

ORGANISATION OF MIGRATION MANAGEMENT SYSTEM IN GEORGIA OVERVIEW

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INTRODUCTION

This document provides with an overview of the organizational setup of the migration management system in **Georgia**, including the institutional and regulatory context of the legal framework on migration and asylum. It is based on the information provided by Georgia in **January 2021**.



OVERVIEW OF ORGANISATION OF LEGISLATIVE AND INSTITUTIONAL FRAMEWORK

THE INSTITUTIONAL CONTEXT

The migration policy of Georgia is managed by a corporative body – the **State Commission on Migration Issues** (SCMI/Commission) established in 2010. The aim of the SCMI is to define and implement a unified policy for the Government of Georgia in the field of migration and with that to improve coordinated management of migratory processes based on a **Whole-of-Government Approach**. This flagship principle ensures - entire coordination of activities run by the agencies engaged in migration management; application of bilateral, regional and international cooperation formats and experience exchange; as well as active engagement of civil society and academia. The Commission is a common platform that unifies the interlinked basic thematic directions within the various sectoral agencies involved in migration management,

and by that - on the one hand conditioning the thematic and structural development of these agencies, while on the other hand clustering them in accordance with linkages based on principles of shared responsibilities.

The SCMI brings together high-level representatives from nine state agencies (see organigram in annex 1): Ministry of Justice (chair); Ministry of Internal Affairs (co-chair); State Security Service; Ministry of Foreign Affairs; Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs; National Statistics Office; Ministry of Education, Science, Culture and Sport; Ministry of Economy and Sustainable Development; Ministry of Finance.

The analytical, advisory and administrative support for the efficient operation of the SCMI is provided (since 2012) by its European Union (EU) backed **Secretariat, which at the same time is the NCP for the EMN**. The Secretariat is hosted by the Public Service Development Agency under the Ministry of Justice of Georgia.

THE LEGAL SYSTEM

There are **four main legislative acts** governing migration in Georgia: The **Organic Law on Georgian Citizenship** (effective since June 2014) defines the basic principles of Georgian citizenship, the grounds for its acquisition and termination, and is in full compliance with the 1961 UN Convention on the Reduction of Statelessness; The **Law on the Legal Status of Aliens and Stateless Persons** (effective since September 2014), defines regulations for foreign nationals to enter and stay in Georgia, specifies visa and residence permit

categories, and applies an expulsion mechanism for persons staying in Georgia without a legal basis; The **Law on Labour Migration** (effective since November 2015) largely regulates the norms of labour emigration of Georgian citizens abroad and defines the mechanisms for protection of the rights of labour emigrants; The **Law on International Protection** (effective since February 2017) defines legislative mechanisms, which on the one hand protect the rights of the persons who are in real need of international protection, making the asylum granting procedures more effective and ensuring that decision is made within a realistic timeframe; On the other hand, the Law tightens the regulations against the persons abusing the asylum system in Georgia.

Other legislative acts regulating international migration are: Law on the Rules of Georgian Citizens' Entry into and Exit from Georgia (1993); Law on Procedure for Registration of Citizens of Georgia and Foreigners Residing in Georgia, Issuance of Identity (Residence) Card and Passport of a Citizen of Georgia (1996); Law on the State Border of Georgia (1998); Law on Combating Trafficking in Persons (2006); Law on Occupied Territories (2008); Law on Compatriots Residing Abroad and Diaspora Organizations (2011); Law on Personal Data Protection (2011).

Moreover, **strategic documents and agreements between Georgia and the EU** provide important guidelines on how migration management should be further developed in Georgia. These documents are: **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, which includes the Deep and Comprehensive Free Trade Area Agreement (AA/DCFTA), the **Association Agenda** between the European Union and Georgia and the long-term commitments of the **Visa Liberalisation Action Plan / Suspension Mechanism** with the EU. At the same time, the latest global initiatives and formats of regional cooperation play an increasingly important role in shaping of the national migration management aspects in Georgia.

Based on above-mentioned mechanisms, during the next decade Georgia's migration policy will be managed through the new **Migration Strategy for 2021-2030**. The long-term vision of the Strategy is based on the notion of **'migration and development'**, aiming at minimizing negative aspects of migration against increasing its positive effects, that in turn should maximally be applied for the country's development¹.

¹ Development here is understood in the broad sense, encompassing, along with economic dimension, the social, cultural, technological, institutional development as well as development of human capital.

Hence, for the Strategy goals the principle **'migration and development' implies presence of all thematic directions, unified vision and coordinated inter-agency action.**



INSTITUTIONAL CHART

The most up to date Institutional Chart will be added in as an Annex.