

MPC – MIGRATION POLICY CENTRE

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MPC - MIGRATION PROFILE

Georgia

The Demographic-Economic Framework of Migration
The Legal Framework of Migration
The Socio-Political Framework of Migration

Report written by the

MPC Team

on the basis of CARIM East database and publications

June, 2013

The Demographic-Economic Framework of Migration

From the early to mid-nineties the national economic output of Georgia fell by a factor of four. This drastic economic decline was complemented by significant flows of people who permanently moved abroad. Historically, migration patterns have been heavily influenced by the Georgian civil war in the early 1990s as well as ethnic conflicts in South Ossetia and Abkhazia. Still, the major motivation for most emigrants has been to gain employment and improve their economic situation. Emigration flows are mainly directed toward the EU, the US and the Russian Federation.

Immigration stocks in Georgia are relatively small flows in comparison to countries in the CIS region. However in the past decade flows have steadily increased. Labour immigrants move to Georgia mostly from India, Turkey and China.

Outward migration		Inward migration																																																																																																																																																																
<p>Stock</p> <p>According to destination countries' statistics, 767,489 or 198,904 Georgian migrants resided abroad in years around 2012 (table 1), who represent respectively 17.1% or 4.4% of the total population residing in Georgia. The huge difference between the two estimates depends on whether migrants living in Russia are counted according respectively to the country of birth or citizenship criterion.</p> <p>Table 1 - Georgian emigration stocks by country of residence, most recent data (c. 2012)</p> <table border="1"> <thead> <tr> <th>Country of residence</th> <th>Definition (a)</th> <th>Reference date (Jan 1st)</th> <th>Number</th> <th>Number</th> <th>%</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>European Union</td> <td></td> <td></td> <td>68,726</td> <td></td> <td>9.0</td> <td>34.6</td> </tr> <tr> <td>of which Germany</td> <td>(B)</td> <td>2012</td> <td>17,163</td> <td></td> <td>2.2</td> <td>8.6</td> </tr> <tr> <td>Greece</td> <td>(A)</td> <td>2006</td> <td>13,254</td> <td></td> <td>1.7</td> <td>6.7</td> </tr> <tr> <td>Spain</td> <td>(A)</td> <td>2012</td> <td>10,501</td> <td></td> <td>1.4</td> <td>5.3</td> </tr> <tr> <td>CIS countries + Georgia</td> <td></td> <td></td> <td>635,419</td> <td>66,834</td> <td>82.8</td> <td>33.6</td> </tr> <tr> <td>of which Russia</td> <td>(A)</td> <td>2002</td> <td>628,973</td> <td>X</td> <td>82.0</td> <td></td> </tr> <tr> <td>Russia</td> <td>(B)</td> <td>2002</td> <td>X</td> <td>52,918</td> <td></td> <td>26.6</td> </tr> <tr> <td>Ukraine</td> <td>(B)</td> <td>2001</td> <td>6,446</td> <td></td> <td>0.8</td> <td>3.2</td> </tr> <tr> <td>Azerbaijan</td> <td>(B)</td> <td>2009</td> <td>4,008</td> <td></td> <td>0.5</td> <td>2.0</td> </tr> <tr> <td>Other countries (b)</td> <td></td> <td></td> <td>63,344</td> <td></td> <td>8.3</td> <td>31.8</td> </tr> <tr> <td>of which Israel</td> <td>(A)</td> <td>2005</td> <td>44,462</td> <td></td> <td>5.8</td> <td>22.4</td> </tr> <tr> <td>US</td> <td>(A)</td> <td>2011</td> <td>14,270</td> <td></td> <td>1.9</td> <td>7.2</td> </tr> <tr> <td>Turkey</td> <td>(B)</td> <td>2011</td> <td>1,740</td> <td></td> <td>0.2</td> <td>0.9</td> </tr> <tr> <td>Main total</td> <td></td> <td></td> <td>767,489</td> <td>198,904</td> <td>100.0</td> <td>100.0</td> </tr> </tbody> </table> <p>(a): Georgian migrants are defined according to the country of birth (A) or country of nationality (B) criterion according to countries of residence, in Russia both numbers are reported.</p> <p>(b): "Other countries" include Iceland, Liechtenstein, Norway, Switzerland, Israel, US, Turkey, Canada, Australia and Japan.</p> <p>Sources: national statistics (Population Censuses, population registers, registers for foreigners, etc.)</p>		Country of residence	Definition (a)	Reference date (Jan 1st)	Number	Number	%	%	European Union			68,726		9.0	34.6	of which Germany	(B)	2012	17,163		2.2	8.6	Greece	(A)	2006	13,254		1.7	6.7	Spain	(A)	2012	10,501		1.4	5.3	CIS countries + Georgia			635,419	66,834	82.8	33.6	of which Russia	(A)	2002	628,973	X	82.0		Russia	(B)	2002	X	52,918		26.6	Ukraine	(B)	2001	6,446		0.8	3.2	Azerbaijan	(B)	2009	4,008		0.5	2.0	Other countries (b)			63,344		8.3	31.8	of which Israel	(A)	2005	44,462		5.8	22.4	US	(A)	2011	14,270		1.9	7.2	Turkey	(B)	2011	1,740		0.2	0.9	Main total			767,489	198,904	100.0	100.0	<p>Stock</p> <p>In 2002, 74,434 individuals born abroad and 8,058 foreigners resided in Georgia (1.7% and 0.2% of the total population, respectively).