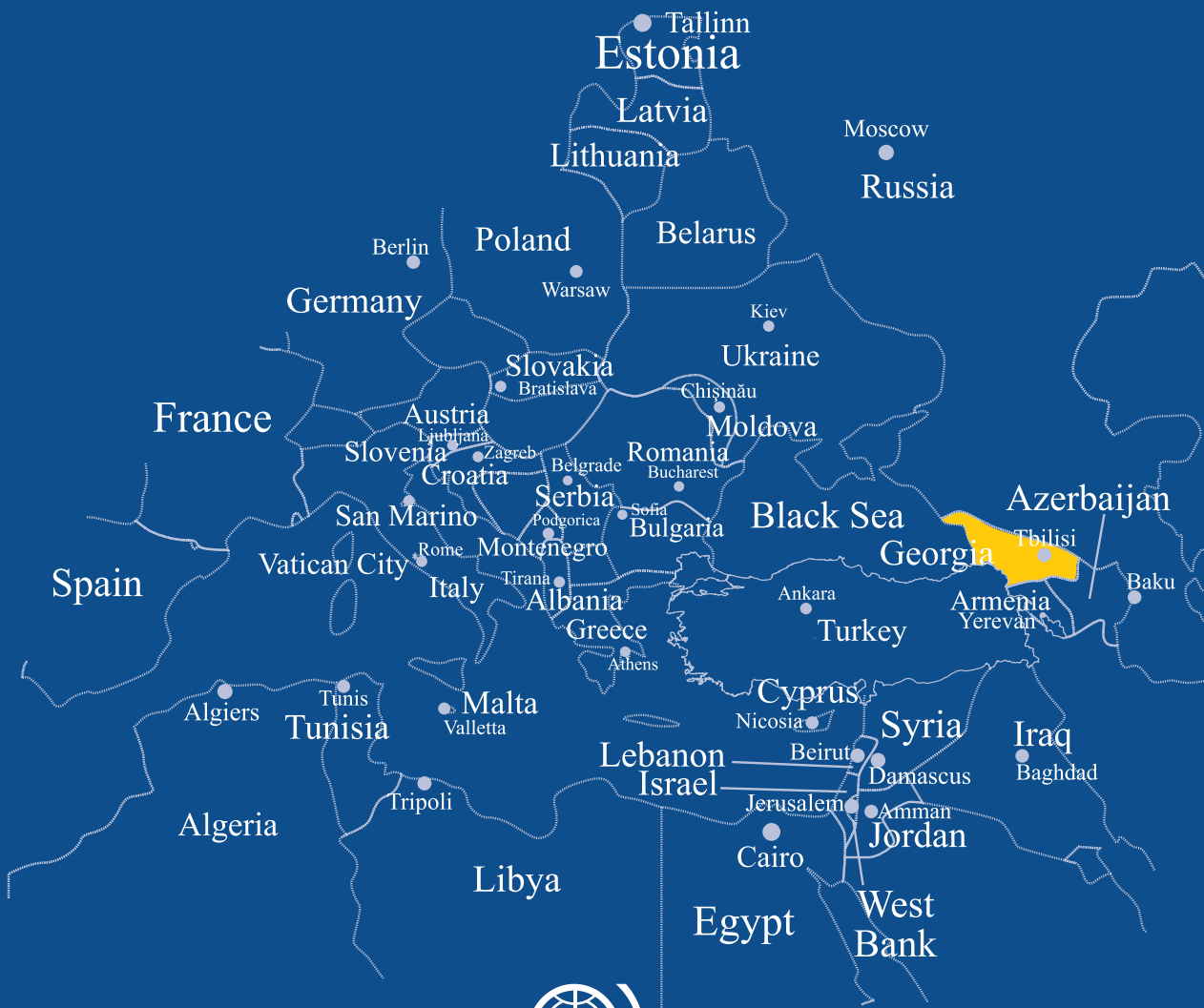


Migration in Georgia: A Country Profile 2008



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IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

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Migration in Georgia:

A Country Profile

October 2008



IOM International Organization for Migration

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ACRONYM LIST

AVR	Assisted voluntary return
BSEC	Organization of the Black Sea Economic Cooperation
CIS	Commonwealth of Independent States
EBRD	European Bank for Reconstruction and Development
EU	European Union
GDP	Gross domestic product
ICMPD	International Centre for Migration Policy Development
IDP	Internally displaced person
ILO	International Labour Organization
IOM	International Organization for Migration
MFA	Ministry of Foreign Affairs
MRA	Ministry of Refugees and Accommodation
NGO	Non-governmental organization
OSCE	Organization for Security and Co-operation in Europe
RCP	Regional Consultative Process
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
WGCC	Working Group on Combating Crime

FOREWORD

International migration is a prominent feature of globalization and one of the defining issues of this century. Increasingly, migration entails economic, social, demographic, cultural, security and environmental effects on both sending and receiving societies. The task of formulating effective and coherent approaches for the management of international migration poses formidable challenges and frequently has led to regional initiatives such as Regional Consultative Processes (RCPs).¹ These initiatives – which address a wide range of migration issues including migration and development, integration of migrants, smuggling of and trafficking in persons, irregular migration and so on – often reflect the different migration agendas of governments even though the challenges they face may be similar in nature.

Within this context and considering its proactive role in various RCPs, the International Organization for Migration (IOM) signed a Memorandum of Understanding with the Organization of the Black Sea Economic Cooperation (BSEC) in 2006. One of the main aims of this agreement is to enhance cooperation in addressing irregular migration and combating trafficking in persons in the Black Sea region, an area that experiences significant migration challenges as a transit, origin, and destination hub for migrants. Consequently, in 2007, IOM launched the “Black Sea Consultative Process on Migration Management”, a joint project with the BSEC’s Working Group on Combating Crime (WGCC) (Particularly its Organized Forms).

The project aimed to contribute to effective migration management in the Black Sea region as well as combating irregular migration through strengthened regional cooperation and capacity building of relevant authorities in all twelve member states of the BSEC.² Specifically, IOM has drafted national **Migration Profiles** for those countries where such documents did not exist, and has reviewed and updated existing Profiles.³

Why country Migration Profiles? A concept and tool promoted by the European Commission (EC), the Profiles are an evidence-based approach to assess the migration situation in a country. IOM has adopted and further developed this

¹ Regional Consultative Processes bring together representatives of states, international organizations and, in some cases, non-governmental organizations (NGOs) for informal and non-binding dialogue and information exchange on migration-related issues of common interest and concern.

² Albania, Armenia, Azerbaijan, Bulgaria, Georgia, Greece, Moldova, Romania, the Russian Federation, Serbia, Turkey and Ukraine.

³ Within the framework of the Slovenian presidency of the EU, IOM prepared Migration Profiles for the Western Balkan Countries including BSEC members Albania, Serbia and Turkey.

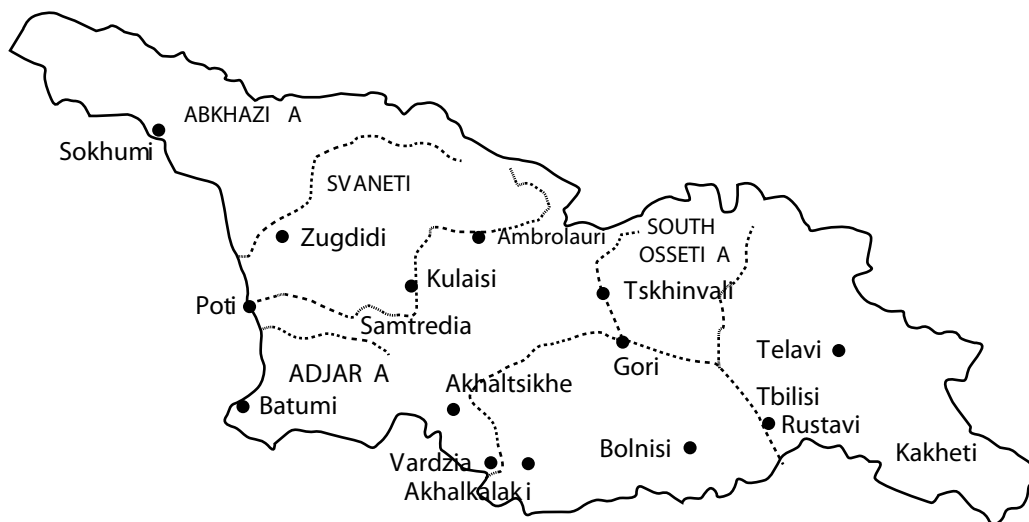
concept and has since implemented it in various regions such as the Balkans, Western and Central Africa, and Latin America. The intention is to contribute towards greater coherence of national migration policies and enhanced regional cooperation. This requires appropriate compilation of internationally comparable data among other features such as national coordination and cooperation among involved authorities and pursuit of an active international cooperation at bilateral, regional and global levels. The Profiles, using a common template, allow for comparability despite data limitations⁴ and different national contexts.

