



**საქართველოს მუდმივი წარმომადგენლობა გაერთიანებული ერების
ორგანიზაციასთან**

PERMANENT MISSION OF GEORGIA TO THE UNITED NATIONS

N 10/72-02

The Permanent Mission of Georgia to the United Nations presents its compliments to the Office for Disarmament Affairs and has the honour to submit the information provided by the Government of Georgia in accordance with the resolution 64/38 of the General Assembly.

The Permanent Mission of Georgia to the United Nations avails itself of this opportunity to renew to the Office for Disarmament Affairs the assurances of its highest consideration.



New York, 4 June 2010

**The Office for Disarmament Affairs
United Nations
New York**

Georgia supports international efforts, takes and strengthens national measures to prevent terrorists from acquiring weapons of mass destruction and their means of delivery and materials and technologies related to their manufacture.

According to the Article 3, Paragraph 2 of the law of Georgia "about Civil Security Service" and the Georgian International treaties and agreements, by legislation rules, Ministry of Internal Affairs of Georgia cooperates with the corresponding services of other countries in combat against terrorism.

The Criminal Code of Georgia on Prevention of Terrorist Acts envisages a number of articles, in particular: "Article 67. Terrorist Act", "Article 68. Terrorist Act Against a National of Foreign State", "Article 90. Non-Declaration of Treason", "Article 901. Concealment of Treason", "Article 133. Kidnapping or Illegal Deprivation of Freedom", "Article 1331. Taking Hostages", "Article 206. Non-Declaration of Crime".

Georgian law "On the control on export-import of armaments, military equipment and goods of dual-purpose use", according to the international and Georgian national security interests and enforcement of regimes on non-proliferation of weapons of mass destruction, defines fundamentals and rules of control on armament, military equipment, raw materials, tools, technologies, scientific-technical information and import and export of services connected to their production and use.

According to the law, control on export and import is the complex of activities, the purpose of which is prevention, revelation and elimination by the state bodies of violation of rules of production under export and import control, making export, import, re-export and transit, stated by this law, other laws and normative acts.

The main principles for export and import control are:

- a) Exercise of international obligations undertaken by Georgia on non-proliferation of weapons of mass destructions and other weapons;
- b) Prioritizing of political interests during the implementation of import and export control.
- c) Verification of final uses of the production under import and export control in frames of the regimes of non-proliferation.
- d) Accessibility of legal information on exports and import control.

According to the law, the following products come under the export and import control:

- a) Conventional armaments and technique, raw materials, materials, special equipment and technology, as well as service connected with their production;
- b) Nuclear materials, technologies, equipment, tools, special non-nuclear materials, goods of dual-use, equipments, technologies, sources of radiation and isotopic production, the list of which is adopted by international regimes of non-proliferations.
- c) Chemicals and technologies of dual-use, which could be used for chemical weapons, according to the list, adopted by international regimes of non-proliferation.
- d) Pathogens, their genetic variation forms and fragments of genetic materials, which could be used for bacteriological (biological) and toxic weapons, according to the list, adopted by the international regimes of non-proliferation.
- e) Equipment, materials and technologies, used for rocket weapons, the list, adopted by the international regimes of non-proliferation.
- f) Scientific-technical information, service and summary of intellectual properties linked to the military goods.
- g) Other products, stated by decision of the President of Georgia.

At the same time, Georgia is a party to a number of bilateral, as well as international agreements or treaties and international conventions, the provisions of which envisage the prevention of terrorism and mutual assistance of states:

1. *Multilateral and bilateral agreements or measures undertaken to prevent and combat terrorist activities:*