</p> <p>Table 2 - Immigration stocks in Georgia according to different criteria, 2002</p> <table border="1"> <thead> <tr> <th>Country of citizenship/ country of birth</th> <th>Number (birth)</th> <th>Number (citizenship)</th> </tr> </thead> <tbody> <tr> <td>CIS countries</td> <td>70,922</td> <td>7,026</td> </tr> <tr> <td>of which Russia</td> <td>38,672</td> <td>5,316</td> </tr> <tr> <td>Armenia</td> <td>12,268</td> <td>859</td> </tr> <tr> <td>Ukraine</td> <td>9,706</td> <td>360</td> </tr> <tr> <td>Azerbaijan</td> <td>5,780</td> <td>378</td> </tr> <tr> <td>Kazakhstan</td> <td>1,651</td> <td>45</td> </tr> <tr> <td>Belarus</td> <td>1,059</td> <td>20</td> </tr> <tr> <td>Uzbekistan</td> <td>736</td> <td>12</td> </tr> <tr> <td>Moldova</td> <td>466</td> <td>24</td> </tr> <tr> <td>Kyrgyzstan</td> <td>242</td> <td>3</td> </tr> <tr> <td>Turkmenistan</td> <td>197</td> <td>5</td> </tr> <tr> <td>Tajikistan</td> <td>145</td> <td>4</td> </tr> <tr> <td>Other countries</td> <td>3,512</td> <td>1,032</td> </tr> <tr> <td>of which Germany</td> <td>607</td> <td>81</td> </tr> <tr> <td>Turkey</td> <td>455</td> <td>300</td> </tr> <tr> <td>Total</td> <td>74,434</td> <td>8,058</td> </tr> <tr> <td>% of the total population</td> <td>1.7</td> <td>0.2</td> </tr> </tbody> </table> <p>Source: Population Census - 2002</p>		Country of citizenship/ country of birth	Number (birth)	Number (citizenship)	CIS countries	70,922	7,026	of which Russia	38,672	5,316	Armenia	12,268	859	Ukraine	9,706	360	Azerbaijan	5,780	378	Kazakhstan	1,651	45	Belarus	1,059	20	Uzbekistan	736	12	Moldova	466	24	Kyrgyzstan	242	3	Turkmenistan	197	5	Tajikistan	145	4	Other countries	3,512	1,032	of which Germany	607	81	Turkey	455	300	Total	74,434	8,058	% of the total population	1.7	0.2
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<p>Indeed, in Russia, while individuals born in Georgia are 628,973, Georgian citizens stand only at 52,918. The former (largest) number is the result of large scale ethnic repatriation waves which occurred just after the collapse of the USSR, whereby a significant amount of persons born in the Georgian territory before 1991 with Russian descent, decided to 'return' to their origin country. They are the so-called ethnic Russians who are generally not perceived as Georgian emigrants, but Russian nationals.</p> <p>Significant stocks are also found in Israel (44,462) and the US (14,270).</p>		<p>The vast majority of immigrants are from former Soviet countries, and especially Russia and Ukraine.</p> <p>The age distribution of immigrant stocks by age highlights that only 10% are 0-14 years of age, whereas 29% are within the retirement age range of 65 years and over. The remaining 61% are of working age.</p> <p>Half of the immigrant stocks have a medium-level education to ISCED level 4 (post-secondary, non-tertiary education). Of the remaining population 22% were educated to the tertiary-level and 30% were educated to basic education or below.</p>																																																																																																																																																																

It is worth mentioning that Georgian consular statistics found stocks to amount to 405,433 emigrants. Based on country of citizenship criterion, these statistics likely include a part of irregular migrants - who want to be in a regular position at least with their origin country institutions - and some second generation migrants. According to these figures over half of all migrant stocks are in Russia.

Migrants are heavily distributed across the working ages. As to their gender composition, males are much more represented in other former Soviet republics (64.0%), while a more gender balanced profile is observed in other countries (males are 49.2%).

Georgian migrants tend to be medium-highly educated with 45.3% holding a secondary diploma and 32.8% a tertiary education. It should be mentioned that migrants in OECD countries tend however to be higher skilled with the same percentage being at 35.7% and 38.7% compared with those staying in other former Soviet republics (where the same values stand at 53.8% and 27.7%, respectively).

In OECD countries, there are three main occupational shares for Georgian emigrants – professionals (18.4%), service workers and shop and market sales workers (16.4%) and craft and related trades workers (14.8%).

