**Article 22 – Freedom of association**

1. Freedom of association shall be guaranteed.

2. An association may only be dissolved by its own or a court decision in cases defined by law and in accordance with the established procedure.

**Article 23 – Freedom of political parties**

1. Citizens of Georgia shall have the right to form a political party and participate in its activities in accordance with the organic law.

2. Political party membership of persons enlisted in the Defence Forces or bodies responsible for state and public security, and those appointed as judges, shall cease.

3. The establishment and activity of a political party that aims to overthrow or forcibly change the constitutional order of Georgia, infringe on the independence or violate the territorial integrity of the country, or that propagates war or violence or incites national, ethnic, provincial, religious or social strife, shall be inadmissible. The establishment of a political party on a territorial principle shall be inadmissible.

4. The prohibition of a political party shall be admissible only by decision of the constitutional court, in cases defined by the organic law and in accordance with the established procedure.

**Article 24 – Electoral right**

1. Every citizen of Georgia who has attained the age of 18 shall have the right to participate in referendums and elections of the bodies of the state, autonomous republics and local self-governments. The free expression of the will of a voter shall be guaranteed.

2. A citizen who, following a court judgment, is serving a sentence for a particularly serious crime in a penitentiary institution, or who has been recognised by a court decision as a beneficiary of support and admitted to an inpatient care facility, shall not have the right to participate in elections and referendums.

**Article 25 – Right to hold public office**

1. Every citizen of Georgia shall have the right to hold any public office if the individual meets the requirements established by legislation. Conditions for civil service shall be determined by law.

2. The office of the President, the Prime Minister and the Chairperson of the Parliament of Georgia may not be held by a citizen of Georgia who is simultaneously the citizen of a foreign country.

**Article 37 – Parliamentary elections**

1. Following the full restoration of Georgia’s jurisdiction throughout the entire territory of Georgia, two chambers shall be established within Parliament: the Council of the Republic and the Senate. The Council of the Republic shall be composed of members elected by a proportional system. The Senate shall be composed of members elected from the Autonomous Republic of Abkhazia, the Autonomous Republic of Ajara and other territorial units of Georgia, and five members appointed by the President of Georgia. The composition, powers, and procedures for the election of chambers shall be determined by the organic law.

2. Before the condition provided for by paragraph 1 of this article is created, Parliament shall be composed of 150 Members of Parliament elected in a single multi-mandate electoral district for a term of 4 years by a proportional system on the basis of universal, free, equal and direct suffrage, by secret ballot.

3. Regular parliamentary elections shall be held on the last Saturday of October of the calendar year in which the term of Parliament expires. In case of the dissolution of Parliament, elections shall be held no earlier than the 45​th day and no later than the 60​th day after the dissolution of Parliament. If the election date coincides with a state of emergency or martial law, elections shall be held no earlier than the 45​th day and no later than the 60​th day after the state of emergency or martial law has been revoked.

4. Any citizen of Georgia having the electoral right, who has attained the age of 25 and who has lived in Georgia for at least 10 years, may be elected as a Member of Parliament. A person who has been sentenced to imprisonment by a court judgment shall not be elected as a Member of Parliament.

5. A political party that is registered in accordance with the procedures established by law shall have the right to participate in the parliamentary elections if it has a Member of Parliament who has been elected through the party’s nomination by the date when the elections are scheduled, or if it is supported by the signatures of at least 25 000 voters, in accordance with the procedures established by the organic law.

6. The mandates of Members of Parliament shall be distributed only to those political parties that receive at least 5 % of valid votes cast in the elections. To determine the amount of mandates received by a political party, the amount of votes received by this party shall be multiplied by 150 and divided by the total number of votes received by all political parties that received at least 5 % of valid votes cast in the elections. The integer part of the number thus derived is the amount of mandates received by the political party. If the total amount of mandates received by political parties is fewer than 150, the political parties with the best results shall receive the undistributed mandates in a successive manner.

7. The procedure for the election of Parliament shall be determined by the organic law.

**Article 38 – First meeting of Parliament and termination of powers**

The first meeting of the newly elected Parliament shall be held no later than the 10​th day after the results of the parliamentary elections have been officially announced. The first meeting of Parliament is called by the President. Parliament shall be authorised to start work at the first meeting if the majority of the total number of the Members of Parliament is present at the meeting. Parliament shall acquire full powers once this is acknowledged by two thirds of the Members of Parliament. The powers of the previous Parliament shall be terminated from this moment.

