

# LAW OF GEORGIA

## ON MOBILISATION

This Law regulates procedures, terms and legal matters related to the declaration of mobilisation during martial law and/or state of emergency, as well as to mobilisation readiness during peacetime.

### Chapter I – General Provisions

#### Article 1 – Definition of terms used in the Law

The terms used in this Law have the following meanings:

- a) mobilisation readiness – a complex of activities carried out during peacetime that include the creation of mobilisation resources and reserves by the economy of Georgia, by executive authorities, municipality bodies, state enterprises, institutions and organisations of Georgia in order to ensure readiness of the defence forces of Georgia and satisfaction of urgent needs of the State and the population during martial law and/or a state of emergency;
- b) mobilisation – a complex of activities that includes the use of mobilisation resources and reserves required for martial law and/or a state of emergency;
- c) (deleted – 7.3.2018, No 2040);
- d) (deleted – 7.3.2018, No 2040).

*Law of Georgia No 5293 of 24 November 2011 – website, 8.12.2011*

*Law of Georgia No 2040 of 7 March 2018 – website, 26.3.2018*

*Law of Georgia No 3588 of 31 October 2018 – website, 21.11.2018*

*Law of Georgia No 6872 of 15 July 2020 – website, 28.7.2020*

#### Article 2 – The legislation of Georgia on mobilisation

The legislation of Georgia on mobilisation consists of the Constitution of Georgia, treaties and international agreements of Georgia, this Law and other normative acts.

#### Article 3 – Principles of mobilisation

Principles of mobilisation are:

- a) centralised administration;
- b) preliminary preparation;
- c) mobilisation readiness;



- d) planning;
- e) all-inclusiveness;
- f) coordination and control.

#### **Article 4 – Essence of mobilisation**

The essence of mobilisation shall be:

- a) ensuring mobilisation readiness and its scientific and logistical support;
- b) determining a mode of operation for government agencies, municipality bodies, state enterprises, institutions and organisations, legal entities under private law, and preparing them for operation during mobilisation;
- c) carrying out activities for transferring government agencies, municipality bodies, state enterprises, institutions and organisations, as well as legal entities under private law, to a state of mobilisation, according to procedures determined by the legislation of Georgia;
- d) preparing defence forces for mobilisation;
- e) transferring defence forces to a state of martial law and/or state of emergency;
- f) developing mobilisation plans for the economy and the defence forces of Georgia;
- g) evaluating the mobilisation readiness of Georgia;
- h) creating, maintaining and developing mobilisation reserves, in order to satisfy demands of the State, defence forces and the population during mobilisation;
- i) preparing equipment to be supplied to defence forces during mobilisation;
- j) creating, accumulating, storing and timely renewing emergency reserves of inventories, food and non-food products and petroleum products in mobilisation reserves;
- k) preparing and organising provision of the population with food and non-food products, medical aid, transport and means of communication;
- l) establishing and preparing a control centre for executive authorities to operate during mobilisation;
- m) preparing mass media for working during mobilisation;
- n) registering reservists in government agencies and municipalities, enterprises, institutions and organisations, in order to assign them to work at the facilities of the relevant field of the economy operating during mobilisation;
- o) providing training and exercises, in order to carry out mobilisation deployment and mobilisation plans.

*Law of Georgia No 1977 of 27 February 2003 – LGH I, No 7, 26.3.2003, Art. 39*

*Law of Georgia No 5293 of 24 November 2011 – website, 8.12.2011*

*Law of Georgia No 3588 of 31 October 2018 – website, 21.11.2018*

*Law of Georgia No 6872 of 15 July 2020 – website, 28.7.2020*



## **Chapter II – Powers of the Parliament of Georgia, the Government of Georgia, Executive Authorities and Municipalities in the Area of Mobilisation Readiness and Mobilisation**

*Law of Georgia No 5293 of 24 November 2011 – website, 8.12.2011*

*Law of Georgia No 3588 of 31 October 2018 – website, 21.11.2018*

*Law of Georgia No 6872 of 15 July 2020 – website, 28.7.2020*

### **Article 5 – Powers of the Parliament of Georgia**

The Parliament of Georgia shall:

- a) determine state policy in the area of mobilisation;
- b) carry out legislative regulation in the area of mobilisation and approve expenses in this field;
- c) ratify, denounce and cancel treaties of Georgia in the area of mobilisation.

