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NOTE VERBALE

The Permanent Representation of Georgia to the OSCE presents its compliments to the Missions/Delegations of participating States to the OSCE and to the Conflict Prevention Center and has the honour to submit Georgia's response to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security for the year 2024.

The Permanent Representation of Georgia to the OSCE avails itself of this opportunity to renew to the Missions/Delegations of participating States to the OSCE and to the Conflict Prevention Center the assurances of its highest consideration.

Vienna, July 30, 2024

Attachment: 44 pages.



To: OSCE Delegations and Missions
Conflict Prevention Centre

**REFERENCE GUIDE ON THE QUESTIONNAIRE ON THE OSCE CODE OF CONDUCT
ON POLITICO-MILITARY ASPECTS OF SECURITY**

Section I: Inter-State elements

1. Account of measures to prevent and combat terrorism

1.1 To which agreements and arrangements (universal, regional, subregional and bilateral) related to preventing and combating terrorism is your State a party?

a) Universal Conventions

Georgia is a party to the following fourteen (14) UN anti-terrorism conventions:

1. **Convention on Offences and Certain Other Acts Committed on Board Aircraft**, signed at Tokyo on 14 September 1963 (Tokyo Convention) - *in force for Georgia since September 14, 1994*;
2. **Convention for the Suppression of Unlawful Seizure of Aircraft**, signed at The Hague on 16 December 1970 (The Hague Convention) - *in force for Georgia since April 20, 1994*;
3. **Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation**, concluded at Montreal on 23 September 1971 (Montreal Convention) - *in force for Georgia since April 20, 1994*;
4. **Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents**, adopted in New York on 14 December 1973 - *in force for Georgia since February 18, 2004*;
5. **International Convention against the Taking of Hostages**, adopted in New York on 17 December 1979 - *in force for Georgia since February 18, 2004*;
6. **Convention on the Physical Protection of Nuclear Material**, adopted at Vienna on 3 March 1980 - *in force for Georgia since October 7, 2006*;
7. **Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation**, signed at Montreal on 24 February 1988 - *in force for Georgia since March 17, 1999*;
8. **Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation**, done at Rome on 10 March 1988 - *in force for Georgia since November 9, 2006*;
9. **Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf**, done at Rome on 10 March 1988 - *in force for Georgia since November 9, 2006*;
10. **Convention on the Marking of Plastic Explosives for the Purpose of Detection**, done at Montreal on 1 March 1991 - *in force for Georgia since June 24, 2000*;
11. **International Convention for the Suppression of Terrorist Bombings**, adopted in New York on 15 December 1997 - *in force for Georgia since February 18, 2004*;
12. **International Convention for the Suppression of the Financing of Terrorism**, adopted in New York on 9 December 1999 - *in force for Georgia since October 27, 2002*;
13. **International Convention for the Suppression of Acts of Nuclear Terrorism**, adopted in New York on 13 April 2005 - *in force for Georgia since April 23, 2010*;
14. **Amendment to the Convention on the Physical Protection of Nuclear Material**, adopted at Vienna on 8 July 2005 - *in force for Georgia since May 8, 2016*.

b) Regional Agreements

Georgia is a party to the following CoE anti-terrorism conventions:

1. **European Convention on the Suppression of Terrorism**, concluded at Strasbourg on 27 January 1977 - *in force for Georgia since March 15, 2001*;
2. **Protocol Amending the European Convention on the Suppression of Terrorism**, concluded at Strasbourg on 15 May 2003 - *in force for Georgia since December 8, 2004*;
3. **Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism**, concluded at Warsaw on 16 May 2005 - *in force for Georgia since May 1, 2014*;
4. **Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters**, concluded at Strasbourg on 8 November 2001- *in force for Georgia since May 1, 2014*;
5. On 14 December 2005 Georgia signed the **Council of Europe Convention on the Prevention of Terrorism**, concluded at Warsaw on 16 May 2005.

c) Sub-regional Multilateral Agreements

1. **The Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters** –for Georgia entered into force on 11 July 1996.
2. **Sub-regional Cooperation within BSEC (Organization of the Black Sea Economic Cooperation) and GUAM (Georgia, Ukraine, Azerbaijan, Moldova - Organization for Democracy and Economic Development)**. In this regard,

Georgia is a party to:

1. **Agreement among the Governments of the Black Sea Economic Cooperation (BSEC) Participating States on cooperation in combating crime**, in particular in its organized forms, signed on October 2, 1998 - *in force for Georgia since July 27, 2000*;
2. **Additional Protocol (establishing a network of liaison officers) to the Agreement among the Governments of the Black Sea Economic Cooperation (BSEC) Participating States on cooperation in combating crime**, in particular in its organized forms, signed on March 15, 2002 - *in force for Georgia since May 30, 2004*;
3. **Additional Protocol on combating terrorism to the Agreement among the Governments of the Black Sea Economic Cooperation (BSEC) Participating States on cooperation in combating crime**, in particular in its organized forms, signed on December 3, 2004 - *in force for Georgia since October 16, 2005*;
4. **Agreement on cooperation among the Governments of GUUAM (Georgia, Ukraine, Uzbekistan, Azerbaijan, Moldova) Participating States in the field of combat against terrorism, organized crime and other dangerous types of crimes**, signed on July 20, 2002;
5. **Protocol to the Agreement on cooperation among the Governments of GUUAM (Georgia, Ukraine, Uzbekistan, Azerbaijan, Moldova) Participating States in the field of combat against terrorism, organized crime and other dangerous types of crimes of the 20 July 2002**, signed on December 4, 2008.

It is noteworthy that joint working group on Coordination on Combating Crime, its various sub-groups (each respectively on Combatting Terrorism¹, Combatting Corruption and Money Laundering, Trafficking in Persons and Illegal Migration, Drug Trafficking, and on Legal Statistics) and joint working group on Cyber Security are functioning within GUAM, whose meetings are held systematically and which give possibility to the law enforcement agencies of GUAM member states to cooperate effectively, share operational and non-operational information, exchange experience and best practices and plan joint measures.

d) Bilateral International Agreements

Georgia has signed bilateral international agreements/MoUs that include the cooperation in the fight against terrorism with 29 countries².

Agreement on Operational and Strategic Cooperation between Georgia and Europol was signed on 4th of April 2017 and since entry into force of this agreement (on 31 July 2017) Georgia enjoys operational partner status with Europol.

Moreover, Georgia signed International Agreements on Exchange and Mutual Protection of Classified Information with 24 countries, which form strong legal basis for sharing the information *inter alia* on the issues related to crimes, including terrorism.

Also, Agreement between Georgia and European Union on Security Procedures for Exchanging and Protecting Classified Information was signed on 23rd of June 2016 and entered into force on 1 February 2017. Moreover, Arrangement on Exchange and Protection of Classified Information between Georgia and EUROPOL was signed on 19th of December 2023 by the Georgian side and on 15th of February 2024 by the EUROPOL side (the Arrangement was ratified by the Parliament of Georgia on 18 April 2024 and it will enter into force on 1 July 2024).

A renewed Working Arrangement on operational cooperation between the Ministry of Internal Affairs of Georgia (MIA) and the European Border and Coast Guard Agency (Frontex) was signed on 11 February 2021. It substituted the document signed in 2008 and prescribed new directions of partnership. The main directions of cooperation between the agencies are border management, irregular migration and fight against cross-border crime.

1.2 What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?

a) Laws and by-laws

In order to comply with the international obligations taken under the international legal instruments, as well as with the requirements of United Nations Security Council (UNSC) Resolutions and UN General Assembly Resolutions, Georgia implemented the provisions of these instruments and the requirements of the resolutions into Georgian legislation by adopting new laws and regulations and by amending the existing legislation. It is noteworthy, that on 8 November 2023 the European Commission

¹ The last 25th Meeting of the Working Subgroup on Combating Terrorism was held by a video conference in June 2023, where the representative of the CTC of the State Security Service of Georgia (SSSG) participated.

² Armenia, Austria, Azerbaijan, Belarus, Bulgaria, Czech Republic, Egypt, Estonia, France, Germany, Greece, Hungary, Israel, Italy, Kazakhstan, Latvia, Lithuania, Malta, Moldova, Poland, Romania, Slovak Republic, Spain, Sweden, Turkey, Ukraine, United Kingdom (MoU), USA, Uzbekistan.

released its **Communication on EU Enlargement policy about Georgia**, where it underlined that Georgia's anti-terrorism legislation is largely aligned with the EU acquis and relevant international law, including UN Security Council Resolutions³.

In 2007, the Parliament of Georgia passed the **Law of Georgia on Combating Terrorism** which defines the forms of organization of and legal grounds for the fight against terrorism, as well as the rules of coordination of relevant state authorities in the field of combating terrorism, the grounds for involvement of civil organizations and associations, of officials and citizens, their rights, obligations and their social security guarantees.

Moreover, the **Law of Georgia on Combating Terrorism** has been amended several times due to the modern challenges, and is significant since it defines the terms of "terrorism", "terrorist", "terrorist act", "terrorist purpose", "terrorist activity", "international terrorism", "terrorist group", "terrorist organization", in accordance with the international standards. The provisions of the Law which determine the basic principles of combating terrorism, as well as the subjects who conduct the fight against terrorism, are worth noting.

Among the other laws and by-laws, which *inter alia* deal with terrorism-related issues, are the following:

- **Law of Georgia on Facilitating the Suppression of Money Laundering and Terrorism Financing** (*creates a legal mechanism for prevention, detection and suppression of money laundering and terrorism financing, as well as financing of proliferation of weapons of mass destruction*), adopted on 30 October 2019;
- **Law of Georgia on Nuclear and Radiation Safety** (*prohibits any form of non-peaceful use of nuclear or radioactive materials on the territory of Georgia*);
- **Law of Georgia on License and Permits** (*according to this law, any activity related to the trading with nuclear and radioactive materials is subject to the special licensing*);
- **Criminal Code of Georgia** (*criminalizes all acts of terrorism, which are determined as such by the UN international anti-terrorism conventions or CoE conventions and other international instruments*);
- **Law of Georgia on Operative-Investigative Activities** (*defines the system of measures carried out by special services of state agencies through application of open or covert criminal intelligence methods in order to protect the rights and freedoms of human, the rights of legal entities and the public safety from criminal or any illegal conduct*);
- **Criminal Procedure Code of Georgia** (*defines in detail each and every stage of investigation and criminal prosecution on any action that is considered as a crime under the Criminal Code of Georgia, as well as defines types and rules of application of covert investigative measures*);
- **Law of Georgia on International Law Enforcement Cooperation** (*defines the rules of international law enforcement cooperation in the fight against crime, including terrorism-related crime*);
- **Law of Georgia on International Cooperation in Criminal Matters** (*defines the rules of mutual legal assistance and extradition issues*);

³ Available at: https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_697%20Georgia%20report.pdf.

- Law of Georgia on State Security Service of Georgia (*defines basic guiding principles for the activities of the State Security Service of Georgia (main agency in combatting terrorism), its functions and authority, procedures for the performance of service by employees of the Service, and their legal and social protection guarantees, the forms of control and oversight over the activities of the State Security Service of Georgia*);
- Law of Georgia on Police (*defines basic principles of the Georgian police activities, the legal grounds for organizational structure of the police, its functions, measures to be carried out by the police and legal forms of exercising police authority, procedure for serving in the police, legal and social protection guarantees of police officers and control over police activities*);
- Regulation of the Parliament of Georgia (*defines the powers, structure and rules of conduct of the Parliament, including the composition and conduct of the Trust Group, exercising parliamentary control over the defense and security sector of the country*);
- Law of Georgia on Personal Data Protection⁴ (*defines provisions on ensuring protection of human rights and freedoms, including the right to privacy, in the course of personal data processing*);
- Other respective laws and by-laws.