According to the 2002 Georgian Census (Emigration module), the main motivation to migrate for 78.4% of all emigrants was to improve their current economic situation. Study (6.6%) and asylum (1.1%) were the other motivations of note. Skills mismatch is a likely trend amongst Georgian stocks, as one in four potential migrants has been found not to have a particular job preference. Instead gaining employment is their major aim. For example, potential emigrants are willing to accept lowly qualified jobs such as domestic help/caregiving.

Flows

According to Georgian official statistics, in 2000s Georgia experienced a positive migration balance except for the year 2000 because of the 'Rose' revolution and for the 2009-2011 period. However, these data do not include either irregular migration - which is said to be a large phenomenon in Georgia (Badurashvili, 2012) – or temporary migration to Russia.

To deal with this, looking at the evolution of remittances of expatriates from Georgia as a rough proxy of migrants' stock and their annual variations as flow proxies seems a reasonable exercise (figure 1).

Flows

Data on residence permits granted to foreign people in 2009-2011 signals that temporary migration to Georgia is the more popular migration option in comparison to permanent migration (table 3).

Table 3 - Granted residence permits to foreign citizens by type of permit, 2009-Jan/2011-Apr

Year	Temporary permits (T)	Permanent permits (P)	Total	Ratio T/P
2009	2,725	1,350	4,075	2.0
2010	4,858	2,530	7,388	1.9
2011 (Jan-Apr)	1,524	632	2,156	2.4

Source: National Statistics Office - Georgia

Among recent temporary migrants, the most represented nationalities are from India, Turkey and China (table 4).

Table 4 - Granted temporary residence permits by country of citizenship, 2009-Jan/2011-Apr

Country of citizenship	2009	2010	2011 (Jan-Apr)	Total
India	390	1,645	448	2,483
Turkey	981	1,020	276	2,277
China	404	904	400	1,708
Russia	184	218	46	448
Others	766	1,071	354	2,191
Total	2,725	4,858	1,524	9,107

Source: National Statistics Office - Georgia

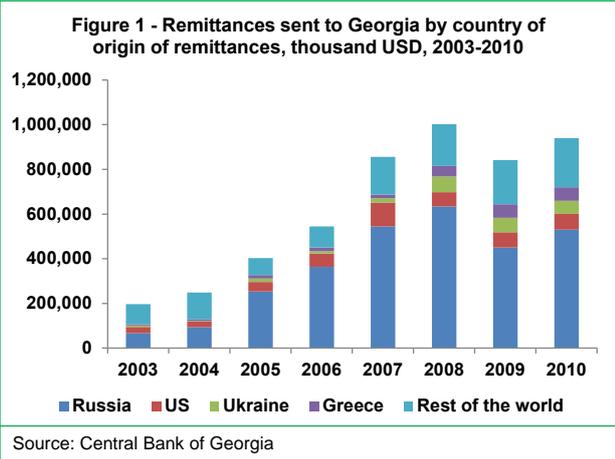


Figure 1 seems to show that emigration started to be significant since 2004, without interruption till 2009 (one year after the start of the global economic recession) and started again to increase in 2010.

In 2010, remittances equalled 8.1% of the GDP with Russia being the first country of origin of remittances.

References: Badurashvili, I. 2012. The Socio-Political Impact of Labour Migration on Georgia. , Carim-East Research Report 2012/21, Migration Policy Centre, European University Institute, San Domenico di Fiesole.

The Legal Framework of Migration

In 1993, soon after independence, the Georgian Parliament adopted several laws, which constituted a core of the migration legislation: the Law on the Citizenship of Georgia; the Law on Foreigners' Temporary Entry into, Stay in and Exit from Georgia; the Law on the Legal Status of Foreigners; the Law on Immigration, and the Law on Emigration. It took a relatively long time before a legislative act regulating the granting of refugee status was adopted by the Parliament in 1998, which was declared invalid recently upon the entry into force of the Law on Refugee and Humanitarian Status on 18 March 2012.

The most important event with regard to regulating migration was the adoption of the new Law on Legal Status of Foreigners on 27 December 2005, which came into force on 1 July 2006, declaring invalid the previous Law on the Legal Status of Foreigners, the Law on Temporary Entry of Foreigners as well as the Law on Immigration. The aforementioned law is a legal document regulating legal grounds of foreign citizens' entry into, stay in and exit from Georgia, determining their legal status and regulating most of the relations with participation of foreign citizens. The abovementioned Law on Emigration was declared void on 2 February 2009 when its provisions were incorporated in the Law on the Rules of Georgian Citizen's Entry into and Exit from Georgia, which was renamed in the "Law of Georgia on the Rules of Georgian Citizen's Entry into and Exit from Georgia".

As to the legislation on citizenship, worth mentioning are the amendments of 6 December 2004 to the Constitution of Georgia and the Constitutional Law on Citizenship of Georgia which empowered the President of Georgia to grant citizenship to a citizen of a foreign country who has a special merit before Georgia or whose citizenship is in the state' interest.

