

LAW OF GEORGIA ON MOBILISATION

This Law regulates procedures, terms and legal matters related to the declaration of mobilisation during martial law and/or state of emergency, as well as to mobilisation readiness during peacetime.

Chapter I - General Provisions

Article 1 - Definition of terms used in the Law

The terms used in this Law have the following meanings:

- a) mobilisation readiness - a complex of activities carried out during peacetime that include the creation of mobilisation resources and reserves by the economy of Georgia, by executive authorities, local self-government authorities, state enterprises, institutions and organisations of Georgia in order to ensure readiness of the military forces of Georgia and satisfaction of urgent needs of the State and the population during martial law or a state of emergency;
- b) mobilisation - a complex of activities that include the use of mobilisation resources and reserves required for martial law and/or a state of emergency (mobilisation may be general or partial);
- c) general mobilisation - a complex of activities carried out during martial law that includes full use of mobilisation resources and reserves required for martial law, throughout the territory of Georgia;
- d) partial mobilisation - a complex of activities carried out during a state of emergency that includes partial use of mobilisation resources and reserves for operational directions and/or for appropriate regions, as required by the state of emergency.

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Article 2 - The legislation of Georgia on mobilisation

The legislation of Georgia on mobilisation consists of the Constitution of Georgia, treaties and international agreements of Georgia, this Law and other normative acts.

Article 3 - Principles of mobilisation

Principles of mobilisation are:

- a) centralised administration
- b) preliminary preparation
- c) mobilisation readiness
- d) planning
- e) all-inclusiveness
- f) coordination and control.

Article 4 - Essence of mobilisation

The essence of mobilisation shall be:

- a) ensuring mobilisation readiness and its scientific and logistical support;
- b) determining a mode of operation for executive authorities, local self-government authorities, state enterprises and organisations, legal entities under private law, and preparing them for operation during mobilisation;
- c) carrying out activities for transferring executive authorities, local self-government authorities, state enterprises and organisations, as well as legal entities under private law, to a state of mobilisation, according to procedures determined by the legislation of Georgia;
- d) preparing military forces for mobilisation;
- e) transferring military forces to a state of martial law and/or state of emergency;



- f) developing mobilisation plans for the economy and the military forces of Georgia;
- g) evaluating the mobilisation readiness of Georgia;
- h) creating, maintaining and developing mobilisation reserves, in order to satisfy demands of the State, military forces and the population;
- i) preparing military equipment to be supplied to military forces during mobilisation;
- j) creating, accumulating, storing and timely renewing emergency reserves of inventories, food and non-food products and petroleum products in mobilisation reserves;
- k) preparing and organising provision of the population with food and non-food products, medical aid, transport and means of communication;
- l) establishing and preparing a control centre for executive authorities to operate during mobilisation;
- m) preparing mass media for working during mobilisation;
- n) registering reservists in government and local self-government authorities, enterprises, institutions and organisations, in order to assign them to work at the facilities of the relevant field of the economy operating during mobilisation;
- o) providing training and exercises, in order to carry out mobilisation deployment and mobilisation plans.

Law of Georgia No 1977 of 27 February 2003 - LGH I, No 7, 26.3.2003, Art. 39

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Chapter II - Powers of the President of Georgia, the Parliament of Georgia, the Government and Local Self-government Authorities in the Sphere of Mobilisation Readiness and Mobilisation

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Article 5 - Powers of the Parliament of Georgia

The Parliament of Georgia shall:

- a) determine state policy in the sphere of mobilisation;
- b) carry out legislative regulation in the sphere of mobilisation and approve expenses in this field;
- c) ratify, denounce and cancel treaties and international agreements of Georgia in the sphere of mobilisation.

Article 6 - Powers of the President of Georgia

The President of Georgia may:

- a) declare general or partial mobilisation, in the event of martial law and/or a state of emergency, and submit this decision for approval to the Parliament of Georgia, according to procedures determined by the legislation of Georgia;
- b) issue a decree on releasing inventories from the mobilisation reserve in the event of martial law and/or a state of emergency;
- c) issue normative acts for mobilisation readiness and for the sphere of mobilisation;
- d) ensure coordinated action of executive authorities and institutions in the sphere of mobilisation readiness and mobilisation;
- e) determine objectives and tasks for mobilisation readiness and for mobilisation;
- f) (deleted - 27.9.2013, No 1389);
- g) be authorised to defer conscription of citizens during mobilisation, as well as suspend decisions already made on deferment of conscription.

