

LAW OF GEORGIA

ON IMPEACHMENT

Chapter I - Initiation of Proceedings for Removal from Office by means of Impeachment

Article 1

Impeachment is the process of removing the President of Georgia, the Chairperson of the Supreme Court of Georgia, a member of the Government of Georgia, the Auditor General of the State Audit Office, or a member of the Board of the National Bank of Georgia from office for violating the Constitution and/or committing a criminal offence.

Article 2

The proceedings for removing an official from office by means of impeachment provided for by Article 1 of this Law shall be initiated if the official:

- a) violates the Constitution of Georgia;
- b) commits a criminal offence.

Article 3

The proceedings for removing an official from office by means of impeachment may be initiated by at least one third of the full composition of the Parliament of Georgia.

Article 4

1. The proceedings for removing an official from office by means of impeachment shall be considered to be initiated if at least one third of the full composition of the Parliament of Georgia signs a written petition for its initiation. The signatures of the Members of Parliament shall be certified by a notary or in accordance with the Rules of Procedure of the Parliament of Georgia.
2. The written petition to initiate the removal of an official from office by means of impeachment shall specify the nature and content of the allegation(s), as well as relevant arguments, and it shall contain all available documents.

Article 5

Within 7 days after initiating proceedings for removing an official from office by means of impeachment, a constitutional submission shall be submitted to the Constitutional Court of Georgia for the rendering of an opinion.

Chapter II - Opinion of the Constitutional Court of Georgia on the Conduct of an Official

Article 6

The Constitutional Court of Georgia shall review the submission and shall render an opinion on the conduct of the official concerned to the Parliament of Georgia within 30 days after receiving the constitutional submission.

Article 7

The Constitutional Court of Georgia, in preparing an opinion on the conduct of the official, shall follow the Georgian Constitution, the Organic Law on the Constitutional Court of Georgia, as well as the rules laid down by this Law and the Law of Georgia On Constitutional Legal Proceedings.

Chapter III - Removing an Official from Office by means of Impeachment

Article 8



If an official subjected to impeachment proceedings has resigned or was dismissed, the impeachment proceedings against the said official shall be terminated.

Article 9

If the Constitutional Court of Georgia, in its opinion, has neither confirmed the violation of the Constitution by an official specified in Article 1 of this Law, nor found the existence of any elements of a criminal offence in his/her conduct, the impeachment proceedings against the said official shall be terminated.

Article 10

If the Constitutional Court of Georgia, in its opinion, has confirmed the violation of the Constitution by an official specified in Article 1 of this Law, and/or found the existence of elements of a criminal offence in his/her conduct, the Parliament of Georgia, within not later than 15 days after receiving the opinion of the Constitutional Court of Georgia, shall review the opinion and put to the vote the removal from office by means of impeachment of the said official.

Article 11

1. After the Parliament of Georgia has received the opinion of the Constitutional Court of Georgia on the conduct of an official specified in Article 1 of this Law, the Chairperson of the Parliament of Georgia, the initiators of the impeachment proceedings, parliamentary factions, and those Members of Parliament who are not affiliated with any parliamentary faction, shall be notified of the fact.

2. If a regular or an extraordinary session is in progress in the Parliament of Georgia at the time of receipt of the opinion of the Constitutional Court of Georgia, the Parliament shall adopt a resolution on the review of the opinion and on the voting schedule within not later than 5 calendar days after receiving the opinion.

3. If neither a regular nor an extraordinary session is in progress in the Parliament of Georgia at the time of receipt of the opinion of the Constitutional Court of Georgia, the Chairperson of the Parliament of Georgia shall, not later than 24 hours after receiving the opinion, apply to the President of Georgia with a request to call an extraordinary session.

Article 12

The President of Georgia shall be considered to be removed from office by means of impeachment if at least two-thirds of the full composition of the Parliament support this decision.

Article 13

1. It shall be impermissible for the Parliament of Georgia to review and decide upon the charges brought against the President of Georgia in a state of emergency or martial law.

2. The Parliament of Georgia shall start reviewing the charges brought against the President of Georgia, after the state of emergency or martial law has been lifted, at the first sitting of the nearest session (regular or extraordinary) of the Parliament of Georgia.

Article 14

The Chairperson of the Supreme Court of Georgia, a member of the Government of Georgia, the Auditor General of the State Audit Office, or a member of the Board of the National Bank of Georgia, shall be considered to be removed from office if a majority of the full composition of the Parliament of Georgia supports this decision.

Article 15

If the Parliament of Georgia fails to make a decision within not later than 15 calendar days after receiving the opinion of the Constitutional Court of Georgia on the conduct of an official specified in Article 1 of this Law, or if the removal from office of the official by means of impeachment is not supported by the number of Members of the Parliament of Georgia required by the Constitution of Georgia, the issue shall be removed from the agenda and the same charges may not be brought against the same official in the future.

Article 16

During the review by the Parliament of Georgia of the charges brought against an official specified in Article 1 of this Law, the official himself/herself, upon the invitation of the Parliament, may participate in the review, and in the case of his/her inability to participate, his/her representative may



participate therein.

Article 17

The voting for the removal from office by means of impeachment of an official specified in Article 1 of this Law shall be held by secret ballot.

Article 18

The question of prosecuting an official removed from office by means of impeachment by the Parliament of Georgia shall be decided in accordance with the legislation of Georgia.

Chapter IV - Final Provisions

Article 19

This Law shall enter into force upon the taking of the oath by the President of Georgia elected in the regular Presidential Elections of October 2013.

President of Georgia

Mikheil Saakashvili

Kutaisi,

24 September 2013

No 1293-66

