

ON NATIONAL SECURITY POLICY PLANNING AND COORDINATION

Chapter 1 – General Provisions

Article 1 - Scope of the Law

This Law determines the areas of the national security policy, the process of planning and coordination of the policy and the authority of agencies that coordinate the policy planning process.

Article 2 - Concept of the national security policy

The national security policy is an activity carried out to ensure the state interests of Georgia, which implies activities to detect, identify, assess, evade and prevent threats, risks and challenges existing on the domestic level or abroad.

Article 3 - Areas of the national security policy

For the purposes of this Law the areas of the national security policy are as follows:

- a) state defence
- b) external security
- c) internal security
- d) social and economic security
- e) ecological and energy security
- f) information security
- g) legal order.

Article 4 - Values of national security policy

The national security policy is based on the following values:

- a) sovereignty and territorial integrity
- b) freedom
- c) democracy and the rule of law
- d) security
- e) welfare
- f) peace.

Article 5 - Principles of planning and coordination of the national security policy

Principles of planning and coordination of the national security policy are as follows:

- a) lawfulness
- b) strict abidance by, and respect of human rights and fundamental freedoms
- c) a unified governmental approach
- d) continuity
- e) scheduling



f) publicity and civic engagement.

Chapter II – Areas of National Security Policy

Article 6 - State defence

The area of the state defence includes the following fields:

- a) detection, identification, assessment and prediction of military threats;
- b) ensuring the territorial integrity and sovereignty of the State by providing military forces in the case of armed attack;
- c) development, training and operational readiness of military forces;
- d) ensuring the compliance of infrastructure and communications of the country with the objectives of state defence ;
- e) preparation of the economy of the country, central and local self-government bodies, enterprises, organisations and population for martial law, and implementation of mobilisation measures;
- f) creation of material resources for the purposes of defence ;
- g) development of the military education system, science and industry;
- h) development of international cooperation in security and military technical areas.

Article 7 - External security

The area of external security includes the following fields:

- a) detection, identification, assessment and prediction of external threats, risks and challenges;
- b) implementation of the foreign policy of the State in compliance with the goals and objectives of national security ;
- c) implementation of the policy of non-recognition and of de-occupation of the occupied territories of Georgia at the international level;
- d) protection of the rights and lawful interests of the citizens of Georgia residing abroad;
- e) protection of the interests of the Georgian diaspora and support of their activities;
- f) implementation of intelligence and external counter-intelligence activities;
- g) ensuring capacity building of the agencies involved in the provision of external security.

Article 8 - Internal security

The area of internal security includes the following fields:

- a) detection, identification, assessment and prediction of internal threats, risks and challenges;
- b) protection of the constitutional order and sovereignty and ensuring the territorial integrity of Georgia;
- c) ensuring the restoration of the territorial integrity of the country and the return of internally displaced persons in a dignified manner;
- d) neutralisation of intelligence and/or other activities carried out by foreign organisations, groups of persons or individuals against the state interests of Georgia;
- e) combating extremist and terrorist ideology and activities;
- f) ensuring the civil integration of ethnic and religious minorities residing on the territory of the country;
- g) ensuring the protection of the state borders of Georgia;
- h) management of migration and repatriation processes in accordance with internationally recognised norms;
- i) ensuring the protection of information containing state secrets;
- j) ensuring capacity building of the agencies involved in the provision of internal security.



Article 9 - Social and economic security

The area of social and economic security includes the following fields:

- a) protection of the human rights and fundamental freedoms guaranteed by the Constitution of Georgia, in the process of planning and implementing the national security policy;
- b) detection, identification, assessment and prediction of social and economic threats, risks and challenges;
- c) neutralisation of the economic and financial activities threatening the state interests of Georgia;
- d) ensuring compliance of the regulatory norms related to strategically important facilities with the goals and objectives of the national security policy;
- e) assessment of the aspects of security of strategically important economic projects and development of appropriate security mechanisms;
- f) ensuring compliance of foreign economic relations with the goals and objectives of the national security policy;
- g) ensuring demographic security;
- h) ensuring compliance of the health and social protection policy with the goals and objectives of the national security policy;
- i) ensuring food safety;
- j) ensuring the protection from pandemic, epidemic, epizootic and other biological hazards;

Article 10 - Ecological and energy security

The area of ecological and energy security includes the following fields:

- a) detection, identification, assessment and prediction of ecological and energy threats, risks and challenges;
- b) ensuring compliance of the use of natural resources with the goals and objectives of the national security policy;
- c) development of appropriate mechanisms to protect population and territory from emergency situations of natural and technogenic character ;
- d) mitigation and liquidation of impacts caused by natural and man-made disasters;
- e) ensuring capacity building of the Emergency Response Forces and coordination of their activities ;
- f) ensuring safety of the management of harmful waste;
- g) implementation of the energy policy in compliance with the goals and objectives of the national security policy.