**Article 50 – Procedures for electing the President of Georgia**

1. The President of Georgia shall be elected for a term of 5 years by the Electoral College, without debates and by open ballot. The same person may be elected President of Georgia only twice.

2. Any citizen of Georgia having the electoral right, who has attained the age of 40 and who has lived in Georgia for at least 15 years, may be elected President of Georgia.

3. The Electoral College shall consist of 300 members, and shall include all members of the Parliament of Georgia and of the supreme representative bodies of the Autonomous Republics of Abkhazia and Ajara. Other members of the Electoral College shall be nominated by the respective political parties from among the representative bodies of local self-governments on the basis of quotas defined by the Central Election Commission of Georgia in accordance with the organic law. The quotas are defined in compliance with the principle of proportional geographical representation and in accordance with the results of the elections of local self-governments held under the proportional system. The composition of the Electoral College shall be approved by the Central Election Commission of Georgia.

4. The election of the President of Georgia shall be held in the House of Parliament. No less than 30 members of the Electoral College shall have the right to nominate a candidate for the President of Georgia. One member of the Electoral College may support the nomination of only one candidate. One member of the Electoral College shall have the right to vote for only one candidate. In the first round of elections, a candidate who receives at least two thirds of the votes of the total number of the members of the Electoral College shall be considered elected. If the President of Georgia is not elected in the first round, the second round shall be held between the two candidates who received the most votes in the first round. The candidate who receives the most votes in the second round shall be considered elected. The first or the second round of the elections shall be considered valid if more than half of the total number of the members of the Electoral College have participated. If the elections fail, or if the Electoral College does not elect the President of Georgia, a re-run of the election of the President of Georgia shall be held within 30 days.

5. Presidential elections shall be held in October of the calendar year in which the term of office of the President of Georgia expires. In the case of the early termination of the term of office of the President of Georgia, the presidential elections shall be held within 45 days from the termination of the term of office. If the election date coincides with a state of emergency or martial law, the presidential elections shall be held within 45 days after this state has been revoked. If the date of the election of the President of Georgia falls within the same month as the parliamentary elections, or the month preceding the month of the parliamentary elections, the presidential elections shall be held within 45 days from the first meeting of the newly elected Parliament.

6. The election of the President of Georgia shall be appointed by Parliament, except for a re-run of election, which shall be appointed by the Chairperson of Parliament.

7. The procedures and conditions for the election of the President of Georgia shall be determined by the organic law.

**Article 52 – Powers of the President of Georgia**

1. The President of Georgia shall:

a) with the consent of the Government, exercise representative powers in foreign relations, negotiate with other states and international organisations, conclude international treaties, and accept the accreditation of ambassadors and other diplomatic representatives of other states and international organisations; upon nomination by the Government, appoint and dismiss ambassadors and other heads of diplomatic missions of Georgia;

b) conclude a constitutional agreement with the Apostolic Autocephalous Orthodox Church of Georgia on behalf of the state of Georgia;

c) call the elections of Parliament and local self-government bodies in accordance with the Constitution and the procedures established by the organic law;

d) upon nomination by the Government, appoint and dismiss Chief of Defence Forces of Georgia; appoint one member of the High Council of Justice; participate in the appointment of the Chairperson and members of the Central Election Commission of Georgia in cases defined by the organic law and in accordance with the established procedure; upon nomination by the Government, submit to Parliament candidates for the membership of the national regulatory bodies;

e) decide on citizenship issues in accordance with the procedures established by the organic law;

f) pardon convicts;

g) in accordance with the procedures established by law, grant state awards and rewards; highest military ranks, special ranks and honorary titles; and highest diplomatic ranks;

h) be entitled, upon recommendation by the Government and with the consent of Parliament, to suspend the activity of a representative body of a territorial unit, or to dissolve such a body, if its activities threaten the sovereignty or territorial integrity of the country, or the exercise of constitutional powers by state bodies;

i) exercise other powers determined by the Constitution.