Finally, at the end of 2011, the Law on Compatriots Living Abroad and Diaspora Organizations was adopted (it entered into force on 1 March 2012), which, among other, defines the basis for acquiring the status of compatriots living abroad and benefits deriving from that status.

Legal Framework	Outward migration	Inward migration
General legal references	<p style="text-align: center;">Legal framework governing migration and mobility</p> <ul style="list-style-type: none"> 2011 Law on the Refugee Status and Humanitarian Status 2011 Law Compatriots Living Abroad and Diaspora Organizations 2009 (1993) Law on the Rules of Georgian Citizen's Entry into and Exit from Georgia 2006 Law on Combating Human Trafficking 2005 Law on the Legal Status of Foreigners 1996 Law on the Rules of Registration of Georgian Citizens and Foreigners Residing in Georgia 1995 Constitution of Georgia 1993 Law on the Citizenship of Georgia 	

<p>Entry and Exit</p>	<p style="text-align: center;">Visa</p> <p>Georgian citizens are exempted from the visa requirements in Mongolia, Turkey and the CIS countries, except for the Russian Federation.</p> <p>- EU-Georgia Visa Facilitation Agreement is in force since 1 March 2011. The EU-Georgia Visa Dialogue with a view to visa-free travel of GE citizens to the Schengen MS was launched in June 2012, and the relevant Visa Liberalisation Action Plan, which needs to be implemented by Georgia before the visa requirement for GE citizens is waved, was handed to Georgian government by Commissioner Malmström in February 2013.</p> <p style="text-align: center;">Cross-border mobility</p> <p>According to Art. 22.2 of the Constitution, everyone legally residing in Georgia shall be free to leave Georgia. This right may be restricted only: in accordance with the law; in the interests of securing national security or public safety; for the protection of health; for the prevention of crime; and for the administration of justice that is necessary for maintaining a democratic society. Special restrictions regarding the exit of citizens of Georgia are set in the Law on the Rules of Georgian Citizen's Entry into and Exit from Georgia. In particular, a Georgian citizen may be refused to exit Georgia if he/she is wanted by the law enforcement agencies of Georgia or if he/she has presented any invalid or false documents.</p> <p>Reference should also be made to the Decree of the President of Georgia of 27 February 2012, No 142 regulating the issue, validity and use of the return certificate to Georgia, which is a document to be issued to Georgian citizens in specific cases so that they can return to Georgia.</p>	<p style="text-align: center;">Visa</p> <p>Georgia has in place a visa-free regime for the citizens of more than 90 countries (including the CIS and EU/EFTA MS)</p> <p>- 4 types of visa exist: diplomatic, service, ordinary, study. Diplomatic, service and ordinary visas can be for stays up to 90 or 360 days; study visas are up to 360 days.</p> <p style="text-align: center;">Cross-border mobility</p> <p>Foreigners can enter the territory of Georgia and exit from Georgia through the border checkpoints open for international travel when they have a valid travel document and a stay permit in Georgia. The types of stay permits are: a) GE Visa; b) residence permit; c) Certificate of temporary residence for a refugee or a person with humanitarian status.</p> <p>An foreigner may be denied entry into GE, if a) he/she does not have documents required for entry into GE; b) there were established facts of violation of the GE Criminal Law during his/her previous stay in GE, or during the last year before submission of an application, the person concerned was expelled or has not paid the fine imposed for illegal stay in GE; c) he/she has presented any false information or documents in order to receive a visa or enter GE; d) he/she does not have sufficient financial means for staying and living in GE, or for returning back; e) his/her presence in GE may pose threat to public order and security, to the protection of health, or to the rights and legitimate interests of citizens and residents of GE; f) his/her presence in GE will harm relationships between the latter and any other foreign country; g) he/she does not provide information or provides false information about himself/herself and his/her travel intentions; h) other grounds for refusal envisaged by the legislation of Georgia. Refusal to enter Georgia has to be made in a written form indicating grounds for refusal.</p>
<p>Irregular migration</p>	<p>The Agreement between the European Union and Georgia on the Readmission of Persons Residing without Authorization was signed on 22 November 2010 and came into force on 1 March 2011. It has concluded before readmission agreements with Italy (signed in 1997, not entered into force),</p>	<p>The Criminal Code sets sanctions for the illegal crossing of Georgian borders (Article 344) and for assisting a migrant in illegal border crossing (Art. 344¹). The violation of the rules of stay/residence and illegal employment of foreigners are administrative infringements.</p>

Bulgaria (2003), Switzerland (2005), Germany (2008) and Latvia (2009). The most recent readmission agreement was signed on 10 November 2011 between Georgia and the Kingdom of Norway (it came into force on 3 February 2012).