Article 11 - Information security

The area of information security includes the following fields:

- a) ensuring security of the information space of Georgia and detection, identification, assessment and prediction of the threats, risks and challenges related to it;
- b) ensuring protection of critical information systems;
- c) neutralisation of activities threatening the state interests of Georgia in cyberspace;
- d) ensuring capacity building of the agencies involved in the provision of cyber-security;
- e) development of institutional coordination and international cooperation in the provision of cyber-security;
- f) ensuring security of e-governance systems;
- g) raising public awareness of cyber-security matters, and formation and development of an appropriate education base;
- h) ensuring physical, technical and software protection of the electronic means of processing information that contains state secrets.

Article 12 - Legal order

The area of legal order includes the following fields:

- a) consolidation of the rule of law;



- b) development of appropriate mechanisms for improving the crime situation;
- c) combatting transnational and organised crime;
- d) ensuring capacity building of law enforcement agencies;
- e) development of international cooperation in the areas of law enforcement and criminal law.

Article 13 - Other matters related to the national security policy

In addition to the fields determined by Articles 6-12 of this Law, the national security policy also includes other matters that are directly related to the above fields.

Chapter III – Procedures of Planning and Coordination of the National Security Policy

Article 14 - Organisation of planning and coordination of the national security policy

1. National security policy planning is implemented by means of national and agency level conceptual and organisational documents.
2. National security policy is planned and coordinated considering the fields determined by Chapter II of this Law.

Article 15 - National-level conceptual documents

1. The types of the national-level conceptual documents are as follows:

- a) the National Security Concept of Georgia
- b) the Threat Assessment Document of Georgia
- c) national security strategies.

2. The National Security Concept of Georgia is a basic document that outlines national values and interests, defines the vision of the safe development of the country, determines the threats, risks and challenges that the country faces and identifies basic areas of the national security policy. All national and agency-level documents of national security policy planning shall comply with the National Security Concept of Georgia. The Government of Georgia shall develop the National Security Concept of Georgia and submit it to the Parliament of Georgia for approval. The National Security Concept of Georgia shall be approved by resolution of the Parliament of Georgia.

3. The Threat Assessment Document of Georgia determines military, foreign policy, domestic policy, transnational, social and economic, natural and technogenic threats and challenges that pose significant danger to the national security of the country. The documents determined by this paragraph shall be prepared and approved by the Government of Georgia.

4. For the purposes of this Law a national strategy in the field of security is a document prepared by the State for achieving the set goals, which is prepared in particular areas and/or fields of the national security policy determined by Articles 6 through 13 of this Law, and which defines the problems existing in that areas and/or fields and suggests the ways of solving those problems. The national security strategy has a time-defined action plan that defines the time, means and agencies responsible for the performance of particular tasks. The national security strategy also includes a Strategic Defence Review, which determines basic areas of the development of the Ministry of Defence and the armed forces of Georgia, the future (for a definite period of time) structure of the armed forces and the means and mechanisms for improving compatibility of the armed forces of Georgia with the North Atlantic Treaty Organisation (NATO). The strategies determined by this paragraph are developed and approved by the Government of Georgia as provided for by the legislation of Georgia, except for the National Military Strategy of Georgia, the procedure for the approval of which is determined by the Organic Law of Georgia on the National Security Council.

5. In order to achieve the goals and objectives defined in the action plan of the national security strategy, the state authorities and the state trustees, the Governors, are obliged to develop agency-level action plans in accordance with the procedures established by the legislation of Georgia. The agency-level action plans determine the mechanisms of fulfilment of the obligations imposed on the state authorities and the state trustees, the Governors, under the action plan of the national security strategy.

