

Statute of the Ministry of Internal Affairs of Georgia

Chapter I General Provisions

1. The Ministry of Internal Affairs of Georgia (hereinafter referred to as “the Ministry”) is the system of special, militarized institutions implementing the executive authority, which within the frames of its competence envisaged by the legislation ensures the protection of state security and public order, human rights and freedoms from illegal encroachment.
2. While performing its functions the Ministry represents the State.
3. According to the legislation of Georgia and international agreements, the Ministry cooperates with the relevant services of foreign countries.
4. The Ministry is financed from the State budget. The Ministry has a seal with the image of the State Emblem, independent deposit and account in the treasury. The Ministry may have symbols (emblem, flag), which shall be registered in accordance with the established rule.
Legal address of the Ministry is: General G. Gulua str. 10, Tbilisi.
5. The Ministry is accountable to the President and the Government of Georgia and implements tasks envisaged by the law or tasks of the President, Government and the Prime Minister of Georgia assigned on basis of the law.
6. Legal grounds of the activity of the Ministry are: Constitution of Georgia, international legal acts, laws of Georgia, legal acts of the President of Georgia, the Government of Georgia and the Prime-Minister of Georgia, present Statute and normative acts of the Minister of Internal Affairs of Georgia issued in accordance with the legislation of Georgia.
7. The Ministry is based on one-man management principle. Within the uniform system of the Ministry are: structural subdivisions of the Ministry, territorial units, subordinate state agencies and the legal entities of public law.

Chapter II Sphere of activity and functions of the Ministry

8. The sphere of activity of the Ministry is protection of state security and public order, detection, suppression, investigation and analysis of crimes and other violations of law, aims and activities of foreign countries, organizations and persons targeted against the vital interests of the country, as well as ensuring protection of the State border.

9. Functions of the Ministry are:

- a) Implementation of measures for protection of constitutional order of Georgia, sovereignty, territorial integrity, scientific-economic and military potential of the country, state secrecy and suppression of illegal activities of the special services of other countries and separate persons;
- b) Implementation of preventive measures for prevention and suppression of possible threats of crime and other violations of law, their detection, preliminary investigation, search and detention of accused persons, defendants and convicted persons, identification of corpses, development of tactics and strategy for combating criminality;
- c) prognostication of expected threats to Georgia and providing relevant recommendation to the superior agencies of the government;
- d) protection of rights and freedoms of individuals from illegal encroachment;
- e) protection of public order;
- f) maintenance of road traffic safety;
- g) permission issuing and registration activity;
- h) creation of state material reserves;
- i) protection of the State border;
- j) search of missing persons;
- j¹) organization of preventive measures for suppression of crimes committed by minors and crimes committed against them;
- k) implementation of operative-searching activities in order to prevent and suppress criminality and other violations of law;
- l) control over the legal circulation of weapons;
- m) protection of security of persons, public order and property of persons from encroachment during natural disaster, catastrophe and other emergency situations, rendering urgent assistance to victims and helpless persons and, to this aim, provision of unused tangible deposits of material valuables of the Ministry;
- m¹) Reception, processing and delivery to the relevant subjects the notification about natural or manmade emergency situation, ambulance, failure to supply natural gas, its restriction or/and any deviation (variation) from the pressure

norm, as well as failure to supply drinking water and/or variation of its pressure;

n) protection of fire safety of the country;

n¹) protection of state objects of special importance;

o) implementation of the measures of civil defence in case of emergency situations;

p) training and qualification raising of the relevant personnel in the educational institutions of the Ministry;

q) establishment of information maintenance computer system of the Ministry, unified registry of crimes committed in the country, their perpetrators, and criminal cases; development of unified database;

r) maintenance of expert-criminalistic activity;

s) with the purpose of maintenance of state security, implementation of counterintelligence activities in order to detect, prevent and suppress intelligence and hostile activities directed against Georgia;

t) participation in development and implementation of measures on protection of state secrecy, control over its protection in the organizations and facilities irrespective of their property type, as well as, in accordance with the established rule, vetting of those persons, who are authorized to have access to the state secrecy;

u) open or concealed use of volunteer assistance from persons;

v) operative maintenance of protection of high officials of state bodies and strategic objects in cooperation with the Special State Protection Service in accordance with the established rule;

w) on the basis of interstate treaties and agreements, along with the relevant agencies and within the frames of its competence, maintenance of security of foreign representations on the territory of Georgia, Georgian institutions and citizens abroad, as well as of measures of international character by implementing counterintelligence activities;

x) maintenance of complete mobilization of the agencies of internal affairs;

y) maintenance of self-security;

z) Conclusion of treaties on cooperation and assistance with the relevant services of other states in accordance with the established rule; familiarization with the experience of the relevant services of foreign countries;

aa) implementation of other functions envisaged by the legislation.