2. The President of Georgia shall have the right to call a referendum on issues defined in the Constitution and law, at the request of the Parliament of Georgia, the Government of Georgia or no less than 200 000 voters, within 30 days after such a request is received. A referendum shall not be held in order to adopt or repeal a law, to grant amnesty or pardon, to ratify or denounce international treaties, or to decide issues that envisage the restriction of fundamental constitutional human rights. Issues related to calling and holding referendums shall be defined by the organic law.

3. The President of Georgia shall have the right to address the people. The President shall annually submit a report on crucial state-related issues to Parliament.

**Article 56 – Vote of confidence**

1. Upon the recognition of the full powers of the newly elected Parliament, the Government shall relinquish its authority to Parliament and continue to perform its duties until a new Prime Minister is appointed. In case of the resignation of the Prime Minister, the authority of the Prime Minister is terminated upon his/her resignation. In case of the resignation of the Prime Minister or the termination of his/her authority otherwise, the Government shall continue to act until a new Prime Minister is appointed.

2. Within 2 weeks after the Government relinquishes its authority, as well as after the resignation of the Prime Minister or the termination of his/her authority otherwise, Parliament shall hold a vote of confidence in the Government proposed by a candidate for the office of Prime Minister nominated by the political party that secured the best results in the parliamentary elections. A Government programme shall be presented to Parliament together with the composition of the Government. A majority of the total number of the Members of Parliament is required to pass a vote of confidence.

3. If Parliament’s vote of confidence in the Government is not passed within the established time frame, the President of Georgia shall dissolve Parliament no earlier than 2 weeks and no later than 3 weeks after the respective time frame has expired, and shall call extraordinary elections of Parliament.

4. The President of Georgia shall not dissolve Parliament and shall not call extraordinary elections of Parliament if, within 2 weeks from the expiry of the time frame set forth in paragraph 2 of this article, Parliament passes by a majority of the total number of its members a vote of confidence in the Government proposed by a candidate for the office of Prime Minister nominated by more than one third of the total number of the Members of Parliament.

5. Within 2 days of a vote of confidence in the Government, the President of Georgia shall appoint a Prime Minister. The Prime Minister shall then appoint ministers within 2 days of his/her appointment. If the President does not appoint the Prime Minister within the established time frame, the Prime Minister shall be considered appointed.

**Article 57 – Vote of no confidence**

1. Parliament shall be entitled to hold a vote of no confidence in the Government.

2. A vote of no confidence in the Government shall be held if the motion is proposed by more than one third of the total number of the Members of Parliament. Together with a no confidence motion, the initiators shall nominate a candidate for the office of Prime Minister, and the candidate for the office of Prime Minister shall propose a new composition of the government to Parliament. A Government programme shall be presented to Parliament together with the composition of the Government.

3. If Parliament passes a vote of confidence in a new Government by a majority of the total number of its members no earlier than 7 days and no later than 14 days after proposing the motion, a vote of no confidence shall be considered passed. Within 2 days after a vote of confidence in the new Government has been passed, the President of Georgia shall appoint a Prime Minister. The Prime Minister shall then appoint ministers within 2 days of his/her appointment. If the President of Georgia does not appoint the Prime Minister within the established time frame, the Prime Minister shall be considered appointed. The authority of the Government shall be terminated once a new Prime Minister is appointed.

4. If Parliament does not pass a vote of no confidence in the Government, it shall be inadmissible for the same Members of Parliament to propose a vote of no confidence within the next 6 months.

**Article 58 – Vote of confidence on the initiative of the Prime Minister**

1. The Prime Minister shall have the right to present to Parliament an issue of confidence in the Government.

2. An issue of confidence shall be put to vote no earlier than the 7​th day and no later than the 14​th day after it has been presented. If the Government fails to achieve a vote of confidence from Parliament, the President of Georgia shall, no earlier than the 8​th day and no later than the 14​th day after the vote, dissolve Parliament and call extraordinary parliamentary elections.

3. The President of Georgia shall not dissolve Parliament if, within 7 days after voting against a vote of confidence in the Government, Parliament passes by a majority of the total number of its members a vote of confidence in the Government proposed by a candidate for the office of Prime Minister nominated by more than one third of the total number of the Members of Parliament. A Government programme shall be presented to Parliament together with the composition of the Government. Within 2 days of the vote of confidence in the new Government, the President of Georgia shall appoint the Prime Minister. The Prime Minister shall then appoint ministers within 2 days of his/her appointment. If the President of Georgia does not appoint the Prime Minister within the established time frame, the Prime Minister shall be considered appointed. The authority of the Government shall be terminated once a new Prime Minister is appointed.