6. In order to achieve the goals and objectives defined in the action plan of the national security strategy, local self-government bodies shall prepare agency-level action plans in accordance with the procedures established by the legislation of Georgia within the authority delegated to them by the State. Preparation of agency-level action plans within the scope of authority carries a recommendatory character.

Article 16 - Agency-level documents

1. The agency-level national security policy is planned by means of conceptual and organisational documents prepared by the respective agencies.
2. The types of the agency-level conceptual documents are as follows:
 - a) an agency-level concept



b) an agency-level strategy

c) a doctrine

d) a programme.

3. The types of the agency-level organisational documents are determined by relevant legal acts of the state authorities, local self-government bodies and state trustees, the Governors, of Georgia.

Article 17 - Agency-level conceptual documents

1. The agency-level conceptual documents are prepared in order to achieve the goals and objectives determined by the national-level conceptual documents, and are approved by relevant legal acts of the state authorities, local self-government bodies and state trustees, the Governors, of Georgia.

2. For the purposes of this Law:

a) an agency-level concept is a declaration of the vision of the relevant agency regarding the areas and/or fields determined by Articles 6-13 of this Law, and also a declaration of its values, methods, ideas, intentions and general principles that are applicable to appropriate conditions and requirements. The agency-level concept also includes the vision of the head of an appropriate agency for the goals, objectives, activities, functions and development of the agency;

b) the agency-level strategy is a document prepared by an appropriate agency, within its authority, for achieving the goals and objectives determined by national-level conceptual documents that gives a detailed description of the problems and the solutions thereof identified by the national-level conceptual documents in a particular area and/or field of the national security policy. The agency-level strategy has a time-defined action plan that defines the time, means and structural units responsible for the fulfilment of particular tasks;

c) the doctrine is a document prepared by an agency in accordance with the main principles of the areas and/or fields declared at the national level as provided for by Articles 6 through 13 of this Law; the document establishes the procedures for the efficient use of the agency's resources for performing particular task(s);

d) the programme determines special measures to be taken depending on the areas and/or fields specified by Articles 6 through 13 of this Law, and the mechanisms for the implementation of those measures. The programme does not identify the plans for the implementation of the above measures.

3. Local self-government bodies shall prepare the agency-level conceptual documents in accordance with the procedures established by the legislation of Georgia, within the authority delegated to them by the State. Preparation of the agency-level conceptual documents within the scope of authority is recommendatory.

Article 18 - Agency-level organisational documents

1. The agency-level organisational documents are approved and/or adopted by relevant legal acts of the state authorities, local self-government bodies and state trustees, the Governors of Georgia that are issued and/or adopted to achieve the goals and objectives determined by the national and agency-level conceptual documents.

2. Local self-government bodies shall prepare agency-level organisational documents in accordance with the procedures established by the legislation of Georgia, within the authority delegated to them by the State. Preparation of the agency-level organisational documents within the scope of authority is recommendatory.

Article 19 - Process of planning and coordination of the national security policy and the bodies coordinating the policy planning process

1. The process of planning and coordination of the national security policy is carried out in accordance with the unified governmental approach principle.

2. Standing or temporary interagency commissions and/or working groups are established to prepare national-level conceptual documents, the structure, authority and activities of which are determined by an appropriate ordinance of the Government of Georgia.

3. The process of planning the national security policy shall be coordinated by the National Security Council and the State Security and Crisis Management Council.

4. The powers of the National Security Council shall be determined by the Organic Law of Georgia on the National Security Council.

5. The powers of the State Security and Crisis Management Council shall be determined by Chapter IV of this Law.

Chapter IV – State Security and Crisis Management Council

Article 20 - Functions of the State Security and Crisis Management Council



1. The State Security and Crisis Management Council ('the Council') is established to prepare political decisions of the Prime Minister of Georgia ('the Prime Minister') regarding strategic matters to ensure domestic and foreign policy, defence, stability and legal order of the country that are related to the national security and are within the authority of the Government of Georgia, for the purpose of managing all types of crisis situations in the area of national security and those threatening the state interests of Georgia.

2. The Council is a consultative body to the Prime Minister and is directly subordinate to the Prime Minister.

3. The Council carries out its activities on the basis of the Constitution of Georgia, international agreements of Georgia, this Law and other legislative acts of Georgia.