Terrorist offenses are provided in Chapter XXXVIII of **Criminal Code of Georgia** under the Title of Offenses against the State. The Code widely criminalizes terrorism-related actions and establishes relevant criminal liability for individuals and legal entities. The Code defines what type of activities should be considered as a terrorist act⁵. The list includes explosion, arson, attack on a person, use of weapon, as well as all the other activities which threaten human life, create risks of damaging significant property or resulting in other serious consequences. It should be noted that for the qualification of these actions as a terrorist act, each should be carried out with the terrorist purpose. This implies the intimidation of population or compulsion of the state authority, foreign state authority or an international organization to perform or not to perform certain action, or destabilization or destruction of fundamental political, constitutional, economic or social structures of a country/foreign country/international organization.

It is noteworthy that in terms of combating terrorism, important amendments were made to the Criminal Code since 2013. After the draft laws initiated by the **Government of Georgia (GoG)** entered into force, a number of activities conducted with the terrorist purpose have become punishable. Furthermore, it should be noted that **Georgia is one of the first countries among the UN member states, which in 2015 criminalized the FTF travel, in accordance with the UN Security Council Resolution 2178 (2014)**. Subsequently, **strengthening and upgrading legislative framework has resulted in effective law enforcement and criminal justice measures to address and prosecute perpetrators connected with international terrorism**.

The resolution of the GoG № 254 on approving the **Rules of Organizing Counterterrorist Activities in the Country and of Coordinating the Activities of the Subjects in the Fight against Terrorism** - is a significant part of the existing legislation in the field of combating terrorism. It obliges the subjects in the fight against terrorism, as well as other state authorities to provide any terrorism-related information to the Counterterrorism Center of the State Security Service of Georgia. Furthermore, the resolution of the GoG № 662 on approving the **Rules of Organization and Activities of the Extreme Situations Management Operational Headquarter** - is worth mentioning. It determines the activities of the

⁴The new Law of Georgia on Personal Data Protection was adopted by the Parliament of Georgia on 14 June 2023. The new Law incorporated the provisions of the EU GDPR and substituted the previous law adopted in 2011.

⁵ Article 323 of the Criminal Code of Georgia criminalizing terrorist act provides imprisonment up to 15 years. If the aggravating circumstances are met, imprisonment up to 20 years or lifetime imprisonment is applied. And a legal entity is punished by liquidation or deprivation of the right to conduct activity and by fine. In general, sanctions related to terrorist offences are relatively high.

Operational Headquarter which is created by the resolution of the GoG, in order to suppress a terrorist act.

The state devotes special attention to the development of legislative framework on border security and control, as well as on civil aviation safety. In this regard, the **Law of Georgia on the Legal Status of Aliens and Stateless Persons**, the **Law of Georgia on International Protection**, other relevant laws and bylaws are worth mentioning, which envisage relevant restrictions on entering the country by a foreigner and granting relevant legal status to this foreigner, whose presence in the country represents a threat to the state security and/or public order of Georgia, including when there is the information, with high degree of probability, indicating the individual's link to terrorist and/or extremist organizations.

Furthermore, in order to properly implement the UN Security Council Resolution 2396 (2017), significant legislative amendment has been undertaken, on the basis of which air carriers conducting international flights are required to provide free-of-charge **Advance Passenger Information (API) and Passenger Name Record (PNR)** to the competent authority - LEPL Operative-Technical Agency of Georgia of the State Security Service. Also, the Decree № 174 of 10 April 2018 of the GoG approved the **Rules of providing API and PNR by the air carrier to the competent authority**, which was recently modified by the Decree №384 of 27 July 2021. **The API and PNR system has become operational since the beginning of 2022.**

Furthermore, Georgia has taken steps to **develop national strategies for counterterrorism and their action plans**. In September, 2018, the Permanent Interagency Commission⁶ composed of high level representatives of all relevant agencies responsible for prevention and fight against terrorism was created under the GoG Resolution № 469. The first counterterrorism policy documents - **the National Strategy of Georgia on Fight against Terrorism and its 2019-2021 Action Plan** were adopted by the GoG on January 23, 2019. **The new National Counterterrorism Strategy of 2022-2026 and its corresponding Action Plan were elaborated and approved by the GoG on January 25, 2022.** The outline and then the final draft of the document was **shared, presented and deliberated within the Public-Private Dialogue Platform**⁷. The recommendations of CSOs were accordingly reflected in the Strategy. Later, the draft Strategy was also presented to the relevant Committees of the Parliament.

The new National Strategy aims at establishing the vision of the state of Georgia in terms of the fight against terrorism and extremism, as well as determining the ways in which the state, international partners, private sector and civil society should operate collectively in order to handle the threats stemming from terrorist organizations, extremist groups and their certain supporters. **The Strategy encompasses seven basic directions:** collection of terrorism-related information, prevention, protection, preparedness, prosecution, development of legislative framework and international cooperation. The document is based upon the **whole-of-society approach** and defines engagement of **different stakeholders including** central and local authorities, public-private organisations, as well as civil society in its implementation.

b) Criminalization

The provisions of international legal instruments of UN and CoE as well as respective UNSC Resolutions are duly implemented in the relevant legislation of Georgia⁸. The following terrorism-related acts are

⁶ Permanent Interagency Commission is composed of ministers/heads of all relevant agencies: State Security Service (chair agency), Administration of the Government; Ministry of Defense; Ministry of Justice; General Prosecutor's Office; Ministry of Internal Affairs; Ministry of Foreign Affairs; Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs; Ministry of Education and Science; Ministry of Culture, Sport and Youth; Office of the State Minister of Georgia for Reconciliation and Civic Equality; Ministry of Economy and Sustainable Development; Ministry of Finance; LEPL - Financial Monitoring Service; Ministry of Environment Protection and Agriculture; Ministry of Regional Development and Infrastructure; LEPL - State Agency for Religious Issues; Special State Protection Service; Georgian Intelligence Service; Office of the National Security Council; National Bank of Georgia.

⁷ The Platform was established in June 2021, consisting of the members of the Permanent Interagency Commission, as well as of eight thematic non-governmental organizations.

⁸ CoE MONEYVAL 2020 Report on Georgia states that: "Georgia has made substantial amendments to the legal framework with regard to the criminalization of terrorism and TF. There is now a sound legal basis for the investigation and prosecution of these offences" (p. 90).

criminalized by the Chapter XXXVIII (Terrorism) of the Criminal Code of Georgia:

- Terrorist Act (Article 323)⁹;
- Unlawful purchase, storage, carrying, manufacturing, transportation, transfer, sale or use of firearms, ammunition, explosives or equipment for terrorist purposes (Article 323¹)¹⁰;
- Participation in International Terrorism (Article 323²)¹¹;
- Technological Terrorism (Article 324)¹²;
- Cyber terrorism (Article 324¹);
- Assault on Public Political Officials of Georgia (Article 325)¹³;
- Assault on Person or Institution Enjoying International Protection (Article 326)¹⁴;
- Membership in a Terrorist Organization, Participation in its Activities or Establishment or Management of Terrorist Organizations (Article 327);
- Recruiting a Person as a Member of a Terrorist Organization or for Carrying Out Terrorist Activities (Article 327¹);
- Joining a Foreign Terrorist Organization or a Terrorist Organization Controlled by a Foreign State or Supporting this Organization in Its Terrorist Activities (Article 328);
- Taking a Hostage for Terrorist Purposes (Article 329)¹⁵;
- Unlawfully Taking Possession of an Aircraft or Water Craft, Railway Rolling Stock or of Other Public or Cargo Transport for Terrorist Purposes (Article 329¹)¹⁶;
- Taking Possession of or Blocking Strategic or Other Facilities of Special Importance for Terrorist Purposes (Article 330);
- Public Support of Terrorist Activities and/or Terrorist Organization or Public Incitement to Terrorism (Article 330¹);
- Providing Training and Instruction for Terrorist Activities (Article 330²)¹⁷;
- Theft for the Purpose of Committing One of the Offenses Defined in this Chapter (Article 330³);
- Extortion for the Purpose of Committing One of the Offenses Defined in this Chapter (Article 330⁴);
- Making of Forged Official Documents for the Commission of One of the Offenses Defined in this Chapter (Article 330⁵);
- False Notification on Terrorism (Article 331);
- Financing of Terrorism, Provision of Other Material Support and Resources to Terrorist Activities (Article 331¹);
- Failure to Take Measures to Prevent Acts of Terrorism (Article 331²).

Furthermore, the Criminal Code of Georgia criminalizes the following acts:

- Preparation of Crime (Article 18) (can be applied in conjunction with any other mentioned crimes);

(Available at: <https://tm.coe.int/moneyval-2020-20-5th-round-mer-georgia/1680a03271>).

⁹ This Article also criminalizes any threat of committing a terrorist act.

¹⁰ This Article also criminalizes a threat of committing acts defined by this Article.

¹¹ This Article *inter alia* criminalizes crossing or attempt of crossing the state border of Georgia with the aim of perpetration, preparation of or participation in terrorist activity or in terrorist training. Article 323² was expanded by amendments of 12 June 2015 in order to address the FTF phenomenon.

¹² This Article also criminalizes a threat of committing an act defined by this Article.

¹³ This Article also criminalizes a threat of committing an act defined by this Article.

¹⁴ This Article also criminalizes a threat of committing an act defined by this Article.

¹⁵ This Article also criminalizes a threat of committing an act defined by this Article.

¹⁶ This Article also criminalizes a threat of committing an act defined by this Article.

¹⁷ This Article also criminalizes the receipt of training and instruction (passive aspect).

- Attempted Crime (Article 19) (can be applied in conjunction with any other mentioned crimes);
- Liability of the principal and accomplice (Article 25) (can be applied in conjunction with any other mentioned crimes);
- Taking a Hostage (Article 144);
- Illegal Seizure of Aircraft, Water Vessels or Railway Rolling Stock (Article 227);
- Endangering the Navigation of Water Vessels (Article 227¹);
- Illegal Seizure, Destruction or Damage of a Stationary Platform (Article 227²);
- Posing Danger to Aircraft (Article 227³);
- Explosion (Article 229);
- Illegal Handling of Nuclear Material or Equipment, Radioactive Waste or Radioactive Substance (Article 230);
- Seizure of Nuclear Material, Radioactive Substances or Other Sources of Ionizing Radiation (Article 231);
- Unlawful Demand of Nuclear Materials (Article 231¹);
- Threat to Illegally Seize or Use of Nuclear Substance (Article 231²).

1.3 What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

In order to protect the country against terrorist threats, joint efforts of the state agencies of Georgia are required. The GoG conducts the organization of the country's fight against terrorism, and provides this effort with various resources, while the following agencies are directly involved in the fight against terrorism: the State Security Service, Ministry of Defence, Georgian Intelligence Service, Special State Protection Service, Ministry of Internal Affairs, as well as other public agencies and organizations playing an important role in the fight against terrorism within their scope of competence and according to the Georgian legislation.

According to the Law of Georgia on Combatting Terrorism, the **State Security Service of Georgia (SSSG)** is the lead agency in the unified system of the country's fight against terrorism, ensuring detection, prevention and suppression of terrorist crimes. The Service coordinates the activities of the subjects involved in the fight against terrorism **through its structural entity – the Counterterrorism Center**. The Centre is directly responsible for ensuring implementation of counter-terrorist measures; other divisions of the State Security Service of Georgia shall allocate necessary forces and means and ensure their effective use in counterterrorism operations.

The Ministry of Defense of Georgia ensures protection of weapons, ammunition and explosives, located in military units or stored in specific places; in case an act of terrorism is committed in airspace of Georgia, it ensures preparedness and application of subdivisions of defence forces of Georgia. It participates in counterterrorist operations carried out at military facilities.

The Georgian Intelligence Service obtains and processes information on foreign and international terrorist organizations operating outside Georgia and submits this information to the respective authorities in accordance with the established rule. It participates in counterterrorist operations within its competence.