*Law of Georgia No 3574 of 31 October 2018 – website, 20.11.2018*

### **Article 5<sup>1</sup> – Powers of the Government of Georgia**

The Government of Georgia shall:

- a) declare mobilisation, in the event of martial law and/or a state of emergency;
- b) issue a decree on releasing inventories from the mobilisation reserve in the event of martial law and/or a state of emergency;
- c) approve a mobilisation plan of the defence forces and adopt legal acts in the area of mobilisation;
- d) ensure coordinated action of executive authorities in the area of mobilisation readiness and mobilisation.

*Law of Georgia No 3588 of 31 October 2018 – website, 21.11.2018*

### **Article 6 – (Deleted)**

*Law of Georgia No 5293 of 24 November 2011 – website, 8.12.2011*

*Law of Georgia No 1389 of 27 September 2013 – website, 9.10.2013*

*Law of Georgia No 2040 of 7 March 2018 – website, 26.3.2018*

*Law of Georgia No 3588 of 31 October 2018 – website, 21.11.2018*

### **Article 7 – Powers of the government agencies**

The government agencies, within their powers, shall:

- a) in agreement with the Legal Entity under Public Law (LEPL) called the State Material Reserves and Public Safety Service Agency, operating under the governance of the Emergency Management Service, a state subordinate agency within the Ministry of Internal Affairs of Georgia, carry out operations related to the accumulation, storage, delivery, issuance, renewal, change,



deregistration and release of inventories of the mobilisation reserve, according to procedures established by the legislation of Georgia;

b) store inventories of the mobilisation reserve (in state-owned or private storage facilities), provide services and perform related operations, as well as monitor the safekeeping of these inventories, according to procedures determined by the legislation of Georgia;

c) create, accumulate, store and renew mobilisation supply, inventories of mobilisation and state reserves, as well as emergency reserves of food, medical and petroleum products that cannot be reduced;

d) in order to create mobilisation reserves, conclude contracts with enterprises in order for the enterprises to fulfil mobilisation assignments (orders) and provide logistical support according to procedures determined by the legislation of Georgia;

e) be in charge of mobilisation readiness activities;

f) be in charge of mobilisation preparation of their structural units, subordinate agencies, territorial bodies, as well as their subordinate enterprises;

g) participate in the development of mobilisation plans;

h) participate in the preparation of draft normative acts related to the area of mobilisation preparation and mobilisation;

i) organise provision of scientific, logistical and informational support for mobilisation preparation and mobilisation;

j) control the process of mobilisation preparation and monitor its statistical reporting;

k) upon declaration of mobilisation, organise the control of activities carried out for transferring defence forces to a state of mobilisation;

l) in the case of declaring mobilisation, organise transfer of the appropriate fields of the Georgian economy to the mode of operation specified for the period of mobilisation, according to procedures determined by the Government of Georgia;

m) during the period of mobilisation readiness, register for the national economy citizens who are in reserve and who work in government agencies, their structural units, subordinate agencies, territorial bodies (agencies) and their subordinate enterprises;

n) organise training and exercises stipulated by the plans of mobilisation deployment and mobilisation;

o) in the case of declaring mobilisation, organise delivery of equipment, means of transportation, army convoys and inventories of other mobilisation reserves stipulated by the mobilisation plans, according to procedures determined by the legislation of Georgia;

p) ensure that the government agencies are observing the legislation of Georgia related to the area of mobilisation.