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Article 7 - Powers of the government agencies

The government agencies, within their powers, shall:



- a) in agreement with the Legal Entity under Public Law (LEPL) - the Department of Material Reserves of Georgia under the Ministry for Internal Affairs of Georgia, carry out operations related to the accumulation, storage, delivery, issuance, renewal, change, deregistration and release of inventories of the mobilisation reserve, according to procedures determined by the legislation of Georgia;
- b) store inventories of the mobilisation reserve (in state-owned or private storage facilities), provide services and perform related operations, as well as monitor the safekeeping of these inventories, according to procedures determined by the legislation of Georgia;
- c) create, accumulate, store and renew mobilisation supply, inventories of mobilisation and state reserves, as well as emergency reserves of food, medical and petroleum products that cannot be reduced;
- d) in order to create mobilisation reserves, conclude contracts with enterprises in order for the enterprises to fulfil mobilisation assignments (orders) and provide logistical support according to procedures determined by the legislation of Georgia;
- e) be in charge of mobilisation readiness activities;
- f) be in charge of mobilisation preparation of their structural units, subordinate agencies, territorial bodies, as well as their subordinate enterprises;
- g) participate in the development of mobilisation plans;
- h) participate in the preparation of draft normative acts related to the sphere of mobilisation preparation and mobilisation;
- i) organise provision of scientific, logistical and informational support for mobilisation preparation and mobilisation;
- j) control the process of mobilisation preparation and monitor its statistical reporting;
- k) upon declaration of mobilisation, organise the control of activities carried out for transferring military forces to a state of mobilisation;
- l) in the case of declaring mobilisation, organise transfer of the appropriate fields of the Georgian economy to the mode of operation specified for the period of mobilisation, according to procedures determined by the Government of Georgia;
- m) during the period of mobilisation readiness, register for the national economy citizens who are in reserve and who work in government agencies, their structural units, subordinate agencies, territorial bodies (agencies) and their subordinate enterprises;
- n) organise training and exercises stipulated by the plans of mobilisation deployment and mobilisation;
- o) in the case of declaring mobilisation, organise delivery of equipment, means of transportation, army convoys and inventories of other mobilisation reserves stipulated by the mobilisation plans, according to procedures determined by the legislation of Georgia;
- p) ensure that the government agencies are observing the legislation of Georgia related to the sphere of mobilisation.

Law of Georgia No 1609 of 10 June 2005 - LGH I, No 33, 1.7.2005, Art. 203

Law of Georgia No 1389 of 27 September 2013 - website, 9.10.2013

Article 8 - Powers and functions of local self-government authorities

In addition to the functions specified in Article 7(a-d) of this Law, local self-government authorities, within their powers, shall:

- a) organise and ensure preparation of mobilisation and related activities;
- b) ensure execution of this Law, as well as of other acts issued by the President of Georgia, the Government of Georgia and government agencies in the sphere of mobilisation preparation and mobilisation;
- c) develop local working plans;
- d) carry out activities for preparing the economy for mobilisation;
- e) in agreement with government agencies, carry out activities for ensuring the realisation of mobilisation plans;
- f) enter into contracts with enterprises on delivery of products, performance of work, allocation of forces and facilities, provision of services for carrying out mobilisation preparation and mobilisation activities;
- g) in the case of declaring mobilisation, according to an established procedure, organise conscription, notification of citizens and their arrival at assembly points or military units, as well as delivery of equipment, facilities, communications, parcels of land, means of transportation, other mobilisation reserves and inventories stipulated by the mobilisation plans, according to procedures defined by the President of Georgia and/or the Government of Georgia;
- h) present proposals to relevant executive authorities on matters related to improving mobilisation preparation and conduct of mobilisation.