The Readmission Agreement concluded between the EU and Georgia does not supersede all previous agreements between individual Member States and Georgia. However, its provisions take precedence over the provisions of any bilateral agreement. For example, under the EU-Georgia readmission agreement, a readmission application must be replied to within 12 calendar days. The Agreement between GE and Bulgaria sets 30 days as the time limit for replying a readmission agreement. In such cases of difference as this, the provisions of the EU-Georgia Readmission Agreement take precedence.

The Decree of the President of Georgia of 26 April 2011, N225 designates the Ministry of Interior as the competent authority for the implementation of the EU-Georgia readmission agreement.

Georgia has concluded a readmission agreement with Ukraine in 2004 and a relevant readmission protocol in 2005.

After the loss of the right to stay and before being apprehended, a foreigner, although de jure in irregular situation, can depart independently within 10 days. In this case neither administrative fine nor an entry ban is imposed. After 10 days, the border guard fines the foreigner. The fine can be paid either before or after leaving the territory. No entry ban will be imposed as long as the fine is paid.

A foreigner who entered or stays illegally or who poses a risk to public policy, public security or national security can be expelled from Georgia. The decision-making body in case of illegal entry/stay is the Ministry of Justice while in other cases it is a court of justice. If the decision is taken by the Ministry of Justice, 3 days are fixed for independent departure (non-compliance leads to forced expulsion). A court's decision on expulsion has to be implemented immediately (i.e. forced expulsion carried out by the National Bureau of Enforcement).

Administrative detention is possible for the purposes of identification or carrying out the expulsion decision. After 48h, a court's decision is needed. No time limit for such a detention is set. 1 year entry ban is imposed in case of expulsion.

Georgia ratified the so-called Palermo Protocols on THB and smuggling in 2006.

2006 Law Combating Trafficking in Persons lays down legal and organisational grounds for preventing and combating trafficking in persons in Georgia. It also defines the responsibilities and obligations of state agencies, officials and legal bodies, as well as the rules for the coordination of their activities. The Law determines the legal status of victims of trafficking and sets guarantees to their social and legal protection.

<p>Rights and settlement</p>	<p>The Georgian legislation provides citizens of Georgia with the right to exit from Georgia for permanent residence to another state.¹ Whereas, Georgian citizens who decide to emigrate from Georgia have to obtain an emigration permit.² In practice, most emigrants do not apply for it. Consequently, the numbers of the emigrants registered by Georgian authorities do not reflect the scale of emigration from Georgia.</p> <p>The Georgian legislation provides for a special status of compatriots and Diaspora organizations. A compatriot residing abroad is defined as a citizen of Georgia, who resides in other state for a long period of time, or a citizen of other state, who is of Georgian descent or/and whose native language belongs to the Georgian-Caucasian language group. The Georgian descent means when a person or his/her ancestor belongs to any ethnic group living within the territory of Georgia, and recognizes Georgia as own country of origin.³ A Diaspora organization is defined as community established pursuant to the laws of the state of residence, for the purpose of popularization of Georgian culture, national language and traditions, initiation of communication between the diasporas, cooperation with Georgia in cultural, scientific and technical, and other fields.⁴ Persons with a status of compatriots living abroad are allowed to enter Georgia without visa and stay in Georgia for up to 30 days.⁵ They also have the right to receive state study grants for secondary and higher education.⁶ In case of the approval of a respective sport's governing body, compatriots living abroad will have an opportunity to represent Georgia at sport events.⁷</p>	<p>Foreigners have the same rights as the citizens with the exception of the right to found/join or donate to political parties, vote in national or local elections. Foreigners qualify to social and retirement benefits if they have legally resided in Georgia during the last 10 years. Persons with asylum, refugee or humanitarian status have the same rights to education as Georgian citizens.</p> <p>There are two types of residence permits in Georgia: temporary and permanent.</p> <p>The temporary residence permit is issued for no more than six years to a foreigner who: a) has been engaged in labour activities in Georgia; b) has arrived in Georgia for the purpose of medical treatment or study; c) has been invited by a relevant governmental agency, as a highly skilled expert or a cultural worker and such invitation is in the interests of Georgia; d) is a guardian or custodian of a Georgian citizen; e) is under the guardianship or custody of a Georgian citizen; f) is a family member a GE citizen or of a foreign citizen having a residence permit in Georgia; g) upon a grounded assumption can be a victim of trafficking; h) has been suspended citizenship of Georgia.</p> <p>The permanent residence permit is issued, as a rule, to: a) a foreigner who has legally lived in Georgia for the last six years, excluding the living period for study or medical treatment and working period within the diplomatic and equivalent representation; b) a family member of a GE citizen; c) highly qualified specialists-technicians, sportsmen and art workers whose arrival is in the interests of Georgia; d) a person who has been suspended citizenship of Georgia.</p>
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¹ Article 3 (1) of the Law on the Rules of Georgian Citizen's Entry into and Exit from Georgia.

² Article 20 of the Law on the Rules of Georgian Citizen's Entry into and Exit from Georgia.

