

# ORGANIC LAW OF GEORGIA ON GEORGIAN CITIZENSHIP

## Chapter I – General Provisions

### Article 1 – Scope of regulation

This Law defines the basic principles of Georgian citizenship, establishes the legal status of Georgian citizens and the grounds for acquiring and terminating Georgian citizenship.

### Article 2 – Definition of terms

The terms used in this Law have the following meanings:

- a) territory of Georgia – the territory within the national borders of Georgia, as well as sea vessels or aircraft flying the national flag of Georgia;
- b) residence in Georgia – a person's stay in the territory of Georgia within the period determined by this Law;
- c) continuous residence in Georgia – a person's residence in Georgia without spending a combined period of more than 90 days outside Georgia during a year (the period does not include leaving Georgia for up to two years for education and treatment). For the purposes of this Law, a year means a period of 365 consecutive days (in the case of a leap year – 366 days);
- d) changing citizenship – acquisition of Georgian citizenship by naturalisation, except for granting Georgian citizenship by way of exception, or termination of Georgian citizenship;
- e) minor – a person under the age of 18;
- f) unknown parent – a parent whose identity and/or citizenship is unknown;
- g) honorary citizenship of Georgia – a foreign individual's relation with Georgia that does not give rise to the rights and duties established for a Georgian citizen under the legislation of Georgia;
- h) beneficiary of support – persons defined under Article 12(4-5) of the Civil Code of Georgia;
- i) family member – spouse of a Georgian citizen or alien, his/her child, parent, adoptive parent, adopted child, sister, brother, grandfather, grandmother, grandchild, a minor under guardianship or custodianship of, and/or fully dependent on a Georgian citizen or alien, a beneficiary of support or an incapacitated person;
- j) ancestor – a representative of five generations of an ascending line of a person.

*Organic Law of Georgia No 3400 of 20 March 2015 – website, 31.3.2015*

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

### Article 3 – Georgian citizenship

1. Georgian citizenship means a legal bond between a person and Georgia.
2. There shall be a single citizenship in Georgia.
3. A Georgian citizen may at the same time be a foreign citizen only in cases provided for in Articles 17 and 21<sup>1</sup> of this Law.
4. No one may be restricted in their right to change citizenship, except as provided for by this Law or international agreements to which Georgia is a party.
5. Deprivation of Georgian citizenship shall be inadmissible.

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

### Article 4 – Legal status of Georgian citizens

1. Georgian citizens are equal before the law regardless of race, colour of skin, language, sex, religion, political or other opinions, national, ethnic and social affiliation, origin, property or social status, place of residence or any other characteristics.
2. Georgian citizens shall be guaranteed the rights and freedoms determined by the legislation of Georgia and recognised by international law.
3. Georgian citizens shall abide by the Constitution and other normative acts of Georgia, protect the country's territorial integrity and be committed to the interests of Georgia.
4. Georgia shall protect the rights, freedoms, and legitimate interests of Georgian citizens, both within and outside the territory of Georgia.

### Article 5 – Retention of citizenship

1. A Georgian citizen's marriage or dissolution of marriage with an alien or with a stateless person having a status in Georgia shall not result in the change of the citizenship of the spouses.
2. A change in the citizenship of one spouse shall not result in the change of the citizenship of the other spouse.



3. Dissolution of marriage of spouses shall not result in the change of the citizenship of their children.
4. A change in the citizenship of one or both spouses shall not result in the change of the citizenship of their children.
5. Adoption of a Georgian underage citizen by an alien(s) shall not result in the change of the citizenship of the minor.
6. A Georgian citizen's residence outside Georgia shall not result in the change of Georgian citizenship.

#### **Article 6 – Changing citizenship of minors and beneficiaries of support**

1. Citizenship of a minor may be changed (except when Georgian citizenship is lost) on the basis of an application of his/her parents or another legal representative.
2. Citizenship of a 14 years old minor may be changed (except for the cases when Georgian citizenship is lost) only by his/her consent.
3. Citizenship of a beneficiary of support (including a person under paragraph 2 of this article, if he/she is a beneficiary of support) may be changed (except for the cases when Georgian citizenship is lost) by his/her supporter's consent, unless otherwise determined under court decision.

