

President of Georgia

Decree No 1

21 March 2020

Tbilisi

On Measures to be Implemented in connection with the Declaration of a State of Emergency throughout the Whole Territory of Georgia

Article 1. In connection with the declaration of a state of emergency throughout the whole territory of Georgia, taking into account the mass spread of the novel coronavirus (COVID-19) and the increasing challenge facing the country, for the purposes of an appropriate response to the pandemic announced by the World Health Organization and in order for the State to fulfil its constitutional obligations to ensure necessary public security in a democratic society, to reduce any possible threat to the life and health of the country's population, and to control the situation, in accordance with Article 71(3) and (4) of the Constitution of Georgia and Article 2(3) and (4) of the Law of Georgia on State of Emergency, the rights referred to in Articles 13, 14, 15, 18, 19, 21 and 26 of the Constitution of Georgia shall be restricted for the duration of the state of emergency throughout the whole territory of Georgia.

1. Article 13 of the Constitution of Georgia:

The relevant authorities defined by the legislation of Georgia shall be authorised to transfer a person by force to an appropriate institution, in a place designated by the Government of Georgia, for the violation of isolation or quarantine rules established by the Government of Georgia.

2. Article 14 of the Constitution of Georgia:

- a) the Government of Georgia shall be authorised to establish isolation and quarantine rules;
- b) international travel by air, land and sea shall be suspended, except in exceptional cases provided for by an ordinance of the Government of Georgia;
- c) the Government of Georgia shall be authorised to regulate the carriage of passengers and the transportation of cargo in the territory of Georgia by a procedure other than that provided for by the legislation of Georgia currently in force.

3. Article 15 of the Constitution of Georgia:

In penitentiary institutions, the rights to a visit provided for by the Imprisonment Code shall be suspended.

4. Article 18 of the Constitution of Georgia:

The Government of Georgia shall be authorised to determine, by an ordinance, procedures for providing public services and for administrative proceedings, other than those provided for by the legislation of Georgia currently in force.



5. Article 19 of the Constitution of Georgia:

The Government of Georgia shall be authorised to restrict rights to property, if necessary, and to use the property and material resources of natural and legal persons for quarantine, isolation and medical purposes.

6. Article 21 of the Constitution of Georgia:

Any kind of assemblies, demonstrations or gatherings of people, except in exceptional cases determined by an ordinance of the Government of Georgia, shall be restricted.

7. Article 26 of the Constitution of Georgia:

- a) private-law entities provided for by an ordinance of the Government of Georgia shall be prevented from or limited to carrying out particular activities, or shall be obligated to carry out such activities, in accordance with the procedure provided for by the said ordinance;
- b) special procedures for following sanitary and hygiene rules by natural and legal persons and public institutions shall be determined by an ordinance of the Government of Georgia;
- c) the Government of Georgia shall, if necessary, regulate prices for essential medicines, medical preparations, services and primary commodities;
- d) the Government of Georgia shall be authorised to establish procedures and conditions other than those provided for by the Law of Georgia on Early and Preschool Education, the Law of Georgia on General Education, the Law of Georgia on Vocational Education, the Law of Georgia on Special Vocational Education, and the Law of Georgia on Higher Education;
- e) the Government of Georgia shall be authorised to mobilise persons with appropriate medical qualifications and competence, in accordance with the procedure determined by an ordinance of the Government of Georgia.

Article 2. The percentage limitations provided for by Article 31(3) and (4) of the Budget Code of Georgia shall be suspended for the duration of the state of emergency.

Article 3. The Government of Georgia shall be authorised to increase the maximum size of reserve funds up to 5% of total allocations from the State Budget for 2020.

Article 4. The Government of Georgia shall be authorised to exercise the exceptional rights provided for by Article 2(7) of the Organic Law of Georgia on Economic Freedom, and if necessary, to submit to the Parliament of Georgia an emergency budget determined by Article 32 of the Budget Code of Georgia.

Article 5. The Government of Georgia shall be authorised to suspend the right to spend allocations from the state budget, the republic budgets of the Autonomous Republics, and the municipality budgets, in accordance with the budgetary classification codes and positions, as well as to suspend or restrict public procurement according to the Common Procurement Vocabulary (CPV) codes.

Article 6. The Minister of Justice of Georgia shall be authorised to regulate, by a procedure other than that provided for by the legislation of Georgia currently in force, an obligation on probationers and persons released on parole to adhere to the regime



established by law, as well as to appear at a time and place specified by a probation officer.

Article 7. Court hearings provided for by the criminal procedure legislation of Georgia may be conducted remotely, by means of electronic communication. If a court hearing is conducted in the said manner, no person participating in a court hearing shall have the right to refuse the conduct of the court hearing remotely on the grounds of being willing to physically attend.

Article 8. Every natural and legal person shall be obliged to adhere to the regime of the state of emergency. Violations of the regime of the state of emergency determined by this Decree and the ordinance of the Government of Georgia shall result in the following liability:

1. administrative liability - a fine of GEL 3 000 for natural persons, and GEL 15 000 for legal persons;
2. where the same act is committed repeatedly by a natural person who is subject to an administrative penalty, it shall result in criminal liability, in particular, imprisonment for a term of up to 3 years; and where the same act provided for by this paragraph is committed repeatedly by a legal person, it shall result in a fine, with deprivation of the right to carry out activities, or by liquidation and a fine.

Article 9. The liability provided for by Article 8 of this Decree shall be imposed by persons determined by an ordinance of the Government of Georgia in accordance with procedures established by the legislation of Georgia.

Article 10. The law enforcement authorities shall apply coercive measures provided for by the legislation of Georgia to ensure that the regime established during the state of emergency is adhered to.

Article 11. This Decree shall be submitted to the Parliament of Georgia for approval immediately after being co-signed by the Prime Minister of Georgia.

Article 12. This Decree shall enter into force upon issuance and shall be valid until the state of emergency has been lifted.

Salome Zourabichvili

Prime Minister

Giorgi Gakharia

