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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

DRAFT CONSTITUTIONAL LAW
ON CHANGES AND AMENDMENTS
TO THE CONSTITUTION OF GEORGIA

Chapter VII
Local Self-Government

Constitutional Law of Georgia
On changes and amendments to the Constitution of Georgia

Article 1. The following changes and amendments shall be made in the Constitution of Georgia (1995, #31-33, art. 668):

1. Paragraph 4 of Article 2 shall be deleted.
2. Chapter seven¹ shall be added after article 101:

Chapter seven¹
Local Self-government

Article 101¹

1. Local self-government is the right and opportunity to regulate the matters of the local importance independently under their own responsibility and in the needs of the local population in accordance with Georgian legislation without the prejudice of state sovereignty.
2. The procedure of the creation and activities of the representative and executive organs of the local self-government shall be determined by organic law. The executive organs of the local self-government are accountable and responsible before the representative organs of the local self-government.
3. The representative organ of the local self-government is elected by Georgian citizens living in the territory of the unit of the local self-government on the basis of direct, equal, universal suffrage by secret ballot.
4. The procedure of creation and abolition of the units of the local self-government, also the rule of changing the administrative boundaries is determined by organic law. Consultation with the unit of the local self-government is essential before making the decision.

Article 101²

1. The powers of the local self-government are partitioned from the powers of the state bodies.
2. The powers of the local self-government shall be determined by organic law.
3. The delegation of the powers from the state organs to the units of the local self-government is allowed by either legislative acts or contracts, only with the appropriate material and financial resources.

Article 101³

1. Local self-government has its own property and finances.
2. The decisions of the local authorities within the framework of their powers are obligatory on the territory of the unit of the local self-government.

3. State supervision on the activities of local authorities is exercised in accordance with the procedure determined by organic law, the aim of which is to ensure the legality and expedience of the organs and the office of the local self-government.

3. Sub-paragraph F² shall be added in the 1st paragraph of article 89:

F2) Representative organ of local self-government shall be entitled to apply to the Constitutional Court with regard to compliance with the Constitution of Georgia of the normative acts with the provisions of Chapter 7¹.

Article 2

1. This law, except the third paragraph of article 1 shall enter into force after the publication.

2. The third paragraph of article 1 shall enter into force on 1st January 2011.

President of Georgia
Mikheil Saakashvili