



**Memorandum of Understanding
on
Cooperation in the field of Labour Migration**

between the
Ministry of Labour, Health and Social Affairs of Georgia

144, Ak. Tsereteli Ave. 0119 Tbilisi, Georgia

and the

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH,
Global Programme Migration for Development

Dag-Hammarskjöld-Weg 1-5, 65760 Eschborn, Germany

July 2016 – July 2019

1. The Ministry of Labour, Health and Social Affairs of Georgia (hereinafter MoLHSA) and the Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (hereinafter GIZ), represented by its Global Programme Migration for Development hereby declare that they wish to enter into partnership on “Enhancing Labour Migration Strategies and its implementation in Georgia”.
2. GIZ / Global Programme Migration for Development on behalf of the German Federal Ministry of Economic Cooperation and Development (BMZ) aims to support coherent and development-oriented (circular) labour market and migration management at policy making, organisational and implementing level. The purpose of the MoU is to enhance the capacities of MoLHSA for setting up a coherent and development-oriented labour migration and labour market management. The cooperation in the context of this MoU substantially pertains to the field of action on Migration Policy Advice.
3. The present MoU clarifies and determines the roles, responsibilities and respective contributions of the MoLHSA and GIZ / Global Programme Migration for Development to the provision of commitments under this MoU.
4. The cooperation builds on the experiences and lessons learnt through the project “Strengthening the development potential of the EU mobility partnership in Georgia through targeted circular migration and diaspora mobilization” funded by the European Union and the German Federal Ministry for Economic Cooperation and Development. The project commenced in May 2013 for the duration of 36 months with the overall objective to strengthen Georgia’s capacities to harness the development potential of its Mobility Partnership (MP) to benefit migrants, the sending and receiving country, thereby identifying guidelines and good practices for replication for other EU MPs. The project was implemented by the German-Georgian consortium consisting of the GIZ / Programme Migration for Development, the Public Service Development Agency¹ and the Georgian Small and Medium Enterprises Association (GSMEA). One of the main beneficiaries’ of the project results is the MoLHSA. The development and testing of a pilot scheme on skilled circular migration (PCMS) that matches Georgia’s and Germany’s needs has been a core component of this project. The results of the piloting scheme were fed into Georgia’s migration agenda.

5. Subject of the MoU:

The subject of the MoU is the cooperation between MoLHSA and GIZ within the Migration Policy Advice component of the Migration for Development Programme in the following focal areas:

¹ Public Service Development Agency is a Legal Entity under Public Law (LEPL) operating within the governance of the Ministry of Justice of Georgia.

- 5.1 Building policymaking and implementing capacity regarding labour (circular) migration;
- 5.2 Facilitating the implementation and if necessary providing assistance for amending the Labour Migration Law;
- 5.3 Developing labour migration data base and related methodologies.

6. Target Groups of the MoU:

- Migrants who are citizens of Georgia;
- Staff of the MoLHSA and its Labour and Employment Policy Department;
- Staff of the Employment State Programme's Department of the Social Service Agency.²

7. Parties of the MoU:

7.1 The Ministry of Labour, Health and Social Affairs of Georgia (MoLHSA) is authorized to:

- 7.1.1 Establish a full-fledged cooperation and consider the introduction of its results into practice;
- 7.1.2 Identify priority tasks and measures in the area of labour migration;
- 7.1.3 Ensure systematic exchange with GIZ / Programme Migration for Development;
- 7.1.4 Facilitate exchange and cooperation with the LEPLs of MoLHSA and other relevant stakeholders;
- 7.1.5 Avail existing databases (labour market information system, www.worknet.gov.ge database) and methodologies;
- 7.1.6 Place a German/European Integrated Expert at MoLHSA contracted and paid based on the contract agreement between the Expert and MoLHSA and supplemented by a salary top up from GIZ. The expert will support MoLHSA in enhancing its capacities in the area of labour migration;
- 7.1.7 Arrange conferences, seminars, workshops and other initiatives to strengthen the dialogue between involved stakeholders;
- 7.1.8 Identify and publicize Best Practice cases in the area of migration and development.

7.2 The Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ), Global Programme Migration for Development is authorized to:

- 7.2.1 Provide strategic and political advice to the MoLHSA in the area of labour migration management;
- 7.2.2 Deploy an Integrated Expert to the MoLHSA for a duration of two years with the possibility of extension according to the period of cooperation;
- 7.2.3 Avail short-term expertise for studies and targeted topics within the focal areas of cooperation;

² Social Service Agency is a Legal Entity of Public Law (LEPL) under the MoLHSA.

- 7.2.4 Contribute financially and technically to the realization of conferences, workshops and other initiatives to strengthen the dialogue between involved stakeholders;
- 7.2.5 Identify and prepare media-relevant material in the area of migration and development;
- 7.2.6 Evaluate the impacts of cooperation and provide reports on project related matters drafted by integrated expert in agreement with MoLHSA.

8. Guiding Principles of the cooperation are:

- 8.1 Respect and maintenance of the collaborative, confident and dynamic cooperation established between the MoLSHA and GIZ / Global Programme for Development;
- 8.2 Close collaboration with other donor organizations, relevant entities of the Government of Georgia and other public entities under the framework set by the State Commission on Migration Issues;
- 8.3 The cooperation refers to the framework of Migration strategy from 2016 to 2020 and the Labour Migration Law entered into force on 1st of November 2015 and the resolution of the 16th sitting of the State Commission on Migration Issues, by which MoLHSA expressed its willingness to lead the activities in the field of circular migration;
- 8.4 The cooperation follows the principles of sustainability, effectiveness, efficiency and transparency.

9. Additional determinations:

- 9.1 The parties of the MoU agree that this MoU is legally non-binding and establishes no rights and obligations between parties;
- 9.2 The action plan encompassing the period of cooperation is not part of this MoU but will be elaborated subsequently to the signing of this document based on the results of the cooperation workshop held on 7th of April 2016 in Tbilisi / Georgia;
- 9.3 In the course of implementing concrete joint measures the involved parties will coordinate among each other in written form. Further regular meetings will take place at policy and management level (if needed also ad hoc) to discuss and evaluate progress and if necessary adjust activities.

10. Termination of MoU:

- 10.1 If a party does not properly comply with its authorities, and in case a party is willing to terminate the MoU on its own initiative, the cooperation can be terminated within three months from the date of written notification of the party terminating the MoU.

11. Amendments and Complements to the MoU:

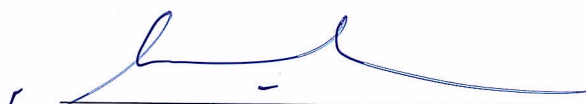
- 11.1 On the base of the parties' agreement, the content of the MoU can be complemented and updated. Parties agree to communicate in written form in case of appearing problems in the course of the implementation. Important occurring questions regarding the implementation are agreed via email between parties;
- 11.2 If part(s) of this MoU gets invalid or contravene against the agreement's principles, parties endeavor to adjustment in line with the MoU;
- 11.3 Any change to the MoU is made in written form and represents integral part of the MoU.

12. Final Provisions:

- 12.1 The present MoU is initially concluded for 3 years period starting from July 2016 and shall be valid till July 2019;
- 12.2 The MoU shall take force upon its signing by parties. The MoU is drawn in 2 copies in English and Georgian languages. Each party shall receive one copy (English and Georgian);
- 12.3 In case of divergence the English text will prevail.



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