- 6.04.1993. – On Ratification of the Agreement on Friendship, Cooperation and Mutual Security between the Republic of Georgia and the Republic of Azerbaijan.
- 10.06.1993. – On Ratification of the Agreement on Friendship, Cooperation and Mutual Security between the Republic of Georgia and the Republic of Armenia.
- 19.01.1995. Agreement on Legal Assistance in Civil Legal Cases between the Republic of Georgia and the Republic of Bulgaria. Sophia. Ratified by the Parliament of Georgia on 16 February, 1996. Valid since 16 May, 1996.
- 04.09.1995. Agreement on Cooperation in Crime Prevention between the Republic of Georgia and the Republic of Uzbekistan. Tashkent. Valid since the day of its signature.
- 15.09.1995. Agreement on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases between the Republic of Georgia and the Russian Federation. Tbilisi. Subject to ratification. Submitted to the Parliament on 09.10.1995.
- 19.03.1996. Agreement on Transference of Convicts between Georgia and the Russian Federation. Ratified by the Parliament of Georgia on 16.05.1996.
- 20.03.1996. Agreement on Exchange of Legal Information between the Government of Georgia and the Government of Turkmenistan. Valid since the day of its signature.
- 20.03.1996. Agreement on Legal Relations in Civil and Criminal Cases between Georgia and Turkey. Valid since 23 January 1999.
- 28.05.1996. Agreement on Transference of Criminals for Serving Sentence to the States, whose nationals they are, between Georgia and the Republic of Uzbekistan. Valid since 3 October 1996.
- 8.03.1996. – Declaration on Peace, security and Cooperation in Caucasian Region between Georgia and the Republic of Azerbaijan.
- 2.04.1996. – On Ratification of the Agreement on Legal Mutual Assistance in Criminal Cases between Georgia and the Republic of Bulgaria.
- 2.04.1996. – On Ratification of the Agreement on Legal Assistance and Legal Relations in Civil and Criminal Cases between Georgia and Ukraine.
- 12.06.1996. – On Ratification of the Agreement on Strengthening Friendship, Cooperation and Mutual Security between Georgia and the Republic of Azerbaijan.
- 12.06.1996. – On Ratification of the Agreement on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases between Georgia and the Republic of Azerbaijan.
- 27.06.1996. – On Ratification of the Agreement on Legal Mutual Assistance in Civil, Trade and Criminal Cases between Georgia and the Republic of Turkey.
- 17.09.1996. Agreement on Transference of Convicts to the States, whose Nationals they are between Georgia and the Republic of Kazakhstan. Tbilisi. Ratified by the Parliament of Georgia on 05.02.1997.
- 18.09.1996. – On Ratification of the Agreement on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases between Georgia and the Republic of Uzbekistan.
- 14.02.1997. Agreement on Transference of Convicts between Georgia and Ukraine. Kiev. Ratified by the Parliament of Georgia on 2 April 1997. Valid since 10 May, 1998.
- 18.04.1997. Agreement on Exchange of Representatives of the Ministry of Internal Affairs of Georgia and the Ministry of Internal Affairs of Azerbaijan between the Government of Georgia and the Government of the Republic of Azerbaijan. Baku. Submitted to the President's Machinery.