Chapter III

Minister and Deputy Ministers of Internal Affairs of Georgia

10. The Ministry is governed by the Minister of Internal Affairs (hereinafter referred to as “the Minister”), who is appointed by the Prime-Minister of Georgia with the consent of the President of Georgia. The Minister shall be dismissed by the President of Georgia, as well as by the Prime-Minister of Georgia.

11. The Minister:

- a) arranges the issues falling within the competence of the Ministry;
- b) represents the Ministry or provides another person with the authority to represent the Ministry, if it is not otherwise envisaged by the legislation;
- c) is responsible for fulfilment of the Constitution of Georgia, international treaties of Georgia, laws of Georgia, legal acts of the President of Georgia, the Government of Georgia and the Prime-Minister of Georgia and other sub-normative acts in those spheres, which pertain to the competence of the Ministry;
- d) supervises the fulfilment of the duties of structural subdivisions of the Ministry, subordinate state agencies falling under the direction of the Ministry, legal entities of public law and territorial units; exercises official supervision over decisions and activities of officials and other employees of the Ministry in accordance with the rule established by the law;
- e) appoints and dismisses heads of subdivisions and other employees of the Ministry, determines their competencies; presents to the Prime-minister for appointment the candidacy for the head of subordinate state agency;
- e¹) endorses with the order of the Minister of Finance of Georgia the appointment of the coordinator at border crossing point;
- f) makes decisions and is responsible for reasonable use of budgetary funds; approves the list of expenses of subordinate state agencies falling under the direction of the Ministry in accordance with the state budget, controls its implementation and, in case of necessity, gives instructions on the use of budgetary funds;
- g) applies incentives and imposes disciplinary sanctions to employees of the Ministry, presents them for the state award in accordance with the legislation of Georgia; applies incentives envisaged by the “Law of Georgia on Police” to the persons rendering assistance to the police.
- h) within his/her competence, confers special and military state ranks to servicemen of the system of the Ministry;
- i) within his/her competence, carries out reorganization of structural subdivisions of the Ministry;
- j) approves the statutes of structural subdivisions of the Ministry;

- k) during martial law or state of emergency, ensures transfer of the personnel of the Ministry to the special regime of operation;
- l) within his/her competence, with the purpose of perfection of the existing legislation, presents drafts of and proposals to the normative acts for review to the President of Georgia and the Government of Georgia in accordance with the rule established by the law;
- m) issues orders in accordance with the rule established by the legislation;
- n) in the sphere of his/her governance, on base of his/her order establishes an advisory body – board, as well as other commissions with the right to deliberative vote, determines its duties and activities, and governs its operation;
- o) abolishes acts and actions of the first Deputy, Deputies and the other officials of the Ministry, which do not comply with the Constitution of Georgia, laws of Georgia, legal acts of the President of Georgia, the Government of Georgia, the Prime-Minister of Georgia and the Minister;
- p) approves the rule of service within the agencies of Internal Affairs and disciplinary regulations of the employees of the Ministry. Develops and approves instruction on unified registration of crimes upon the agreement with the Chief Prosecutor`s Office;
- p¹) approves the rule on issuing the certificate of previous convictions;
- p²) in accordance with the rule established by the legislation, approves the rule on issuing and use of the state operative number plates of the transport means used by the agencies implementing operative-searching and counterintelligence activities;
- p³) approves typical regulation of temporary detention isolators of the Ministry of Internal Affairs of Georgia, routine of isolators and additional instruction regulating the activity of isolators;
- p⁴) approves instruction of ship service of the Coast Guard Department of the Border Police of Georgia – Subordinate State Agency of the Ministry of Internal Affairs of Georgia, as well as approves common ship signal table of water transport of the Coast Guard Department;
- q) appoints security officers in state institutions and agencies of special importance;
- r) develops competitive-certification requirements for employees of the Ministry upon the agreement with the Competitive-Certification Commission;
- s) represents the Ministry in international organizations with relevant capacity, concludes international agreements in accordance with the legislation;