Furthermore, to ensure the legitimacy and recognized value of the Profiles, the BSEC member states and the BSEC WGCC provided substantial feedback on the Profiles. Drafted in IOM's office in Budapest and coordinated with IOM's Research Unit at IOM Headquarters in Geneva and the respective IOM office in each of the BSEC countries – to ensure high-quality – the Profiles also offer a set of policy recommendations for effective migration management in the region. These were thoroughly discussed during an expert meeting of the BSEC's WGCC in Istanbul on 10 September 2008. Subsequently, the recommendations were approved by the BSEC's Council of Ministers of Foreign Affairs that convened in Tirana on 23 October 2008.

This set of Profiles is the result of intensive cooperation between many individuals within IOM and among IOM and other stakeholders. The input of the following people is highly appreciated: Christine Aghazarm and Verónica Escudero, Research Unit in IOM Geneva, as authors of the regional overview and for their extensive review of all the Profiles, Frank Laczko, head of the Research and Publications in IOM Geneva, for his supervision throughout the project, IOM staff in IOM offices in all the BSEC countries, and the dedicated finance and administrative colleagues in IOM Budapest. Special thanks to IOM's 1035 Facility who funded this project. Moreover, particular gratitude is warmly given to the Organization of the Black Sea Economic Organization as the associate organization in this project, especially the Permanent International Secretariat who kindly arranged the meetings related to the implementation of the project. Not least, IOM gratefully acknowledges the support of the BSEC Member States in the production of the Profiles, above all for their input to their specific country profile and the endorsement of the regional migration policy recommendations.

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Alin Chindea, Project Coordinator
International Organization for Migration
Mission with Regional Functions for Central and South-Eastern Europe

⁴ For a discussion on the quality and limitations migration data, see the regional overview.



Georgia – Basic facts	
Population (2005)	4,473,000
Total Area	69,700 sq. km
Gross Domestic Product (GDP) per Capita PPP	USD 2,844
Human Development Index (HDI) Rank	97 of 177
Net Migration Rate	-10.8 migrants/1,000 population
Sources: United Nations Department of Economic and Social Affairs, Population Division's World Population Prospects: The 2006 Revision Population Database; UN Development Programme Human Development Report, 2006.	

EXECUTIVE SUMMARY: GENERAL ASSESSMENT OF MIGRATION ISSUES

Georgia is primarily a country of origin of migrants with flows directed mainly towards the Russian Federation, United States, Greece, Germany, Turkey, Austria, and a number of other EU member states such as France and Spain. The 2002 Census shows that since the 1989 Census, Georgia lost almost 20 per cent of its population to emigration. It has the second highest net migration proportion¹ after Kazakhstan in the Commonwealth of Independent States (CIS).² The UN Population Division and the World Bank estimate the number of international migrants from Georgia at over one million as of 2005 or 22.9 per cent of the total population of over 4.4 million.³

Majority of emigration flows are directed towards the Russian Federation due to historical ties of a common Soviet Union space and geographical and cultural proximity. A significant part of this migration to the Russian Federation is irregular in character with estimates ranging from 200,000 to as much as 1,000,000 of both legal and undocumented migrants from Georgia.⁴ Remittances from the Russian Federation account for 66 per cent of all remittances sent to Georgia and amounted to 363 million US dollars in 2006 according to the National Bank of Georgia.

Initial flows towards the Russian Federation following Georgia's independence from the Soviet Union were ethnic in character and comprised mainly of ethnic Russians who had previously moved to or had been born in Georgia. Gradually, however, the share of native Georgians moving into the Russian Federation increased due to economic motivation. With increased political tensions between the two countries and increased irregular character of migration flows, barriers to Georgian migration have emerged. In 2000, the Russian government

¹ By UN definition, net migration proportion refers to the difference between the number of persons entering and leaving a country during the year per 1,000 persons.

² World Bank (2007) *Migration and Remittances: Eastern Europe and the Former Soviet Union*.

³ Van Selm, J. (2005) *Georgia Looks West, but Faces Migration Challenges at Home*, Migration Information Source, www.migrationinformation.org

⁴ There were 634,372 migrants from Georgia in the Russian Federation in 2005 according to World Bank's estimates of migrant stocks. On the other hand, the Human Rights Watch estimates that there were between 1,000,000 and 400,000 Georgian migrants in Russia in 2005. Sources: World Bank, Development Prospects Group (2008) *Migration and Remittances Factbook 2008*, Data taken from Ratha, D., and W. Shaw (2007) *Bilateral Estimates of Migrants Stocks Database, South-South Migration and Remittances*, World Bank Working Paper No. 102, <http://go.worldbank.org/ON5YV3Y480>; Human Rights Watch (2007) *Singled Out. Russia's Detention and Expulsion of Georgians*.

introduced a visa regime for Georgian nationals while most of the other CIS countries continued to enjoy a visa-free movement towards the Russian Federation. In 2006, many Georgians living in Russia have been expelled from the country on grounds of immigration law violation, as an alleged response to the detention of four Russian military officers by the Georgian authorities on charges of espionage in September 2006.⁵

Turkey constituted another important destination country for Georgian emigrants during the initial years following Georgia's independence from the Soviet Union and the subsequent economic crisis, mainly due to the ease of access and travel arrangements to Turkey. After the closure of borders with the Russian Federation in 2007 and the abolition of Turkey's visa requirements for Georgian citizens in 2006, Turkey has become a major country of destination for Georgians as well as a principal transit route.

The flow of emigrants from Tbilisi, the capital of Georgia, and other urban areas tends to be directed towards Western Europe and the United States. Georgian nationals also continue to apply for asylum, mostly in Western Europe, with Germany, France, and Austria having the highest number of applicants in 2006.

Conflicts in Abkhazia and South Ossetia in the early 1990s resulted in the internal displacement of approximately a quarter of a million people within Georgia. The overwhelming majority were ethnic Georgians from Abkhazia. Since 1998, approximately 100,000 of internally displaced persons (IDPs) have returned spontaneously, but the situation of the remaining IDP population has not been sufficiently addressed.⁶ It is expected that the national strategy developed in 2007 by the Georgian government with the support of the international community and civil society organizations will finally provide this group with sustainable solutions. Other issues that need to be addressed pertain to the return of deported Meshketians forcefully displaced during the Stalin era and the resettlement or local integration in Georgia of Chechen refugees.⁷

Immigrants to Georgia come mainly from the Russian Federation, Ukraine, China, and Turkey. Majority of temporary residence permits are granted for the purpose of employment, mainly to Turkish and Chinese applicants, whereas permanent residence permits are granted mostly for family reasons, with majority of applicants from the Russian Federation. The Law on the Legal Status of Aliens

⁵ Radio Free Europe/Radio Liberty, 17 October 2006, <http://www.rferl.org/featuresarticle/2006/10/5E22372A-7274-4E31-8C21-D6A52CF38689.html>

⁶ United Nations High Commissioner for Refugees (UNHCR) (2004) *Background Note on the Protection of Asylum Seekers and Refugees in Georgia*.

⁷ Ibid.

in Georgia has only come into effect in 2006. Prior to this, no proper residence permit system was in place, which can explain the difference in figures between 2006 and the preceding years. Migrants who enter the country legally (with a valid visa or exempted from visa) can work in Georgia even without a work permit.

Georgia is primarily a source, and to some extent, a transit country for trafficking in human beings. The Georgian victims are trafficked primarily to Turkey and to a much lesser extent to the United Arab Emirates while foreign victims from Central Asia are known to have been trafficked through Georgia to the United Arab Emirates and Turkey. In 2006, Georgia adopted the Law on the Fight against Trafficking in Persons, developed and established a national victim referral mechanism, and established the Permanent Anti-Trafficking Coordination Council, which adopted the National Action Plan for 2007-2008.⁸

Georgia is not a key country for transit irregular migration as its transport system remains underdeveloped and it is not located on the most direct route between destination and origin countries. However, there is some evidence of transit migration from Armenia, Iran, as well as from the Russian Federation and Ukraine, towards Turkey and the European Union (EU) member states.

⁸ US Department of State (2007) *Trafficking in Persons Report 2007*.

1. IMMIGRANTS

1.1. Number of immigrants

..... 191,220 (2005)⁹
 As percentage of total population.....4.3% (2005)¹⁰
 Gender ratio.....37.4% female (2005)¹¹

1.2. Status of immigrants

Refugees/asylum seekers

.....2,497 refugees, 8 asylum seekers (UNHCR, 2005)¹²
 As percentage of total *migrant* population:.....
1.3% (UNPD, 2005; UNHCR, 2005)¹³
 Internally displaced persons (IDPs):245,980 (UNHCR, 2006)¹⁴

Residence Status

Table 1. Residence permits issued in Georgia in 2001-2005 by main countries of origin¹⁵

Country	2001	2002	2003	2004	2005	Total
Russian Federation	45	78	85	38	99	345
Ukraine	10	4	7	8	10	39
Armenia	7	4	4		9	24
Azerbaijan	4	5	8	3		20
Turkey	3				5	8
Total (all countries)	84	123	130	84	158	579

Source: Ministry of Justice, Georgia, 2001-2005.