*Law of Georgia No 1609 of 10 June 2005 – LGH I, No 33, 1.7.2005, Art. 203*

*Law of Georgia No 1389 of 27 September 2013 – website, 9.10.2013*

*Law of Georgia No 1681 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 2622 of 27 June 2018 – website, 6.7.2018*

*Law of Georgia No 3588 of 31 October 2018 – website, 21.11.2018*

*Law of Georgia No 4090 of 22 December 2018 – website, 28.12.2018*

## **Article 8 – Delegated powers of a municipality**

In addition to the powers specified in Article 7(a-d) of this Law, appropriate municipality bodies shall, within their powers:



- a) organise and ensure preparation of mobilisation and related activities;
- b) ensure compliance with this Law, as well as with other acts issued by the President of Georgia, the Government of Georgia and executive authorities in the area of mobilisation preparation and mobilisation;
- c) develop local working plans;
- d) carry out activities for preparing the economy for mobilisation;
- e) in agreement with executive authorities, carry out activities for ensuring the implementation of mobilisation plans;
- f) enter into contracts with enterprises on delivery of products, performance of work, allocation of forces and facilities, provision of services for carrying out mobilisation preparation and mobilisation activities;
- g) in the case of declaring mobilisation, according to an established procedure, organise conscription, notification of citizens and their arrival at assembly points, as well as delivery of equipment, facilities, communications, parcels of land, means of transportation, other mobilisation reserves and inventories stipulated by the mobilisation plans, according to procedures determined by the Government of Georgia;
- h) present proposals to relevant executive authorities on matters related to improving mobilisation preparation and conduct of mobilisation.

2. In the case of declaring mobilisation, municipalities shall ensure conscription, notification of citizens and their arrival at assembly points and military units, within the authority delegated to the municipalities under the Law of Georgia on Military Duty and Military Service and the Law of Georgia on the Reserve of Defence Forces and the Military Reserve Service.

3. The powers provided for in paragraph 1 of this article shall be the powers delegated to the municipalities by the State.

4. Field supervision over the exercising of delegated powers provided for in paragraph 1 of this article during martial law shall be carried out by the Ministry of Defence of Georgia in accordance with the Organic Law of Georgia Local Self-Government Code of Georgia, and during the state of emergency, as well as in the case determined by paragraph 1(g) of this article, by the Ministry of Internal Affairs of Georgia in accordance with the Organic Law of Georgia Local Self-Government Code of Georgia.

*Law of Georgia No 5293 of 24 November 2011 – website, 8.12.2011*

*Law of Georgia No 1389 of 27 September 2013 – website, 9.10.2013*

*Law of Georgia No 2040 of 7 March 2018 – website, 26.3.2018*

*Law of Georgia No 3588 of 31 October 2018 – website, 21.11.2018*

*Law of Georgia No 6872 of 15 July 2020 – website, 28.7.2020*

### **Chapter III – Duties of State Enterprises, Institutions and Organisations, Legal Entities under Private Law and Citizens during Mobilisation Readiness and Mobilisation**

*Law of Georgia No 1977 of 27 February 2003 – LGH I, No7, 26.3.2003, Art. 39*

#### **Article 9 – Duties of state enterprises, institutions and organisations**

1. In addition to the functions specified in Article 7(a-d) of this Law, state enterprises, institutions and organisations shall be obligated to:

- a) organise and carry out activities to ensure mobilisation readiness;
- b) assign certain workers to perform mobilisation tasks during mobilisation readiness and mobilisation;



- c) develop mobilisation plans, within their powers;
- d) by the time of mobilisation, carry out activities to prepare production for the execution of mobilisation assignments (orders);
- e) carry out mobilisation assignments (orders) received for the purpose of ensuring mobilisation readiness and mobilisation;
- f) upon declaration of mobilisation, carry out activities for transferring production to the corresponding mode of operation during martial law and/or state of emergency.
- g) ensure delivery of means of transportation stipulated by the mobilisation plans to the equipment collecting points or military units;
- h) transfer buildings and structures, communication, parcels of land, means of transportation and inventories of other mobilisation reserves stipulated by the mobilisation plans to appropriate institutions, according to the established procedure;
- i) (deleted – 7.3.2018, No 2040).

2. Legal and natural persons under private law shall perform mobilisation assignments (orders) based on a contract, provided that the State subsequently compensates the damage, if any, sustained by them.