- t) disposes assets and tangible property in accordance with the established rule;
 - u) presents to the President of Georgia and Prime-Minister report on the activities of the Ministry;
 - v) carries out other powers envisaged by the legislation of Georgia.
12. The Minister has the First Deputy and five Deputies, at the same time one of his/her Deputies is the Head of the Border Police of Georgia – Subordinate State Agency of the Ministry of Internal Affairs of Georgia.
13. The First Deputy Minister and the Deputy Ministers are appointed and dismissed by the Prime-Minister of Georgia upon submission of the Minister and upon the agreement with the President of Georgia.
14. The powers of the First Deputy Minister and the Deputy Ministers are determined by the order of the Minister, in case if it is not otherwise envisaged by the legislation.
15. The First Deputy Minister governs and coordinates the activities of the Ministry in absence of the Minister.
16. One of the Deputy Ministers by assignment of the Minister fulfils the function of the parliamentary secretary.

Chapter IV

System of the Ministry and the competences of the structural subdivisions territorial units, legal entities of public law and subordinate state agencies of the Ministry

17. Structural subdivisions of the Ministry are:
- a) Office of the Minister;
 - b) Administration of the Ministry (Department);
 - c) deleted (25.03.2013. N 195);
 - d) General Inspection (Department);
 - e) Financial – Economic Department;
 - f) Personnel Main Division;
 - g) Expert-Criminalistic Main Division;
 - h) Information-Analytical Department;
 - i) Operative-Technical Department;
 - j) Counterintelligence Department;
 - k) Central Criminal Police Department;
 - l) Patrol Police Department;
 - m) National Central Bureau of Interpol in Georgia (Main Division);

- n) Special and Emergency Measures Center;
- o) Reforms and Development Agency (Department);
- p) State Security Agency (Department);
- q) Anti-corruption Agency (Department);
- r) Counterterrorist Center (Department);
- s) International Relations Department;
- t) Human Rights and Monitoring Main Division;

18. Territorial units of the Ministry are:

- a) Main Division of Autonomous Republic of Abkhazia;
- b) Main Division of Autonomous Republic of Adjara;
- c) Tbilisi Main Division;
- d) Mtskheta-Mtianeti Regional Main Division;
- e) Shida Kartli Regional Main Division;
- f) Kvemo Kartli Regional Main Division;
- g) Kakheti Regional Main Division;
- h) Samtskhe-Javakheti Regional Main Division;
- i) Imereti, Racha-Lechkhumi and Kvemo Svaneti Regional Main Division;
- j) deleted
- k) Guria Regional Main Division;
- l) Samegrelo-Zemo Svaneti Regional Main Division.

19. Subordinate State Agencies of the Ministry are:

- a) Border Police of Georgia;
- b) deleted

20. Legal Entities of Public Law of the Ministry are:

- a) Academy of the Ministry of Internal Affairs of Georgia;
- b) Security Police;
- c) deleted
- d) Health Care Service of the Ministry of Internal Affairs of Georgia;
- e) deleted

- f) deleted
- g) State Material Reserves Department;
- h) deleted
- i) Legal Entity of Public Law – Service Agency of the Ministry of Internal Affairs of Georgia;
- j) deleted (05.10.2012; #925)
- k) deleted (06.06.2012; #464)
- l) Legal Entity of Public Law – 112.

21. Main tasks and competences of structural subdivisions of the Ministry:

- a) Main tasks of the Office of the Minister are operative control over fulfillment of the tasks by the Minister and his/her Deputies and reporting the Minister about the mentioned; support the activity of the Minister and his/her Deputies and maintenance of working conditions; drafting of the letters over the service tasks and documents controlled by the Minister and his/her Deputies and delivery of these letters to the persons in charge for their implementation, methodic and practical assistance on the issues of fulfillment the mentioned documentations and service tasks;
- b) Main tasks of Administration of the Ministry are: coordination of the activities of the structural subdivisions and territorial units of the Ministry within its competence; implementation of protocol activities; office work organization and general coordination; coordination of lawmaking activities in the Ministry; maintenance of lawmaking activities and relationship with the Parliament; preparation of appropriate conclusions on the drafts of sub-normative acts introduced into the Ministry, in accordance with the legislation; administrative claims within the competence of the Ministry; maintenance of availability of public information; development and implementation of public relation strategy; planning and implementation of the specific measures for deepening civil relations; close cooperation with servicemen of the Ministry in charge for public relations functions for implementation of the unified informational policy; maintenance and support relationship of the Ministry with the civil