⁹ United Nations Secretariat, Department of Economic and Social Affairs, Population Division (2005) *Trends in Total Migrant Stock: The 2005 Revision*. The number of international migrants generally represents the number of persons born in a country other than that in which they live.

¹⁰ Ibid.

¹¹ Ibid.

¹² UNHCR (2005) *Statistical Yearbook 2005*.

¹³ United Nations Secretariat, Department of Economic and Social Affairs, Population Division (2005) *Trends in Total Migrant Stock: The 2005 Revision*; UNHCR (2005) *Statistical Yearbook 2005*. Own calculation based on these two sources.

¹⁴ UNHCR (2006) *Statistical Yearbook: 2006 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*.

¹⁵ Ministry of Justice, Georgia (2006). Please note that the Law on the Legal Status of Aliens has only come into force in 2006, but prior to this, no proper residence permit system was in place, which explains the difference in figures between 2006 and the preceding years. For this reason, the data for 2001-2005 are presented separately from the 2006 data.

Table 2. Temporary residence permits issued in Georgia by country of origin of applicants, 2006¹⁶

Country of origin	No.	%
Turkey	892	54
China	182	11
Russian Federation	105	6
Other	491	29
Total	1,670	100

Source: Ministry of Justice, Georgia, 2006.

Table 3. Reasons for applying for temporary residence permit, 2006¹⁷

Reason	%
Employment	87
Family ties	7
Study	6

Source: Ministry of Justice, Georgia, 2006.

Table 4. Permanent residence permits issued in Georgia by country of origin of applicants, 2006¹⁸

Country of origin	No.	%
Russian Federation	197	65
Turkey	22	7
Armenia	14	5
Others	71	23
Total	304	100

Source: Ministry of Justice, Georgia, 2006.

Table 5. Reasons for applying for permanent residence permit, 2006¹⁹

Reason	%
Family ties	94
Six years of residence in Georgia	6

Source: Ministry of Justice, Georgia, 2006.

Female migrants constituted 17 per cent of applicants for temporary residence permit and 53 per cent of applicants for permanent residence permit in 2005.²⁰

¹⁶ Ministry of Justice, Georgia (2006).

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

1.3. Main countries of origin of immigrants

Table 6. Estimates of migrant stocks in Georgia by countries of origin, 2005²¹

Country	No.
Russian Federation	125,714
Armenia	20,314
Azerbaijan	8,939
Ukraine	8,513
Turkey	7,094
Germany	1,916
Pakistan	1,892
United States	1,821
Greece	1,561
Bulgaria	1,372
Israel	1,111
Other countries	10,973
Total	191,220

Source: World Bank, 2007.

²¹ World Bank, Development Prospects Group (2008) *Migration and Remittances Factbook 2008*. Data taken from Ratha, D., and W. Shaw (2007) Bilateral Estimates of Migrants Stocks Database, *South-South Migration and Remittances*, World Bank Working Paper No. 102, <http://go.worldbank.org/ON5YV3Y480>

2. EMIGRANTS

2.1. Number of emigrants/people in diaspora

..... 1,024,598 (2005)²²
 As percentage of total population.....22.9% (2005)²³

2.2. Status of emigrants

Refugees/asylum seekers

..... 6,340 recognized refugees and 4,387 pending asylum claimants
 (UNHCR, 2006)²⁴

Table 7. Asylum applications by citizens of Georgia in selected countries, 1990-2006²⁵

Country of asylum	No. of applications
Germany	20,150
France	7,937
Austria	7,359
Belgium	5,374
Switzerland	4,804
Netherlands	4,231
Czech Republic	2,783
Greece	2,706
Cyprus	2,203
Slovakia	2,096
Total (all countries)	69,571

Source: UNHCR, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007.

Emigration rate of tertiary educated:..... 2.6%²⁶

²² World Bank, Development Prospects Group (2008) *Migration and Remittances Factbook 2008*.

²³ Ibid.

²⁴ UNHCR (2006) *Statistical Yearbook 2006*.

²⁵ UNHCR (1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007) *Global Asylum Trends*.

²⁶ World Bank, Development Prospects Group (2008) *Migration and Remittances Factbook*, after Docquier, F., and A. Marfouk (2004) *Measuring the International Mobility of Skilled Workers (1990-2000) – Release 1.0*, World Bank Policy Research Working Paper No. 3381, Washington D.C., and Docquier, F., and A. Bhargava (2006) *The Medical Brain Drain: A New Panel Dataset on Physicians Emigration Rates (1991-2004)*, World Bank, Washington D.C.

According to World Bank statistics, 52.7 per cent of female migrants and 37.7 per cent of male migrants who returned to Georgia have completed higher education.²⁷

2.3. Main countries of destination

Table 8. Main countries of destination of Georgian emigrants

Country	No.	Year	Source
Russian Federation	52,900	2002	Foreign citizens, Russian Census 2002 ¹
Greece	13,791	2007	Residence permits, Ministry of Interior, Department of Social Integration, Greece, 2007 ²
Germany	13,120	2002	Stock of foreign population by nationality, Federal Statistical Office, Germany, 2002 ³
United States	10,530	2000	Stocks of Georgian nationals, US Census 2000 ⁴
Ukraine	5,682	2001	Foreign citizens, Ukraine Census 2001 ⁵
Spain	3,382	2006	Residence permits, Ministry of Labour and Social Affairs, Spain, 2006. ⁶
Austria	2,471	2007	Stock of foreign population by nationality, Bevölkerungsstand 2007, Statistik Austria, 2007 ⁷
Belgium	2,359	2007	Foreign persons registered in the national register, SPF Interieur, L'Office des Etrangers ⁸
Turkey	1,979	2000	Population who immigrated to Turkey between 1995 Census and 2000 Census, Turkish Statistical Institute ⁹
Canada	1,530	2006	Statistics Canada, 2006 Census, 2006 ¹⁰
Italy	811	2007	Residence permits, ISTAT Italian Statistical Office, 2007 ¹¹
France	693	1999	Stock of foreign population by country of nationality, 1999, Institut National de la Statistique et des Études Économiques 1999 ¹²

¹ <http://www.perepis2002.ru/content.html?id=11&docid=10715289081464>

² Ministry of Interior, Department of Social Integration, Greece, 13 December 2007.

³ Statistisches Bundesamt, Statistisches Jahrbuch 2007, <http://www.destatis.de>

⁴ <http://www.census.gov/population/www/socdemo/foreign/datatbls.html>

⁵ http://www.ukrcensus.gov.ua/eng/results/nationality_population/nationality_4/n54/?box=5.4W&k_t=00&id=&botton=cens_db

⁶ Ministry of Labour and Social Affairs, Spain, Permanent Observatory on Immigration (2006) Annual Statistical Report 2006, Madrid.

⁷ Bevölkerungsstand 2007, Statistik Austria, 2007, <http://www.statistik.at>

⁸ http://www.dofi.fgov.be/fr/statistiek/en/statistiques_etrangers/Stat_ETRANGERS.htm

⁹ <http://www.turkstat.gov.tr/VeriBilgi.do>

¹⁰ Statistics Canada (2006) <http://www12.statcan.ca/english/census06/release/immigration/citizenship.cfm>

¹¹ ISTAT (Italian Statistical Office) (2007) Popolazione straniera residente per area geografica e principali paesi di cittadinanza, al 1 Gennaio 2007.

¹² <http://www.migrationinformation.org/DataHub/countrydata/data.cfm>

²⁷ World Bank (2007) *Migration and Remittances: Eastern Europe and the Former Soviet Union*.

Table 9. Estimates of Georgian emigrants by countries of destination, 2005.²⁸

Country	No.
Russian Federation	634,372
Ukraine	94,111
Greece	62,174
Armenia	54,996
Israel	23,557
Germany	17,127
United States	12,480
Cyprus	10,162
Turkey	6,868
Latvia	5,155
Spain	3,665
Other countries	99,930
Total	1,024,598

Source: World Bank, 2007.

²⁸ World Bank, Development Prospects Group (2008) *Migration and Remittances Factbook 2008*. Data taken from Ratha and Shaw (2007).

3. REMITTANCES

3.1. Quantitative aspects of remittances

Table 10. Amount of incoming migrant remittances in million USD

Year	World Bank ¹	National Bank of Georgia ²
2002	231	84
2003	235	196
2004	303	249
2005	346	403
2006	485	556
2007	533 (estimate)	682 (until Oct 2007)

¹ World Bank, Development Prospects Group (2008) *Migration and Remittances Factbook*. The World Bank calculates remittances as follows: “Migrant remittances are defined as the sum of workers’ remittances, compensation of employees, and migrants’ transfers. Workers’ remittances, as defined in the IMF Balance of Payments manual, are current private transfers from migrant workers who are considered residents of the host country to recipients in their country of origin. If the migrants live in the host country for a year or longer, they are considered residents, regardless of their immigration status. If the migrants have lived in the host country for less than a year, their entire income in the host country should be classified as compensation of employees.” <http://siteresources.worldbank.org/EXTDEC-PROSPECTS/Resources/476882-1157133580628/FactbookDataNotes.pdf>

² National Bank of Georgia (NBG) (2006, 2005) *Annual Reports 2006, 2005*; Bulletin of Monetary and Banking Statistics Jan-Oct 2007. NBG receives information on remittances mainly from commercial banks in terms of volumes of swift money transfers (Western Union, Money Gram, etc). Informal channels are registered in the household survey and are taken into account in compiling the balance of payment.