*Organic Law of Georgia No 3400 of 20 March 2015 – website, 31.3.2015*

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

#### **Article 7 – Honorary citizenship of Georgia**

An honorary citizenship of Georgia may be granted, by the consent of a grantee, to an alien who has made an exceptional contribution to Georgia and to mankind by his/her scientific and/or public activity, or if he/she has a profession and qualification, which is of interest for Georgia, and if granting Honorary citizenship of Georgia is based on Georgian national interests.

#### **Article 8 – Oath of Georgian citizenship**

A person who acquired Georgian citizenship through naturalisation, except for the cases specified in Article 12(2) and (3) of this Law, shall give an oath of allegiance to Georgia in the Georgian language and sign the oath: 'I, (first name, last name), become a Georgian citizen and swear to serve Georgia faithfully, abide by its Constitution and all other laws, protect the independence and territorial integrity of Georgia; I recognise the Georgian language as an official language of Georgia and also, Abkhaz language in the Autonomous Republic of Abkhazia. I undertake to respect Georgian culture and national traditions.'

### **Chapter II – Acquiring Georgian Citizenship**

#### **Article 9 – Forms of acquiring Georgian citizenship**

1. Georgian citizenship is acquired:
  - a) by birth;
  - b) by naturalisation.
2. Naturalisation occurs by being granted Georgian citizenship by the President of Georgia.
3. Types of naturalisation are:
  - a) granting citizenship under regular procedure;
  - b) granting citizenship under simplified procedure;
  - c) granting citizenship by way of exception;
  - d) granting citizenship by way of its restoration.

#### **Article 10 – Acquiring Georgian citizenship by birth**

Georgian citizenship shall be acquired by birth by:

- a) a person, at whose birth one of his/her parents is a Georgian citizen;
- b) a person born on the territory of Georgia through extracorporeal fertilization (surrogacy), if the country of citizenship of neither of his/her parents recognises this person as its citizen;
- c) a child born in the territory of Georgia to stateless persons having a status in Georgia;
- d) a person born on the territory of Georgia, one of whose parents is a stateless person having a status in Georgia and the other parent is unknown.

#### **Article 11 – Citizenship of children of unknown parents**

A minor who is living in Georgia and whose both parents are unknown shall be deemed to be a Georgian citizen unless proved otherwise.

#### **Article 12 – Granting Georgian citizenship to adults under regular procedure**

1. Adults shall be granted Georgian citizenship under regular procedure if they meet the following requirements:
  - a) they have lawfully resided in Georgia for the last 10 consecutive years up to the day of applying for Georgian citizenship;



- b) they know the official language of Georgia within the established limits;
- c) they know the history of Georgia and basic principles of law within the established limits;
- d) they have a job and/or real estate in Georgia, or carry on business in the territory of Georgia or hold an interest or shares in a Georgian enterprise.

1<sup>1</sup>. An adult stateless person having a status in Georgia shall be granted Georgian citizenship under regular procedure if he/she has been lawfully residing in Georgia with the status of stateless person having a status in Georgia within the last 5 years till the day of submitting an application for granting Georgian citizenship, and meets the requirements established by paragraph 1(b-d) of this article and other requirements established by this Law.

2. (Deleted – 20.3.2015, No 3400).

2<sup>1</sup>. The requirements of paragraph 1(b-d) of this article shall not apply to granting Georgian citizenship under regular procedure to a beneficiary of support.

3. The requirements of paragraph 1(b) and (c) of this article shall not apply to granting Georgian citizenship under regular procedure to a person who has such a consistent physical, psychological, intellectual and/or sensory disorder that makes it impossible to check whether he/she meets the requirements of the said subparagraphs.

4. Paragraph 1(d) of this article shall not apply to granting Georgian citizenship under regular procedure to persons having a refugee status.

5. The limits of the required knowledge of the official language and the history of Georgia and of basic principles of law referred to in paragraph 1(b) and (c) of this article shall be determined under Article 28 (1) of this Law.

*Organic Law of Georgia No 3400 of 20 March 2015 – website, 31.3.2015*

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

*Organic Law of Georgia No 3627 of 1 November 2023 – website, 21.11.2023*

### **Article 13 – Granting Georgian citizenship to minors under regular procedure**

1. A minor who has not acquired Georgian citizenship by birth shall be granted Georgian citizenship under regular procedure if one of his/her parents is a Georgian citizen.

