

ON STATE OF EMERGENCY

Article 1

1. A state of emergency is a temporary measure that shall be declared in accordance with the legislation of Georgia in the interests of ensuring the security of the citizens of Georgia during mass disorder, encroachment upon the territorial integrity of the country, military coups, armed insurrections, terrorist acts, natural disasters or man-made catastrophe or outbreaks of epidemic, or in other cases when the state authorities are unable to exercise their constitutional powers in a normal manner.
2. The purpose of the declaration of a state of emergency is the normalisation of the situation as quickly as possible, and the restoration of law and order.

Law of Georgia No 3576 of 31 October 2018 – website, 21.11.2018

Article 2

1. The President of Georgia shall declare a state of emergency throughout the whole territory of Georgia or in certain parts thereof, upon the recommendation of the Prime Minister of Georgia. The edict of the President of Georgia on the declaration of a state of emergency throughout the whole territory of Georgia or in certain parts thereof shall be immediately submitted to the Prime Minister of Georgia, who shall make a decision, immediately after the receipt of the edict, on the counter signature of the edict. The edict of the President of Georgia on declaring a state of emergency throughout the whole territory of Georgia or in certain parts thereof counter signed by the Prime Minister of Georgia shall be immediately declared and shall enter into force from the moment of its declaration. The President of Georgia shall immediately submit the edict on the declaration of a state of emergency throughout the whole territory of Georgia or in certain parts thereof counter signed by the Prime Minister of Georgia to the Parliament of Georgia for approval. The Parliament of Georgia shall approve the mentioned edict upon the first assembly. If the Parliament of Georgia does not approve the edict on the declaration of a state of emergency throughout the whole territory of Georgia or in certain parts thereof, the edict shall lose its legal force immediately after voting. Emergency powers shall only be applied to the territories, where a state of emergency is declared.
2. The President of Georgia shall make a decision on the use of Defence Forces during a state of emergency upon the recommendation of the Prime Minister of Georgia. The edict of the President of Georgia on the use of Defence Forces during a state of emergency shall be immediately submitted to the Prime Minister of Georgia for countersignature, who shall make a decision on counter signing the edict immediately after the submission thereof. The President of Georgia shall immediately submit the order on the use of Defence Forces during a state of emergency to the Parliament of Georgia for approval. The decision shall enter into force immediately after the approval thereof by the Parliament of Georgia. The decision on the use of Defence Forces during the natural disasters or man-made catastrophes shall be made by the Prime Minister of Georgia and such decision need not be approved by the Parliament of Georgia. The Parliament of Georgia shall be authorised to make a decision on the suspension of the use of Defence Forces during the natural disasters or man-made catastrophes.
3. During the state of emergency the President of Georgia shall issue decrees having the force of organic laws. A decree of the President of Georgia shall be immediately submitted to the Prime Minister of Georgia, who shall make a decision to counter sign the decree immediately upon the receipt thereof and it shall enter into force from the moment of its issuance. The decree shall be valid until the cancellation of the state of emergency. A decree related to the authority of the National Bank of Georgia shall be issued upon the consent of the President of the National Bank of Georgia. The decree shall be immediately submitted to the Parliament of Georgia for approval. The Parliament of Georgia shall approve the decree upon the assembly. If the Parliament of Georgia does not approve the decree, it shall lose its legal force immediately after voting.
4. A decree issued during a state of emergency by the President of Georgia and countersigned by the Prime Minister of Georgia that restricts the rights and freedoms listed in Articles 13, 14, 15, 17, 18, 19, 21 and 26 and suspends the validity of Article 13 (2-6 Article 14(2), Article 15(2), Article 17 (3, 5 and 6), Article 18(2) and Article 19(3) of the of the Constitution of Georgia, shall be immediately submitted by the President of Georgia to the Parliament of Georgia for approval. The counter signature of the decree on the restriction of rights by the Prime Minister of Georgia shall be deemed the issuance of the said decree and it shall enter into force from this moment, and the decree on the suspension of the provision shall enter into force upon the approval thereof by the Parliament of Georgia. The text of the decree shall be broadcast during the entire day and shall be made public through all available mass media.



Law of Georgia No 1022 of 6 September 2013 – website, 23.9.2013.

Law of Georgia No 3576 of 31 October 2018 – website, 21.11.2018

Article 3

1. The motives for the adoption of such a decision shall be indicated in the presidential edict for a declaration of a state of emergency, and its territorial boundaries.
2. A decision on the revocation of a state of emergency shall be made in accordance with the procedures established for declaration and approval of the relevant state of emergency.
3. After the entry into force of the presidential edict on a declaration of a state of emergency, the text of the edict shall be broadcast during the entire day and shall be made public using all available mass media.