Table 11. Remittances as a percentage of GDP

Year	World Bank ¹	National Bank of Georgia ²
2002	7	2.5
2003	6	5
2004	5.9	4.8
2005	5.4	6.2
2006	6.4	7.4

¹ World Bank, Development Prospects Group (2008) *Migration and Remittances Factbook*. Own calculations based on World Bank data.

² National Bank of Georgia (NBG) (2005) *Annual Report 2005*. For 2006, own calculations based on NBG data.

Table 12. Remittances to Georgia by country in 2006-2007 (million USD)²⁹

2006		2007	
Country	Amount	Country	Amount
Russian Federation	363.9	Russia	430.4
United States	59.4	United States	92.8
Greece	16.2	Greece	22.5
Turkey	13.7	Spain	20.7
Spain	11.3	Ukraine	14.4
Ukraine	10.8	Turkey	14.0
United Kingdom	5.8	Austria	11.6
Germany	4.8	Kazakhstan	8.7
Cyprus	4.2	United Kingdom	7.4
Total (all countries)	556	Total	682

Source: National Bank of Georgia, 2006, 2007.

3.2. Qualitative aspects of remittances

Most remittances to Georgia are sent from the Russian Federation, United States, and Greece. Available data for the period January-October 2007 also show that Austria and Kazakhstan have emerged as important sources of remittances. There is also a substantial increase in remittances received from Greece, Spain, and Ukraine based on 2006-2007 data.

Information on the methods of transfer, frequency, share of remittances to migrant's income, utilization of remittances, and other trends in remittance flows to Georgia come largely from surveys undertaken by IOM (2003), the World Bank (2007), and Bendixen and Associates for the European Bank for Reconstruction and Development (EBRD) (2007). The IOM and EBRD survey focused on the families of migrants (recipients of remittances) and the World Bank survey focused on migrants who have returned to Georgia. The results of all studies should be treated with caution due to the natural limits of representation of such surveys.³⁰

²⁹ National Bank of Georgia (2007) Bulletin of Monetary and Banking Statistics Jan-Oct 2007. Data for 2007 available only until October.

³⁰ IOM (2003) Labour Migration from Georgia, Tbilisi; Quillin, B., C. Segni, S. Sirtaine, and I. Skamnelos (2007) Remittances in the CIS Countries: A Study of Selected Corridors, World Bank, Chief Economist's Working Paper Series, Europe and Central Asia Finance and Private Sector Development Department, Vol. 2, No. 2, July 2007; Orozco, M. (2007) Worker Remittances and the Financial Sector: Issues and Lessons in the South Caucasus, A study commissioned by the European Bank of Reconstruction and Development (EBRD) in cooperation with Bendixen and Associates.

According to the IOM 2003 survey of family members and other relatives of Georgian labour migrants, more than 80 per cent of migrants sent remittances home. Methods of sending money depend on the destination country of the labour migrants: migrants in the United States tend to send money through banks, those in the Russian Federation through relatives, and those in Greece and Azerbaijan through bus drivers.³¹ According to a recent study on migration and remittances from Tianeti, a village located in the Mtskheta-Mtianeti region, one of the poorest regions in Georgia and with only a recent history of international migration, 60 per cent of remittances are sent through informal channels, mainly through bus drivers and relatives.³²

Meanwhile, according to the World Bank survey, the most popular methods of transferring remittances to Georgia in 2007 were through friends travelling home and through money transfer operators (together 57.3% users). The informal channels of transfer were selected in 50.9 per cent of the cases, with convenience being the most important factor (after the costs of transfer).³³

Table 13. Channels of remitting remittances to Georgia, 2007³⁴

Method	Users (%)
Friends travelling home	36.1
Money transfer operators (Western Union, etc.)	21.2
Bank transfer	17.5
Through individuals and contacts	11.3
Post office	10.4
Informal transfer offices	1.9
Migrant when travelling home	0.6
Transfer check	0.5
Debit card	0.5

Source: World Bank, 2007.

On average, migrants included in the World Bank survey sent 38 per cent of their incomes home, with 40 per cent of migrants remitting 50 per cent or more of their income.

³¹ IOM (2003) Labour Migration from Georgia, Tbilisi.

³² Zurabishvili, T. (2007) Emigration from Tianeti Region, Telavi State University (forthcoming).

³³ Quillin, B., C. Segni, S. Sirtaine, and I. Skamnelos (2007) Remittances in the CIS Countries: A Study of Selected Corridors, World Bank, Chief Economist's Working Paper Series, Europe and Central Asia Finance and Private Sector Development Department, Vol. 2, No. 2, July 2007.

³⁴ Ibid.

Approximately 70 per cent of remittances to Georgia are sent to urban areas, which exacerbates the already existing urban-rural divide.³⁵ Relatively few Georgians own bank accounts (average of 15%), with an even smaller share in the rural areas where majority of migrants come from.³⁶ Most remittances are spent on everyday consumption and health care. Remittances from women labour migrants to their families in Georgia are significant. On a monthly average, women send back 40 US dollars more than do men.³⁷

Number of families dependent on remittances

According to the abovementioned study of emigration from Tianeti, 71 per cent of emigrant households receive remittances. Most emigrants from Tianeti are women (68%), who work as care givers and domestic help abroad, usually undocumented. Most of remittances received in Tianeti are spent on basic consumption due to the high levels of poverty in the region.³⁸

Bendixen and Associates' survey of South Caucasus in 2007 for the EBRD gives an overview of the characteristics and profiles of the remittance recipients in Georgia. The survey shows that nine per cent of the Georgian population are remittance recipients, the relative majority of them female (55%), in the 35-49 age bracket, and highly educated. The monthly household income of recipients ranges from zero to USD 500.³⁹

Table 14. Monthly household income among recipients of remittances in Georgia, 2007⁴⁰

Amount in USD	% of recipients
0-50	20
51-100	28
101-250	23
251-500	20
500 and more	8

Source: Bendixen and Associates, *Survey of South Caucasus*.

³⁵ World Bank (2007) *Migration and Remittances: Eastern Europe and the Former Soviet Union*.

³⁶ IFAD, Inter-American Dialogue (2007) *Sending Money Home: Worldwide Remittance Flows to Developing Countries*, <http://www.ifad.org/events/remittances/maps/brochure.pdf>

³⁷ IOM (2003) *Labour Migration from Georgia*, Tbilisi.

³⁸ Zurabishvili, T. (2007) *A Study of Labour Migration from Tianeti*, Telavi State University.

³⁹ Orozco, M. (2007) *Worker Remittances and the Financial Sector: Issues and Lessons in the South Caucasus*, A study commissioned by the European Bank of Reconstruction and Development (EBRD) in cooperation with Bendixen and Associates.

⁴⁰ Ibid.

Table 15. Age groups of remittance recipients in Georgia, 2007⁴¹

Age	% of recipients
18-24	24
25-34	15
35-49	46
50-64	15

Source: Bendixen and Associates, Survey of South Caucasus.

Table 16. Educational level of remittance recipients in Georgia, 2007⁴²

Educational level	% of recipients
Third level	37
Secondary school	31
Technical school or college	27
Primary education	5

Source: Bendixen and Associates, Survey of South Caucasus.

⁴¹ Ibid.

⁴² Ibid.

4. MIGRANT COMMUNITIES/DIASPORAS

4.1. Description of the relationship between the diasporas and the country of origin

Until the beginning of 2008, the Ministry for Foreign Affairs (MFA) and the Georgian Centre for Relations with Compatriots Abroad under the Ministry of Refugees and Accommodation (MRA) were in charge of maintaining liaison with the Georgian communities abroad. The Centre for Relations with Compatriots Abroad was the coordinating agency for diaspora relations and for the establishment of a diaspora policy, a role which has in February 2008 been taken up by the new State Ministry of Georgia for Diaspora Issues. The establishment of this new State Ministry is a sign of the relevance that the Georgian government attributes to good relations with Georgian diaspora and the importance it gives to attracting investments by diaspora members and to facilitating the return of qualified Georgians from the old as well as the new emigration. Apart from classical diaspora issues, this new state structure will also concern itself with issues of the more recent Georgian migrants. The government initiated in 2007 the “Year of the Georgian Diaspora” and a website (<http://www.diaspora.ge>) has been established to provide information on culture and traditions of Georgia.

Currently, a Draft State Strategy on the Relations with the Compatriots Living Abroad (Georgian Diaspora), initiated by the Centre on Relations with Compatriots Abroad, is in the process of being finalized. Once adopted by the government, it is likely to become the main policy document on diaspora issues. The Draft Strategy focuses mostly on cultural ties with the Georgian diaspora.