2. A minor shall be granted Georgian citizenship under regular procedure if he/she is adopted by a Georgian citizen.

3. A minor born in the territory of Georgia who has a refugee status or is a stateless person having a status in Georgia and has been living in Georgia for five years, shall be granted Georgian citizenship under regular procedure without the verification of the grounds provided for in Article 16 of this Law.

### **Article 14 – Granting Georgian citizenship under simplified procedure**

1. A person who is married to a Georgian citizen and who has continuously lawfully resided in Georgia for the last 5 years up to the day of applying for Georgian citizenship, shall acquire Georgian citizenship under simplified procedure if he/she meets the requirements of Article 12 (1)(b) and (c) of this Law.

2. Requirements of Article 12 of this Law shall not apply to granting of Georgian citizenship under simplified procedure to a person having the status of a repatriate. A person having the status of a repatriate shall be granted Georgian citizenship under simplified procedure according to the Regulation approved by a normative act of the Citizenship Commission (the ‘Commission’) – ordinance of the Commission.

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

### **Article 15 – Granting Georgian citizenship to a foreign citizen**

A foreign citizen may apply to an authorised body for granting Georgian citizenship. The Decree of the President of Georgia on granting Georgian citizenship to a foreign citizen, except for the Decree of the President of Georgia on granting Georgian citizenship by way of exception, shall take effect upon receiving by the competent Georgian authorities of a document certifying such person’s renunciation of the citizenship of another country.

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

### **Article 16 – Grounds for refusal to grant Georgian citizenship by naturalisation**

1. A person shall not acquire Georgian citizenship by naturalisation if:

- a) he/she has committed an international crime against peace and humanity;
- b) he/she has been involved in a grave crime against a human being, state or public security and order under the legislation of Georgia;
- c) it is inadvisable to grant him/her Georgian citizenship due to the state and/or public security interests of Georgia;
- d) he/she is wanted by the law enforcement bodies of Georgia or another country, or by the International Criminal Police Organisation (INTERPOL), and/or if the extradition or expulsion procedure is in progress against him/her.

2. The state and/or public security interest of Georgia provided for in paragraph 1(c) of this article comprises the cases, where:

- a) a person’s stay in the territory of Georgia poses a threat to Georgia’s relations with other states and/or international organisations;
- b) according to available information, there is a high probability that the person is connected with:



- b.a) the armed forces of a state/organisation posing a threat to Georgia's defence or security;
  - b.b) intelligence services of a foreign country;
  - b.c) terrorist and/or extremist organisations;
  - b.d) organisations engaged in illegal circulation of narcotics, arms, weapons of mass destruction or their components, as well as with those involved in human trafficking and/or other criminal (including transnational criminal) organisations.
3. Information about the circumstances specified in paragraph 1(c) of this article shall be communicated to the authority reviewing the case, without harming state secrets, or state and public security interests of Georgia.
4. If there are grounds specified in paragraph 1(c) of this article to refuse to grant Georgian citizenship by naturalisation, the final decision on whether to grant Georgian citizenship shall be made by the President of Georgia. In that case, the decision made by the President of Georgia to grant Georgian citizenship shall be substantiated.
- Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

#### **Article 17 – Granting Georgian citizenship by way of exception**

1. The President of Georgia may grant Georgian citizenship by way of exception to a citizen of another country who has made a contribution of exceptional merit to Georgia. The President of Georgia may also grant Georgian citizenship by way of exception to an alien based on state interests.
2. When evaluating the state interests provided for in paragraph 1 of this article, *inter alia*, the following circumstances shall be taken into account:
- a) a foreign citizen considers Georgia to be his/her homeland, and he/she or his/her ancestor is:
    - a.a) a person residing in an occupied territory of Georgia or is internally displaced from the territory;
    - a.b) a person emigrated in different times for political opinions or for hard social and economic conditions;
  - b) a foreign citizen is making such an investment in Georgia or he/she has made such an investment in Georgia that contributes or has contributed substantially to the development of the state economy;
  - c) a foreign citizen is successful in sport, science and/or art, and he/she is willing to carry on his/her activity on behalf of Georgia.
3. A person under paragraph 2(a) of this article shall, within the limits determined for granting Georgian citizenship by way of exception, have knowledge of:
- a) the State language of Georgia;
  - b) history of Georgia and the basics of law.
4. The requirements of paragraph 3(a) and (b) of this article shall not apply to granting Georgian citizenship by way of exception to a person who has such a physical, psychological, intellectual and/or sensory disorder that makes it impossible to check whether he/she meets the requirement of the above subparagraphs.
5. To verify the fact of making the investment under paragraph 2(b) of this article, a body reviewing the case shall request information from a competent body.
- Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*  
*Organic Law of Georgia No 3627 of 1 November 2023 – website, 21.11.2023*