- 5.03.1997. - On Ratification of the Agreement on Transference of Criminals with a view to Instituting Criminal Proceedings or Executing Sentences between Georgia and the Republic of Kazakhstan.
- 5.03.1997. – On Ratification of the Agreement on Legal Mutual Assistance in Civil and Criminal Cases between Georgia and the Republic of Kazakhstan.
- 22.04.1997. Agreement on Exchange of Legal Information between the Government of Georgia and the Government of the Republic of Kyrgyzstan. Valid since the day of signature.
- 15.05.1997. – On Ratification of the Agreement on Assistance in Criminal Cases between Georgia and the Republic of Armenia.
- 27.06.1997. – On Ratification of the Protocol on Interactions in Cases of Criminal Appropriation of Nationals, State or Other Property on the Black Sea and Those of Rendering Assistance between the State Department of State Border Guard of Georgia and the State Committee of State Border Guard of Ukraine. Register No32, 1997.
- 27.06.1997. – On Ratification of the Protocol on Exchange of Information About the State at Frontiers and About Operation-Investigation Cooperation of Frontier Troops between the State Department of State Border Guard of Georgia and the State Committee of State Border Guard of Ukraine.
- 17.07.1997. Agreement Between the United States of America and Georgia Concerning Cooperation in the Area of the Prevention of Proliferation of Weapons of Mass Destruction, and The Promotion of Defense and Military Relations.
- 1997. Agreement on Transference of Persons for Serving Sentence between Georgia and the Republic of Armenia. Submitted to the President's machinery.
- Agreement on Transference between Georgia and the Republic of Armenia. Ratified by the Parliament of Georgia on 1 April 1998.
- 15.10.1998. – On Ratification of the Agreement on Legal Mutual Assistance in Civil and Criminal Cases between Georgia and Turkmenistan.
- 1998. Agreement Between the State Department of the State Border Guards of Georgia and The Department of Defense of the United States of America about Supporting Georgia to Establish Export Control System for Prevention the expansion of the Weapons of Mass Destruction.
- 05.03.1999. – On Ratification of the Protocol on Cooperation in Operation-Investigation Sphere with a view to Protecting Frontiers on the International Routes between the State Department of State Border Guards of Georgia and the Ministry of Internal Affairs of the Republic of Bulgaria.
- 10.05.1999. Agreement on Legal Assistance in Civil and Criminal Cases between Georgia and the Hellenic Republic. Valid since completion of intra-state procedures. Tbilisi. I.Menagarishvili, G.Niotis, Deputy Minister of Foreign Affairs.
- 10.08.1999. Agreement on Cooperation in Crime Prevention between the Executive Authority of Georgia and Arab Republic of Egypt, Enters into force for Georgia after completion of intra-state procedures.
- Agreement to Combat Crime and Especially its Organized Forms between the Governments of the States Parties to the Black Sea Economic Cooperation. Valid since 27 June, 2000.
- 26.10. 2001. Agreement between Georgia and Latvia on Joint Combat against Terrorism, Illicit Circulation of Drugs and Organized Crime The agreement entered into force on April 9, 2004.
- 30.04.2002. Agreement on Cooperation to Combat Terrorism, Organized and Other Grave Crimes between Georgia, Republic of Azerbaijan and Republic of Turkey. The agreement ratified by the Parliament of Georgia on April 22, 2005.
- 7.06.2002. Protocol to Agreement on Combat Crime and Especially its Organized Forms between the Governments of the States Parties to the Black Sea Economic Cooperation. Ratified by The Parliament of Georgia on March 11, 2005.

- 30.12.2002. Agreement between the Department of Defense of the United States of America and the Ministry of Defense of Georgia, Concerning Cooperation in the Area of Prevention of Proliferation of Technology, Pathogens and Expertise Related to the Development of Biological Weapons.
- 23.03.2004. Amendment to the Agreement between the Department of Defense of the United States of America and the Ministry of Defense of Georgia, Concerning Cooperation in the Area of Prevention of Proliferation of Technology, Pathogens and Expertise Related to the Development of Biological Weapons.
- 2004. Protocol about Information Exchange between Sub-Division of the Ministry of Home Affairs State Border Guards of Georgia and Federal Service of Security of the Russian Federation.
- Agreement between Governments of Georgia and the Republic of Kazakhstan on Cooperation in Combat against Terrorism, Illicit Circulation of Drugs, Psychotropic Materials and Precursors, Organized Crime and other kinds of crime. Signed in March 2005.
- Agreement between Governments of Georgia and Romania on Cooperation in Combat against Terrorism, Organized Crime, Illicit Trade of Drugs, Psychotropic Materials and Precursors and other kinds of Crime. Approved by the Presidential Decree #202 from April 7, 2005.
- Decision on Interstate Program of Joint Measures to Combat the Organized and Other Forms of Grave Crime on the Territory of the States Parties to CIS until the year 2000. 17.05.1996.
- Agreement on Cooperation to Combat the Crime between the States Parties to CIS. 25.11.1998.
- Decision on Conception of Interaction to Combat the Crime between the States Parties to CIS. 02.04.1999.
- Agreement on Cooperation to Combat Terrorism between the States Parties to the CIS. June 4, 1999. Minsk.
- Decision of the States Parties to CIS on Counteraction the International Terrorism in accordance with the results of the 1999 OSCE Istanbul Summit. Moscow 25.01.2000.
- Decision to Establish the Antiterrorist Centre between the States Parties to CIS. 21.06.2000.
- Decision on the Program of the States Parties to CIS to Combat the International Terrorism and Other Demonstration of Extremism until the year 2003. 21.06.2000.
- Decision on the Antiterrorist Centre between the States Parties to CIS. 01.12.2002.