4.2. Migrant communities/diasporas’ organizations by country of destination

The Georgian Association (GA) is a nonpartisan nationwide membership organization of Georgian-Americans and friends of Georgia that advocates for Georgia and Georgian issues in the U.S. It is the oldest organization in the U.S. representing the Georgian American community. GA was founded in 1932 by Georgian immigrants following Russia’s occupation of Georgia in 1921 and the unsuccessful insurrection in 1924. Founders of the Association were dedicated Georgians hoping to reestablish an independent democratic state of Georgia.

In 1960, the Georgian Association became a non-profit charitable US 501(c)(3) corporation. It has assisted in maintaining public awareness of the Georgian Nation and preserving Georgia's identity and culture. The Association has provided a forum for discussing Georgian issues and has been a unifying entity for Georgian concerns.

The mission of the Georgian Association is to strengthen and support the Georgian-American community on a national level and to support an independent, democratic and prosperous Georgia. It organizes, sponsors and promotes cultural events, advocates in the United States Congress and the Administration, maintains regular electronic communication with its members, collaborates with other organizations whose work is directly related to Georgia, and provides other services on an as needed basis.

5: IRREGULAR MIGRATION

5.1. Figures and information on irregular movements

Due to the conflicts in Abkhazia and South Ossetia, Georgia faces serious border management issues in these two regions, as the government does not have a de facto control over these territories.

Irregular migration from Georgia is mainly economically motivated due to low income levels and low standards of living. With over 25 per cent of the population living on less than USD 2 a day and economically dependent on remittances from abroad, it is not surprising that many Georgians seek opportunities far from home. The main destinations of the irregular migration flows are the Russian Federation (with estimates of 400,000 to 1,000,000 undocumented Georgian migrants), Greece, Germany, and the United States. The main routes are through Belarus, Turkey, the Russian Federation, and Bulgaria. Eighty per cent of irregular migrants headed for Western Europe are transiting through Turkey as Georgian nationals do not need to obtain a Turkish visa.⁴³

Georgia is not considered a major transit country because its transport networks remain underdeveloped and it is not located on the most direct route between destination and origin countries. However, there is some evidence of transit migration from Armenia, Iran, as well as from the Russian Federation and Ukraine, towards Western Europe.⁴⁴

Based on interviews conducted with potential migrants at IOM Georgia's four Migration Resource Centres throughout the country and also based on screening media reports, certain transit routes used by irregular migrants to reach Western Europe can be identified. The main (and consistently important) irregular migration route is through Turkey into Greece (crossing the Greek border illegally), with possible detours through Bulgaria or even the former Yugoslav Republic of Macedonia (although the detour seems to have diminished). Another important route is through Ukraine and then into either Slovakia or Hungary through illegal border crossing. Another prime route is through Turkey into northern Cyprus and possibly further onwards to the rest of Cyprus. Further, cases are known of Geor-

⁴³ International Centre for Migration Policy and Development (ICMPD) (2006) *2005 Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe*.

⁴⁴ ICMPD (2005) *Overview of the Migration Systems in the CIS Countries; ICMPD (2006) 2005 Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe*.

gians travelling to Serbia, from where they try to enter Hungary without official documents.⁴⁵

There is also anecdotal evidence of Georgians travelling on falsified passports from Tbilisi airport and Batumi airport to foreign destinations. As regards foreign migrants, there are those entering Georgia illegally through the conflict zones (but how many among them are smuggled is unknown), and also cases have been registered of illegal border crossing into Poti port, Sarpi (from Turkey), and Red Bridge (from Azerbaijan).⁴⁶

Table 17. Apprehended Georgian nationals illegally present in the EU and candidate countries in 2003⁴⁷

Country	No.
Turkey	1,826
Austria	1,440
Slovakia	567
Hungary	12
Latvia	10

Source: European Commission, 2003; SOPEMI, 2005.

5.2. Figures and information on return migration flows

Return to Georgia:

Table 18. Georgian nationals forcibly removed from other countries (in order of importance in 2007)

Country	2002	2003	2004	2005	2006	2007
Turkey	543	686	393	n/a	n/a	5,319
Russian Federation	62	119	334	n/a	948 (Aug-Oct)	2,047
Ukraine				n/a	n/a	920
Germany	198	319	456	n/a	n/a	297
Belarus				n/a	n/a	209
Greece	151	146	250	n/a	n/a	204
Israel	59	162	515	n/a	n/a	203
Total (all countries)						9,607

Source: Georgian Border Police, 2002, 2003, 2004, 2006, 2007.

⁴⁵ IOM Tbilisi.

⁴⁶ Ibid.

⁴⁷ European Commission (2003) *Annual Report on Asylum and Migration* http://ec.europa.eu/justice_home/doc_centre/asylum/statistics/doc_annual_report_2003_en.htm; Icduygu, A. (2006) *Turkey and International Migration, 2005*, Prepared for SOPEMI, OECD, Istanbul.

Table 19. Georgian citizens forcibly removed from Central and Eastern Europe destination countries⁴⁸

Country / year	2004	2005	2006
Bulgaria			48
Cyprus		92	111
Czech Republic	205 (of which 11 actively enforced)	12 actively enforced	
Estonia	9	5	3
Hungary		56	
Latvia	7	5	3
Lithuania		4	4
Moldova		10	
Poland		121	69
Slovakia		59	22
Turkey	2,294	2,348	1,989
Ukraine		980	1,015

Source: ICMPD, 2005 and 2006. Figures compiled from destination countries.

⁴⁸ ICMPD (2005, 2006) 2005 and 2006 Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe, Vienna. There are no reliable statistics available for irregular migration to and from Georgia, therefore discrepancies between figures in Table 18 and Table 19 exist.

Table 20. IOM-assisted voluntary returns (AVR) to Georgia in 2005-2006⁴⁹

Return from:	2005	2006	Total
Austria	131	102	233
Belgium	66	66	132
Czech Republic	14	9	23
Germany	120	92	212
Hungary	5	5	10
Ireland	5	4	9
Italy	1	1	2
Lithuania		1	1
Netherlands	35	42	77
Norway	6	2	8
Poland	2	1	3
Portugal	4		4
Serbia and Montenegro		3	3
Slovakia	15	12	27
Switzerland		25	25
United Kingdom	35	53	88
Ukraine	7	3	10
Total	446	421	867

Source: IOM AVR database.

Between 2003 and 2007, 255 Georgians have been provided with reintegration assistance through IOM AVR programmes in the United Kingdom and Switzerland.

Return from Georgia:

Table 21. Foreign nationals forcibly removed from Georgia

Country	2002	2003	2004	2005	2006	2007 (Jan-Sept)
Russia	39	23	1	n/a	n/a	26
Nigeria						7
Armenia			10	n/a	n/a	5
Ukraine						5
Turkey	31	4		n/a	n/a	4
Azerbaijan		1	14	n/a	n/a	1
Uzbekistan			7	n/a	n/a	
Total (all countries)						58

Source: Georgian Border Police, 2002, 2003, 2004, 2007.

⁴⁹ IOM AVR database.

5.3. Figures and information on trafficking in human beings

Georgia is primarily a source, and to some extent, a transit country for trafficking of human beings. Georgian victims are trafficked mainly to Turkey and United Arab Emirates while foreign victims from Ukraine, Moldova, and the Russian Federation are trafficked through Georgia to Turkey, Greece, United Arab Emirates, and Western Europe. There is evidence of trafficking for the purpose of forced labour in Abkhazia and South Ossetia.⁵⁰ According to the Council of Europe, cases of trafficking of organs have been observed.⁵¹

IOM has assisted 15 Georgian victims in the destination countries, with eight cases of return. Majority of victims assisted by IOM were identified in Turkey.⁵² A total of 22 foreign victims of trafficking have been assisted by IOM Georgia from 2004 until the end of 2007. Sixteen of them were from Uzbekistan, three from Russia, two from Kyrgyzstan, and one from Nigeria.⁵³

In 2006 and 2007 (January-March), a total of 37 investigations into alleged trafficking were initiated, 18 criminal cases were submitted to court, and 21 judgements were delivered against 26 perpetrators.⁵⁴

⁵⁰ US Department of State (2007) *Trafficking in Persons Report 2007*.

⁵¹ Council of Europe (2003) *Trafficking in Organs in Europe*, Social, Health and Family Affairs Committee, COE Parliamentary Assembly.

⁵² IOM global counter-trafficking database.