#### **Article 18 – Granting Georgian citizenship by way of restoration**

1. Georgian citizenship shall be granted by way of its restoration to persons whose citizenship has been terminated:
- a) unlawfully;
  - b) by renunciation of Georgian citizenship;
  - c) as a result of the choice of his/her parent(s).
2. Persons shall be granted Georgian citizenship by way of its restoration if they meet the following requirements:
- a) know the official language of Georgia within the established limits;
  - b) there are no grounds specified in Article 16 of this Law.
3. The Georgian citizenship shall be regarded as unlawfully terminated if a person loses Georgian citizenship without the existence of the grounds provided for in Article 21(1) of this Law.
4. If a person is granted Georgian citizenship by way of its restoration because his/her Georgian citizenship has been unlawfully terminated, the requirements of the second paragraph of this article shall not apply to that person.
5. A person may be granted Georgian citizenship by way of its restoration when he/she reaches the age of majority if his/her Georgian citizenship has been terminated as a result of the choice of his/her parent(s).
6. The requirement of paragraph 2(a) of this article shall not apply to granting Georgian citizenship by way of restoration to a person who has such a consistent physical, psychological, intellectual and/or sensory disorder that makes it impossible to check whether he/she meets the requirement of the said subparagraph.
7. (Deleted – 21.07.2018, No 3260).
- Organic Law of Georgia No 3400 of 20 March 2015 – website, 31.3.2015*  
*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*  
*Organic Law of Georgia No 3627 of 1 November 2023 – website, 21.11.2023*



## **Article 19 – Types of termination of Georgian citizenship**

Georgian citizenship of a Georgian citizen may be terminated by:

- a) renunciation of Georgian citizenship;
- b) the loss of Georgian citizenship;
- c) in the case provided for in Article 11 of this Law.

## **Article 20 – Renouncing Georgian citizenship**

1. A Georgian citizen may renounce Georgian citizenship.

2. A Georgian citizen may not renounce Georgian citizenship if:

- a) he/she has not fulfilled military or any other duties owed to Georgia;
- b) he/she is accused of a crime provided for by the Criminal Code of Georgia or there is a final court decision with respect to him/her, which is yet to be executed.

3. A decree of the President of Georgia on a person's renunciation of Georgian citizenship shall take effect:

- a) upon receipt by competent Georgian authorities of the documents confirming that the person has been granted foreign citizenship;
- b) on the 15th day of signing the decree, if the person has received a document issued by a competent authority of a foreign country confirming that the person will definitely be granted the citizenship of that country if he/she renounces Georgian citizenship.

## **Article 21 – Loss of Georgian citizenship**

1. A Georgian citizen shall lose Georgian citizenship if he/she:

- a) joins military, police or security services of a foreign country without permission of competent Georgian authorities;
- b) acquires Georgian citizenship by presenting false documents;
- c) acquires foreign citizenship, except as provided for in Article 21<sup>1</sup> of this Law.

2. Paragraph 1(a) of this article shall not apply to a Georgian citizen who has been granted Georgian citizenship by way of exception, or who has retained Georgian citizenship when acquiring foreign citizenship, and who will join military service or police service of the country of his/her citizenship.

3. Paragraph 1(c) of this article shall not apply to Georgian citizens who have acquired Georgian citizenship by way of exception.

4. A Georgian citizen may retain Georgian citizenship despite the grounds specified in paragraph 1(a) or (c) of this article, if those grounds are eliminated before they are identified.

5. The competent authorities provided for in paragraph 1(a) of this article shall be specified by a resolution of the Government of Georgia.

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

## **Article 21<sup>1</sup> – Retention of Georgian citizenship in case of acquiring foreign citizenship**

1. A citizen of Georgia shall retain Georgian citizenship if he/she obtains consent from the Georgian state to retention of Georgian citizenship before he/she acquires citizenship of another country.