The Special State Protection Service of Georgia participates in operations performed to suppress terrorist acts against officials and objects which are under the protection of the Service.

The Ministry of Internal Affairs of Georgia ensures the protection of public security and the law and order, the security of the land border and maritime space, as well as the protection of state border and border regime at Border Crossing Points. The Community Oriented Policing approaches within the system of the Ministry of Internal Affairs are especially worth mentioning, which aim at proactive communication and close cooperation with the society including, the identification of the risks of possible radicalization, extremism and terrorism, and the threat prevention.

In addition to the above-mentioned, it is noteworthy that the **Rules of Organizing Counterterrorist Activities in the Country and of Coordinating the Activities of the Subjects in the Fight against Terrorism** approved by the resolution № 254 of the GoG, entitle the Counterterrorism Center of the State Security Service of Georgia *inter alia* with the following powers:

- Instructions and requests of the Counterterrorism Center are obligatory and must be observed by the subjects involved in the fight against terrorism;
- State agencies are obliged to submit to the Counterterrorism Center any information in accordance with the List of Information Ensuring Overall Counterterrorist Activities approved by the GoG resolution;
- After the information is submitted to the Counterterrorism Center, it determines the authorized competent subject (subjects) which will carry out counterterrorism activities related to the received information.

In case of emergency situations resulted from terrorist activities, according to the GoG resolution № 662 on the **Rule of Organization and Activity of the Extreme Situations Management Operational Headquarter**, a temporary authority - Extreme Situations Management Operational Headquarter is formed, with the leadership of the Head of the State Security Service of Georgia. The main objective of the Operational Headquarter is to carry out special activities with the aim of suppressing terrorist crime, as well as ensuring public security, neutralizing terrorists and preventing or reducing to the minimum the expected outcomes from the act of terrorism and/or other crimes conducted with the terrorist purpose.

The **Permanent Interagency Commission** (created under the GoG Resolution № 469) **closely monitors the process of effective implementation** of the Strategy and its Action Plan. Moreover, considering the high significance that the GoG attains to countering terrorism, in 2020, **the composition of the Interagency Commission has been further strengthened and advanced at the level of heads/ministers of all involved agencies**. In terms of monitoring the implementation process, the Permanent Interagency Commission **positively evaluated** the implementation of the National Strategy and its Action Plan at its meetings held in last years¹⁸.

The SSSG as the chair agency of the Permanent Interagency Commission, has created **four inter-agency thematic working groups**¹⁹ according to the main objectives of the document, where high-level experts of relevant agencies are engaged. **Several meetings** of the WGs have been organized to **facilitate proper**

¹⁸ Available at: <https://ssg.gov.ge/news/819/saertashoriso-shefasebit-kontrterroristuli-saqmianobis-mimarulebit-saqarvelo-ert-ert-mnishvnclovan-adgils-ikavebs>; <https://ssg.gov.ge/en/news/903/saertashoriso-shefasebit-teroristuli-gamotsvevebis-konteqstshi-saqarvelo-usafitxo-qveyanas-tsarmoadgens>

¹⁹ WG on information gathering and analysis; WG on supporting the measures in the direction of prevention; WG on supporting the measures in the directions of protection and preparedness; WG on developing legal framework and supporting international cooperation.

implementation of the documents. Moreover, the participating agencies have developed their **intra-agency mechanisms.**

In terms of enhancing the **whole-of-society approach** in the fight against terrorism and violent extremism, in June 2021, as a result of cooperation between the Permanent Inter-Agency Commission and civil society organization - Georgian Center for Strategy and Development (GCSD), the **Public-Private Dialogue Platform** was formed. The Platform consists of all members of the Permanent Interagency Commission, as well as of eight thematic non-governmental organizations²⁰. The aim of the Platform is to promote the effective policies through the sharing knowledge and practices between the public and civil sectors in the field of prevention of violent extremism and combating terrorism.

Furthermore, the law enforcement agencies/state institutions of Georgia successfully continue the effective implementation of the **Memorandum of Understanding on the Improvement of Effectiveness of Inter-Agency Cooperation in the Law Enforcement Field**, signed on September 21, 2015²¹. The MoU ensures effective coordination between the law enforcement agencies and state institutions of Georgia on the issues related to combating various types of national and transnational crimes, including organized crime, terrorism, drug-related crime, corruption, money laundering, terrorism financing. On the basis of the MoU, each party ensures the access to its databases for other participants, the exchange of information through secure channels, the communication of information on results achieved, conduction of joint trainings, etc.

²⁰ The following CSOs are members of Public-Private Dialogue Platform: Georgian Center for Strategy and Development (GCSD), Georgian Foundation for Strategic and International Studies (GFSIS), Georgian Institute of Politics (GIP), Institute for Development of Freedom of Information (IDFI), Georgia's Reforms Associates (GRASS), Democracy Research Institute (DRI), Social Justice Center, Geocase.

²¹ The signatories to the MoU are the State Security Service, the Ministry of Internal Affairs, the Ministry of Justice, the Chief Prosecutor's Office, the Ministry of Finance, and the Financial Monitoring Service.

1.4 Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining *inter alia* to:

- Financing of terrorism:

Georgia is a member of the CoE Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) and actively participates in the meetings of the Committee. The Financial Monitoring Service of Georgia (Georgian FIU) has been a member of the Egmont Group since 2004. Georgia is actively engaged in the activities of Global Coalition against Daesh Counter-Finance Working Group (CIFG) and from December 2022, is a member of Europol's analytical project - Terrorist Finance Tracking Program (TFTP)²².

Georgia's anti-money laundering and countering terrorism financing (AML/CFT) legislation has been substantially reformed over the recent years to make it further consistent with internationally recognized standards. Georgia has adequately criminalized terrorism financing as a standalone offence. More precisely, Article 331¹ (**Financing of terrorism, provision of other material support or resources to terrorist activities**) of the Criminal Code of Georgia criminalizes terrorist financing as - the collection or supply of funds or other property, knowing that they will or may be used in full or in part by terrorists or terrorist organizations and/or for carrying out terrorist activities, and/or for the purpose of committing one of the crimes envisaged by Articles 144, 227, 227¹, 227², 227³, 229, 230, 231, 231¹ and 231² of the Criminal Code of Georgia, irrespective of whether or not any crime envisaged under these Articles has been committed, and/or knowingly providing support to terrorists or terrorist organizations, providing safe haven or shelter to terrorists and/or providing resources or other material support to terrorists or terrorist organizations.

Furthermore, Georgia is party to the UN International Convention for the Suppression of the Financing of Terrorism, and to the CoE Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism. On 30 October 2019 Georgia adopted new Law of Georgia on Facilitating the Suppression of Money Laundering and Terrorism Financing (AML/CFT Law), which creates a legal mechanism for prevention, detection and suppression of money laundering and terrorism financing, as well as financing of proliferation of weapons of mass destruction. The new Law further approximates Georgia's legal framework to FATF standards, EU 4th directive and other international requirements.

In May and November 2023, the Parliament of Georgia adopted two amendments to the AML/CFT Law with the aim of enhancing the AML/CFT legislative framework, which resulted in effective implementation of the respective recommendations of Moneyval and upgrading the rating under the 2nd enhanced follow-up report of Georgia, adopted by Moneyval committee²³. According to the amendments, aspects related to politically exposed persons are covered, certain additional obligations and powers for obliged entities are envisaged, and the legal framework in connection with the targeted financial sanctions related to terrorism/terrorism financing and proliferation is updated.

The Permanent Interagency Commission on the Facilitation of Prevention, Detection and Suppression of AML/TF and WMD Proliferation²⁴ submitted for approval to the Government of Georgia the important documents, which were further adopted in 2023, namely:

²² In March 2023, the SSSG's representatives participated (for the first time) in the Europol's AP TFTP meeting held at Europol's Headquarters in The Hague.

²³ In December 2023, 2nd enhanced follow-up report of Georgia was adopted by MONEYVAL committee. The report highlights all the achievements made by the country including in the areas of risk understanding (Recommendation 1 and National Risk Assessment), targeted financial sanctions related to terrorism/terrorism financing and proliferation (Recommendation 6 and 7), politically exposed persons (Recommendation 12) and supervision (Recommendations 22, 23, 28 and 35).

²⁴ The Commission was created by N273 Ordinance of the Government of Georgia of 31 May 2022. The members of the Commission are the

- A new **National Strategy on the Prevention, Detection and Suppression of Money Laundering, Terrorism Financing and Proliferation of Weapons of Mass Destruction (2023-2026) and its Action Plan**²⁵ - acknowledges the high level commitment to approximate legislative and structural frameworks of Georgia to FATF standards, MONEYVAL recommendations, EU directive and to implement the results of National Risk Assessment of Georgia;
- A new **National Money Laundering and Terrorism Financing Risk Assessment Report (NRA)**²⁶ - Chapter IV of the NRA analyzes and assesses TF risks in the country and concludes that the terrorism financing risk in Georgia is low. The NRA was prepared according to FATF standards and aims to raise awareness of competent authorities, as well as private sector on money laundering and terrorism financing risks in Georgia.

Georgia has established an **adequate legal framework for freezing terrorist assets** pursuant to resolution 1373 (2001). Under the AML/CFT Law, the **Governmental Commission responsible for the implementation of UNSC resolutions** is the body authorized to consider and decide on the domestic designation cases. The technical and substance-wise support necessary for the domestic designations are done by the **Task Force**²⁷. In April 2023, based on the respective motion of the Task Force, the **Governmental Commission** made a unanimous decision on **listing two individuals** under the domestic list of sanctioned persons and subjecting them to the respective financial sanctions²⁸.

In addition, the **Governmental Commission** (which remains as the main contact point for the UNSC Sanctions Committees and other international thematic structures)²⁹ at its latest meeting held in April 2023 reviewed and/or adopted following regulations prepared by the Secretariat of the Commission³⁰:

- **The new Statute of the Governmental Commission** – adopted by the Government of Georgia on 5 June 2023;
- **The “Rules and Procedure for Compiling Lists of Persons Involved in Terrorism and/or Terrorist Financing”** – adopted by the Governmental Commission on 26 April 2023;
- **The “United Nations Security Council’s Sanctions Implementation Guideline”** – adopted by the Governmental Commission on 26 April 2023.

The AML/CFT Law establishes the **Financial Monitoring Service of Georgia (FMS)** as an independent agency under the Prime Minister of Georgia, its operational independence and financial guarantees is secured under AML/CFT law. The FMS serves as the national center for the receipt and analysis of suspicious transaction reports and other information (documents) from obliged entities. And if there are reasonable grounds to suspect money laundering, terrorism financing or other criminal activity, FMS disseminates the results of analysis to law enforcement agencies. FMS also has the power to suspend the transaction if there are reasonable grounds to suspect money laundering, terrorism financing or other criminal activity, regardless of the amount of funds involved in a transaction. In case of possible terrorism financing, the FMS disseminates the results of its analysis to the SSSG and the Prosecutor’s

Chairperson of the FMS, First Deputy/Deputy Ministers of Finance, Justice and Internal Affairs, Deputy Head of State Security Service, Deputy Prosecutor General, Head of Investigation Service and Head of the Revenue Service of the Ministry of Finance, Vice-President of the National Bank, Head of National Agency of Public Registry, Head of Accounting, Reporting and Audit Supervision Service, Director of Anti-Corruption Agency of the State Security Service and Parliamentary Secretary of the Government. The new Commission with an enhanced mandate substituted the previous commission established in 2013.

²⁵ Approved by the №135 Ordinance of the Government of Georgia, on April 4, 2023.

²⁶ Approved by the №1757 Ordinance of the Government of Georgia on October 3, 2023

²⁷ The Task Force includes the representatives from: SSSG; MoJ; MIA; MoD; MFA; FMS.