³ Article 3 (b) and (c) of the Law on Diaspora Organizations and Compatriots.

⁴ Article 3 (g) of the Law on Diaspora Organizations and Compatriots.

⁵ Article 11 (1) (c) of the Law on Diaspora Organizations and Compatriots; Article 4 (5⁴) of the Law on Legal Status of Foreigners.

⁶ Article 11 (1) (d) of the Law on Diaspora Organizations and Compatriots; Article 22 (7) of the Law on General Education; Articles 80 and 80¹ of the Law on Higher Education.

⁷ Article 11 (1) (a) of the Law on Diaspora Organizations and Compatriots; Article 20 (4) of the Law on Sport.

		<p>A foreign citizen having a residence permit in Georgia has to register him or herself at the place of his or her residence within one month after entering the territory of Georgia or in case of being on the territory of Georgia after receiving the residence permit.</p>
<p>Labour</p>	<p>Accession to the ILO Discrimination (Employment and Occupation) Convention in 1995. Accession to the ILO Convention on Private Employment Agencies in 2002.</p> <p>In 1996, Georgia ratified Revised European Social Charter. Among those provisions of the Charter which are binding for Georgia is Article 19 which deals with the right of migrant workers and their families to protection and assistance. Though, the Revised Social Charter is not yet ratified by eleven member states of the Council of Europe, including Germany, the Czech Republic and the United Kingdom. This reduces the application area of the Charter.</p> <p>According to Art. 20 of the 1996 EC-Georgia Partnership and Cooperation Agreement, “the Community and the Member States shall endeavour to ensure that the treatment accorded to Georgian nationals legally employed in the territory of a Member State shall be free from any discrimination based on nationality, as regards working conditions, remuneration or dismissal, as compared to its own nationals.”</p> <p>In the framework of the EU-Georgia Mobility Partnership signed in 2009, Georgia is the process of negotiating two labour migration agreements: one with Germany and another with France. There are also other measures enacted by some individual EU MS in the framework of the MP, which aim to support circular or temporary migration of GE citizens. In particular, Georgian Citizens can take up temporary employment in Poland without a work permit, and Germany allows Georgian citizens who have legal residence permits in Germany to leave Germany for longer periods (up to two years) than the usual six months without losing their residence titles.</p>	<p>The Georgian legislation stipulates some limitations only with regard to the employment in the public service and also to becoming an attorney and occupying a notary's position. The Labour Code and the Law on Entrepreneurs do not provide for any limitations for foreigners to engage in employment relations or establish commercial legal entities or get registered as individual entrepreneurs in Georgia.</p> <p>In order to enter Georgia for work purposes and perform labour activities in Georgia foreigners do not need to obtain work permits. They may enter into Georgia with ordinary visas, unless they fall under the visa exemptions. Ordinary visa is issued for a period of 360 days, in the case of issuing ordinary visas at the border crossing points – for a period up to 90 days. After the expiry of the validity period of the ordinary visa, a foreign citizen willing to work or study in Georgia has to obtain a temporary residence permit. A temporary residence permit in Georgia is issued to those foreign citizens willing to stay in Georgia for not more than six years who are engaged in labour activity. After 6 years the person may apply for a permanent residence permit. In order to obtain a temporary residence permit on the basis of performing labour activities in Georgia the foreign citizen has to submit along with other necessary documents a document confirming labour activity in Georgia (labour contract or any other employment document); for persons of free profession - a certificate from bank, depicting turnover of sums on his/her personal account for the last year. The termination of residence permit occurs automatically upon the expiry of its validity period. One of the grounds for termination of the term of stay in Georgia is the termination of labour activities on the ground of which the residence permit was obtained.</p>