society, mass media, nongovernmental and other public organizations;
informing the civil society about the activities of the Ministry;

c) deleted (25.03.2013 - #195)

d) General Inspection (Department) ensures detection and adequate response to the facts of violation of ethics and disciplinary norms, improper fulfillment of official duties and of certain unlawful actions committed within the system of the Ministry; ensures legal procedural enforcement measures over the cases falling into the sphere of its competence in accordance with the basis and rule established by the Criminal Procedural Code; ensures detection of violations and deficiencies within the system of the Ministry; ensures counterintelligence accompaniment of the operative-analytical and operational-searching activities conducted within the structural units of the Ministry; ensures inspection of legality and reasonability of expenditure of financial and material resources by the structural units of the Ministry; ensures conduction of inspection of financial expenses, including operative expenses, within the system of the Ministry and ensures security of informational systems of the Ministry;

e) Main tasks of the Financial-Economic Department are provision of material-technical and financial service to the units of the Ministry within its competence; organization of economic activities of the Ministry; state procurement; drafting of an annual budget projects and its timely submission; attraction of budgetary funds and control over its expenditure according to the economic classification

f) Main tasks of Personnel Main Division are staffing of structural units of the with highly qualified personnel; organization of training, recruitment, qualification raising, physical training for the employees; inspection of staffing activities conducted in the Ministry;

g) Main tasks of Expert-Criminalistic Main Division are conduct of expert-criminalistic and special analysis over civil, administrative and criminal cases according to the way envisaged by the legislation; introduce special means, techniques and scientific methods of expertise and their application in the process of combating crime;

h) Competence of Informational-Analytical Department covers the following: obtaining information from open or concealed sources; procession and generalization of received information; operative registration; preparation of relevant informational-analytical newsletter for the leadership of the Ministry; coordination of analytical activities of the units of the Ministry; formation and continuous supplementation of information bank; maintenance of unified registry of crimes committed in the country, perpetrators of these crimes and of criminal cases; unified registration of administrative violations; ensuring operation of information bank and maintenance of registration-analytical activity; cooperation with donor organizations; control over illicit trafficking of weapons and preparation of permission and registration documentation related to weapons within its competence, except for smoothbore guns; archive management; maintenance of registry of wanted accused, defendant and convicted persons, as well as of missing persons and unidentified corpses in accordance with the rule established by the Minister;

i) Main tasks of Operative-Technical Department are: ensuring the activities of operative units by implementation of special operative-technical measures; telecommunication maintenance of the Ministry and its structural subdivisions; expert-criminalistic examination of digital evidences in accordance with the rule established by the legislation;

j) Counterintelligence Department carries out the following measures: counterintelligence activity with the purpose to avoid and suppress intelligence activities directed against Georgia of special services acting under the cover of foreign representations and organizations; counterintelligence maintenance of military forces of Georgia and specific units of the Ministry of Internal Affairs, as well as counterintelligence control over radio broadcasting in accordance with the legislation; maintenance of outer surveillance; legal procedural enforcement measures over the cases under its competence in accordance with the rule established by the Criminal Procedure Code; participation in elaboration and realization of the measures concerning protection of state secrets in institutions, organizations and enterprises (irrespective of the type of property), control over implementation of

these measures, vetting of those individuals, who will be granted security clearances in accordance with the established rule; within its competence coordination and control over the activities of security officers appointed in state agencies and institutions with the purpose of ensuring the protection of state secrets;

k) Central Criminal Police Department within its competence ensures fight against crime and to this aim carries out operative-searching measures, ensures conduction of preventive measures in order to avoid the expected crime, ensures search and detention of accused persons, defendants and convicted persons, search and detention of missing individuals and identification of corpses; combats illegal deprivation of liberty, trafficking and illegal migration, drug addiction and international narco-business, illegal trade of weapon, in particular mass destruction weapon and its components; organizes preventive measures for suppression of crimes committed by minors and crimes committed against them in accordance with the rule established by the Minister; conducts outer surveillance, individuals` identification and searching functions in accordance with the rule established by the legislation; investigates cyber crime; defends participants of criminal proceedings and conducts certain protection measures; ensures legal procedural enforcement measures over the cases under its competence in accordance with the rule established by the Criminal Procedure Code; provide the Department with the relevant combat forces; represents the Ministry before law enforcement and security agencies in foreign countries; develops mutual cooperation plans (programs) with international organizations and participates in implementation of those; studies and generalizes currents reforms within the structures of foreign law enforcement agencies and submits relevant recommendations to the officials of the Ministry; participates in planning processes of the working visits to be paid by the representatives of the Ministry to the international organizations and foreign countries, also plans the relevant events within its competence and implements administrative-protocol measures to support them;