Article 21 - Powers of the Council

In order to exercise the rights granted to the Government of Georgia by the Constitution of Georgia, the Council shall:

a) familiarise itself with and examine information on the situation in the areas of state security and legal order, identify and assess internal and external threats and develop appropriate measures to prevent those threats.

Note: For the purposes of this Law state security includes the defence, internal, external, social and economic, ecological, energy and information security of the State;

b) analyse domestic and foreign policy issues that are directly related to the national security;

c) organise the development of the state strategies in the areas of the internal and external security policy, defence and legal order and the measures necessary for the implementation of those strategies;

d) examine and analyse the situation in the international conflict zones and prepare scenarios for possible development of events, depending on the state interests of Georgia;

e) prepare proposals for the cooperation of Georgia in the area of international security;

f) prepare recommendations on the participation of Georgia in security measures carried out abroad under international agreements and treaties of Georgia;

g) prepare and review draft laws and normative acts on matters of state defence, security and legal order;

h) supervise the activities of the ministries of Georgia, the Autonomous Republics of Ajara and Abkhazia, the state trustees, the Governors, and other state agencies in the areas of state defence, security and legal order and provide them with appropriate recommendations, within its authority, as provided for by the legislation of Georgia;

i) request from state authorities that carry out state supervision of activities of local self-government bodies, information regarding the exercise of rights delegated to local self-government bodies in the areas of state defence, security and legal order, and provide appropriate recommendations to the authorities carrying out the state supervision of the activities of local self-government bodies;

j) coordinate development and implementation of necessary measures to identify, avoid, prevent and predict internal and external threats and risks that are against the fundamental state interests of Georgia;

k) develop proposals to prevent and eliminate the outcomes of the events containing political, military, social, economic, ecological and other threats;

l) manage all types of crisis situations at the political level, threatening the state interests of Georgia;

m) exercise other powers granted under the legislation of Georgia.

Law of Georgia No 3962 of 8 July 2015 - website, 15.7.2015

Article 22 - Composition of the Council

1. The Council has permanent and invited members.

2. The permanent members of the Council are: the Prime Minister, the Minister of Finance of Georgia, the Minister of Internal Affairs of Georgia, the Minister of Defence of Georgia, the Minister of Foreign Affairs of Georgia, the Head of the State Security Service of Georgia, the Assistant to the Prime Minister of Georgia on State Security Issues - the Secretary of the State Security and Crisis Management Council.

3. If necessary, upon the decision of the Prime Minister of Georgia, the following officials may be invited to meetings of the Council with voting rights: the Minister of Labour, Health and Social Affairs of Georgia, the Minister of Environment and Natural Resources Protection of Georgia, the Minister of Economy and Sustainable Development of Georgia, the Minister of Energy of Georgia, the Minister of Regional Development and Infrastructure of Georgia, the Minister of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia, the Minister of Justice of Georgia, the State Minister of Georgia in European and Euro-Atlantic Integration, the State Minister of Georgia for Reconciliation and Civil Equality, the Chair of the Parliament of Georgia, the Head of the General Headquarters of the Armed Forces of Georgia, the Head of Georgian Intelligence Service, the Assistant to the President of Georgia on National Security Issues - the Secretary of the National Security Council - as the representative of the President of Georgia in the Council.

4. Upon the decision of the Prime Minister, other officials may also be invited to meetings of the Council without voting rights.



5. The Council shall be accountable to the Prime Minister.

Law of Georgia No 3962 of 8 July 2015 - website, 15.7.2015

Article 23 - Meetings of the Council

1. The Council is chaired by the Prime Minister of Georgia.

2. Meetings of the Council are not public. Upon decision of the Prime Minister, meetings of the Council may be declared public.

3. The Council generally meets once in every two months. Meetings of the Council are convened by the Prime Minister. The Prime Minister may convene a meeting of the Council ahead of schedule, if necessary.

4. The Council makes decisions by a simple majority of votes of the members present at the meeting. In the case of an equal division of votes, the vote of the Chair of the meeting of the Council shall be decisive.

5. The Council shall prepare recommendations for the Prime Minister to make a decision regarding the matters to be reviewed. On the basis of recommendations prepared by the Council, the Government of Georgia makes an appropriate decision upon the recommendation of the Prime Minister.