2. The consent to retention of Georgian citizenship shall be granted in the case provided for by paragraph 1 of this article if the connection of a citizen of Georgia with Georgia will be deemed reliable.

3. A minor, who, along with Georgian citizenship, has acquired foreign citizenship by birth, shall retain Georgian citizenship from his/her birth until reaching 18 years of age. If an application for retaining citizenship of the minor is not submitted within this period, his/her Georgian citizenship shall be terminated. Georgian citizenship of a minor may be retained on the basis of an application of parents or a legal representative. If the application is submitted by either of the parents, Georgian citizenship of a minor may be retained with the consent of the other parent.

4. In case of acquiring foreign citizenship, a citizen of Georgia shall not retain Georgian citizenship if his/her retention of Georgian citizenship is against the interests of state security of Georgia and/or protection of public security.

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

*Organic Law of Georgia No 3627 of 1 November 2023 – website, 21.11.2023*

## **Chapter IV – Procedure for Considering and Deciding on Issues Regarding Georgian Citizenship**

### **Article 22 – Submitting applications on issues regarding Georgian citizenship**

1. Interested persons shall submit, directly or through an authorised representative, applications on issues regarding Georgian citizenship to the Legal Entity under Public Law (LEPL) – Public Service Development Agency under the Ministry for Justice of Georgia ('the Agency') or to Georgian diplomatic missions or consular offices abroad.

2. Minors shall submit applications on issues regarding Georgian citizenship through their legal representatives.

2<sup>1</sup>. Beneficiaries of support may submit applications on issues regarding Georgian citizenship only through their



supporters, unless otherwise determined under court decision.

3. In the case provided for in Article 17 of this Law, a person shall submit an application for granting Georgian citizenship to the Agency or a diplomatic mission or consular office of Georgia abroad.

*Organic Law of Georgia No 3400 of 20 March 2015 – website, 31.3.2015*

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

### **Article 23 – Notification for the loss of Georgian citizenship**

Upon identifying the grounds for the loss of Georgian citizenship, state authorities shall submit a request to the Agency on the loss of citizenship.

### **Article 24 – Consideration of issues regarding Georgian citizenship**

1. An application with regard to acquiring Georgian citizenship by naturalisation and retaining Georgian citizenship shall be considered by the Agency with the assistance of the Commission.

2. The Commission shall consist of 6 members appointed by the chairperson of the Commission. Two members of the Commission (including the chairperson of the Commission) shall be appointed from among the Agency employees, 2 members – from among employees of the State Security Service, and 2 members – from among employees of the Administration of the President of Georgia, upon recommendation of these agencies. If the votes are split in half, the chairperson shall have the casting vote.

3. If a member of the Commission is discharged from the organisation he/she represents in the Commission, this fact shall automatically result in termination of the status of member of the Commission.

4. The rules of procedure of the Commission shall be defined by the Regulations approved by the Commission.

5. The Commission shall have the secretariat, which provides organisational and technical support of the Commission's operation. An appropriate office of the Agency shall act as the secretariat.

6. The Commission shall ensure ascertaining the presence of conditions for retaining Georgian citizenship and for granting Georgian citizenship to a foreign citizen by way of exception (except for the conditions defined by the requirements provided for in Article 17(3) of this Law). The Agency shall prepare an appropriate opinion on the basis of the Commission's decision.

6<sup>1</sup>. The level of knowledge of the state language of Georgia, history and the basics of Law of Georgia by an applicant for granting Georgian citizenship shall be checked before an application for granting Georgian citizenship is submitted to the Agency or to the diplomatic mission or consular office of Georgia abroad. The checking of the level of knowledge of the state language of Georgia, history and the basics of Law of Georgia by the said person shall be ensured by the Agency.

6<sup>2</sup>. If a person has such a consistent physical, psychological, intellectual and/or sensory disorder that makes it impossible to check his/her level of knowledge of the state language of Georgia, history and the basics of Law of Georgia, the decision to exempt that person from the said checking shall be made by the Commission.

6<sup>3</sup>. The result of checking the level of knowledge of the state language of Georgia, history and the basics of Law of Georgia, which enables a person concerned to submit an application for granting Georgian citizenship to the Agency or the diplomatic mission or consular office of Georgia abroad, shall be valid within 1 year.