**Article 60 – Constitutional Court of Georgia**

1. The Constitutional Court of Georgia shall exercise judicial power through constitutional legal proceedings.

2. The Constitutional Court shall consist of nine judges appointed for a term of 10 years, out of which three judges shall be appointed by the President of Georgia, three judges shall be elected by Parliament by a majority of at least three fifths of the total number of its members, and three judges shall be appointed by the Supreme Court. A judge of the Constitutional Court shall be a citizen of Georgia who has attained the age of 35, has obtained a higher legal education, has at least 10 years of specialised professional experience and a distinguished professional qualification. A judge of the Constitutional Court shall not have previously held this office.

3. The Constitutional Court shall elect a chairperson from among its members for a term of 5 years. A person who has already held the position of chairperson of the Constitutional Court shall not be re-elected.

4. The Constitutional Court of Georgia shall in accordance with the procedures established by the organic law:

a) review the constitutionality of a normative act with respect to the fundamental human rights enshrined in Chapter Two of the Constitution on the basis of a claim submitted by a natural person, a legal person or the Public Defender;

b) make decisions on the constitutionality of a normative act on the basis of a claim submitted by the President of Georgia, by at least one fifth of the Members of Parliament, or by the Government;

c) on the basis of a submission by a common court, review the constitutionality of a normative act to be applied by the common court when hearing a particular case, and which may contravene the Constitution according to a reasonable assumption of the court;

d) review disputes about the competences of a respective body on the basis of a claim submitted by the President of Georgia, Parliament, the Government, the High Council of Justice, the General Prosecutor, the Board of National Bank, the General Auditor, the Public Defender or the supreme representative or executive body of an autonomous republic;

e) review the constitutionality of international treaties on the basis of a claim submitted by the President of Georgia, the Government, or by at least one fifth of the Members of Parliament;

f) review the constitutionality of activities of a political party, or of the termination of powers of a member of the representative body elected upon nomination by this political party, on the basis of a claim submitted by the President of Georgia, the Government, or by at least one fifth of the Members of Parliament;

g) review the constitutionality of Parliament's decision to acknowledge or prematurely terminate the powers of a Member of Parliament, on the basis of a claim submitted by at least one fifth of the Members of Parliament or the respective individual;

h) review disputes related to norms regulating referendums or elections, and the constitutionality of referendums and elections held or to be held based on these norms, on the basis of a claim submitted by the President of Georgia, by at least one fifth of the Members of Parliament, or by the Public Defender;

i) review the constitutionality of a normative act with respect to Chapter Nine of the Constitution on the basis of a claim submitted by the representative body of a local self-government;

j) exercise other powers determined by the Constitution.

5. A judgment of the Constitutional Court shall be final. An act or a part thereof that has been recognised as unconstitutional shall cease to have legal effect as soon as the respective judgment of the Constitutional Court is made public, unless the relevant judgment envisages a later time frame for invalidating the act or a part thereof.

6. A legal norm regulating elections shall not be recognised as unconstitutional by the Constitutional Court within the respective election year, unless this norm has been adopted within 15 months before the month of the respective elections.

7. The appointment of judges of the Constitutional Court and the termination of their terms of office, as well as the constitutional legal proceedings and other issues related to the activities of the Constitutional Court, shall be determined by the organic law.

**Article 74 – Bodies, boundaries, legal basis of local self-government**

1. Citizens of Georgia shall regulate issues of local importance through representative and executive bodies of local self-government. Representative bodies shall be elected on the basis of universal, equal and direct suffrage by secret ballot. Executive bodies shall execute the decisions of the representative bodies and shall be accountable to them.

2. A self-governing unit is a legal entity under public law. Decisions on the creation, abolishment or changing the boundaries of a self-governing unit shall be taken by Parliament upon recommendation by the Government and in consultation with relevant self-governing units.

3. Local self-governance shall be carried out in accordance with the procedures established by the organic law.