6. Meetings of the Council are documented by minutes of the meeting that are signed by the Chair of the meeting of the Council and by the Secretary of the Council.

Article 24 - Assistant to the Prime Minister on State Security Matters- the Secretary of the State Security and Crisis Management Council

1. The Assistant to the Prime Minister on State Security Matters- the Secretary of the State Security and Crisis Management Council ('the Secretary of the Council') shall be appointed and dismissed by the Prime Minister.

2. The Secretary of the Council may be appointed from among the members of the Council. In this case the work of the Secretary of the Council is not reimbursed and the Secretary carries out his/her activities in addition to the performance of his/her primary duties.

3. The Secretary of the Council has deputies who are appointed and dismissed by the Prime Minister upon the recommendation of the Secretary of the Council.

4. When carrying out official duties, the Secretary of the Council is accountable to the Prime Minister only.

5. The Secretary of the Council shall:

a) organise the activities of the Council;

b) administer the Office of the Council;

c) submit to the Prime Minister internal regulations, structure and the staff list of the Office of the Council to be approved by the Government of Georgia;

[c) submit to the Prime Minister internal regulations and the staff list of the Office of the Council to be approved by the Government of Georgia. **(Shall become effective as from 1 January 2017)]**

d) organise the meetings of the Council;

e) monitor the fulfilment of the decisions of the Government of Georgia on the matters of state defence, security and legal order;

f) submit proposals to the Prime Minister on the establishment of standing and temporary interagency commissions and working groups;

g) coordinate the activities of the standing and temporary interagency commissions and working groups established by the Council;

h) sign official documents and legal acts within his/her authority;

i) classify, de-classify and change the level of classification of information that contains state secrets and is prepared by the office of the Council as provided for by the legislation of Georgia;

j) perform particular assignments of the Prime Minister in a prescribed manner;

k) exercise other powers granted under the Legislation of Georgia.

Law of Georgia No 4354 of 27 October 2015 - website, 11.11.2015

Article 25 - Office of the Council

1. For the provision of informational, analytical and organisational support, the Council has an Office, which is a special regime agency working on classified information.



2. In order to exercise the authorities granted to the Council by law the Office of the Council shall:

- a) coordinate preparation of the draft national-level conceptual documents in the areas of state defence, security and legal order;
- b) monitor the fulfilment of the obligations imposed on the state authorities and the state trustees, the Governors, under the action plan of the national security strategy in accordance with the legislation of Georgia, and submit appropriate opinions to the Prime Minister;
- c) request from the authorities that carry out state supervision of the activities of local self-government bodies, information regarding the exercise of the rights delegated to the local self-government bodies in the areas of state defence, security and legal order, and submit appropriate recommendations to the Council for review;
- d) determine the compliance of agency-level conceptual documents with the goals and objectives specified in national-level conceptual documents;
- e) identify, assess, analyse and predict the conditions existing in the area of national security, and the basic fields and challenges in the area of internal and external threats;
- f) provide informational and analytical support to the Prime Minister on matters of state defence, security and legal order;
- g) prepare proposals and recommendations for the implementation of the strategic areas of the national security;
- h) request information from appropriate state agencies to process and/or, if necessary, to submit to the Prime Minister for the purposes of exercising its powers;
- i) provide the Prime Minister with proposals and recommendations on the issues to be reviewed at meetings of the Council;
- j) prepare for meetings of the Council upon the assignment of the Secretary of the Council;
- k) upon the assignment of the Secretary of the Council, submit an agenda of meetings of the Council to the Prime Minister for approval and the proposals about the list of officials to be invited to the meetings;
- l) draw up draft legal acts on matters of state defence, security and legal order on the basis of the decisions of the Council, as provided for by the legislation of Georgia;
- m) monitor the performance of legal acts and assignments of the Prime Minister by defence, law enforcement and special services;
- n) coordinate the activities of the agencies responsible in areas of state defence, security and legal order;
- o) coordinate formation of a unified state policy on the matters falling within its authority, upon decision of the Council;
- p) coordinate the management of emergency and crisis situations in the country, upon decision of the Council;
- q) exercise other powers granted under the Legislation of Georgia.