6<sup>4</sup>. The procedure for submitting an application for granting Georgian citizenship to the Agency or the diplomatic mission or consular office of Georgia abroad for checking the level of knowledge of the state language of Georgia, history and the basics of Law of Georgia by an applicant for granting Georgian citizenship, the rule for checking his/her level of knowledge and the amount of a fee for the respective service shall be defined by an order of the Minister of Justice of Georgia. The said fee must not exceed the highest rate of a fee, fixed by the legislation of Georgia, payable in Georgia and effective on 7 June 2023, for the expedited service set in relation to the issue of granting Georgian citizenship under regular procedure and for preparation of a relevant opinion.

7. An application and a recommendation with regard to acquiring Georgian citizenship by birth, establishing Georgian citizenship and terminating Georgian citizenship shall be reviewed and an appropriate report shall be prepared by the Agency.

8. In case of acquiring foreign citizenship, the decision on granting consent to the retention of Georgian citizenship of a person shall be made by the President of Georgia under the procedure established by this Law.

9. Opinions of the Agency with regard to granting or refusing to grant Georgian citizenship under regular procedure, granting or refusing to grant Georgian citizenship under simplified procedure, granting or refusing to grant Georgian citizenship by way of exception, granting or refusing to grant Georgian citizenship by way of restoration, granting or refusing to grant Georgian citizenship under special procedure, retaining Georgian citizenship and terminating Georgian citizenship shall be forwarded to the President of Georgia for final decision.

10. If the Agency becomes aware of the existence of grounds for the loss of Georgian citizenship without receiving a notification for the loss of Georgian citizenship, it shall consider the issue of the loss of Georgian citizenship and submit appropriate materials to the President of Georgia.

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

*Organic Law of Georgia No 3627 of 1 November 2023 – website, 21.11.2023*



### **Article 25 – Making decisions on issues regarding Georgian citizenship**

1. The final decision on granting, retaining, refusing to grant or terminating Georgian citizenship shall be made by the President of Georgia.

2. In the case of a positive decision on an application for granting, retaining or terminating Georgian citizenship or on the notification on the loss of Georgian citizenship, the President of Georgia shall issue a decree, and in the case of a negative decision on such application and request, the President of Georgia shall issue an ordinance.

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

### **Article 26 – Time frame for considering and deciding on issues regarding Georgian citizenship**

1. The time frame for considering and deciding on applications and notification on issues regarding Georgian citizenship shall not exceed three months.

2. In the case of a negative decision on an application for granting Georgian citizenship by naturalisation, the applicant may apply to the Agency or to the Georgian diplomatic mission or consular office abroad on the same grounds 6 months after the negative decision is made.

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

*Organic Law of Georgia No 3627 of 1 November 2023 – website, 21.11.2023*

### **Article 27 – Service fee**

1. When filing an application on issues regarding Georgian citizenship, the applicant shall pay a service fee in the amount and under the procedure prescribed by the Government of Georgia, except as provided for by the legislation of Georgia.

2. In the case of the restoration of Georgian citizenship, the service fee shall be refunded to a person if his/her Georgian citizenship has been terminated unlawfully.

### **Article 28 – Procedure for considering applications and notification on the issues regarding Georgian citizenship**

1. The procedure for considering an application for granting or terminating Georgian citizenship and procedure for considering notification on the loss of Georgian citizenship, as well as the procedure for granting Honorary Georgian citizenship, shall be determined by a regulation approved by an ordinance of the Commission.

2. Communication with the applicant may be carried out electronically under the legislation of Georgia.

3. An administrative legal act of the Agency shall become effective upon its publication under the procedure established by the legislation of Georgia.

4. Publishing of an administrative legal act of the Agency on the official webpage of the Agency shall also be considered as publication of the administrative legal act.

5. If an administrative legal act of the Agency is issued through automatic control means, the time limits with regard to this decision shall commence upon its publication.

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

### **Article 29 – Appealing decisions made on the issues regarding Georgian citizenship**

1. A decision of the President of Georgia regarding Georgian citizenship, except for the decision on terminating Georgian citizenship, may not be subject to appeal in court. Where a person appeals in court a decision made by the President of Georgia on terminating Georgian citizenship, the President of Georgia shall act as a defendant.