2. *International agreement, treaties and international conventions:*

- Vienna Convention on Physical Protection of Nuclear Materials, March 3 1980.
- Rome Convention on Prevention of Illegal Actions against Maritime Security, March 10, 1988.
- Rome Protocol on Prevention of Illegal Actions against Permanent Platforms Security on Continental Shelf, March 10, 1988.
- Montreal Convention on Marking Plastic Explosives for their Exposure, March 1, 1991.
- Resolution of the Supreme Council – Helsinki “OSCE Final Act”. 15.09.91.
- Resolution of the Supreme Council – Vienna “OSCE Final Document”. 15.09.91.
- Resolution of the Cabinet of Ministers of 15.11.93. International Convention “On Protection of Human Lives in the Sea”. 1974. By the protocol of 1978.
- Resolution of the Parliament of Georgia of December 7, 1993. International Convention “On Prevention of Hijacking”. Hague. 16.12.1970.
- Resolution of the Parliament of Georgia of December 7, 1993. Convention “On Crimes and Other Actions on Board of the Aircraft”. Tokyo. 14.09.1963.
- Resolution of the Parliament of Georgia of December 7, 1993. International Convention “On Prevention of Illegal Actions Against Security of Civil Aviation”. Montreal, September 23, 1971.

- Resolution of the Parliament of Georgia of December 7, 1993. Convention "On International Civil Aviation".
- Resolution of the Parliament of 22.09.94. On Acceding to the International Convention on Prevention of Tortures and Other Inhuman Treatment and Punishment.
- Resolution of the Parliament of 24.02.95. On Acceding to The Hague International Convention on Civil Aspects of Children Abduction.
- Resolution of the Parliament of 3.05.95. On Acceding of the Republic of Georgia to the New-York International Convention on Prevention of Usage, Finance and Training of Mercenaries.
- Resolution of the Parliament of 2.04.96. On joining the Convention on Prohibition or Reduction of Ordinary Arms.
- Resolution of the Parliament of 24.01.96. On Acceding to the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases.
- Convention on Legal Mutual Assistance in Civil, Family and Criminal Cases. 22.07.1993. Valid for Georgia since 11.07.1996.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. 1996.
- Agreement between Republic of Georgia and International Atomic Energy Agency. About Adoption of Guarantees in view of the Non-proliferation Treaty. September 11, 1997.
- Additional Protocol on Agreement between Republic of Georgia and International Atomic Energy Agency. About Adoption of Guarantees in view of the Non-proliferation Treaty. September 11, 1997.
- 21.03.1983. Convention on Transference of Criminals. Valid for Georgia since 01.02.1998.
- Protocol on Prevention of Illegal Actions at International Civil Airports, added to the Montreal Convention on Prevention of Illegal Actions Against Security of Civil Aviation. 23.09.1971. Valid for Georgia since 25.11.98.
- Resolution of the Parliament of 11.05.2000. On European Convention on Combat Terrorism, January 27, 1977.
- 20.04.1959 European Convention on Cooperation in Criminal Cases. Valid for Georgia since 11.01.2000.
- Additional Protocol to the European Convention on Cooperation in Criminal Cases. (Signed by Georgia - November 7, 2001).
- Convention for the Suppression of the Financing of Terrorism. (Signed June 23, 2000. In force since November 13, 2001).
- 7.06.2001. GUUAM Yalta Charter. (Ratified by the Parliament of Georgia on October 26, 2004).
- UN Convention on Prevention of Financing Terrorism. (Ratified by the Parliament of Georgia on June 7, 2002).
- Amendment to the European Convention on Terrorism Prevention, September 12, 2002.
- Presidential Decree of September 24, 2003. New-York Convention on Prevention of Crimes Against Diplomatic Agents and Persons, Under the International Patronage and on Punishment, Deposited with Secretary General, December 14, 1973.
- Presidential Decree from September 24, 2003. New-York Convention on Prevention of Taking Hostages, Deposited with Secretary General, December 17, 1979.
- Presidential Decree from September 24, 2003. International Convention on Combat Terrorist Bombing, January 12, 1998.
- On Cooperation between Governments of the GUUAM Countries on Combat in the Sphere of Terrorism, Organized and other Crimes. July 20, 2002, ratified on June 24, 2004, entered into the force on August 25, 2004.
- Agreement on Comprehensive Prohibition of Biological Tests and Text about Establishment of the Preparatory Commission for the Organization of Agreement on Comprehensive Prohibition of Biological Tests