²⁸ It should be mentioned, that on 18 May 2022, the Governmental Commission decided to impose sanctions and to include two terrorism-related persons in the national sanctions list. Accordingly, at present, a total of four persons are included in the national list of sanctioned individuals.

²⁹ The Governmental Commission is chaired by the Minister of Justice.

³⁰ The International Relations and Legal Cooperation Department of the Ministry of Justice serves as a Secretariat of the Governmental Commission.

Office of Georgia.

The Governmental Commission on the Implementation of the United Nations Security Council Resolutions (hereinafter referred as "the Governmental Commission"), chaired by the Justice Minister, remains as the main contact point for the UNSC Sanctions Committees and other international thematic structures in terms of undertaking measures for the purpose of prevention, detection and suppression of the financing of terrorism.

The International Relations and Legal Cooperation Department of the Ministry of Justice serves as a Secretariat of the Governmental Commission (hereinafter referred as "the Secretariat") and provides the technical and substance-wise assistance to the Commission and its thematic working groups.

The competences of the Governmental Commission cover three major directions: a) implementing the changes in the UN sanctions lists. Namely, implementing Assets freezing, Travel bans and Arms embargoes on individuals and legal entities suspected in terrorism/terrorism financing and designated under the respective United Nations Security Council Resolutions (hereinafter – UNSCR); b) identifying targets for the national designations in accordance with UNSCR 1373 (2001) and/or addressing to the respective Sanctions Committee in relation to international designations pursuant to UNSCR 1267/1989 and 1988 sanctions regimes; c) full or partial unfreezing the assets of the designated persons.

In order to address the deficiencies identified in Recommendations 6 and 7 (Targeted Financial Sanctions Related to Terrorism/Terrorism Financing and Proliferation), the Ministry of Justice of Georgia has done an important work both at legislative and operational level to meet the FATF standards and respond to Moneyval recommendations. Consequently, Georgia has established a new system for the efficient and timely implementation of UN Security Council sanctions regimes related to terrorism financing (TF) and proliferation financing (PF).

In particular:

- ✓ New legislative amendments to the AML/CFT Law and the Law on Enforcement Proceedings were adopted by the Government Commission on April 26, 2023 and submitted to the Parliament for final approval. The legal amendments entered into force on November 29, 2023.
- ✓ The new amendments to the Statute of the Governmental Commission was adopted by the Government Commission on April 26, 2023 and enacted upon the Decree №203 of the Government of Georgia on June 5, 2023.
- ✓ On April 26, 2023, the Government Commission adopted new rules and procedures for proposing targets for designation to the UN Sanctions Committees, as well as national designation procedures.
- ✓ On April 26, 2023, the Government Commission adopted the "United Nations Security Council's Sanctions Implementation Guideline."

The new regulations include the following regulations:

- ✓ In line with the Governmental Commission's general entitlement to propose to the respective UN Sanctions Committee the targets for designation (AML/CFT Law, Art. 43(1)), the Statute of the Governmental Commission explicitly referred to UNSCRs 1267 (1999), 1989 (2011), and 1988 (2011) and specified, that the Governmental Commission is a body authorized to propose designations of persons or entities to the UNSC Committees 1267/1989 and 1988. Moreover, the

Statute of the Governmental Commission instructs the Commission to draft and approve the rules and procedures for the formation of the lists of sanctioned persons;

- ✓ A new evidentiary standard, "reasonable suspicion," was introduced within the legal amendments. When deciding whether or not to propose a designation to the respective sanctions committee, the Governmental Commission should apply the aforementioned evidentiary standard of proof. The standard involves presenting information or a set of circumstances/facts that would allow an objective observer to conclude that a person might have been involved in Terrorism/Terrorist Financing and/or Proliferation of weapons of mass destruction;
- ✓ The new amendments to the AML/CFT law regarding the simplification of the process of the national implementation of the TF/PF-related financial sanctions in order to be in compliance with the "without delay" standard;
- ✓ The new amendments also address the new rules and procedures for proposing targets for designation to the UN Sanctions Committees, as well as national designation procedures;

It should be mentioned that Georgia has a domestic designations regime in place that allows it to impose sanctions on terrorists and/or terrorist groups.

In accordance with AML/CFT law the Governmental Commission is the body authorized to consider and decide on the domestic designation cases (Article 41, paragraph 2 and 3 of the AML/CFT Law). The technical and substance-wise support necessary for the domestic designations are done by the Task Force (Article 40, paragraph 4 of the AML/CFT Law). The Task Force, which guarantees to collect, process and disseminate information necessary for the implementation of the Governmental Commissions' functions, includes the representatives from:

- State Security Service;
- Ministry of Justice;
- Ministry of Interior;
- Ministry of Defense;
- Ministry of Foreign Affairs;
- Financial Monitoring Service of Georgia.

It should be mentioned, that in 2023 Georgia made a meaningful step forward towards the implementing UNSCR 1373 (2001). The Secretariat of the Governmental Commission has elaborated "Rules and Procedure for Compiling Lists of Persons Involved in Terrorism and/or Terrorist Financing", which expands the provisions of AML/CFT Law provides a comprehensive procedure for the Governmental Commission on identifying targets for designation pursuant to UNSCR 1373 (2001) and making decisions in this regard.

On April 26, 2023, based on the respective motion of the Task Force, the Governmental Commission made a unanimous decision and two individuals have been listed under domestic list of sanctioned persons and subjected them to the respective financial sanctions. It should be mentioned that previously, on May 18, 2022, the Governmental Commission decided to impose sanctions and include two terrorism-related persons in the national sanctions list. Consequently, at present, a total of four natural persons are included in the national list of sanctioned individuals.

Border controls

In response to the threats emanating from the foreign terrorist fighters (FTF) phenomenon, Georgia constantly carries out counter-terrorism measures in a complex format, starting from upgrading the national legislation, continued with dedicated operational measures, *inter alia*, strengthening the border security.

The state agencies carry out **24/7 counterterrorism screening of persons through the databases**, which also include up-to-date INTERPOL data and data shared by partner countries and other relevant

international organizations. The lists of designated terrorists by respective UN Security Council Resolutions (UNSCRs) are regularly provided to the border personnel.

Georgia continued to work towards the development of the API and PNR system. API and PNR systems were transitioned from the test regime into operational one. A **Passenger Information Unit** is functioning, which consists of the representatives from the SSSG, the MIA and the Revenue Service. In 2023, Georgia joined the UN Countering Terrorist Travel program „goTravel“.

In order to reach the objective of well-controlled, secure and coordinated border management, it is essential to enhance national and international coordination/cooperation among all relevant authorities and agencies involved in border security. For this purpose, in 2023, Georgia approved the **Integrated Border Management Strategy of Georgia (2023-2027) and its Action Plan**³¹.

In 2023, Georgia further enhanced **green border and maritime domain surveillance**, as well as **border control capabilities**, *inter alia*, through information-technological advancement, upgrading relevant equipment and delivering specialized trainings to the respective personnel.

Georgian Border Police of the MIA (MIA GBP) is the first line responder to border irregularities and interdicts the illegal activities on the sea as well as on the land borders. In 2023, the MIA GBP continued capacity-building efforts through infrastructure development and bolstering border surveillance capabilities.

Georgia actively cooperates with its neighboring and partner countries' border services as well as various international organizations.

Since 2008, Ministry of Internal Affairs of Georgia has close cooperation with European Border and Coast Guard Agency (FRONTEX) based on working arrangement signed in 2008. In 2021, MIA has renewed the working arrangement with FRONTEX. Under the revised arrangement, Frontex and Georgia reaffirmed their commitment to work together in dealing with irregular migration and fighting cross-border crime, as well as in exchanging information and best practices in the area of border management and return.

Georgia has modern, operational border check points, modernized and adapted to control different flows and fully in line with the best practices of EU member states. There is a standard design model applied to all Georgian border crossing points (BCPs) which stipulates safe and well organized movement of passengers and cargoes. Infrastructure including buildings, access roads and booths are fully adapted for organized movement of different entry and exit flows. Since 2014, all border checkpoints of Georgia have direct access to SLTD (stolen/lost travel documents) database of the Interpol General Secretariat.

MIA Patrol Police Department and its officers at BCPs are responsible for providing border control/passport control procedures at the BCPs. In 2023, relevant equipment of the MIA Patrol Police Department was upgraded for the purposes of ensuring travel document security and detection of forged travel documents.

Georgia pays particular attention to the issues of radiation security; especially the aim is to prevent the smuggling of radioactive materials through Georgian borders. As of today all major roads, sea, railroad

³¹ The Integrated Border Management Strategy of Georgia (2023-2027) was approved on 9 March 2023 by №92 Ordinance of the Government of Georgia and its Action Plan was approved on 30 August 2023 by №338 Ordinance of the Government of Georgia.

and air border crossing points are fully equipped with the portals and radiological substance detectors, which lead to effective detection and response to all CBRN materials. Video-control (CCTV) cameras at the BCPs are connected to the central database allowing for 24/7 control. In nuclear non-proliferation and radiation security areas, Georgia's main partner is the USA. It is noteworthy, that MIA ensures obtaining of technical equipment and provision of specialized trainings to police officers for bolstering their capabilities in countering WMD as well as enhancing border safety, including through the support of the US partners (US Department of Energy and Department of Defense; USA Defense Threat Reduction Agency; Export Control and Related Border Security Program)

Georgia became the first non-NATO country achieving the **operational partner status in Operation Sea Guardian (OSG)**, which is the NATO's maritime security operation in the Mediterranean, *inter alia*, covering the maritime counterterrorism tasks. Georgian Coast Guard of the MIA GBP boarding teams took part at NATO Allied Maritime Command (MARCOM) led "Operation Sea Guardian" focused operations for 2023 in the Mediterranean Sea. In this regard, pursuant to the NATO North Atlantic Council decision, Georgia became the first non-NATO country achieving the operational partner status.

Security of radioactive sources

Georgia continues to pay special attention to the nuclear and radiation security issues. Important steps have been made for strengthening nuclear security of the country that covered significant developments at the legislative, institutional, operational and international levels.

Georgia supports the existing global nuclear security architecture by implementing its requirements at the national level and demonstrating commitment towards international legal instruments. At the same time, GoG actively continues the capacity building process of its law enforcement and security agencies designated for combating nuclear security violations.

The governmental Interagency Coordinating Council of Georgia on Combating CBRN Threats (Interagency Council) is effectively functioning since February 2014. The State Security Service of Georgia (SSSG), as a chair agency for the Interagency Council, continued to support national agencies in achieving milestones and implement actions defined in the **National CBRN Threat Reduction Strategy (2021-2030)** and its respective **National Action Plan (NAP for 2021-2023)**. In December 2023, the **7th Annual Meeting of the Interagency Council** was held, where the members of the Interagency Council adopted a new **CBRN National Action Plan for the next 3 years (2024-2026)**.

It is also worth mentioning that back in 2015, Georgia was the first country among 64 partner states of the European Union's **CBRN Risk Mitigation Centers of Excellence** initiative, which developed and adopted the NAP. Since then Georgia's experience and recommendations were shared by different countries while elaborating similar national plans.

Georgia has the **Law on Nuclear and Radiation Safety** that establishes obligatory requirements for public and private entities whose functions involve handling of radioactive and nuclear materials (RN) and sources for peaceful purposes. The Law aims to suppress and prevent all activities derived from illegal use of such materials and sources.

The **Law on License and Permits** further enhances the national legal framework for nuclear safety and security by subjecting any activity related to the trade involving RN materials to the special licensing procedures.

Furthermore, in order to ensure preparedness for responding to nuclear and radiation accidents, and implement the measures necessary for disaster mitigation, the **Technical Regulation and Action Plan on**

Preparedness and Response for a Nuclear or Radiological Emergency was approved by GoG Resolution № 640 of 24 December 2019.