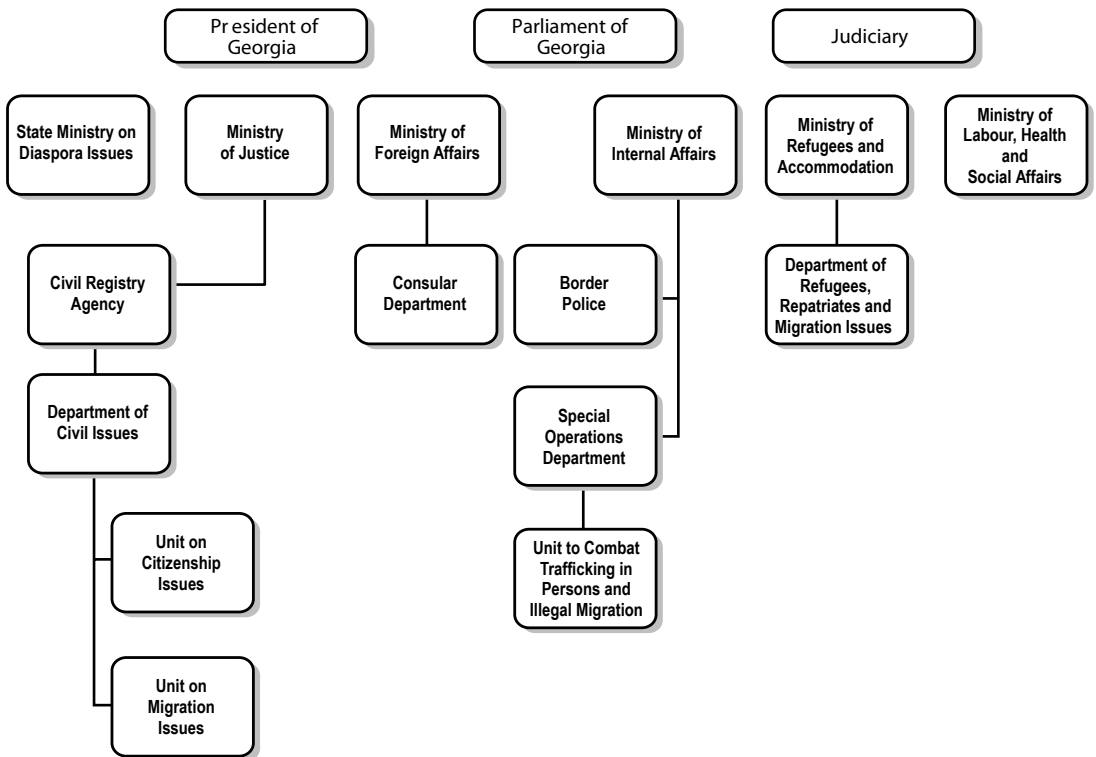
⁵³ IOM, Tbilisi

⁵⁴ Minnesota Advocates for Human Rights (2007, 2006) *Measures and Actions Taken by Georgia against Trafficking in Persons – 2007; Measures and Actions Taken by Georgia against Trafficking in Persons – 2006*, <http://www.stopvaw.org>

6. ASSESSMENT AND ANALYSIS OF MIGRATION ISSUES

6.1. Government institutions responsible for migration policy

Figure 1. Structure of migration management



The **President of Georgia** is authorized to take decisions on the granting, removal, and reinstatement of Georgian citizenship; granting of asylum; defining the procedures for issuance; extension and suspension of Georgian visas; defining the procedure of issuing residence permits for residence in Georgia; and making decisions on declaring an alien *persona non grata*.

The **Ministry of Refugees and Accommodation (MRA)** (<http://www.mra.gov.ge>) is responsible for issues related to regulating immigration regulation and control, as well as integration of migrants. It is charged with developing and implementing a migration management strategy and with coordinating the work of state agencies dealing with migration issues. It also acts as the government focal point for issues of internal displacement (the Ministry of Agriculture (MoA), the Ministry of Education and Science (MoES), and the Ministry of Labour, Health, and Social Affairs (MoLHSA) are also involved in assisting the IDPs). The Department for Refugees, Repatriates and Migration Issues registers asylum applications, makes the decision on granting refugee status, and is responsible for subsequent protection and support issues. Furthermore, the Department prepares proposals and draft regulations on the implementation of internal and external migration policies, monitors labour migration issues, and oversees projects and activities connected to the implementation of the European Neighbourhood Policy Action Plan in migration matters.

The **Ministry of Justice (Unit for Migration Issues)** (<http://www.justice.gov.ge>) is responsible for registration of foreigners, issuance of residence permits and identification documents, as well as decisions on and executions of expulsions of aliens from Georgia. The Civil Registry Agency is responsible for registering foreigners and changes in their residence status.

The **Ministry of Labour, Health and Social Affairs** (<http://www.health-ministry.ge>) has some competencies in labour migration, even though the issues of labour migration in general receives very little attention from the Georgian government. It also supervises the administration of the State Fund for Protection of and Assistance to Victims of Trafficking. The State Agency for Social Subsidies and Pensions under the supervision of the Ministry has been formed as successor of the State Employment Agency, which had been formally tasked with labour migration issues. This entity may in the future be re-assigned with some competencies in labour migration.

The **Ministry of Foreign Affairs** (<http://www.mfa.gov.ge/>) is in charge of international agreements relating to migration (such as readmissions agreements) as well as the protection of the rights and interests of Georgians abroad and to some extent the relations with the Georgian diaspora.

The **Georgian Border Police** (http://www.gbg.ge/4_1_eng.html) is responsible for border management and collection of statistics related to irregular migration.

The **Ministry of Internal Affairs (Special Operations Department, Unit to Combat Trafficking in Persons and Illegal Migration)** (<http://www.police.ge/en>) deals with combating irregular migration, and investigation and prosecution of cases of trafficking in persons and smuggling in migrants.

The **Prosecution Service of Georgia** Is the central body responsible for the prosecution of migration-related offences in Georgia, including cases concerning illegal border crossing and trafficking in persons. It is also responsible for overseeing the investigation activities of the police.

6.2. International legal framework in place relevant to migration

International Treaties Ratified by Georgia

- C97 Migration for Employment Convention 1949, not ratified
- Convention relating to the Status of Refugees 1951, acceded to on 9 August 1999
- International Convention on the Elimination of All Forms of Racial Discrimination 1965, acceded to on 2 June 1999
- International Covenant on Civil and Political Rights 1966, acceded to on 3 May 1994
- International Covenant on Economic, Social and Cultural Rights 1966, acceded to on 3 May 1994
- C143 Migrant Workers (Supplementary Provisions) Convention 1975, not ratified
- Convention on the Elimination of All Forms of Discrimination against Women 1979, acceded to on 26 October 1994
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984, acceded to on 26 October 1994
- Convention on the Rights of the Child 1989, acceded to on 2 June 1994
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, not ratified
- Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime 2000, ratified on 5 September 2006
- Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially

Women and Children, supplementing the United Nations Convention against Transnational Organized Crime 2000, ratified on 5 September 2006

Council of Europe Conventions

- European Convention on Human Rights, ratified on 20 May 1999
- Council of Europe Convention on Action Against Trafficking in Human Beings, 2005, ratified on 14 March 2007

Bilateral Labour Agreements (none)

Readmission Agreements

Apart from the recently initiated negotiations between the European Commission (EC) and Georgia on a readmission agreement with the EC representing all EU member states, Georgia has also been conducting readmission agreement negotiations with individual EU member states. In some cases, readmission agreements have been concluded and either ratified or awaiting ratification (e.g., Bulgaria, 2002; Italy, 1997; Germany, 2007), whereas negotiations are ongoing with Austria, the Benelux countries, Czech Republic, Estonia, France, Latvia, Lithuania, Romania, Slovenia, and Sweden. Georgia has also entered into readmission agreements with non-EU member states such as Switzerland (2005) and Ukraine (2003), whereas negotiations are ongoing with Norway, the Russian Federation, and Turkey.⁵⁵

6.3. Migration policies in place

The Law on Legal Status of Aliens of 1 July 2006 regulates the principles and mechanisms for foreigners' entry into, stay on, transit through, and departure from Georgia, as well as their rights and obligations, the legal principles of expulsion, and the scope of competence and responsibilities of state institutions involved in expulsion procedures. It introduces the concepts of temporary and permanent residence and deals with the issuance and extension of visas, including residence visas.⁵⁶ The Law provides for visa-free entry for up to 90 days for the citizens of the EU, United States, Canada, Japan, Switzerland, Lichtenstein, Norway, Israel, and the Vatican. Visa-free movement is possible for citizens of Azerbaijan, Armenia, Belarus, Kazakhstan, Kyrgyz Republic, Moldova, Tajikistan,

⁵⁵ According to information provided to IOM by the Ministry of Foreign Affairs in March 2007.

⁵⁶ http://www.mfa.gov.ge/?sec_id=148&lang_id=ENG

Ukraine, and Uzbekistan.⁵⁷ Apart from specific diplomatic and business visa categories, there are only two visa categories envisioned in the Law: ordinary and student visas. The ordinary visa suits all purposes of travel except studying.⁵⁸ Residence permits have a similarly universal character and can be obtained for purposes of work, study, medical treatment, family reunification, or by invitation of the government as a specialist.⁵⁹

Georgian immigration legislation does not fully and legally regulate the issue of aliens working or doing business in Georgia. There is no specific labour migration legislation and the law fails to limit business activities of aliens in Georgia. Nevertheless, several sub-regulations refer to and sometimes are even based on such limitations, which cannot be found in the law.

Emigration in Georgia is regulated by the **Law of the Republic of Georgia on Emigration** of 1993 (amended in 1998). It establishes the exit procedure for Georgian citizens and deals with issues relating to residence abroad.⁶⁰ It establishes the procedure for issuance and extension of passports as well as denial of issuance.