<p>Citizenship</p>	<p>Dual citizenship is not allowed for citizens of Georgia, unless granting Georgian citizenship to the person is in the interest of the Georgian state or if the person has made special contribution to the Georgia state (granted by the president).</p> <p>The grounds for termination of citizenship of Georgia are: a) withdrawal from citizenship of Georgia; b) loss of citizenship of Georgia; c) other circumstances provided for by international treaties of Georgia.</p> <p>A person loses citizenship of Georgia if he or she: a) enters into military service, police, bodies of justice, government or state power of a foreign state, without permission of competent bodies of Georgia; b) permanently resides on the territory of another state and has not registered in the consulate within two years, without due excuse; c) has acquired citizenship of Georgia by providing false documents; d) obtains citizenship of another state.</p> <p>In 2011, Georgia acceded to the Convention relating to the Status of Stateless Persons.</p>	<p>Georgian citizenship is based primarily on the principle of jus sanguinis. Namely, a child whose parents were citizens of Georgia as of the date of its birth is a citizen of Georgia regardless of the place of birth. In the case where only one of the parents is a Georgian citizen, the child is considered to be a citizen of Georgia if it was born: a) on the territory of Georgia; b) outside the borders of Georgia but one of the parents has a permanent place of residence on the territory of Georgia; c) one of the parents, at the date of a birth of a child (regardless of the place of birth) is a citizen of Georgia and the other is a stateless person or unknown. Where only one of parents is a Georgian citizen and both of the parents reside outside the territory of Georgia, the question of citizenship of the child born outside the borders of Georgia shall be determined by an agreement of parents. In the absence of such agreement - by the legislation of the state of birth.</p> <p>Preconditions for naturalization are: 5 years of permanent residence, knowledge of the Georgian language, history and legislation, legal means of income or real estate in Georgia or shares in either capital or stocks of companies, registered in Georgia. Facilitated naturalization for persons with merit to Georgia or mankind or profession or qualifications, which are of interest to Georgia, for spouses of Georgian citizens and for persons with repatriate status.</p>
<p>International Protection</p>	<p>Georgia ratified 1951 Geneva Refugee Convention and the 1967 New York Protocol in 1999.</p> <p>The Georgian legislation differentiates between the procedures of granting of asylum, the refugee status and the humanitarian status. Asylum is granted by the President of Georgia, whereas the refugee status and the humanitarian status are granted by the Ministry of IDP, Accommodation and Refugees.</p> <p>Asylum is granted to those foreigners who are persecuted in their home countries for promoting human rights protection and peace, as well as for carrying out progressive socio-political, scientific and other intellectual activities. Asylum is granted by the President of Georgia, whereas the refugee status and the humanitarian status are granted by the Ministry of IDPs from the Occupied Territories, Accommodation and Refugees.</p> <p>A refugee status may be granted to a person who is not a Georgian citizen and is not a stateless person permanently residing in Georgia and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself</p>	

of the protection of that country or to return it⁸. As to the humanitarian status, it can be obtained by a person, who cannot fulfil the requirements of the refugee status, but is unable to return to his or her place of permanent residence due to certain humanitarian reasons⁹.

After illegally crossing the border, a person seeking asylum in Georgia is obliged to apply to a state body within 24 hours. The Ministry of IDPs, Accommodation and Refugees has to reach a decision on the registration of the person as asylum seeker within 10 days from the date of filing the application.¹⁰ The decision on the granting to the person a refugee or humanitarian status is made by the Ministry within 6 months after the registration, whereas, this period may be extended by up to 9 months.

Persons who apply for protection in Georgia are offered accommodation in the asylum reception centre.¹¹ Persons who were granted the refugee or humanitarian status has the right to stay in the reception centre up to 3 months and then either to choose accommodation provided by Ministry of IDPs, Accommodation and Refugees or find their own accommodation.

Persons with the refugee or humanitarian status receive the temporary residence permit.

⁸ Article 2 of the Law on Refugee and Humanitarian Status.

⁹ Article 4 of the Law on Refugee and Humanitarian Status.

¹⁰ Article 12 (1) of the Law on Refugee and Humanitarian Status.

¹¹ Article 18 (1) (b) of the Law on Refugee and Humanitarian Status.

The Socio-Political Framework of Migration

Due to Georgia's geopolitical location and its demographic and economic development, the migration process management is one of the priorities in the country. Local politicians are well aware of the potential economic and demographic consequences resulting from large-scale labour emigration. At the same time, they are aware of the benefits that could be derived from the remittances sent by the migrants to their country of origin, and the Georgian Diaspora's contribution to this process. In terms of the development of migration processes, Georgia is a country of both origin and destination and transit. Prior to the "Rose Revolution", the need for migration regulation was not present in the political priorities of the ruling party. Several laws regulating the migration sphere at the time have been declared ineffective today or amended legislatively substantially. Since 2004, fundamental institutional reforms have been carried out and strategic goals for Georgia's foreign policy have been defined. In order to promote regional stability, the strategic document of Georgia's foreign policy for 2006-2009 sought to fight illegal migration and establish a respective legislative base for legal employment of Georgian citizens abroad. Migration regulation is also one of the priorities in terms of cooperation between Georgia and the European Union. In the early spring 2013 the government adopted a new State Strategy on Migration (see below).

In order to determine overall policy line of Georgia's government for internal and external migration and improve the state system for migration management, the Governmental Commission on Migration Issues was established in fall 2010. It comprises the following entities: the Ministry of Justice, the Ministry of Internal Affairs, the Ministry of IDPs, Accommodation and Refugees, the Ministry of Foreign Affairs, the Ministry of Economy and Sustainable Development, the Ministry of Labour, Health and Social Protection, the Ministry of Finance, the Office of the State Minister for Diaspora Issues and the National Statistics Office.