Criminal liability for using or attempting to use RN substances with terrorism purposes is provided by the **Georgian Law on Combating Terrorism and the Criminal Code**. Law on Combating Terrorism defines organizational forms, legal foundations and law enforcement coordination issues necessary for combating all forms of terrorism (including nuclear terrorism). **Article 324 - Technological Terrorism** (CBRN related terrorism) of the **Criminal Code of Georgia** criminalizes illegal purchase, storage, carrying, production, transportation, transfer or sale of biological, radiological, chemical or bacteriological (biological) weapons or components thereof, of pathogenic microorganisms, of radioactive and/or other substances harmful to human health, and/or research and development of biological and chemical weapons, committed for terrorist purposes (Paragraph 1). Moreover, **Paragraph 3 of Article 324 of the Criminal Code of Georgia** envisages criminal liability for the use of such weapons or their components, of pathogenic microorganisms, of radioactive and/or other substances harmful to human health, including seizure of the facilities constituting nuclear, chemical or increased technological or ecological hazard, committed to influence physical and legal persons or for terrorist purposes.

Furthermore, **Articles 230, 231, 231¹, 231², 232, 235 and 406** of the **Criminal Code of Georgia** establish criminal liability for illegal handling, seizure, demand, manufacturing or threatening by possession/use of nuclear substances, as well as WMD-related illegal activities including the illegal export of WMD technology, scientific-technical information or service.

Since July 2013, Georgia is hosting the **South-East and Eastern Europe Regional Secretariat of CBRN Risk Mitigation Centers of Excellence** that is an initiative of the European Union. *The Regional Secretariat located in Tbilisi unites 10 countries from the region (Albania, Armenia, Azerbaijan, Bosnia-Herzegovina, Macedonia, Montenegro, Georgia, Moldova, Serbia and Ukraine) and is supporting regional cooperation, exchange of experience between the countries and capacity building of agencies responsible for reduction of CBRN risks and threats.*

Georgia stays as a dedicated member of the **G7 Global Partnership against the Spread of Weapons and Materials of Mass Destruction** and also actively participates in the working groups and events of the **Global Initiative to Combat Nuclear Terrorism (GICNT)**, contributing to the initiative's mission. It is also noteworthy, that in June 2023, Georgia hosted the **26th Annual Meeting of the Nuclear Forensics International Technical Working Group (ITWG)** for the first time, which was supported by the European Commission's Joint Research Center and the US Department of Energy's Nuclear Smuggling Detection and Deterrence program and aimed at bolstering global efforts in preventing and detecting unlawful trafficking of nuclear materials.

Georgia is a party of various international and the UN conventions aiming to reduce RN related threats. The country efficiently cooperates with the IAEA, reports to the IAEA ITDB (Illicit Trafficking Data Base) office and continues to implement a national Integrated Nuclear Security Support Plan (INSSP). INSSP works as a roadmap to achieve the best level of the state nuclear security. In 2023 Georgia hosted International Atomic Energy Agency's International Nuclear Security Advisory Service (INSServ) mission and continues to work with IAEA to make capability and gap analysis for an effective nuclear security regime.

Georgia also continued to advance its inter-agency preparedness and response capacities to potential CBRN incidents through joint drills and exercises among the response forces of the SSSG, the Ministry of Internal Affairs and Ministry of Defence. In September 2023, in cooperation with the US Defense Threat Reduction Agency (DTRA), the Interagency Crisis Response Tabletop Exercise and capstone interoperability full-scale field training were conducted that aimed at fostering a convergent response and recovery efforts after a potential national CBRN crisis.

Use of Internet and other information networks for terrorist purposes

The Criminal Code of Georgia provides the criminalization of cyberterrorism, namely Article 324¹ defines cyberterrorism as “*illicit possession, use or threat to use computerized information protected by the law, what poses a threat of grave consequences perpetrated to intimidate the population and/or affect the state authority*”. Liability for this act is determined in the form of deprivation of liberty from ten to fifteen years. Liability for the same act that caused a death or any other grave consequences is determined in the form of deprivation of liberty from twelve to twenty years or to life imprisonment.

Georgia acknowledges that in the course of new and emerging tactics of terrorists and terrorist organizations, internet especially social media has become the basic platform for disseminating terrorist/extremist ideology. The SSSG has been closely monitoring and preventing the dissemination of terrorist/extremist content in cyberspace through the relevant measures. Moreover, the National Counterterrorism Strategy of Georgia among other directions also envisages and pays due attention to the protection of the internet against the dissemination of terrorist and extremist ideas and violent messaging.

In 2019, Georgia announced support to the Christchurch Call which is a France and New Zealand-led initiative and the commitment by Governments and tech companies to eliminate terrorist and violent extremist content online.³² Georgia continues an active work to combat using the internet for terrorist purposes and to protect the cyberspace against terrorist threats.

Safe havens and shelter to terrorists and terrorist organizations

Georgia confronts any manifestation of terrorism and will never allow terrorists to be active in its territory. In this regard counter terrorism measures are carried out in a complex format, *inter alia*, implementing the National Counterterrorism Strategy, as well as the National Strategy on the Prevention, Detection and Suppression of Money Laundering, Terrorism Financing and Proliferation of Weapons of Mass Destruction and enhancing national legislation in line with international standards. Provision of safe haven and shelter to terrorists or terrorist organizations is explicitly criminalized under Terrorism Financing (Article 331¹ of the Criminal Code of Georgia).

Also, Georgia is one of the first countries among the UN member states, which in 2015 criminalized FTF travel in accordance with the UNSCR 2178 (2014). Further on, within the framework of cooperation with international partners information is constantly shared, as well as the list of designated terrorists by the respective UNSCRs is regularly provided to the border personnel. Also relevant databases of Interpol are integrated into the national border databases.

Moreover, with effective cooperation and information sharing with international partners and efficient national coordination, movements at the state customs and border-crossing points are strictly controlled, as well as constant monitoring of crossings at the state border is carried out in order to avoid the threat of entering of terrorism-affiliated individuals into the territory of Georgia. Routes and channels that might be used in order to illegally enter the territory of the country is subject to observation. Therefore, the Georgian territory as a transit route is currently unfavorable and not attractive for foreign terrorist fighters. In addition, during the recent years, facts of attempts of transit movement through the territory of Georgia by terrorism-affiliated individuals have been considerably reduced and not a single fact of travel to Syria and Iraq by the citizens of Georgia has been observed.

Prevention and suppression of any kind of terrorist activities remain priority for the GoG. As a lead

³² Available at: <https://www.christchurchcall.com/supporters.html>.

agency in the unified system of the country's fight against extremism and terrorism, the State Security Service of Georgia attaches huge importance to strengthening its capabilities of readiness and response. The Service constantly works on enhancing material-technical base of its structural entities responsible for fight against terrorism, and to further advance professional capacity of its personnel.

In addition, prevention of radicalization and of violent extremism that lead to terrorism remains one of the main priorities for Georgia. In parallel with enhanced legal framework and the counterterrorism law-enforcement measures, Georgia devotes special attention to the protection of identity and civic integration of residents who live in the entire territory of Georgia, along with designating special approaches for women and girls, children and the youth in terms of prevention of radicalization, de-radicalization and re-socialization. **Various programs and projects on prevention of radicalization and violent extremism that lead to terrorism are implemented, which ensure the vulnerable persons' full-fledged participation in all spheres of public life.**

Further on, Georgia is actively involved in international effort and will continue to pursue the fight against terrorism and all its manifestations, alongside the international community. Georgia has become an active member of the Global Coalition against Daesh from the very beginning and through its participation in multinational operations has been significantly contributing to the maintenance of global peace and security. This fact was duly noted by the EU Commission in its Communication on EU Enlargement policy about Georgia released on 8 November 2023³³. **Georgia remains committed to enhancement of cooperation with the UN, NATO, EU, OSCE, CoE and other regional international organizations.** Georgia has designated the 24/7 contact points within the frame of Additional Protocol to the CoE Convention on the Prevention of Terrorism which is actively involved in the work of the network. Georgia actively uses the secured channels existing within the frames of regional organizations, as well as police/security attaché channels are widely applied for sharing the information, thus, enhancing the cooperation with international partners in strengthening joint efforts to fight terrorism.

Recently, Georgia expanded cooperation with Europol on CT issues. Georgia is associated with the EUROPOL's operational CT analysis projects, namely, AP "Check the Web" (from December 2022), AP "TFIP" (from December 2022), AP "Travellers" (from December 2022) and AP "Hydra" (from December 2023). Simultaneously, Georgia joined the EUROPOL's Counter Terrorism Joint Liaison Team (CT JLT).

Overall, due to the above-mentioned complex preventive and counterterrorism measures, Georgia does not belong to the number of states with the high risk of terrorist attacks. According to the Global Terrorism Index 2024 (annual report) published by the Institute for Economics and Peace, measuring the impact of terrorism, Georgia shares the lowest 89th position with a couple of other countries and the impact of terrorism in Georgia is assessed as having "no impact"³⁴.

Travel document security:

Public Service Development Agency: For the purpose of phasing-out non-electronic ID cards that are issued for a long-term or for permanent use, legislative amendments were made on December 15, 2023 in the Law of Georgia " On the Procedure for Registering Citizens of Georgia and Aliens Residing in Georgia, for Issuing an Identity (Residence) Card and a Passport of a Citizen of Georgia". According to the amendments, non-electronic ID cards that were issued before 28 July, 2011, will be revoked from July 1, 2024. The Ministry of Justice ensures the replacement of non-electronic ID cards with reliable, safe, high-tech, electronic ID cards for free.

³³ Available at: https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_697%20Georgia%20report.pdf.

³⁴ For further information, please, follow the link: <https://www.visionofhumanity.org/wp-content/uploads/2024/02/GTI-2024-wch-290224.pdf>.

The Georgian legislation secures that documents issued by Georgian authorities are produced according to the ICAO standards.

Public Service Development Agency: Documents issued by the relevant Georgian authorities are in full compliance with the standards established by the ICAO, which are reaffirmed both by the existing legislative acts regarding issuing documents and relevant technical provisions. In the process of elaborating of the new generation biometric travel documents, Georgia uses the latest versions of ICAO and European Union standards and will follow the same line in the future.

Public Service Development Agency: Georgia is the ICAO Public Key Directory (PKD) member state and currently the relevant technical work is already done for full-fledged integration. With support of the International Organization of Migration (IOM), the Agency has already purchased ICAO PKD Uploader. All three phases have been completed. The system of the Public Service Development Agency (PSDA) has been integrated with ICAO PKD pre-prod environment. Connection to prod environment completed full integration. With this tool, Georgia have the possibility to able to easily exchange CSCA/DS certificates with other ICAO members, to automatically authenticate and verify travel documents.

On September 11, 2023, PSDA conducted a key exchange ceremony with ICAO and handed over Georgian CSCA certificates. These certificates have been uploaded the ICAO PKD. This facilitates the secure and efficient exchange of information related to travel documents between states at the border crossing.

Public Service Development Agency: Travel documents issued by Georgia contain biometric information of a person (photo and two fingerprints). Georgia uses facial recognition technology in the process of issuing travel documents, in order to prevent possibility of duplication/falsification.

Public Service Development Agency: Within the framework of the Memorandum signed between the PSDA and the Ministry of Internal Affairs of Georgia (MIA) on May 28, 2019, PSDA transfers information about the deactivation or status change of identification documents to MIA. PSDA does not transfer any information directly to the Interpol bureau.

Public Service Development Agency: In case of presumption of alleged falsification of the document and/or falsification of the data included in the document, Ministry of Internal Affairs of Georgia is immediately notified for further examination/investigation of the issue.

PSDA regularly carries out trainings concerning the safety of documents for its employees with the purpose of obtaining necessary skills. In 2023, 35 employees of PSDA have been trained with regard to Security of Documents.