The **Law on Citizenship of Georgia** of 1993 (last amended in January 2006) regulates the provision of granting citizenship to foreigners as well as losing and restoring Georgian citizenship.⁶¹ No double citizenship is allowed except in extraordinary cases as established by the Constitution of Georgia. Georgian citizenship shall be granted by the President of Georgia to a citizen of a foreign country if he/she has a special merit or if granting the citizenship will promote state interests.

The rights and obligations of IDPs are regulated by the **Law of Georgia on Internally Displaced Persons – Persecuted** of 28 June 1996 (amended in 2001), which defines the legal status of IDPs in Georgia, and establishes their legal, economic, and social entitlements. IDPs are entitled to the use of public utilities free of charge at their temporary residence, as well as monthly financial allowances from the government. Those recognized as particularly vulnerable are entitled to free medical services. Returnees are also entitled to the return of their private property and receipt of compensation for any damages incurred.⁶²

⁵⁷ http://www.mfa.gov.ge/index.php?sec_id=467&lang_id=ENG

⁵⁸ According to the Georgian Law on the Legal Status of Aliens, an ordinary visa is issued to aliens travelling to Georgia upon the invitation of legal or physical persons or for the purposes of tourism, medical treatment, visiting relatives and friends, etc.

⁵⁹ Law on Legal Stay of Aliens, Art. 19, http://www.mfa.gov.ge/?sec_id=148&lang_id=ENG

⁶⁰ <http://www.legislationline.org/legislation.php?lid=2009&tid=129>

⁶¹ <http://www.legislationline.org/legislation.php?lid=2009&tid=129>

⁶² Internal Displacement Monitoring Centre (2007) Georgia Country Page, <http://www.internal-displacement.org>

The Georgian government adopted in February 2007 a National Strategy on IDPs. The National Strategy deals with housing, employment, and legal status of IDPs. The Strategy aims to serve as a foundation for the Government's action plan, which will be implemented with anticipated support from the United Nations and other international organizations.⁶³

Georgia signed the 1951 Geneva Convention on the Status of Refugees and its 1967 Protocol in 1999. The national **Law on Refugees and the Provision for Granting Refugee Status** defines the status of refugees and the procedure for the granting of refugee status. The refugee status can be granted for one year only and may be extended to an additional year if the conditions in the country of origin have not changed.⁶⁴ The most recent amendment of April 2007 allows for the issuance of temporary residence permits to refugees and granting them the same rights as those given to aliens.⁶⁵ Some of the aspects of the Law on Refugees are not in line with the 1951 Convention, such as the pre-screening of applicants resulting in the prevention of registration of an applicant or the deprivation of refugee status when temporarily remaining outside the country.⁶⁶

In 2003, the first Action Plan to Combat Trafficking for 2003-2005 was signed by the President. The Plan sought to reform laws to better protect victims of trafficking, take preventative measures, provide assistance to victims, and implement regular monitoring. Despite this positive development, many of the measures foreseen remained unimplemented. In 2006, Georgia has adopted a **Law on the Fight against Trafficking in Persons**, developed and established a national victim referral mechanism, and established the Permanent Anti-Trafficking Coordination Council, which adopted the third **National Action Plan for 2007-2008**.⁶⁷ The Plan devotes particular attention to elaboration and implementation of assistance and reintegration programmes for victims. Attention is also given to awareness raising efforts among the general public as well as to the training of law enforcement agencies and judiciary.⁶⁸

The main normative acts regulating the activities at the Georgian borders are the **Law on the State Border of Georgia**, which was adopted in 1998, the **Law of Georgia on Border Police** (entered into force in the beginning of 2007),

⁶³ Ibid.

⁶⁴ ICMPD (2005) *Overview of the Migration Systems in the CIS Countries; ICMPD (2006) 2005 Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe*.

⁶⁵ UNHCR Tbilisi.

⁶⁶ UNHCR (2004) Background Note on the Protection of Asylum Seekers and Refugees in Georgia.

⁶⁷ US Department of State (2007) Trafficking in Persons Report 2007.

⁶⁸ Minnesota Advocates for Human Rights (2007) *Measures and Actions Taken by Georgia against Trafficking in Persons – 2007*, <http://www.stopvaw.org>

and the **Presidential Decree on State Border Regime and Protection**. The Law on the Border Police defines the principles, objectives, and organizational structure of the Border Police, details its primary tasks, establishes a central coordination office, and includes provisions for the collection, storage, and exchange of data with both Georgian and foreign institutions. The law paves the way for the transformation of the border service into a full law enforcement organ. Meanwhile, the Presidential Decree on State Border Regime and Protection is being revised and regulations on the rules of cooperation between the Georgian Border Police and the Revenue Service have been finalized.⁶⁹ The elaboration of the border management strategy is underway. The EU Special Representative (EUSR) Border Support Team has been operating in Georgia since September 2005 providing assistance and advice to the Georgian Border Police. In December 2007, the Temporary Interagency Commission of the National Security Council on Facilitation of Georgian Border Reform with the support of the EUSR Border Support Team presented a draft Border Management Strategy, which is to be implemented between 2008 and 2012. The Border Management Reform Strategy of Georgia follows the Integrated Border Management Model and determines the state policy, presents the strategic goals and basic principles, and sets the framework, objectives, and recommendations for a sound institutional and legal border management system in Georgia.

The Georgian Border Police works closely with IOM, OSCE, EU, and the US government to build their capacity in border management through training of personnel and improvement of border checkpoints.

6.4. Policies to address irregular migration

Legislation against irregular migration is currently under preparation and specific provisions are also covered by the Criminal and Administrative Codes. Georgia ratified the UN Convention against Transnational Organized Crime and its two Protocols against the Smuggling of Migrants by Land, Sea and Air and to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.

The Law on Legal Status of Aliens of 1 July 2006 regulates the legal principles of expulsion of aliens and the scope of competence and responsibilities of state institutions involved in expulsion procedures.

The government entity in charge of combating irregular migration, and

⁶⁹ Temporary Interagency Commission at the National Security Council on Facilitation of Georgian State Border Reform (2007) *Border Management Strategy of Georgia* (Draft).

investigation and prosecution of cases of trafficking in persons and smuggling in migrants is the Ministry of Internal Affairs (Special Operations Department, Unit to Combat Trafficking in Persons and Illegal Migration).

6.5. Policies to address trafficking in human beings

The year 2006 was a milestone year for Georgia in the fight against trafficking in human beings. It was in that year that Georgia ratified the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons. The Law on Combating Trafficking in Persons was also adopted and entered into force in 2006. The Law is based on the principle of 3 “Ps”: protection of victims, prevention of trafficking, and prosecution of traffickers. It envisages the introduction of the State Fund for Protection of and Assistance to Victims, setting up of a shelter, creating the Coordination Council for Combating Trafficking in persons, forming a database of traffickers, and elaborating a National Referral Mechanism.⁷⁰

Also in 2006, amendments have been introduced to the Criminal Code of Georgia, increasing the sanctions against the traffickers (trafficking was criminalized by the Criminal Code for the first time in 2003) to a minimum of seven years and a maximum of 20 years and a life sentence in the case of trafficking of minors. Victims are exempt from criminal liability for illegal border crossing, use of forged documents, or refusal to testify. Victims are also exempt from administrative responsibility for the act of prostitution and violation of immigration registration rules (based on the 2006 amendments to the Code on Administrative Offences).⁷¹

The State Fund for Protection of and Assistance to Victims of Trafficking was also established in 2006 and functions under the supervision of the Ministry of Labour, Health and Social Welfare. It provides the payment of compensation of GEL 1,000 (approximately USD 645) to victims as well as financial protection and rehabilitation measures.⁷²

The first shelter was set up in 2006 in the Adjara region and a second shelter has been opened in Tbilisi in 2007. In the same year, the National Referral System was put into operation, which puts forward the details of effective cooperation among state agencies, non-government organizations (NGOs), and

⁷⁰ Minnesota Advocates for Human Rights (2006) *Measures and Actions Taken by Georgia against Trafficking in Persons – 2006*, <http://www.stopvaw.org>

⁷¹ Ibid. According to the Code on Administrative Offences (Misdemeanour), prostitution is an offence in Georgia.

⁷² Ibid.

international organizations. The Permanent Interagency Coordination Council for Combating Trafficking in Persons was established with participation of all key ministries, international organizations, NGOs, and the US embassy in Georgia. At the first meeting of the Council in November 2006, the 2007-2008 National Action Plan for Combating Trafficking was approved, succeeding the 2005-2006 and 2003-2005 National Action Plans.⁷³

The 2007-2008 National Action Plan for Combating Trafficking devotes particular attention to the elaboration and implementation of assistance and re-integration programmes for victims. Attention is also given to awareness raising efforts among the general public as well as to the training of law enforcement agencies and judiciary.⁷⁴

In 2007, Georgia ratified the Council of Europe Convention on Action against Trafficking in Human Beings.

IOM provides assistance to victims of trafficking tailored to their individual needs and usually consisting of screening, temporary accommodation, medical assistance, pre-return arrangements, voluntary return to country of origin, and post-return rehabilitation. IOM cooperates with government entities, such as the Office of the Prosecutor General and the State Fund for the Assistance to Victims of Trafficking, and regularly refers victims of trafficking to NGOs specialized in providing services to them.