Socio-Political Framework	Outward migration	Inward migration
<p>Governmental Institutions</p>	<p>Ministry of Foreign Affairs through its consulates protects the rights of Georgian citizens abroad and keeps record of registered migrants, provides them with consular services.</p> <p>The Office of the State Minister of Georgia for Diaspora Issues works with Diaspora organisations, creates contact databases of these organizations and Diaspora members, supports various cultural events to foster links between Georgia and its Diaspora.</p> <p>Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees works mainly on social and economic reintegration of refugees and IDPs in Georgia, and return migrants, including returnees, readmitted in accordance with the readmission agreements (see above).</p>	<p>Asylum: Public Service Development Agency (formerly: the Civil Registry Agency) of the Ministry of Justice is responsible for issuing travel documents for stateless persons and refugees, residing in Georgia. Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees is responsible for the policies regarding refugees, asylum seekers, internally displaced persons, return migrants, repatriation, disaster victims, and resettlement. The Ministry is in charge of the refugee status determination and granting refugee or humanitarian statuses.</p> <p>Border Management: Ministry of Internal Affairs, namely its Patrol Police Department (PPD) is responsible for border management and border protection of the country. PPD is also responsible for issuing visas at the state border.</p> <p>Legal and Labour Migration: Ministry of Foreign Affairs through its consulates issues visas abroad. Ministry of Justice/Public Service Development Agency (formerly: the Civil Registry Agency) issues temporary and permanent residence permits. Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees is responsible for monitoring of processes connected to labour migration.</p>

		<p>Irregular migration: Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees works to prevent illegal/irregular migration. Ministry of Internal Affairs/Patrol Police Department controls the borders to ensure the legal regime of the Georgian state border; to combat irregular migration and trafficking in human beings.</p> <p>Citizenship: The President of Georgia has the authority to grant/revoke citizenship, grant dual citizenship. Public Service Development Agency of the Ministry of Justice is responsible for issuing citizenship documents, processing citizenship applications and preparing relevant conclusions for the President.</p>
Governmental Strategy	<p>The newly adopted State Migration Strategy aims at:</p> <ul style="list-style-type: none"> – Supporting legal emigration (providing assistance to Georgian citizens for emigrating legally, getting temporary employment abroad, also supporting educational exchange programs and raising awareness of the public); – Supporting Georgian citizens' repatriation and reintegration with dignity (the implementation of the international treaties and national legislation with regard to the return of Georgian citizens, reintegration of Georgian citizens, strengthening of the capacities of the institutions involved in reintegration process and development of a legal framework, the increase of awareness with respect to reintegration, recognition of the skills and education acquired abroad). 	<p>The newly adopted State Migration Strategy aims at:</p> <ul style="list-style-type: none"> – Supporting legal immigration; – Fighting and preventing illegal migration (enhancement of combating against human trafficking and illegal smuggling of migrants across borders and improvement of relevant mechanisms, general public awareness raising, identification of legal deficiencies and their follow-up elimination, institutional development, improvement of inter-agency and international cooperation, implementation of preventive activities, improvement of shelter (refuge) system and the process of refugees' integration); – Developing an asylum system (formation of a legal and institutional framework within the asylum system, the development of an efficient system for obtaining information on the country of origin, further improvement of the integration mechanism for refugees and the persons under humanitarian status and provision for their employment, education and healthcare, creation of favourable conditions for the persons living in a reception centre);
Civil Society	<p>Civil Development Agency (CiDA) Open Society Georgia Foundation United Nations Association of Georgia Danish Refugee Council Eurasia Partnership Foundation People's Harmonious Development Society</p>	<p>Innovations and Reforms Centre Liberal Academy – Tbilisi Georgian Young Lawyers Association</p>

<p>Migration and development</p>	<p>Strengthening cooperation with Georgian diasporas abroad has already become one of the major goals reflected within the Foreign Policy Strategy of Georgia, strategy documents for migration and the EU-Georgia Joint Declaration on Mobility Partnership signed in 2009. In 2008, the Office of the State Minister for Diaspora Issues has been established in Georgia. Since that time, the Parliamentary Committee for Diaspora and the Caucasus Region Issues has started working on the affairs related to Georgian compatriots residing abroad. The joint efforts undertaken by these two agencies resulted in adopting a “Law of Georgia on Compatriots and Diaspora Organizations Residing Abroad” in 2011, a major step taken forward in this direction. As mentioned above, granting the status of compatriots according to the law gives certain advantages: the certificate holders may enter the territory of Georgia without a visa; they can get state-funded general and higher education, while being able to participate in various targeted programs designated for diasporas and financed by state. In compliance with the action plan for 2011 developed by the Office of the State Minister for Diaspora Issues, some of the priorities of the Office included economy, education and culture. In terms of economy, the Office is planning to attract diasporas investments, arrange business forums and promote the attraction of labour migrants’ savings and investments into Georgian economy; propose and popularize specific projects based on active cooperation with respective state agencies.</p>
<p>International Cooperation</p>	<p>Georgia is a member of the following forums actively working on migration issues: IOM, Council of Europe, and OSCE. It participates in the following regional processes: Budapest Process, Prague Process, and Eastern Partnership. It is subject to the European Neighbourhood Policy and Black Sea Synergy.</p>