Legal co-operation including extradition:

In Georgian legal system cooperation with foreign states in the field of criminal law, including extradition, is regulated by the Law of Georgia 'On International Cooperation in Criminal Matters' (*hereinafter – ICCM Law*).

In accordance with paragraph 14 of the Article 34 of the aforementioned law, the final decision on the granting or refusal to grant extradition is made by the order of the Minister of Justice of Georgia. The decision of the Minister of Justice is final and is not the subject to appeal. Before a final decision is made,

extradition procedure goes through an admissibility stage. At this stage, the court of first instance examines all legal issues related to extradition, including those concerning possible human rights violations. The ICCM Law provides the possibility to appeal the decision of the court of first instance at the Supreme Court of Georgia. Only after the court finds extradition admissible, Minister of Justice issues final decision either to grant or refuse to grant extradition.

In the process of making the final decision, the Ministry of Justice examines proportionality of the extradition to state sovereignty, security and safety interests. Fulfillment of international obligations, *inter alia*, assessment of the human rights violation risks and humanitarian concerns are also subject to thorough and in-depth analysis. Notwithstanding the decision of the court on the admissibility of the extradition, it is the authority of the Justice Minister, given the relevant grounds, to decide not to grant extradition. If the relevant court finds it inadmissible to extradite a person to a foreign state, the Minister of Justice of Georgia issues an order rejecting the request for extradition.

Georgian legislation also defines simplified extradition procedure. Extradition of a person can only be carried out through the simplified procedure if the person subject to extradition consents to such procedure in the presence of a judge. After fugitive expresses consent to extradition, based on the motion filed by the Prosecutor General's Office, the court decides on the admissibility of the extradition. Similar to ordinary extradition, the final decision on granting extradition is made by the order of the Minister of Justice.

Georgia is a party to the European Convention on Extradition (1957) and its First and Second Additional Protocols, the European Convention on Mutual Assistance in Criminal Matters (1959) and its First and Second Additional Protocols, the European Convention on the International Validity of Criminal Judgments (1970), the European Convention on the Transfer of Sentenced Persons (1983) and its Additional Protocol.

Georgia has a bilateral agreements related to mutual legal assistance on criminal matters with the Republic of Turkey, Republic of Azerbaijan, Hellenic Republic, Republic of Cyprus, Czech Republic, Ukraine, Republic of Uzbekistan, Republic of Kazakhstan, and Turkmenistan. The ICCM law of Georgia provides the possibility of extradition, on the basis of an *ad hoc* agreements, which are signed with states with which Georgia has no international agreements in force or based on the principle of reciprocity.

2. Stationing of armed forces on foreign territory

Georgia shall have its Defence forces for the defence of the state independence, sovereignty and territorial integrity, as well as for the fulfilment of other tasks related to defence and security as provided for by the Constitution of Georgia and international obligations.

According to paragraph 3 of Article 72 "Upon recommendation by the Government, The President of Georgia shall take a decision on the use of Defence Forces in order to meet the country's International obligations, and shall immediately submit such decisions to the Parliament of Georgia for approval. The decision shall enter into force upon approval of the Parliament".

Georgian side completed its contribution in EUTM RCA in June, 2023 and has made decision to terminate participation in EUTM Mali on Liaison officer's (NER) position that was announced at Force Generation Conference (FGC) on 9th NOV 2023.

A Framework Agreement between Georgia and the European Union Establishing structure for the Participation of Georgia in European Union Crisis Management Operations dated as of November 29, 2013 ensures engagement in EU led missions.

3. Implementation of other international commitments related to the Code of Conduct

According to the paragraph 5 of Article 4 Constitution of Georgia: "The Georgian legislation shall comply with the universally recognized norms and principles of International Law. An International Treaty of Georgia shall take precedence over domestic normative acts unless it comes into conflict with Constitution or Constitutional Agreement of Georgia".

Based on the provisions of CFE Treaty, Georgia as a state party implemented the following commitments:

1. According to the protocol on inspections of the CFE treaty, Georgia received the Declared Site Inspection;
2. Based on the bilateral agreement Georgia received additional Declared Site Inspection according to the protocol on inspections of the CFE treaty;
3. According to the protocol on notification and exchange of information of the CFE treaty, Georgia prepared and circulated corresponding notification formats for the states parties by means of INA (Integrated Notification Application) system and OSCE network.
4. On November 22, 2023, the Ministry of Foreign Affairs of Georgia notified the Ministry of Foreign Affairs of the Kingdom of Netherlands which is the depositary of CFE treaty of the decision of Georgia to suspend its participation in the Treaty.

Based on the requirements of the Vienna Document (2011), Georgia as a state party implemented the following provisions:

1. According to paragraphs 74-106 of VD2011 Georgia received the specified area inspections;
2. According to paragraphs 107-137 of VD2011 Georgia received the evaluation visit;
3. According to paragraph 144.9 of VD2011 Georgia received/conducted the evaluation visits;
4. According to the provisions of VD2011 Georgia prepared and circulated corresponding notification formats for states parties by means of INA system and OSCE network;
5. According to the paragraphs 9 and 10 of the 1st chapter of VD2011, Georgia prepared "Annual Exchange of Military Information" regarding its armed/defence forces in the special ADS (Automated Data System) program and circulated it via OSCE network by 15 December 2023, which is valid as of 1st of January 2024.

Based on the provisions of OS Treaty, Georgia as a state party implemented the following commitments:

1. According to the provisions of OS treaty Georgia prepared and circulated corresponding notification formats for the states parties by means of INA (Integrated Notification Application) system and OSCE network;
2. According to the paragraphs 5 and 8 of section 1 of article VI of OS treaty Georgia received the observation flights.

Georgia prepared the "Global Exchange of Military Information" (GEMI) regarding its armed/defence forces in the special ADS (Automated Date Systems) program and circulated it via OSCE network by April 28, which is valid as of 1st January 2023.

These measures are implemented by the Arms Control and Verification Division of the General Staff of the Defence Forces of the Ministry of Defence of Georgia in conjunction with other relevant agencies.

Export, import and transit Control Implementation in Georgia

Updated legislative basis regulating national control on circulation of civilian weapons and ammunition, military and dual use items, has been elaborated in the frame of EU and US Outreach Programs and is in full compliance with EU approach, EU regulations, standards and criteria. By these arrangements Georgia as UN and OSCE member state has fulfilled its international commitments which require states to implement an appropriate and effective system of strategic trade control and undertaken by:

1. UNSC Resolution 1540;
2. NATO Annual National Program;
3. US-Georgia Strategic Partnership Charter.
4. EU-Georgia Association Agreement and Action Plan;
5. ATT.

The updated legislative basis regulating Export Control of Georgia came into force since 1st October

2014.

- Georgian Law on "Control of Military and Dual-use Goods"
- Ordinance of the Government of Georgia #394 (13.06.2014) on approval of "Approval of Military and Dual Use Products Lists".
- Ordinance of the Government of Georgia #372 (09.06.2014) on "Determination of Control Measures of Military and Dual-Use Products".
- The Order of Minister of MOD of Georgia #68 on "Approval of the Statute of Standing Commission of the Military-technical Issues of the MOD of Georgia".

Following Laws, still in force, regulate circulation of Civilian Weapons and the activities covered by Licenses and Permits:

- Georgian Law on "Weapon";
- Georgian Law on "Licenses and Permits";

Export, import, transit, brokering service and technical assistance of Military products and related software and technology is carried out under Permit to be granted by Ministry of Defence of Georgia; the precondition for issuance of these appropriate permits is Recommendation of Permanent Military-Technical Commission of Ministry of Defence of Georgia. Recommendations/decisions are granted by Commission on the interagency cooperation basis.

The main principles of implementation of Georgian export control and policy are protection of Georgian national security through establishment of national control on strategic goods and support of the reinforcement of the regional and international stability and security through conducting effective licensing and law enforcement system in terms of export control on military and dual use products.

As a licensing authority the ministry of Defence of Georgia fully recognizes its commitment to make responsible decisions on transfers of strategic goods from, through and into its territory, in compliance with international obligations undertaken by Georgia in order not to contribute to or undermine peace and security through its irresponsible decisions and also even not to facilitate by those transfers a serious violation of international humanitarian or human rights law, or acts constituting offences under international agreements relating to terrorism or transnational organized crime, obliging exporting states in their risk assessments to take into consideration the potential of any of those negative consequences as well as the arms to be exported being used to commit or facilitate serious acts of gender-based violence or violence against women and children.

In processing of applications careful analyses are carried out in a spectrum of criteria, stipulated by the Governmental Ordinance #372 and are in line with EU **Common Position 2008/944/ CFSP** and determines the rules for control of strategic items.

Under these main Criteria priority is to be given to the National and security interests of Georgia and international commitments of country in respect with UNSC resolutions on sanctions / embargoes and International treaties and agreements in terms of non-proliferation.

That means that application shall be denied if transaction contradicts with national security interests, UN Security council resolutions on sanctions and embargo and international obligations undertaken by Georgia with regard to the relevant international security and nonproliferation regimes Georgia is a party.

Criteria are applied to the assessment of a nature of transfer, weather it might cause a negative impact on the internal situation of recipient country in terms of armed conflicts, or on the regional or global peace and stability, the status of country of final destination with respect to the infringement of the international humanitarian norms and humanitarian law, its attitude to terrorism and respect for international law.

Special attention is to be given to the evaluation of the risk of diversion of arms to the illicit market or end them up to the undesirable end uses and end users for their misuse against fundamental values and humanity.

Section II: Intra-State elements

1. National planning and decision-making process

1.1 What is the national planning and decision-making process in determining/approving military posture and defence expenditures in your State?

According to the Article 7 of the Constitution of Georgia the following shall fall within the exclusive competence of supreme state authorities of Georgia:

- Legislation on human rights, Georgian citizenship, migration, entry into and exit from the country, and the temporary or permanent stay of aliens and stateless persons in Georgia;
- criminal, penitentiary, civil, intellectual property, administrative, labor and procedural legislation; legislation pertaining to land, minerals, and other natural resources; pharmaceutical legislation; legislation on obtaining the status of educational institution, and on accreditation, and academic degrees; and legislation on the National Academy of Sciences;
- Foreign policy and international relations; foreign trade, customs and tariff regimes;
- state defence, military industry and arms trade; issues relating to war and truce; determining and introducing the legal regime of a state of emergency and martial law; the defence forces; courts and prosecution; state security; criminal police and investigation; the status, regime and protection of the state border; and a cordon sanitaire on the border;
- State finances and state loans; the printing and emission of money; and legislation on banking, credit, insurance, tax and trade of national significance;
- railways and motor roads of national significance; the integrated energy system and regime; communications; the status and protection of territorial waters, airspace, the continental shelf and the exclusive economic zone; aviation; the merchant fleet; ensigns; harbors of national significance; fishing in oceans and high seas; meteorology; environmental monitoring systems; standards and models; geodesy and cartography; determining the precise time; and state statistics.

The Parliament of Georgia (Chapter 3):

- Is the supreme representative body of the country that exercises legislative power, defines the main directions of the country's foreign and domestic policies, controls the activities of the Government within the scope established by the Constitution, and exercises other powers.
- 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.;
- Approves the decision on announcement of the state emergency or martial law which shall be adopted by a majority of the total numbers of its members;
- shall ratify, denounce and annul international treaties by a majority of the total numbers of its members;
- Shall annually adopt the Law on the State Budget by a majority of the total number of its members;
- Adopts the laws concerning the military issues;
- Shall approve the number of the Defence Forces by a majority of the total number of its members on the recommendation of the Government.

