

# **Organic Law of Georgia**

## **on National Security Council**

### **Article 1. National Security Council**

1. According to the Paragraph 1 of Article 99 of the Constitution of Georgia, the National Security Council shall be set up to organize the military development and defence of the country. The President of Georgia shall head the National Security Council.
2. The National Security Council is an advisory body to the President of Georgia and is empowered to consider issues determined by the Organic Law on National Security Council of Georgia to draft highest political decisions.
3. In accordance with the Constitution of Georgia, the composition, powers and activity of the National Security Council are determined with this Law.

### **Article 2. Powers of the National Security Council**

1. The National Security Council of Georgia, within the constitutional powers of the President of Georgia, considers the following:
  - a) National military strategy of Georgia;
  - b) Issues directly related to the military development and organization of defence of the country;
  - c) Situations related to the cases of armed attack against Georgia, declaration of a State of War and, provided that there are acceptable terms, signing of an agreement for truce;
  - d) Question of declaring of the state of emergency in the situations related to the cases of war, massive disorder, violation of the territorial integrity of the Country, military coup, armed insurrection, ecological disaster or epidemic or in any other cases, in which State Authorities are deprived of the ability to execute their powers stipulated in the Constitution;
  - e) Question related to issuing decrees having force of law in the cases of a state of war or a state of emergency;
  - f) Structure of the military forces and submits it to president for approval;
  - g) Issues related to appointment and dismissal of the Chief of the General Staff of the Georgian Armed Forces and other Commanders;
  - h) Issues related to the situations regarding the international conflict zones and develops proposals concerning Georgia's cooperation with collective defence systems;

- i) Appropriateness of Georgia's participation in provision of security measures conducted outside the country and in accordance with treaties and agreements signed and/or recognized by Georgia;
- j) Appropriateness of the entrance, use and movement of the military forces of another country on the territory of Georgia for the purpose of national defence, in special cases or in cases envisaged by law;
- k) Issues regarding the combat readiness of the military forces.

2. The National Security Council decided on the number of the armed forces by the vote of 2/3 of the members and submits for the approval by the Parliament of Georgia simultaneously with the submission of the State Budget by the Government of Georgia.”.

### **Article 3. Composition and Meetings of the National Security Council**

1. The President of Georgia presides the meetings of the National Security Council.
2. Statutory Members of the National Security Council are: Prime Minister of Georgia, Speaker of the Parliament of Georgia, Minister of Foreign Affairs of Georgia, Minister of Defence of Georgia, Minister of Internal Affairs of Georgia, Chairman of the Defence and Security Committee of the Parliament of Georgia, Chairman of the Foreign Relations Committee of the Parliament of Georgia, Assistant to the President of Georgia on the National Security Issues – Secretary of the National Security Council (hereinafter – NSC Secretary), Chief of the General Staff of Georgian Armed Forces.
3. In the case of necessity, the President of Georgia can decide on inviting to attend the Meetings of the National Security Council any other individuals who are not the statutory members of the National Security Council.
4. Any member of the Georgian Government (except the members of the Government foreseen in the Paragraph 2 of this Article), head of the governmental institution under the command of the Prime Minister/Georgian Government is invited by the President of Georgia upon the agreement with the Prime Minister. Any Chairman of the Parliamentary Committee (except the Chairmen of Committee foreseen in the Paragraph 2 of this Article), is invited by the President of Georgia upon the agreement with the Speaker of the Parliament of Georgia.

#### **Article 4. Powers of the Secretary of the National Security Council**

1. Secretary of the National Security Council is appointed and dismissed by the President of Georgia.
2. Secretary of the National Security Council is accountable only to the President of Georgia.
3. Secretary of the National Security Council:
  - a) as the representative of the President of Georgia, participates in preparation of the drafts of the National Security Concept of Georgia and Georgia's Threats Assessment Document;
  - b) manages the work of the National Security Council;
  - c) supervises the Office of the National Security Council;
  - d) prepares the Meetings of the National Security Council;
  - e) on the behalf of the National Security Council, signs contracts for the performance of expert and analytical works;
  - f) within the scope of his/her authority, signs official documents;
  - g) fulfills other tasks as assigned by order of the President of Georgia.

#### **Article 5. Rules of Operation of the National Security Council**

1. President of Georgia calls for the Meeting of the National Security Council within the powers stipulated by this Law.
2. The Meeting of the National Security Council, as a rule, is closed. The Meeting of the National Security Council may be announced open upon the decision of the President of Georgia.
3. National Security Council prepares proposals on the considered issues and submits them to the President.
4. In case of necessity, President of Georgia issues relative acts on the basis of proposals submitted by the National Security Council.
5. Legal act by the President of Georgia on the activity of the National Security Council needs no countersignature.

## **Article 6. National Military Strategy of Georgia**

National Military Strategy of Georgia is approved by the President of Georgia upon submission by the Government of Georgia.

## **Article 7. Office of the National Security Council**

1. The Office of the National Security Council of Georgia is a State institution of special importance working on top-secret and confidential information, which, in accordance with the powers stipulated by Georgian legislation, provides informational-analytical and organizational support to the National Security Council of Georgia.

2. The President approves the regulations of the National Security Council Office, structure and staff upon the recommendation of the Secretary of the National Security Council.

## **Article 8. Final Provisions**

1. This Law supersedes the Law of Georgia on the National Security Council (N°002, 9.03.1996).

Article 2. This Law comes in force upon its publication.

President of Georgia Mikheil Saakashvili

Tbilisi, 11 November, 2004

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