuring sustainability of the reforms implemented in the framework of the Association Agreement “between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part”, its Agenda, and the Visa Liberalization Action Plan with the EU and responding to the challenges in efficient manner, as well as facilitate development of bi- and multilateral cooperation formats under the European Neighborhood Policy and Eastern Partnership;
- d) Facilitate implementation of the migration related objectives defined in the UN General Assembly Resolution of 25 September 2015 A/RES/70/1 “Transforming our world: the 2030 Agenda for Sustainable Development.”

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

*Ordinance No. 372 of the Government of Georgia dated 18 July 2022 – website of the Legislative Herald of Georgia, 19.07.2022.*

#### Article 3. Powers of the Commission

The SCMI shall be authorized to:

- a) Draft resolutions and normative legal acts and submit to the Government of Georgia for consideration;
- a<sup>1</sup>) Establish contacts with state authorities of foreign countries and/or international organizations and take part, within the scope of its competence, in elaborating and reviewing international documents on migration issues within the country;
- a<sup>2</sup>) Coordinate relations with donor organizations when initiating and implementing the migration related projects by state bodies supported by international organizations;
- a<sup>3</sup>) Conclude agreements on cooperation in the field of migration with state authorities of foreign countries and international organizations, that are not international agreements;
- a<sup>4</sup>) Assist state authorities of foreign countries and international organizations in communicating with the state authorities of Georgia on migration issues;
- a<sup>5</sup>) Review draft legal acts that can have an impact on various issues falling under the field 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;

- a<sup>7</sup>) Approve/adopt the documents elaborated within the Commission on migration related issues;
- a<sup>8</sup>) Collaborate with European Migration Network aimed at expanding analytical capacities of the Commission and enhancing cooperation with the EU;
- b) Request and receive from the Georgian ministries, other public institutions and organizations the information required for effective functioning of the Commission;
- 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 Commission.

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

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

*Ordinance No. 372 of the Government of Georgia dated 18 July 2022 – website of the Legislative Herald of Georgia, 19.07.2022.*

#### **Article 4. Governing of the Commission and order of proceedings**

1. The Sitting of the Commission is qualified if attended by more than a half of the Commission members or their representatives;

1<sup>1</sup>. A representative of the Commission member state agency shall participate in the work of the Commission with a status of the Commission member only when making decisions on issues defined by the agenda of the Sitting beforehand;

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

2<sup>1</sup>. The Commission is headed by the SCMI Chair who:

- a) Leads the activities of the Commission;
- b) Approves the work plan of the Commission presented by the Secretariat of the State Commission on Migration Issues (hereinafter – “the Secretariat”) - the structural unit of the LEPL of the Ministry of Justice – the Public Service Development Agency;
- c) Convenes and chairs the Commission Sittings;
- d) Represents the Commission in relations with third parties;
- e) Ensures implementation of other measures required for effective functioning of the Commission.

3. In case of absence of the Commission’s Chair, its Sitting shall be led by Co-Chair;

4. The Secretariat will be tasked to organize the Commission’s Sittings as well as to monitor implementation of the assignments given by the Commission’s Chair;

5. (Deleted - 23.09.2011, No. 369);

6. Each member of the Commission has one voting right;

7. The Commission shall make decisions by a simple majority of votes of the members present. In case of equal distribution of votes, the Chair’s vote shall be the casting vote;

8. On the basis of the decision registered in the minutes of the Commission’s Sitting, the Commission shall assign the Working Group to study specific issues and prepare relevant draft decisions to be reviewed at the Commission’s Sitting;

9. Minutes of the Commission Sitting and relevant assignments of the Commission’s Chair shall be formalized and prepared for signing by the Secretary of the Sitting, who at the same time is the employee of the Secretariat;

10. The Commission shall, generally, meet twice a year on the initiative of the Chair or of one third of the Commission members. When necessary, an *ad hoc* Sitting of the SCMI shall be convened on the basis of a request of the Chair or of majority of the Commission members.

*Ordinance No. 369 of the Government of Georgia dated 23 September 2011 – website of the Legislative Herald of Georgia, 27.09.2011.*  
*Ordinance No. 470 of the Government of Georgia dated 17 December, 2012 – website of the Legislative Herald of Georgia, 20.12.2012.*  
*Ordinance No. 372 of the Government of Georgia dated 18 July 2022 – website of the Legislative Herald of Georgia, 19.07.2022.*

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

1. The consultative status aims at enhancing and contributing to analytical and expert capacities of the Commission;
2. The consultative status can be assigned to the organization, which has:
  - a) No less than five-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 three years, the projects in the field of migration; among them, at least two projects during the last two years in accordance with strategic objectives of the country, that is verified by project description and achieved results;
3. The request for consultative status and documentation specified by Paragraph 2 of this Article shall be submitted to the Secretariat, which will prepare the relevant topic to be presented at the Sitting of the Commission for consideration;
4. When specific need arises, based on the decision/invitation of the Commission, the organizations having consultative status can attend the Commission Sittings and the Working Group meetings, participate in discussions and submit relevant proposals;
5. The organizations having consultative status participating in the Commission's Sittings and the Working Group meetings do not have the right to vote;
6. The consultative status may be terminated in case the organization:
  - a) has not attended the Commission's Sitting and/or the Working Group meeting twice in a year, regardless the 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 the consultative status without consideration; while in case stipulated by Subparagraphs 'b' and 'c' of Paragraph 6 of this Article, the issue of termination of consultative status shall be discussed and decided upon by the Commission;
8. The list of the organizations having consultative status shall be published at the website of the Commission: [www.migration.commission.ge](http://www.migration.commission.ge)

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

#### **Article 5. Organizational and Technical Support of the Commission**

1. Organizational, technical and intellectual support of the Commission shall be carried out by the Secretariat, which is chaired by the Executive Secretary;
2. The Secretariat shall ensure:
  - a) Facilitation of exchanging information and coordinated action of the state bodies – members of the Commission and the organizations enjoying the consultative status - aimed to accomplish tasks assigned by the Commission and monitor their implementation;
  - b) Elaboration of informational and analytical materials on migration related issues;
  - c) Preparation, organization and holding meetings, conferences and seminars initiated by the Commission;

- d) Carrying out the function of the National Contact Point for the European Migration Network;
- e) Within the scope of its competences, conducting other activities required for effective functioning of the Commission.

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

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

*Ordinance No. 372 of the Government of Georgia dated 18 July 2022 – website of the Legislative Herald of Georgia, 19.07.2022.*

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

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