The President of Georgia (Chapter 4):

- Is the Head of State of Georgia and is guarantor of the country's unity and national independence;
- Is the Supreme Commander-in-Chief of the Defence Forces of Georgia;
- Is entitled to dissolve the Parliament in accordance with the Constitution;

- Declares martial law on the recommendation of the Prime Minister in the case of armed attacks, or the direct threat of an armed attack against Georgia and immediately submits such decision to Parliament for approval;
- On the recommendation of the Prime Minister concludes a truce in the case of appropriate conditions and immediately submits such decision to Parliament for approval
- On the recommendation of the Prime Minister Declares a state of emergency in the cases of mass disorders, violation of the territorial integrity of the country, military coups and armed uprisings, terrorist acts, natural or man-made disasters and epidemics, or in any other cases when state bodies cannot exercise their constitutional powers in a normal fashion and immediately submits the decision to Parliament for approval;
- Appoints and dismiss the chief of the Defence Forces of Georgia on the recommendation of the Government;
- On the recommendation of the Prime Minister issues decrees having the force of organic law during a state of emergency or martial law;
- Gives highest military ranks;
- On the recommendation of the Prime Minister makes a decision on the activation of the Defence Forces during a state of emergency and immediately presents to Parliament for approval;
- On the recommendation of the Prime Minister makes a decision on the entry, use, and dislocation of the military forces of another state in the territory of Georgia in special cases and in the cases provided for by law for the purposes of state defence. The decision shall immediately be submitted to Parliament for approval and shall enter into force by consent of Parliament;

The Prime Minister (Chapter 5):

- Is the head of the Government;
- Appoints/dismisses ministers;
- The Defence Forces acts by order of the Prime Minister during a state of emergency or martial law;
- Makes a decision on activation of the Defence Forces during martial law. Decision does not require approval by Parliament

The Government:

- Is the supreme body of the executive power that implements the domestic and foreign policies of the country.
- Adopts normative acts on export and import control regulation and implementation;
- Approves the Strategic Military Equipment and Service List submitted by the Standing Commission on Military-Technical Issues under the Ministry of Defence.
- Directs and manages activities of the executive government bodies related to the export and import control.
- Defines the authorities of the executive government bodies related to the export and import control.
- Based on international agreements as well as national interests, sets the quantity limitations of the goods related to export (import) control.
- Approves the export and import control dual-use goods submitted by the Ministry of Economy and sustain Development and agreed with the Standing Commission on Military-Technical Issues under the Ministry of Defence.

To refrain from repetition of functions among security forces and Defence forces in the state, Defence Code, "on police", "on state security service", and "on intelligence activities", and other legislative acts are defining functions of the state security bodies. The establishment of the concept for military formation and the policy of the State defence, generally, are based on the constitution of Georgia and laws of Georgia adopted under the Constitution of Georgia: Defence Code, "on mobilization", "on state of emergency", as well as the military doctrine and other legislative acts of Georgia.

On October 13, 2023, the Defence Code came into force the Defense Code, according to which State defense policy planning refers to a set of measures that are implemented to determine the goals of the

defence policy, as well as the ways and resources of its implementation. State defense policy planning is carried out on the basis of conceptual and organizational documents of national and organizational levels.

The Defence Code combines updated legislative as well as subordinate legislative acts in the field of defence. The document clearly defines functions of civilian office, defence forces and their joint functions, organizational matters of national defence planning and range of other issues.

Georgian defence planning process is structured according to the Defence Code, which is based on the law On Rule of National Security Policy Planning and coordination. Defence planning is implemented on the basis of strategic and intra agency planning documents. The MOD is an active participant in the interagency working process that collaboratively produces key strategic guidance. Defence Code specifies the development and periodic review of national strategic documents as well as the preparation of internal MOD guidance and planning documents.

Spheres of the national security policy are also regulated by the law of Georgia on the "Rule of National Security Policy Planning and Coordination".

The main goal of Georgia's national defence policy is to develop a set of actions that will help to ensure state sovereignty and territorial integrity. Therefore, Georgia's national defence objectives would be provision of Deterrence and Defence.

Defence planning is overseen and implemented through national and agency level conceptual and organizational documents. Agency level documents follow guidance set out in national level documents. The core assumptions on state defence are formulated in the National Security Concept (NSC), while detailed information about country's threats are described in the Threat Assessment Document (TAD). Both NSC and TAD feed country's top political-military document - the National Defence Strategy (NDS) that in turn formulates national defence objectives.

The NDS sets the basis for involving all relevant stakeholders in organizing country's defence in accordance with the Total Defence approach and provides overall directions for their capability development.

The main actor responsible for provision of state defence is the Ministry of Defence of Georgia (MoD).

MoD Conceptual, Organizational and Policy Guidance documents:

Georgian defence policy planning process is executed in accordance with Constitution of Georgia, Georgian legislation (to include Defence Code) and relevant bylaws. The Defence Code clearly defines functions of civilian office, defence forces and their joint functions, organizational matters of national defence planning and range of other issues. Agency level documents follow guidance set out in national level documents. The core assumptions on state defence are formulated in the National Security Concept (NSC), while detailed information about country's threats are described in the Threat Assessment Document (TAD). Both NSC and TAD feed country's top political-military document - the National Defence Strategy (NDS) that serves as a basis for defence organization and formulates national defence objectives: provision of Deterrence and Defence. The NDS makes sure that all relevant stakeholders are involved in organizing country's defence in accordance with the Total Defence approach. The main actor responsible for provision of state defence is the Ministry of Defence of Georgia (MoD).

The MoD defence policy planning process is based on a top-down approach and is implemented for short, medium and long terms. MoD conceptual and organizational documents execute provisions outlined in national-level documents.

In order to organize defence planning process in the MoD, the Minister of Defence adopted several important documents including (N06; 12.03.2021) "The Statute on National Defence Planning of the Ministry of Defence of Georgia" which defines types of agency level conceptual and organizational documents of the Ministry of Defence of Georgia, their regulatory scope and elaboration rule, planning timeline, as well as basis for evaluation and monitoring.

"The Defence Strategic Planning, Monitoring and Evaluation Guidance" determines the methodology for development of the agency-level conceptual and organizational documents at the Ministry of Defence of Georgia and sets the rules and procedures for their monitoring and evaluation processes.

"The Defence Policy and Planning Documents' Elaboration Guidance" is built upon the Statute on National Defence Planning of the Ministry of Defence and sets unified standards for drafting agency

level organizational documents in the MoD. It provides detailed information regarding types of the organizational documents and their content, and introduces specific templates of different types of organizational documents.

The defence policy planning conceptual documents at the MoD are: Ministry of Defence Vision (2030), Strategic Defence Review (2021-2025) and Defence Program Guidance (2024-2027).

- Ministry of Defence Vision is a key long term planning agency level document that defines long-term development directions, organizational values and principles. The document puts major emphasis on strategic readiness, consisting of three major lines of efforts: Strategic Management; Total Force Development; and International Partnership.
- Strategic Defence Review is the major mid-term planning agency level document, which considers operational environment and determines future development priorities. The SDR has a detailed implementation plan (SDR IP) that defines lines of efforts, with objectives, risks, tasks and activities. Each activity has responsible structural unit, timeline and budget as well as baseline and performance indicators.
- Defence Program Guidance represents state Defence mid-term planning conceptual document that defines priorities for defence programs and budget planning. The document supports elaboration of the GDF sustainment and development plans. Guided by the NATO standards, Georgia as a NATO aspirant nation provides around 2 % of GDP for defence expenditures, with more than 20 % spent on defence procurement and infrastructure.

The MoD has elaborated several policy guidance documents that will support implementation of national level commitments with regards to critical institutional development areas. For instance, in order to meet obligations as defined by the Law of Georgia on the Rights of Persons with Disabilities, in 2023, the “Policy and Guidance of the Ministry of Defence of Georgia on the Rights and Needs of Persons with Disabilities” was approved. The document creates basis for realization of the rights of PWDs within the MoD system.

The MoD has been actively involved in development of the “National Anti-Corruption Strategy” and “Anti-Corruption Action Plan” since 2014. MOD pays significant attention to raising awareness on corruption issues and increasing availability of information related to the activities of the organization, ensuring transparency and accountability; introduction and improvement of internal control mechanisms. Additionally, GEO MoD participates in NATO Building Integrity (BI) program since 2013, using its tools like self-assessment questionnaires to strengthen its BI capacity. In order to promote anti-corruption measures, GEO MoD filled NATO BI Self-Assessment Questionnaire in 2022 and submitted it to NATO for a review. The MoD conducted BI and anti-corruption trainings for its personnel. Moreover, risks associated with BI and corruption were integrated into pre-deployment trainings of the military personnel.

Decision-Making Structure – In order to effectively increase resource allocation and improve decision-making process, a three tiered decision-making mechanism has been established to enhance the effectiveness of defence planning, execution, coordination, monitoring and evaluation processes in the MoD. This process consists of Decision Making Board chaired by the Minister, a Management Team chaired by first Deputy Minister of Defence and six Standing Working Groups. Internal thematic working groups composed of the MoD and the General Staff mid-and lower-level representatives have been established to develop and review reform initiatives within their respective fields. There are 6 thematic working groups:

- Material resource management working group
- Human resource management working group
- Training and Educational Development Working Group
- International Cooperation Working Group
- Force Planning Working Group
- IT and Cyber Security defence Working Group

After reviewing and analyzing reform initiatives, they submit their recommendations for consideration to a higher-level body, the Management Team. The Management Team is composed of heads of MoD and GS departments. Once it reviews the developed reform initiative, it passes it on to the Decision-

Making Board composed of the Minister, his deputies, the Chief of Defence (CHOD), and his deputies (DCHOD). The final decisions of the Decision-Making Board are approved by the Minister with official decrees.

1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

According to the paragraph 3 of the Article 70 of the Chapter 8 of the Constitution of Georgia: "For the defence of state independence, sovereignty and territorial integrity, as well as for the fulfilment of other tasks related to defence and security as provided for by the constitution and international obligations, Georgia shall have Defence Forces".

The Defence Code adjust legal relations existing in Georgia and the obligations undertaken by Georgia under international treaties and agreements connected with the participation of the Defence Forces and civil personnel of Georgia in operations of maintenance and restoration of International Peace and in other kinds of Peacekeeping Activities (Information on contribution see Section I, paragraph 2.1). The trilateral defence cooperation between Georgia, Azerbaijan and Turkey (launched in 2012) is aimed at strengthening regional security as well as establishing close ties between the armed/defence forces. Under this cooperation format different level consultations as well as joint exercises such as the Caucasus Eagle and Eternity are held on a regular basis.

Georgia meets all international commitments related to defence issues such as international agreements, treaties, and memorandums (including adherence to the 6 point ceasefire agreement of August 12, 2008). Georgian defence capabilities fall under the ceilings regulated in the framework of Organization for Security and Cooperation in Europe. It remains transparent and shares information on defence matters in accordance with international obligations (including CFE, Vienna Document, Open Sky treaty, CCW and the Memorandum of Understanding between the Ministry of Defence of Georgia and the European Union Monitoring Mission of January 26, 2009 and its amendment of July 02, 2010).

2. Existing structures and processes

2.1 What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

The Constitutionally established procedures for ensuring democratic political control of military:

Article 49, paragraph 2 of the Constitution: - "The President of Georgia is the Supreme Commander-in-chief of the Defence forces of Georgia".

Article 52, paragraph 1, D of the Constitution "The President of Georgia shall appoint and dismiss the chief of Defence Forces of Georgia upon nomination by the Government";

In accordance with Article 7, State defence, military industry and arms trade; issues relating to war and truce; determining and introducing the legal regime of a state of emergency and martial law; the Defence forces; state security shall fall within the exclusive competence of the supreme state authorities of Georgia".

Article 70, paragraph 4 of the Constitution, the types and composition of the Defence Forces shall be Defined by law. The number of the Defence Forces shall be approved by a majority of the total number of the members of Parliament upon recommendation by the government".