2. The opinion/decision of the Agency regarding Georgian citizenship, which independently gives rise to legal implications, shall be an administrative legal act.

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

## **Chapter V – Transitional and Final Provisions**

### **Article 30 – (Deleted)**

*Organic Law of Georgia No 5141 of 27 May 2016 – website, 4.6.2016*

*Organic Law of Georgia No 2481 of 6 July 2018 – website, 21.6.2018*

*Organic Law of Georgia No 490 of 25 May 2021 – website, 27.5.2021*

### **Article 30<sup>1</sup> – Establishment of Georgian citizenship for persons residing in the Autonomous Republic of Abkhazia and in the territory of Tskhinvali Region (former Autonomous Region of South Ossetia)**

1. The following persons shall be deemed Georgian citizens, except for persons who have acquired or will acquire Georgian citizenship under this Law:

a) a person born in Georgia before 21 December 1991, who resided in the Autonomous Republic of Abkhazia or in the territory of Tskhinvali Region (former Autonomous Region of South Ossetia) before 21 December 1991, has not acquired foreign citizenship and no circumstance under Article 16 of this Law applies to him/her;

b) a child of a person who was born in Georgia before 21 December 1991 and resided in the Autonomous Republic of



Abkhazia or in the territory of Tskhinvali Region (former Autonomous Region of South Ossetia) before 21 December 1991, who has not acquired foreign citizenship and no circumstance under Article 16 of this Law applies to him/her.

2. An interested person shall, under paragraph 1 of this article, apply to the Agency or a diplomatic mission or consular office of Georgia abroad for the establishment of Georgian citizenship.

3. The Agency shall review the application, involving appropriate competent bodies, and verify the accuracy and reliability of the information therein. The Agency shall, within one month after receiving the application, make the decision on establishing Georgian citizenship or refusing to establish Georgian citizenship under this article.

4. The procedure for reviewing the application under paragraph 3 of this article and making the decision shall be defined under the procedure established by the Government of Georgia.

*Organic Law of Georgia No 2481 of 6 July 2018 – website, 21.6.2018*

### **Article 30<sup>2</sup> – Establishment of Georgian citizenship**

1. The following individuals, except for persons who have acquired Georgian citizenship in accordance with this Law, or who will acquire Georgian citizenship in accordance with this Law shall be deemed Georgian citizens:

a) a person born before 31 March 1975, who has resided in Georgia for a combined period of at least five years, stayed in the territory of Georgia by 31 March 1993 and has not acquired foreign citizenship;

b) a person born after 31 March 1975, who resided in Georgia by 31 March 1993 and has not acquired foreign citizenship;

c) a person born in the territory of Georgia, who left the territory of Georgia after 21 December 1991, thus failing to meet the requirements of subparagraphs (a) and (b) of this article, and who has not acquired foreign citizenship.

2. A certificate verifying the fact of a person's residence and/or stay on a particular day in the territory of a municipality, which may be a document verifying the presence of one of the circumstances provided for by an appropriate subparagraph of paragraph 1 of this article for deeming a person Georgian citizen, shall be issued by the commission formed with the executive body of a respective municipality (within Tbilisi municipality – with the mayor of Tbilisi municipality) establishing the fact of living (presence) of the person in the territory of the municipality no later than 7 business days from the submission of an appropriate application. The procedure for the formation and operation of the commission shall be established according to the standard statute approved by an order of the Minister of Justice of Georgia.

3. Powers under paragraph 2 of this article shall be the powers delegated by the State to a municipality. Sectorial surveillance over the exercise of the powers shall be carried out by the Ministry of Justice of Georgia under the procedure established by the Organic Law of Georgia – the Local Self-government Code.

4. A commission formed with the Gagebeli of Akhlagori, Eredvi, Kurta, Tighva or Azhara municipality establishing the fact of a person's residence (stay) in the territory of a municipality shall have the powers to establish the fact of the person's residence (stay) in the territory of Akhlagori, Eredvi, Kurta, Tighva or Azhara municipality, respectively.

5. The procedure for the establishment of Georgian citizenship for persons residing in the Autonomous Republic of Abkhazia and in the territory of Tskhinvali Region (former Autonomous Region of South Ossetia) shall be defined by Article 30<sup>1</sup> of this Law.