Law of Georgia No 1022 of 6 September 2013 – website, 23.9.2013.

Law of Georgia No 3576 of 31 October 2018 – website, 21.11.2018

Article 4

During a state of emergency, the supreme bodies of the executive authority of Georgia, depending on specific circumstances, within the scope of their authority, and in accordance with the requirements of legislation, may carry out the following measures:

- a) strengthen public order and protect those facilities that ensure the activities of the population and the functioning of the economy;
- b) temporarily resettle citizens from districts that are dangerous to live in, and at the same time provide them with necessary stationary or other temporary dwellings;
- c) introduce a special regime of the entry into and exit of citizens from the areas which are under the state of emergency;
- d) if necessary, restrict the right of free movement of citizens and stateless persons and prohibit them from leaving their places of residence or other places of accommodation without an appropriate permit, remove those who violate public order, or relocate those who are not inhabitants of a given place to their permanent places of residence or outside the area of the state of emergency and at their own expense;
- e) temporarily seize firearms, melee weapons, and ammunition from citizens, and seize military training vehicles, explosives, radioactive substances and materials, and strong chemical and poisonous substances from enterprises, institutions and organisations;
- f) prohibit the arrangement of gatherings, meetings, street processions and demonstrations, as well as entertainment, sports and other mass actions;
- g) make changes to the production, manufacturing, and delivery plans of state enterprises and organisations, and resolve other matters related to their economic activities, and also establish a special regime of operation of state and private enterprises, institutions and organisations;
- h) based on the needs related to the state of emergency, during the state of emergency temporarily dismiss from their positions the heads of strategic state enterprises, and institutions and organisations of vital importance to the population, and appoint other persons in their places, and also temporarily prohibit the dismissal of workers and employees from such enterprises, institutions and organisations, in accordance with their wishes, except for cases of dismissal on the basis of an excusable ground, and also restore temporarily dismissed persons to their positions immediately upon the cancellation of the state of emergency, unless a legal ground for their dismissal from the position exists;
- i) use, in accordance with legislation, the resources of state enterprises, institutions and organisations for the prevention and



elimination of the consequences of the state of emergency, and also utilise, for the same purposes, the property and material means owned by other natural and legal persons, only in exchange for relevant compensation that shall be issued after the end of the state of emergency;

j) prohibit the arrangement of strikes;

k) engage citizens who are capable of work in the operation of enterprises, institutions and organisations in exchange for an average wage, and engage them in the elimination of the consequences of the state of emergency, and at the same time ensure the safety of their work;

l) prohibit or restrict trading in arms, strong chemical and poisonous substances, and alcoholic beverages and alcohol-containing substances, and prohibit the wearing of military uniforms and outfits without permission;

m) introduce quarantines and carry out other mandatory sanitary and anti-epidemic measures;

n) establish control over the means of mass media as provided for by legislation;

o) introduce special rules for using communications facilities;

p) restrict the movement of vehicles and search them;

q) impose a curfew;

r) prevent the creation of armed groups of citizens not envisaged by the legislation of Georgia, and activities carried out by such groups;

s) check documents at locations of mass gatherings of citizens, and where there are relevant grounds, arrange personal searches of citizens, and search their personal property and vehicles.

Law of Georgia No 2169 of 7 May 2003 – LHG I, No 15, 4.6.2003, Art. 102

Article 5

1. The supreme bodies of the executive authority of Georgia shall have the right, during the period of a state of emergency, to annul any decision made by subordinate bodies acting in areas to which the state of emergency applies.

2. The Government of Georgia shall coordinate the work for the prevention, mitigation and elimination of the consequences of a state of emergency.

Law of Georgia No 3134 of 4 March 2015 – website, 23.3.2015

Law of Georgia No 1682 of 7 December 2017 – website, 14.12.2017

Article 6

During the period of a state of emergency the heads of enterprises, institutions and organisations may, if required, temporarily engage workers and employees, without their consent, in tasks which are not envisaged by their employment contracts.

Article 7

1. During a curfew, citizens shall be prohibited from staying on streets or in other public places, and from going outside their household premises without official permits and identity documents.

2. Those who violate the provisions of paragraph 1 of this article shall be detained by the police or patrol prior to the end of the



curfew, and those who carry no documents shall be detained until their identification is established, but not for more than three days; the detainees may be searched individually, and their personal property may be searched as well.