- EU Convention on Combat Terrorism. 2005
- UN Convention on the Physical Protection of Nuclear Material in 2007.
- UN Convention for the Suppression of Acts of Nuclear Terrorism 2010.

The implementation mechanism of international agreements is included in the Georgian Constitution and the Law of Georgia on International Agreements. In particular, in accordance with this Law: "The international agreement of Georgia constitutes an integral part of the Georgian legislation. The international agreement of Georgia, in case it is not in contrast with the Georgian Constitution, has the preemptive legal force above the intrastate normative acts. The officially promulgated provisions of international agreements establishing concrete rights and obligations and not requiring the adoption of explanatory intrastate normative acts, are applied immediately in Georgia".

With a view to promote the international anti-terrorist activity, in particular, in order to achieve the consolidation of efforts by the commonwealth of civilized countries in combat against terrorism, as well as to insure the effective implementation of the Resolution NI373 of 28 September, 2001 of the UN Security Council and to make a Georgian contribution to the fulfillment of the multinational anti-terrorist operation "enduring freedom", the respective departments of Georgia were instructed, on the basis of the Presidential Decree of 28 November 2001, to provide financially for the services necessary to carry out military operations. Besides, with a view to implementing the above-cited UN Resolution and the State Program of Joint Action of Georgia, a temporary inter-departmental national anti-terrorist commission was set up on the basis of the Presidential Decree N 526 of 21 December 2001. The Commission was instructed to enter the active cooperation with the respective committee of the UN Security Council.

The main governmental body to fight against the illicit trafficking of the nuclear and radiological materials through the territory of Georgia is the Ministry of Internal Affairs (MIA) of Georgia.

According to the MIA, during 2006-2010 the following illicit trafficking attempts (involving nuclear material) thwarted by Georgian law enforcement authorities:

- On 1st February 2006 a criminal group, leading by Oleg Khintsagov (citizen of the Russian Federation) was arrested in Tbilisi. 110gr. high enriched Uranium (89,5%) has been seized.
- On 17th July 2006 Kemal Onca (citizen of Turkey) was arrested in Batumi. Radiological material Cesium-137 has been seized.
- On the 1st August 2006 Tamaz Dimetradze (citizen of Georgia) was arrested in Batumi. 1Kg. low enriched Uranium (5%) has been seized (The trafficker brought the nuclear material from the territory of Abkhazia, Georgia with the purpose to realize on the territory of Turkey).
- On 9th June 2007 Mazhdun Shikhmamedov (citizen of Ukraine, Azeri origin) was arrested in Batumi. 15 gr. low enriched Uranium has been seized.
- On 24th October 2007 a criminal group (Hamlet Chnavaryan, Garnik Avetisyan, Rubik Hakobyan and Razmik Kocharyan, all citizens of the Republic of Armenia) was arrested on the Sarpi Border check-point (near the border of Georgia and Turkey). Toxic material has been seized (The traffickers brought the toxic material with the purpose to realize on the territory of Turkey).
- On 2nd November 2007 Ruben Gabisonia (citizen of Georgia) was arrested in Zugdidi. The radiological material Cesium-137 has been seized (The trafficker brought the radiological material from the territory of Abkhazia, Georgia).

- On 13th October 2008 a Criminal group leading by Vazha Kapanadze (4 persons, all citizens of Georgia) was arrested in Tbilisi. The radiological material Cesium-137 has been seized.
- On 11th March 2010 an Armenian-Georgian Criminal Group (3 persons) was arrested in Tbilisi. 15gr. high enriched Uranium (90%) has been seized.

According to the MIA, since 2005 no criminal attempts have been concluded successfully. During the Investigation of above-mentioned criminal facts connection with International Terrorist or Extremist organization has not been found.