*Organic Law of Georgia No 490 of 25 May 2021 – website, 27.5.2021*

### **Article 31 – (Deleted)**

*Organic Law of Georgia No 490 of 25 May 2021 – website, 27.5.2021*

### **Article 31<sup>1</sup> – Special procedure for granting Georgian citizenship to a person born in the territory of Georgia**

A persons born in the territory of Georgia, whose Georgian citizenship cannot be established, shall have the right, under Article 30<sup>2</sup> of this Law, to acquire Georgian citizenship if he/she meets the requirements of Article 12(1)(b) and (c) of this Law and there are no grounds provided for by Article 16 of this Law.

*Organic Law of Georgia No 490 of 25 May 2021 – website, 27.5.2021*

### **Article 32 – Invalid normative acts**

Upon the entry into force of this Law, the Organic Law of Georgia on Georgian Citizenship of 25 March 1993 (The Gazette of the Parliament of Georgia, No 5, March 1993, Art. 66) shall be declared invalid.

### **Article 32<sup>1</sup> – Legal regulation during transition period in relation to persons declared as legally incompetent by court before 1 April 2015**

1. Citizenship of a person declared as legally incompetent by court before 1 April 2015 may be changed (except for the cases when Georgian citizenship is lost) based on the application of his/her legal representative until the individual examination of the legally incompetent person is conducted.

2. A person declared as legally incompetent by court before 1 April 2015 shall submit an application on the issue regarding Georgian citizenship through his/her legal representative until the individual examination of the legally incompetent person is conducted.





**Article 32<sup>2</sup> – Temporary right to apply for restoration of Georgian citizenship**

1. A former Georgian citizen, who has lost Georgian citizenship due to acquiring foreign citizenship, may, before 31 December 2024, apply to the Agency for granting him/her Georgian citizenship by way of its restoration, under the conditions defined by this article.

2. Georgian citizenship by way of restoration shall be granted to a person under paragraph 1 of this article if he/she meets the following requirements:

a) he/she has knowledge of the state language of Georgia within the set limits;

b) there are no grounds provided for by Article 16 of this Law.

3. The requirement of paragraph 2(a) of this article shall not apply to granting Georgian citizenship by way of restoration to a person who has such a consistent physical, psychological intellectual and/or sensory disorder that makes it impossible to check whether he/she meets the requirement of the said subparagraph.

4. Article 15 of this Law shall not apply to a former Georgian citizen, who has lost Georgian citizenship due to the acquisition of foreign citizenship, when granting Georgian citizenship to him/her by way of restoration on the basis of this article.

5. In case of granting Georgian citizenship to a person provided for by paragraph 1 of this article by way of restoration, Georgian citizenship shall also be granted to his/her minor child. A person who has reached 14 years of age shall be granted Georgian citizenship on the basis of this article with his/her consent.

6. A Georgian citizen, in relation to whom the decision with regard to the loss of Georgian citizenship due to the acquisition of foreign citizenship was not made before 15 August 2018, may, before 31 December 2024, apply to the Agency for retaining Georgian citizenship.

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

*Organic Law of Georgia No 5045 of 1 October 2019 – website, 4.10.2019*

*Organic Law of Georgia No 490 of 25 May 2021 – website, 27.5.2021*

*Organic Law of Georgia No 2443 of 16 December 2022 – website, 21.12.2022*

*Organic Law of Georgia No 3627 of 1 November 2023 – website, 21.11.2023*

**Article 33 – Measures to be taken for this Law to enter into force**

The President of Georgia shall ensure that subordinate acts are brought into compliance with this Law within two months after this Law takes effect.

**Article 34 – Entry into force**

1. This Law shall enter into force on the 30<sup>th</sup> day after publication.

2. (Deleted – 25.5.2021, No 490).

3. Articles 30<sup>2</sup> and 31<sup>1</sup> of this Law shall be effective until 31 December 2024.

*Organic Law of Georgia No 3260 of 21 July 2018 – website, 6.8.2018*

*Organic Law of Georgia No 490 of 25 May 2021 – website, 27.5.2021*

*Organic Law of Georgia No 2443 of 16 December 2022 – website, 21.12.2022*

**President of Georgia**

**Kutaisi,**

**30 April 2014**

**No 2319-II б**

**Giorgi Margvelashvili**