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Article 9 - Duties of state enterprises, institutions and organisations

1. In addition to the functions specified in Article 7(a-d) of this Law, state enterprises, institutions and organisations shall be obligated to:

- a) organise and carry out activities to ensure mobilisation readiness;
- b) assign certain workers to perform mobilisation tasks during mobilisation readiness and mobilisation;
- c) develop mobilisation plans, within their powers;
- d) by the time of mobilisation, carry out activities to prepare production for the execution of mobilisation assignments (orders);
- e) carry out mobilisation assignments (orders) received for the purpose of ensuring mobilisation readiness and mobilisation;
- f) upon declaration of mobilisation, carry out activities for transferring production to the corresponding mode of operation during martial law and/or state of emergency.
- g) ensure delivery of means of transportation stipulated by the mobilisation plans to the equipment collecting points of military commissariats or military units;
- h) transfer buildings and structures, communication, parcels of land, means of transportation and inventories of other mobilisation reserves stipulated by the mobilisation plans to appropriate institutions, according to the established procedure;
- i) ensure registration of reservists working in state enterprises, institutions and organisations and submission of registration records to local military commissariats.

2. Legal and natural persons under private law shall perform mobilisation assignments (orders) based on a contract, provided that the State subsequently compensates the damage, if any, sustained by them.

Article 10 - Duties of citizens

1. Citizens shall be obligated to:

- a) appear when called by the Mobilisation Department of the Ministry for Defence of Georgia and receive specific tasks during mobilisation;
 - b) fulfil requirements specified in a mobilisation notice received from the Mobilisation Department of the Ministry for Defence of Georgia;
 - c) transfer property to the State for its defence and security needs, with appropriate subsequent compensation, according to procedures defined by the legislation of Georgia.
2. During mobilisation and war, citizens may be involved in performance of works necessary for the defence and security of the State, according to a prescribed procedure.
3. Citizens shall be liable under procedures defined by the legislation of Georgia if they fail to fulfil requirements during the period of mobilisation readiness and mobilisation.

Law of Georgia No 1543 of 21 June 2002 - LGH I, No 21, 12.7.2002, Art. 88

Chapter IV - Organisational Basis for Mobilisation Readiness and Mobilisation

Article 11 - Organisation and procedure for mobilisation preparation and mobilisation

1. The procedure for mobilisation readiness and mobilisation of military forces of government agencies, local self-government authorities, state enterprises, institutions and organisations shall be determined by the legislation of Georgia.
2. The procedure for preparing the economy of Georgia for mobilisation and for organising mobilisation shall be determined by the legislation of Georgia.
3. Officials of executive authorities, local self-government authorities, state enterprises, institutions and organisations shall be personally liable for performing duties imposed upon them during periods of mobilisation and mobilisation readiness.

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Article 12 - Mobilisation agencies

1. Government agencies, local self-government authorities, state enterprises, institutions and organisations that have mobilisation assignments (orders) or that are tasked with performing mobilisation works shall establish mobilisation agencies within their structure to improve the efficiency of mobilisation activities.
2. Heads of mobilisation agencies shall report directly to respective heads of government agencies, self-government units, state enterprises, institutions and organisations.
3. Mobilisation agencies and mobilisation workers shall be financed:
 - a) in government agencies - within the funds allocated for this purpose from the State Budget;
 - b) in local self-government authorities - from the budget of the self-governing unit concerned;
 - c) in state enterprises, institutions and organisations - from their own revenues.
4. Functions, rights and duties of the mobilisation agencies created under this Article shall be determined by an ordinance of the Government of Georgia.

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Article 13 – Obligation to provide transport for military purposes

1. According to the legislation, the obligation to provide transport for military purposes shall be imposed during mobilisation to meet the needs of the military forces of Georgia.
2. The obligation to provide transport for military purposes shall apply to state vehicles, military convoys, railway, maritime, river, air, pipeline, animal-drawn and pack vehicles, motorcycles, fishing and special ships, tractors, trailers and semitrailers, road construction and handling vehicles and machinery that are available in the mobilisation reserves created by executive authorities, local self-government authorities, state enterprises, institutions and organisations; the obligation shall also apply to citizens who own the means of transportation (provided that they will be subsequently reimbursed). The obligation to provide transport for military purposes shall also apply to harbours, docks, airports, petroleum storage depots, fuel transfer depots, motor transport organisations and other organisations ensuring operation of transportation means.
3. Means of transportation that are necessary to satisfy mobilisation requirements of the military forces of Georgia shall be commandeered from executive authorities, local self-government authorities, state enterprises, institutions and organisations free of charge, and from natural persons and legal entities under private law, with a subsequent reimbursement. Compensation of the value of the means of transportation confiscated according to the procedure defined by the legislation of Georgia shall be carried out based on a price list drawn up according to the market prices at that time, considering reduction in price due to wear-and-tear, and shall be made after the end of the martial law.
4. The procedure for depriving property shall be determined by the Organic Law of Georgia on the Procedure for Depriving Property Due to Urgent Public Necessity.