Article 8

Infringement of the requirements established by Article 4(c), (d), (f), (j) and (l-p), as well as the requirements provided for by Article 7(1), shall result in administrative liability as provided for by legislation.

Article 9

The Defence Forces of Georgia may be used and operated for the elimination of the consequences of a state of emergency, and for ensuring the safety of citizens, on the basis of the Constitution of Georgia.

Law of Georgia No 1022 of 6 September 2013 – website, 23.9.2013.

Law of Georgia No 3576 of 31 October 2018 – website, 21.11.2018

Article 10

1. For the purposes of coordinating the actions, the management of, and interaction with, the forces called upon for the elimination of the consequences of a state of emergency, on the basis of a decree of the President of Georgia, together with the countersignature of the Prime Minister of Georgia, the Government of Georgia may be obligated to create ad hoc bodies on the basis of an ordinance, and/or to appoint a representative of the Government of Georgia and/or a commander, in locations to which the state of emergency applies, and to define the scope of authority of such persons.

2. In locations to which a state of emergency applies, a representative of the Government of Georgia and/or a commander shall issue orders to fulfil the requirements of normative acts adopted by the Government of Georgia that regulate, within the scope of this Law, matters related to facilitating the regime of the state of emergency.

Law of Georgia No 1022 of 6 September 2013 – website, 23.9.2013

Law of Georgia No 3134 of 4 March 2015 – website, 23.3.2015

Law of Georgia No 1682 of 7 December 2017 – website, 14.12.2017

Law of Georgia No 3576 of 31 October 2018 – website, 21.11.2018

Article 11

During a state of emergency, and on the basis of a decision of a governmental institution defined by an ordinance of the Government of Georgia, experts with relevant training and experience, either from Georgia or from abroad, may be invited to help with the elimination of the consequences of natural calamities or man-made catastrophes, or outbreaks of epidemic.

Law of Georgia No 2169 of 7 May 2003 – LHG I, No 15, 4. 6. 2003, Art. 102

Law of Georgia No 1022 of 6 September 2013 – website, 23.9.2013.

Law of Georgia No 3576 of 31 October 2018 – website, 21.11.2018

Article 12



The Parliament of Georgia shall be granted the right to change the territorial jurisdiction for civil and criminal cases established by law.

Article 13

1. During a state of emergency, or for the purposes of its prevention, the State shall provide dwelling areas and compensation for material damage, and shall ensure assistance in job seeking, and otherwise assist citizens who have suffered due to actions undertaken for the elimination of the state of emergency.
2. The Government of Georgia shall define the conditions and procedures for allocating dwelling areas and compensation for damage, and for rendering other required assistance under the legislation of Georgia.

Law of Georgia No 1022 of 6 September 2013 – website, 23.9.2013.

Article 14

1. If the state authorities are not able to ensure the requisite performance of their functions in locations to which a state of emergency applies, the President of Georgia may, by decree and with the countersignature of the Prime Minister of Georgia, establish a provisional government until the cancellation of the state of emergency in accordance with the legislation of Georgia, by which he/she shall impose an obligation on the Government of Georgia to form, on the basis of an ordinance, a temporary authority exercising powers of governance, or to appoint an official and define the said official's powers.
2. In the cases provided for by paragraph 1 of this article, the powers of the relevant state bodies shall be suspended temporarily, and the performance of their functions shall be transferred to the newly established body or official appointed by ordinance of the Government of Georgia, which/who, within their powers and in accordance with the legislation of Georgia, may:
 - a) apply the measures provided for by Article 4 of this Law;
 - b) temporarily perform the functions of local self-government bodies;
 - c) submit proposals on state, economic and social construction matters to the higher state authorities of Georgia;
 - d) in accordance with the legislation of Georgia, subordinate state enterprises, and institutions and organisations located in the relevant area, in accordance with the procedures defined by the Government of Georgia.

Law of Georgia No 4855 of 5 June 2005 – LHG I, No 21, 18. 6. 2007, Art. 178

Law of Georgia No 1022 of 6 September 2013 – website, 23.9.2013.

Law of Georgia No 3576 of 31 October 2018 – website, 21.11.2018

Article 15

The Ministry of Foreign Affairs of Georgia shall immediately notify the Secretary-General of the United Nations about the declaration and cancellation of a state of emergency.

Article 16

1. This Law shall enter into force upon its promulgation.
2. The Law of the Republic of Georgia of 11 December 1990 on Emergency Procedures (the Gazette of the Supreme Council of the



Republic of Georgia, 1990, No 12, Art. 364) shall be deemed void.

President of Georgia

Eduard Shevardnadze

Tbilisi

17 October 1997

No 972 – Ib

