

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



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Diaspora Issues

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On October 29, the Prime Minister of Georgia, Giorgi Kvirikashvili, [made a statement](#) about planned abolition of the Office of the State Minister for Diaspora Issues (the Ministry for Diaspora Issues) in a live broadcast on Imedi TV, linking this move to the policy of “conservative” spending.

A few days later, on November 8, the Prime Minister’s statement was followed by comments of the Chairperson of the Diaspora Issues Committee of the Parliament, Temur Chkuaseli, where he also [stated](#) that it was planned to abolish the Office of the State Minister. According to the reports of the Info 9 online media portal, Mr. Chkuaseli said the Ministry for Diaspora Issues would merge with the Ministry of Foreign Affairs and would function as one of its departments, which would probably be followed by reduction of the staff.

We believe that the Government of Georgia should not make the decision on abolishing the Office of the State Minister for Diaspora Issues in haste and without relevant consultations due to the following reasons:

State objective of particular importance:

According to Article **81²** of the [Constitution](#) of Georgia, *“The State Minister shall be appointed as determined by the Constitution in order to fulfill state objectives of particular importance.”* Abolition of the Office of the State Minister for Diaspora Issues may be perceived as a negative message for Georgian emigrants living abroad and may create an impression that the diaspora is no longer *“a state objective of particular importance”*.

The importance of the Ministry for Diaspora Issues in the formation and enforcement of the state policy:

The Office of the State Minister of Georgia for Diaspora Issues was created on

February 8, 2008, by [Ordinance](#) No. 18 of the Government of Georgia. The goal of the creation of the Office, according to Paragraph 1 of Article 1 of this ordinance, was formulated as follows: *“The Office is created with the aim of strengthening ties with compatriots living abroad.”* One of the objectives of the Office is *“to establish and broaden personal contacts and relations with compatriots living abroad.”*

In the following years, the process of integration with the EU and the growing interest of international organizations were followed by creation of new mechanisms of engagement with the diaspora at the level of state policy, including the following:

- On December 24, 2011, the Parliament passed the [Law](#) of Georgia on Compatriots Living Abroad and Diaspora Organizations.

- On September 30, 2015, the Government of Georgia, by its Ordinance No. 622, approved the Migration [Strategy](#) of Georgia 2016-2020, in which migration and development (which the Strategy itself links to stimulation of investments from the diaspora) were reflected in the country's strategic document for the first time. The Strategy once again made the Office of the Minister for Diaspora Issues responsible for *“strengthening ties with compatriots living abroad, mobilizing the economic and social potential of representatives of the Georgian diaspora for the development of the country”*.

- The Migration Strategy for 2016-2020 devotes separate chapters to issues that concern the importance of the diaspora for the country's development. For example, one of the goals defined by the Strategy is *“channeling the economic and human resources of Georgian citizens residing abroad, diaspora representatives, and immigrants into the development of the country”*.

Moreover, the necessity of ties with the diaspora was also reflected in other strategic documents. For instance, relations with the diaspora are an integral part of the following state documents:

- The National Security Concept of Georgia;
- The Deep and Comprehensive Free Trade Agreement, which is a part of the EU-Georgia Association Agreement;
- The Action Plan for Visa Liberalization;

- The Social-Economic Development Strategy of Georgia.

In a situation where Georgia is at a decisive stage of integration and visa liberalization with the EU and the international interest in diaspora engagement is on the rise, abolition of the Office of the State Minister for Diaspora Issues will not only damage the relations with the diaspora, but also considerably hinder the achievement of strategic goals of the State, such as mobilizing investments from the diaspora, promoting Georgia in various European countries, including for the purpose of speeding up the process of visa liberalization, etc. To achieve these goals, on March 25, 2016, a task force for migration and development was set up in the framework of the Government Commission on Migration Issues which is presided by the Office of the State Minister for Diaspora Issues. Considering that the aforementioned is a relatively new area and the role of the diaspora in terms of migration and development is increasing, more involvement of the Ministry for Diaspora Issues is important for the achievement of these goals.

The financial argument

It should also be noted that:

- **The Ministry for Diaspora Issues employs 20 people, while the budget of the Office of the Minister for Diaspora Issues is a little more than GEL 1,000,000;**
- **By comparison, [according to](#) the State Audit Office, the projected funds to be allocated to legal entities of public law (LEPL) and non-entrepreneurial (non-commercial) legal entities (N(N)LE) in the draft Law on State Budget of 2017 amount to GEL 946 million, and the said amount exceeds the corresponding projected figure for 2016 by 37%. What is alarming is that comprehensive information on the necessity of these funds is unavailable, and there is no mechanism for ensuring transparency, which raises doubts about the rationality of the spending (see the GYLA's [statement](#) on this issue);**
- **In a situation where the State spends much larger sums on LEPLs and N(N)LEs without proper substantiation, it is unclear why the State is abolishing the strategically important Office. For this reason, it will be better if the authorities focus on the optimization of LEPLs and N(N)LEs to**

money.

For this reason, we believe that the Government should not abolish the Office of the State Minister for Diaspora Issues in a hasty manner and, before taking a decision, should hold public consultations with stakeholders, including diaspora organizations, emigrants, NGOs, etc., so that the implementation of ongoing programs/strategy relating to the diaspora will not be hindered and the area of strategic importance for the State will not be damaged. At the same time, we believe it necessary that the Government focus on problems with LEPLs and N(N)LEs in order to optimize spending.