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Article 14 - Financing of mobilisation preparation and mobilisation

1. Mobilisation preparation and mobilisation shall be financed from the State Budget.
2. Activities for preparing mobilisation of local importance shall be financed from the budgets of the self-governing units concerned.

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Article 15 - Secrecy during mobilisation readiness and mobilisation

Works carried out for mobilisation readiness and mobilisation shall be organised according to the Law of Georgia on State Secrets and the requirements of normative acts related to matters of classified record management.

Chapter V - Conscription of Citizens who are in Reserve during Mobilisation

Article 16 - Conscription of citizens who are in reserve during mobilisation

1. During mobilisation, conscription shall apply to citizens transferred to the reserve of the military forces of Georgia.



2. The procedure for staffing the reserve of the military forces of Georgia shall be determined by the legislation of Georgia.

Article 17 - Timeframe for conscription of citizens during mobilisation, and the mobilisation plan of the military forces of Georgia

Timeframe for conscription of citizens during mobilisation shall be prescribed by the mobilisation plan of the military forces of Georgia which shall be determined by an edict of the President of Georgia.

Article 18 - Organising conscription of citizens who are in reserve during mobilisation

1. During mobilisation, in order to timely transfer the military forces of Georgia to a state of martial law and/or a state of emergency, citizens who are in the reserve shall be assigned in advance to military units for serving on military positions according to a personnel list.
2. The procedure for preliminary assignment of reservists to military units according to a personnel list shall be determined by the legislation of Georgia.

Article 19 - Duties of citizens in the reserve who are to be conscripted during mobilisation

1. Upon declaration of mobilisation, citizens who are in the reserve and who are to be conscripted shall be obligated to arrive at assembly points at the time indicated in a mobilisation notice sent by military commissariats of the region or city concerned.
2. Citizens registered with military authorities shall be prohibited to leave their place of residence without permission of the mobilisation department of the region or the city of the Ministry for Defence of Georgia, provided that the human rights provided in Article 22 of the Constitution of Georgia are limited by decree of the President of Georgia.

Law of Georgia No 1543 of 21 June 2002 - LGH I, No 21, 12.7.2002, Art. 88

Chapter VI - Registration of Citizens who are in Reserve

Article 20 - Registration of citizens

1. Citizens who are subject to registration shall be exempted from conscription during martial law and/or state of emergency.
2. Registration of citizens shall be carried out under the legislation of Georgia by a state commission set up at the Ministry of Economy, Industry and Trade for registering workers for the economy of Georgia.
3. Citizens in the reserve, except for active reservists, shall be registered according to the state of the economy of Georgia, in order to maintain normal operation of government agencies, local self-government authorities, enterprises, institutions and organisations.

Law of Georgia No 295 of 11 May 2000 - LGH I, No 17, 12.5.2000, Art. 41

Law of Georgia No 1543 of 21 June 2002 - LGH I, No 21, 12.7.2002, Art. 88

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Chapter VII - Transitional Provisions

Article 21 - Normative acts to be adopted in connection with the entry into force of this Law

The President of Georgia shall be asked to issue, before 1 September of 1999, the following subordinate normative acts:

- a) on conditions for setting up and administration of mobilisation reserves;
- b) on the activities to be carried out to ensure readiness of the economy of Georgia for mobilisation, for transferring relevant fields of economy to the mode of operation required for the period of mobilisation and for carrying out mobilisation;
- c) on the procedures for mobilisation readiness and mobilisation of military forces of government agencies, local self-government and government bodies, state enterprises, institutions and organisations;
- d) on mobilisation agencies;
- e) on the mobilisation plan of the military forces of Georgia.



Article 22 - Entry into force

This Law shall enter into force upon promulgation.

President of Georgia

Eduard Shevardnadze

Tbilisi

23 June 1999

No2150-lls