*Law of Georgia No 2040 of 7 March 2018 – website, 26.3.2018*

#### **Article 10 – Duties of citizens**

1. Citizens shall be obligated to:

- a) appear when called by the respective office of a municipality/district Gamgeoba of the Tbilisi municipality and receive specific tasks during mobilisation;
- b) fulfil requirements specified in a mobilisation notice received from the respective office of the Ministry of Defence of Georgia;
- c) transfer property to the State for its defence and security needs, with appropriate subsequent compensation, according to procedures determined by the legislation of Georgia.

2. During mobilisation and war, citizens may be involved in performance of works necessary for the defence and security of the State, according to a prescribed procedure.

3. Citizens shall be liable under procedures determined by the legislation of Georgia if they fail to fulfil requirements during the period of mobilisation readiness and mobilisation.

*Law of Georgia No 1543 of 21 June 2002 – LGH I, No 21, 12.7.2002, Art. 88*

*Law of Georgia No 2040 of 7 March 2018 – website, 26.3.2018*

### **Chapter IV – Organisational Basis for Mobilisation Readiness and Mobilisation**

#### **Article 11 – Organisation and procedure for mobilisation preparation and mobilisation**

1. The procedure for mobilisation readiness and mobilisation of defence forces of executive authorities, municipalities, state enterprises, institutions and organisations shall be determined by the legislation of Georgia.

2. The procedure for preparing the economy of Georgia for mobilisation and for organising mobilisation shall be determined by the legislation of Georgia.



3. Officials of executive authorities, appropriate municipality bodies, state enterprises, institutions and organisations shall be personally liable for performing duties imposed upon them during periods of mobilisation and mobilisation readiness.

*Law of Georgia No 5293 of 24 November 2011 – website, 8.12.2011*

*Law of Georgia No 3588 of 31 October 2018 – website, 21.11.2018*

*Law of Georgia No 6872 of 15 July 2020 – website, 28.7.2020*

## **Article 12 – Mobilisation agencies**

1. Government agencies, municipalities, state enterprises, institutions and organisations that have mobilisation assignments (orders) or that are tasked with performing mobilisation works shall establish mobilisation agencies within their structure to improve the efficiency of mobilisation activities.

2. Heads of mobilisation agencies shall report directly to respective heads of government agencies, officials of the respective municipality bodies, respective heads of state enterprises, institutions and organisations.

3. Mobilisation agencies and mobilisation workers shall be financed:

a) in government agencies – within the funds allocated for this purpose from the State Budget;

b) in municipalities – from the budget of the municipality concerned;

c) in state enterprises, institutions and organisations – from their own revenues.

4. Functions, rights and duties of the mobilisation agencies created under this Article shall be determined by an ordinance of the Government of Georgia.

*Law of Georgia No 5293 of 24 November 2011 – website, 8.12.2011*

*Law of Georgia No 1389 of 27 September 2013 – website, 9.10.2013*

*Law of Georgia No 6872 of 15 July 2020 – website, 28.7.2020*

## **Article 13 – Obligation to provide transport for military purposes**

1. According to the legislation of Georgia, the obligation to provide transport for military purposes shall be imposed during mobilisation to meet the needs of the defence forces of Georgia.

2. The obligation to provide transport for military purposes shall apply to state vehicles, military convoys, railway, maritime, river, air, pipeline, animal-drawn and pack vehicles, motorcycles, fishing and special ships, tractors, trailers and semitrailers, road construction and handling vehicles and machinery that are available in the mobilisation reserves created by executive authorities, municipalities, state enterprises, institutions and organisations; the obligation shall also apply to citizens who own the means of transportation (provided that they will be subsequently reimbursed). The obligation to provide transport for military purposes shall also apply to harbours, docks, airports, petroleum storage depots, fuel transfer depots, motor transport organisations and other organisations ensuring operation of transportation means.

3. Means of transportation that are necessary to satisfy mobilisation requirements of the defence forces of Georgia shall be commandeered from executive authorities, municipalities, state enterprises, institutions and organisations free of charge, and from natural persons and legal entities under private law, with a subsequent reimbursement. Compensation of the value of the means of transportation commandeered according to the procedure determined by the legislation of Georgia shall be carried out based on a price list drawn up according to the market prices at that time, considering reduction in price due to wear-and-tear, and shall be made after the end of the martial law.