l) Patrol Police Department ensures security of road traffic, conducts patrolling of highways; ensures fight against crimes and to this aim ensures legal procedural

enforcement measures over the cases under its competence in accordance with the rule established by the Criminal Procedure Code; conducts operative-searching measures, as well as other powers envisaged by the legislation of Georgia;

m) National Central Bureau of Interpol in Georgia (Main Division) ensures collection of information on crimes having international character, as well as ensures the fight against them; with this purpose, it closely cooperates with law enforcement agencies of Georgia, other respective governmental services and the General Secretariat of the Interpol;

n) Main tasks of Special and Emergency Measures Center are provision of operative activity with fighting forces; operative and physical guard of the facilities of the Ministry; protection of material assets, firearms, warlike equipment and ammunition; protection of safety, sovereignty and territorial integrity of the state and implementation of relevant measures with this purpose; fulfillment of special tasks to prevent illegal actions and protect public order and safety; ensures protection and security of Supsa oil terminal and those sections of Baku-Tbilisi-Ceyhan oil pipeline and Baku-Tbilisi-Erzurum gas pipeline, which run through the territory of Georgia; the Department also ensures, within its competence, conduction of counterterrorist and counterintelligence complex measures for protection of their infrastructure facilities; prevention of emergency situation throughout the country and coordination of the activities with the purpose of reduction and liquidation of their consequences; also fulfillment of civil defense tasks during martial law; measurement of fire safety according to the rules established by the legislation; implementation of the mobilization measures; organization of entry and exit of unauthorized persons to/from the administrative buildings of the Ministry;

o) Main tasks of Reforms and Development Agency (Department) are development of the reforming strategic plan for the system of the Ministry; introduction of modern management forms and methods to the activity of certain structural subunits for their effectiveness; support perfection of the legislation and its harmonization with European standards; elaboration of the forms of co-participation of the civil society in the system of the Ministry on order to maintain transparency and accountability of the

Ministry; cooperation with strategic partner countries, EU and international organizations with the purpose to introduce the best practice of the world police and security services; elaboration of continuous and dynamic development plan of the Ministry;

p) Main Tasks of State Security Agency (Department) are prognostication, prediction-suppression and neutralization of any political and economic threat to the country, obtaining information in this respect and its analytical processing; maintenance of protection of state constitutional system from any non-constitutional forced alteration by application of forms and methods of special services` activities in accordance with the rule established by the legislation; detection and suppression of crimes directed against the state, including the crimes of corruption, extremism and official crimes; conduct of legal procedural enforcement measures over the cases under its competence in accordance with the rule established by the Criminal Procedure Code; the department also conducts coordination and control over the activities of security officers appointed in the state agencies and institutions having special state security importance and ensures analytical procession of the information obtained from these officers;

q) Main tasks of Anti-corruption Agency (Department) are fight against official corruption within its competence; prevention and identification of corruption and facts of interest conflict in public service as well as implementation of preventive and repressive measures against the offenders (individuals involved in corruption);

r) Tasks of Counterterrorist Center (Department) are fight against terrorism; conduction of operative-searching measures in accordance with the rule established by the legislation; conduction of legal procedural enforcement measures over the cases under its competence in accordance with the rule established by the Criminal Procedure Code;

s) International Relations Department ensures the establishment of relations with donor states and organizations, relevant agencies of foreign countries and international organizations, drafting of international treaties and agreement on the issues within the competence of the Ministry, support to the activities of the subunits

of the Ministry through development of international relations, coordination of donor countries, organizations and projects management, as well as support to the process of integration into Euro-Atlantic structures;

t) Main tasks of Human Rights and Monitoring Main Division are: cooperation with Human Rights protection institutions, protection of the rights of the Ministry employees, temporary detention of a detainees as well as placement of those detained under administrative rule.

Chapter V

Final provisions

23. This Statute may be abolished, amended and supplemented in accordance with the rule established by the current legislation.

24. Reorganization and/or liquidation of the Ministry may be carried out in accordance with the rule established by the legislation.