3. The internal regulations, structure and staff list of the office of the Council shall be approved by an ordinance of the Government of Georgia.

[3. The internal regulations and the staff list of the Office of the Council shall be approved by an ordinance of the Government of Georgia. (Shall become effective as from 1 January 2017)]

4. Material, technical and organisational support for the Office of the Council shall be provided from the State Budget of Georgia as provided for by the legislation of Georgia.

5. The Office of the Council possesses its own seal and letterhead, which bears the name of the Office of the Council and other symbols determined by the legislation of Georgia.

6. An employee of the Office of the Council may be a citizen of Georgia of the age of 21 and above, who is able to perform the required assigned duties considering his/her personal character and working skills, education and health status.

7. The procedures and conditions for the recruitment, special examination, admission to work, grading of military rank and performance of service duties by him/her shall be determined by an ordinance of the Government of Georgia.

8. The employees of the Office of the Council may acquire military ranks, the list of which is determined by the legislation of Georgia.

9. The military ranks shall be granted to the employees of the Office of the Council by the Prime Minister or an authorised official, determined by an individual legal act of the Prime Minister, in accordance with the procedures established by the legislation of Georgia.

10. A citizen of Georgia, who is subject to deferment of, or is released from, conscription into compulsory military service under the legislation of Georgia, may be recruited as an employee of the Office of the Council.

11. A service member, who is an employee of the Office of the Council, shall perform military service under the Law of Georgia on Military Duty and Military Service.

12. An employee of the Secretariat of the Council shall be a representative of the state authority in carrying out his/her official duties. Legal and social protection of the employees of the Office of the Council is provided by the State under the legislation of Georgia.

Law of Georgia No 4354 of 27 October 2015 - website, 11.11.2015



Article 26 - National Centre for Crisis Management

1. The National Centre for Crisis Management is included in the Office of the Council. In crisis situations, particularly in the case of encroachments on national security, internal political instability or an attempt thereof, or in natural and/or technogenic disasters and other emergency situations, the National Centre for Crisis Management shall become directly subordinate to the Prime Minister.

2. In times of peace, the National Centre for Crisis Management shall:

- a) coordinate the process for planning measures to prevent threats, risks and challenges related to crisis situations;
- b) coordinate development of interagency plans related to all types of crisis situations that threaten the state interests of Georgia;
- c) determine compliance of the agency-level action plan with the interagency plans determined by paragraph (b) of this article;
- d) create and maintain a data bank of the National Centre for Crisis Management;
- e) ensure readiness of the National Centre for Crisis Management;
- f) examine and analyse the effectiveness of the measures taken after a crisis for overcoming crisis situations;
- g) perform particular assignments of the Prime Minister.

3. If there is a threat of any crisis situation, or if there is an existing crisis situation threatening the state interests of Georgia, the National Centre for Crisis Management shall:

- a) immediately provide the Prime Minister with appropriate information immediately ;
- b) organise the coordinated work of the state agencies;
- c) ensure regular operation of the National Centre for Crisis Management;
- d) prepare proposals and recommendations on overcoming crisis situations and eliminating their outcomes;
- e) monitor the performance of legal acts and assignments of the Government of Georgia and the Prime Minister regarding the management of all types of crisis situations that threaten the state interests of Georgia;
- f) perform particular assignments of the Prime Minister.

Chapter V – Transitional and Final Provisions

Article 27 - Transitional Provisions

1. Within two months after the entry of this Law into force the Office of the State Security and Crisis Management Council shall prepare and submit for approval to the Government of Georgia the procedures and requirements for the recruitment, special examination, admission to work of, granting of military ranks to, and performing military service by, the employees of the Office of the State Security and Crisis Management Council.

2. Within four months after the entry of this Law into force the Government of Georgia shall approve the procedures and conditions for the recruitment, special examination, admission to work of, granting military ranks to, and performing military service by, the employees of the Office of the State Security and Crisis Management Council.

Article 28 - Final Provisions

1. Upon the entry of this Law into force, Ordinance No 38 of 6 January 2014 of the Government of Georgia on Establishment and Approval of the Internal Regulations of the State Security and Crisis Management Council shall be declared void.

2. This Law shall enter into force upon promulgation.

President of Georgia

Giorgi Margvelashvili

Kutaisi

4 March 2015

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