4. The procedure for depriving property shall be determined by the Organic Law of Georgia on the Procedure for Depriving Property Due to Urgent Public Necessity.



*Law of Georgia No 5293 of 24 November 2011 – website, 8.12.2011*

*Law of Georgia No 3588 of 31 October 2018 – website, 21.11.2018*

*Law of Georgia No 6872 of 15 July 2020 – website, 28.7.2020*

#### **Article 14 – Financing of mobilisation preparation and mobilisation**

1. Mobilisation preparation and mobilisation shall be financed from the State Budget.
2. Activities for preparing mobilisation of local importance shall be financed from the budgets of the municipalities concerned.

*Law of Georgia No 5293 of 24 November 2011 – website, 8.12.2011*

*Law of Georgia No 6872 of 15 July 2020 – website, 28.7.2020*

#### **Article 15 – Secrecy during mobilisation readiness and mobilisation**

Works carried out for mobilisation readiness and mobilisation shall be organised according to the Law of Georgia on State Secrets and the requirements of normative acts related to matters of classified record management.

### **Chapter V – Conscription of Citizens who are in Mobilisation Reserve during Mobilisation**

*Law of Georgia No 2040 of 7 March 2018 – website, 26.3.2018*

#### **Article 16 – (Deleted)**

*Law of Georgia No 2040 of 7 March 2018 – website, 26.3.2018*

#### **Article 17 – (Deleted)**

*Law of Georgia No 2040 of 7 March 2018 – website, 26.3.2018*

#### **Article 18 – Organising conscription of citizens who are in reserve to the mobilisation reserve service during mobilisation**

The procedure and conditions for the staffing of the personnel, conscription, exemption from the mobilisation reserve service, and deferment of the mobilisation reserve service (registration) of the persons to be transferred to the mobilisation reserve service, as well as the period of the mobilisation reserve service, shall be determined by the Law of Georgia on the Reserve of Defence Forces and the Military Reserve Service.

*Law of Georgia No 2040 of 7 March 2018 – website, 26.3.2018*

*Law of Georgia No 3588 of 31 October 2018 – website, 21.11.2018*



## **Article 19 – (Deleted)**

*Law of Georgia No 1543 of 21 June 2002 – LGH I, No 21, 12.7.2002, Art. 88*

*Law of Georgia No 2040 of 7 March 2018 – website, 26.3.2018*

## **Chapter VI – (Deleted)**

*Law of Georgia No 2040 of 7 March 2018 – website, 26.3.2018*

## **Article 20 – (Deleted)**

*Law of Georgia No 295 of 11 May 2000 – LGH I, No 17, 12.5.2000, Art. 41*

*Law of Georgia No 1543 of 21 June 2002 – LGH I, No 21, 12.7.2002, Art. 88*

*Law of Georgia No 5293 of 24 November 2011 – website, 8.12.2011*

*Law of Georgia No 2040 of 7 March 2018 – website, 26.3.2018*

## **Chapter VII – Transitional Provisions**

### **Article 21 – Normative acts to be adopted in connection with the entry into force of this Law**

The President of Georgia shall be asked to issue, before 1 September of 1999, the following subordinate normative acts:

- a) on conditions for setting up and administration of mobilisation reserves;
- b) on the activities to be carried out to ensure readiness of the economy of Georgia for mobilisation, for transferring relevant fields of economy to the mode of operation required for the period of mobilisation and for carrying out mobilisation;
- c) on the procedures for mobilisation readiness and mobilisation of military forces of government agencies, local self-government and government bodies, state enterprises, institutions and organisations;
- d) on mobilisation agencies;
- e) on the mobilisation plan of the military forces of Georgia.

## **Chapter VIII – Final Provision**

### **Article 22 – Entry into force**

This Law shall enter into force upon promulgation.



Tbilisi

23 June 1999

No 2150-lls