6.6. Refugees, asylum seekers and internally displaced persons in the country, and relevant policies in place

Conflicts in Abkhazia and South Ossetia in the early 1990s resulted in the internal displacement of approximately a quarter of a million people within Georgia, as ethnic Georgians fled from the violence in the breakaway regions and Ossetians fled to North Ossetia (Russian Federation). To this day, sustainable solutions for this group are being sought, as many still remain in the collective shelters provided by the Georgian government (42% of IDPs). As the conflicts continue to simmer, the eventual return of this population seems unlikely; however, their integration remains a challenge for the Georgian government. In 2004, the UNHCR provided shelter assistance and repatriations kits to IDPs who chose to return to South Ossetia.⁷⁵

Tbilisi has the second largest IDP population (29.6%) after the Samegrelo-

⁷³ Ibid.

⁷⁴ Minnesota Advocates for Human Rights (2007) *Measures and Actions Taken by Georgia against Trafficking in Persons – 2007*, <http://www.stopvaw.org>

⁷⁵ UNHCR (2004) Background Note on the Protection of Asylum Seekers and Refugees in Georgia.

Zemo Svaneti region (46.4%), most of them housed in temporary shelters (hotels, unused schools, hospitals).⁷⁶ Many IDPs seek employment in the informal economy or migrate abroad in some cases. In 2004, a number of IDPs in Tbilisi have been compensated by accommodating them in two luxury hotels, which had been converted into shelters, but eventually they were sold to foreign investors. Each of the IDP inhabitants of the hotels received a comparatively high amount of USD 7,000, which was sufficient to buy a small apartment in the capital (an average IDP allowance per month was USD 6). This led to heightened expectations on the part of the remaining IDPs, who expected to be compensated to a similar extent.⁷⁷

To improve the situation of IDPs, the Georgian government developed in early 2007 a national strategy, with the support of the international community and civil society organizations. The government's action plan is expected to be implemented with support from the United Nations and other international partners.

In 2006, Georgia was home to approximately 1,370 refugees, mainly from neighbouring Chechnya, who crossed over to Georgia in the late 1990s and were recognized *prima facie* by the Georgian government.⁷⁸ Many of the Chechen refugees were of Kist origin⁷⁹ who found shelter with the local Kist population in Pankisi Gorge. Majority of Chechens left Georgia in 2003 and returned to Chechnya or moved further to Europe.

As part of the policy of displacement of potentially hostile ethnic minorities, Stalin ordered the deportation of the so-called Meshketian Turks from Georgia to Central Asia (Uzbekistan, Kyrgyzstan, and Kazakhstan) in 1944. Many deported Meshketians have sought refuge in the Russian Federation, Ukraine, and Azerbaijan following the violence in the Fergana Valley (Uzbekistan) in 1989. In 1999, Georgia adopted a 12-year framework to repatriate the deported Meskhethians as a condition of entry into the Council of Europe. Under that framework, a law on repatriation was supposed to be in place by 2001. Due to various considerations, including a concern for the number of IDPs from the regions of Abkhazia and South Ossetia, a lack of political will, and a general sentiment in Georgia

⁷⁶ Van Selm, J. (2005) *Georgia Looks West, but Faces Migration Challenges at Home*, Migration Information Source, www.migrationinformation.org

⁷⁷ Ibid

⁷⁸ UNHCR (2006) *Statistical Yearbook: 2006 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*

⁷⁹ The Kist are an ethnic group that originated from Chechnya, who in the 19th century have moved to Georgia and is closely related culturally, linguistically, and ethnically to other Nakh-speaking peoples such as Ingushs and Chechens.

against the return of the deported Meskhetians, it was only in June 2007 that the law on “Repatriation of Persons Forcefully Sent into Exile from Georgian SSR by the former USSR in the 1940s” was passed by the Georgian parliament, which states that applications for return can be filed as of 1 January 2008 for a one-year period. In the meantime, many deported Meshketians, particularly from the Russian region of Krasnodar, have chosen to resettle in the United States (as part of the US programme for admission of this group).⁸⁰

The number of asylum applications in Georgia in recent years remains negligible (approximately 30 in the last three years).⁸¹ Georgia has acceded to the 1951 Geneva Convention and its 1967 Protocol and has introduced domestic legislation dealing with granting refugee status.

Approximately 7,000 Georgian nationals have received refugee status in the past ten years in Western Europe and North America. A total of 5,310 new applications were submitted in 2006, with majority of applications in Austria, Greece, France, and Cyprus.⁸²

6.7. Other important migration actors within the country

(Listed in alphabetical order. Please note the lists below do not purport to be exhaustive or representative. IOM does not take responsibility for the accuracy of the contact details.)

International actors

The **International Labour Organization (ILO)** in Georgia has the following strategic objectives: to promote and realize standards and fundamental principles and rights at work; to create greater opportunities for women and men to secure decent employment and income; to enhance the coverage and effectiveness of social protection for all; and to strengthen tripartism and social dialogue. ILO provides technical assistance in research on labour migrants and their social protection, and Georgian citizens’ labour rights realization abroad. It also works on strengthening the legislative basis of labour migration and its regulative structures.

Since June 2007, ILO has been implementing an anti-trafficking project

⁸⁰ Van Selm, J. (2005) *Georgia Looks West, but Faces Migration Challenges at Home*, Migration Information Source, <http://www.migrationinformation.org>

⁸¹ UNHCR (2005, 2006) *Statistical Yearbook: 2005, 2006*.

⁸² UNHCR (2006) *Statistical Yearbook: 2006 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*; 2005 Statistical Yearbook – Georgia Country Sheet.

for Armenia, Azerbaijan, and Georgia. The project is based in Tbilisi and focuses on revising and enhancing the National Action Plans and the legal framework against trafficking in human beings in all three countries, and on fostering regional and international cooperation. The project will involve labour market institutions in preventive action and improved identification, protection, and assistance of victims trafficked for the purpose of sexual and labour exploitation.

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The **International Organization for Migration (IOM)** in Georgia primarily aims to strengthen the capacity of the Georgian government to address the growing challenges of migration management and to develop sound migration policies and practices. It also works to facilitate the development of a national migration strategy and action plan with the aim of creating an adequate legal and institutional framework on migration issues with the view of being close to EU standards. The key activities of IOM in Georgia focus on government capacity building to effectively manage migration, prevention of counter-trafficking, promotion of safe migration, assisting returning migrants, and refugee resettlement.

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<http://www.iom.ge>

The **Organization for Security and Co-operation in Europe (OSCE)** in Georgia supports the Georgian government and NGOs in developing and implementing an effective framework for anti-trafficking activities. OSCE supported a national referral mechanism assessment released in September 2005. It also funded eight NGO projects in Tbilisi and Adjara, Kakheti, Samegrelo, Guria, and Mtskheta-Mtianeti, which focused on capacity building and training, supporting individual cases of trafficking, prevention and public awareness, and regional and international networking. It also supported a number of measures aimed at improving Georgian legislation on human trafficking. OSCE also supports the Georgian government in building its capacity in border management.

Krtsanisi Governmental Residence
Krtsanisi St. 0114 Tbilisi
Tel: +995 32 20 23 03, Fax: +995 32 20 23 04
<http://www.osce.org/georgia/16282.html>

The **United Nations in Georgia** (<http://www.ungeorgia.ge>) is a significant partner of the Georgian government in addressing migration issues. It carries out its mandate through its various offices.

In the Georgian-Ossetian conflict zone and in Abkhazia, Georgia, the **United Nations Development Programme (UNDP)** works closely with people to address their everyday social and economic needs. In Abkhazia and adjacent Zugdidi District, the UNDP implements economic rehabilitation projects (in-kind and training assistance to develop household agricultural businesses), and rehabilitation of a water supply system in Gali, Ochamchire, and Tkvarcheli. In the Georgian-Ossetian conflict zone, it participated in an EC-funded programme to improve electricity and gas and water supply to the local residents, as well as restore school buildings and bridges.

9 Eristavi Street, Tbilisi 0179
Tel.: +995 32 251126; Fax: +995 32 25 02 71/72
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The **United Nations High Commissioner for Refugees (UNHCR)** is increasing its focus on the active pursuit of durable solutions both for IDPs and refugees. Among other things, these efforts include assisting the government in elaborating and implementing a national strategy for IDPs, advocating for resettlement and local integration possibilities for Chechen refugees, assisting returnees to South Ossetia in the reintegration process, and promoting confidence building measures through concrete activities in Abkhazia. UNHCR's 2007 Country Operations Plan prioritizes rights protection and the pursuit of durable solutions for Chechen refugees with an aim to gradually decrease its humanitarian assistance.

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Local Actors

Organizations dealing with trafficking in human beings

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Women for the Future

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People Harmonious Development Society

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Organizations dealing with migration and refugees

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E-mail: una@una.ge

<http://www.una.ge>; <http://www.una.ge/eng/refugees&migration.php>

Human Rights Information and Documentation Center

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**Georgian Center for Psychosocial and Medical Rehabilitation of Torture Victims
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