According to the Article 73 of the constitution "During martial law, a consultative body – The National Defence Council – shall be created and shall be chaired by the President of Georgia. The National Defence Council shall be composed of the President of Georgia, the Prime Minister, the Chairperson of Parliament, the Minister of defence and Chief of Defence Forces. By the decision of the President of Georgia, individual members of Parliament and of the Government may be invited to become members of the Council. The National Defence Council shall act until the martial law has been revoked".

According to III¹ chapter of the Law on "National Security Policy Planning and Coordination", the

National Security Council is the Prime Minister's Advisory body. National Security Council's main competence is assessment of threats, coordination of national level security policy planning documents, analysis and submitting recommendations to be made political decisions by Prime Minister of Georgia.

Article 9 of the Defence Code defines that the Ministry of Defence of Georgia is an institution of the executive power of Georgia, where the Military Servicemen, civilians and persons with Special rank are employed. The Ministry is headed and managed by the Minister of Defence of Georgia.

The Minister of Defence of Georgia conducts the planning and management of the state defence policy through the civil office of the Ministry, also the Minister is carrying out democratic control of the Defence Forces.

According to the Defence Code "The Parliament of Georgia shall:

- approve the National Security Concept of Georgia and define the state policy of defence;
- adopt laws in the field of defence;
- review and approve the defence budget together with the State Budget;
- approve the number of military forces upon recommendation by the Government;
- ratify, denounce and annul international military agreements and treaties;
- control development of the Defence forces of Georgia and compliance with the legislation of Georgia in the field of defence.

Georgian law On Rules of Procedure of the Parliament of Georgia" (Article 159) defines control powers of the Parliament in the field of defence and security.

Furthermore, article 43 of the constitution refers to the power of parliamentary oversight, namely: "The Member of the Parliament shall be entitled to appeal with question to the Government, another body accountable to Parliament, a member of the Government, state bodies of the territorial units of all levels, and state institutions. Providing a timely and full response to the question posed by the MP is mandatory".

"A parliamentary faction - a group of at least seven members of Parliament - shall have the right to pose question through interpellation to the Government, another body accountable to Parliament, or members of the Government obliged to answer questions at the meeting of Parliament. The answer may become the subject of discussion by Parliament."

According to the article 44, paragraph 6 of the constitution "A member of the Government, the official accountable to the Parliament, the head of the accountable body before the Parliament is authorized and shall, at the request, attend the Parliament, its Committees and the Commission sittings, answer the questions at the meetings and present report on the activities carried out. Parliament, Committee and the Commission should listen the official upon request.

2.2 How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

The Constitution and respective laws provide the Georgian parliament with a wide range of mechanisms for effective control over the executive institutions. That is to say, the parliament can control government policy by exercising its right to:

- Adopt defence-related laws;
- Determine the country's domestic and foreign policy priorities;
- Determine the state defence policy;
- Ratify, denounce or annul international treaties and agreements and military contracts;
- Approve the structure of government and governmental programs and action plans;
- Require progress reports on the implementation of governmental programs and organize respective hearings;
- Debate and approve the state budget, including the defence expenditure;
- Approve the strength of the defence forces;
- Approve presidential decrees on the deployment, stay and withdrawal of foreign troops into/from the Georgian territory;
- Approve presidential state of emergency and martial law decrees;

- Approve presidential decisions on the use of the Defence forces during the state of emergency. A decision on the activation of the Defence Forces during martial law shall be made by the Prime Minister and shall not require approval by Parliament.
According to the Article 29 of the Defence Code, Government of Georgia approves military oaths.

2.3 What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?

According to Article 70 of the Constitution “Georgia shall have the Defence Forces to protect state independence, sovereignty and territorial integrity of the country, and as well as for the fulfillment of other tasks and international obligations related to defence and security in cases provided by the Constitution”.

Mechanisms of Democratic control of the Defence forces of Georgia are the following:

The President of Georgia is the supreme commander-in-chief of the Defence forces and shall be elected by special electoral collegium (in 2024).

The Parliament of Georgia approves the number of military forces, adopts State Budget, the part of which is the Defence Budget, declares the power of attorney to the government, the member of which is the Minister of defence of Georgia.

For ensuring democratic control of Defence System, the Law of Georgia “On Defence of Georgia” has been adopted.

According to the Defence Code, depending on their functions, the structural units of the Ministry of Defence of Georgia are integrated into the Ministry’s civil Office or Georgian Defence Forces.

The Minister of Defence of Georgia conducts the planning and management of the state defence policy through the civil office of the Ministry.

The Minister is carrying out democratic control of the Defence Forces. According to the law, one of the most important mechanisms of democratic control over the defence sector is that the Minister and Deputies are civilians.

In addition, Georgian law “On Rules of Procedure of the Parliament of Georgia” (Article 159 (5;6)) require that the Defence and Security Committee (in case of open acquisitions) and Trust Group (in case of classified acquisitions) must be informed of planned acquisitions of an estimated cost of more than GEL 2 million for goods or services and GEL 4 million for construction works. This enables Parliament to track high-value expenditures from initial planning to completion, as well as take timely action in the case of identifying omissions.

Moreover, the Constitution of Georgia, laws of Georgia „On Rules of Procedure of the Parliament of Georgia” “On Ombudsman of Georgia”, “On State Audit Service” and „On the Structure, powers and Procedures for Activities of the Government of Georgia” from legislative point of view ensures democratic control on Defence Forces and Security Services.

3. Procedures related to different forces personnel

3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

According to the Constitution, “The Defence of Georgia shall be every Georgian citizen’s duty”. Besides, according to the Defence Code citizens of Georgia aged from 18 to 27 years, who are registered or obliged to be registered for military service and are not entitled to be released from the military draft or to deferment of the military call-up, shall perform their military duty.

According the Defence Code, the name of compulsory military service changed and named – “The conscription of national military service”.

The compulsory military service complete reform planned for 2025. The reform involves transition to the completely new model of recruitment and training of conscripts. The model, which was developed

by sharing the experience of partner countries, will focus on conscript-training for reserve purposes. Conscripts will go through compulsory military service only in the system of the Ministry of Defence. Procedures such as interview, medical examination, physical examination, psychological testing and other special examination procedures are used for the recruitment and call up.

3.2 What kind of exemptions or alternatives to military service does your State have?

According to the Article 64 of the Defence Code:

1. The following persons shall be released from the military draft:
 - Persons recognized as unfit for National military service as per their condition of health;
 - Persons who did military service or alternative military labor in the military forces of other states;
 - Persons who have been convicted for grave or especially grave crimes;
 - Persons who have the status of disability defined by the legislation of Georgia;
 - Persons whose disability status has expired, in the period from the expiration of this period to the verification of the mentioned status, but not more than 3 months;
 - Persons who have done non-military, alternative labor service;
 - The only son of a family in which at least one member was killed in the action for the territorial integrity or military service;
 - A member of the Parliament of Georgia.
2. The Prime-Minister of Georgia shall be empowered to release an especially gifted conscript from the military draft.

Besides, the Law "On Non-Military, Alternative Labor Service" considers the cases of call-up deferment.

According to the Article 5 of the Law of Georgia "On Non-Military, Alternative Labor Service":

A person performs non-military, alternative labor service in the following specialized fields:

- In the field related to liquidation of the consequences of an emergency situation;
- in the fields related to the production of construction, repair and agricultural products;
- in the fields of programming, communication, information technology (IT) and navigation, as well as other technical fields;
- in the direction of health protection, in the supporting fields of medical personnel;
- in the fields of humanitarian and social assistance.

Under this law by the State Commission, a person's involvement in the care of the elderly, disabled persons, orphans and other socially vulnerable persons provided for by the legislation of Georgia is considered by him to be a non-military, alternative labor service.

According to Article 5, paragraph 3 of the law on "non-military alternative labor service

The Government of Georgia, taking into account the specialized fields specified in the first paragraph of this article, determines by resolution the list of entities and workplaces where a person must undergo non-military, alternative labor service.

According to the article 5, paragraph 4 on the "non-military alternative labor service" By the decision of the Government of Georgia and/or the Prime Minister of Georgia, it is possible for a person undergoing non-military, alternative labor service to liquidate the consequences of a natural disaster or to perform seasonal work during harvesting or to be employed in other non-military work.

3.3 What are the legal and administrative procedures to protect the rights of all

forces personnel as well as conscripts?

The Defence Code defines the rights, obligations, and also the basic guarantees of their social and legal protection of the persons having the status of military service member, as well as members of their families and persons discharged from military service.

Besides, protection of the Rights of military personnel (including conscripts) is regulated by the Constitution of Georgia, as well as by the Defence Code, "Public Service", Labor Code, "On the regulation on performing Military Service" Decree N238 of the Government of Georgia.

The service members enjoy all rights provided by the Constitution except the following:

- membership of any political party;
- Organization of demonstrations and participation in demonstrations;
- Owning business or another simultaneous job.

With prior agreement with the Ministry, the following are compatible with the status of a military serviceman:

a) scientific, pedagogical, creative, medical activities, activities in the field of information technologies, activities carried out in the field of aviation in the state or in an enterprise created with the participation of the state;

b) activities carried out to fulfill the goals of international partnership and/or peacekeeping operation in the position in the international organization abroad.

Military servicewomen (as well as civilians) enjoy special rights defined by the new law on "Labor Code" in case of pregnancy, giving birth and growing child.

According to the abovementioned laws, service members have right to appeal to above-standing administrative structures as well as to the Court or Ombudsman.

The principle and approach of "total defence" imply the readiness and ability to mobilize the full potential of national resources to ensure defence in entire territory of the country. Accordingly, the Defence Code defines the legal status of granting volunteerism/volunteer organization in the defence field, which will have a positive impact on the goals of organizing resistance in the military direction.

The Ministry of Defense is authorized to support private legal entities promoting military service. To coordinate and control the implementation of volunteer activities by the volunteer organization, LEPL is created in the system of the Ministry.

In case of death or wounding/mutilation, social guarantees established for military personnel is applied to the volunteer.

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1 How does your State ensure that international humanitarian law and law of war are made widely available, e.g., through military training programmes and regulations?

Georgia is a party to the 1949 Geneva Conventions and it's all Additional Protocols. In order to promote the implementation of norms of international humanitarian law, their integration and coordination of the activities of relevant agencies in the field of international humanitarian law, the Interagency Commission on International Humanitarian Law (hereinafter - the Commission) was established, which is a permanent advisory body of the Government of Georgia. The Commission comprises of representatives from different Governmental Bodies, the Parliament and the Judiciary. Experts of International Humanitarian Law, Public International Law and Criminal Law may participate in the work of the commission as invited members. Representatives of the International Committee of the Red Cross and the Georgian Red Cross Society are invited to the work of the Commission as observers, in order to participate in the development and

implementation process of the Action Plan.

The Commission is chaired by the Minister of Justice of Georgia. The functions of the Commission's secretariat are performed by the International Relations and Legal Cooperation Department of the Ministry of Justice of Georgia.

The Commission actively cooperates with the International Committee of the Red Cross. Cooperation is carried out in terms of organizing humanitarian law programs and promoting various types of educational activities.

Among other functions, one of the main role of the Commission is to shape national policy related to the implementation of international humanitarian law, in this regard, biannual Action Plans are adopted by the Commission. This document serves as a foundation to the implementation of IHL for all member organs of the Commission. The main directions of the Action Plan are as follows: Study and refinement of the existing policy and legal framework in order to take into account the principles of IHL; Raising awareness on International Humanitarian Law; Qualification raising events on International Humanitarian Law; Search for missing persons as a result of armed conflict and protection of the personal data; combating and preventing gender-based violence; Training of medical and non-medical personnel, including operators of disaster management centers in emergency medical services; Emergency management and risk reduction; Ensuring enhanced security for volunteers; Identification and protection measures; Strengthening international cooperation and reporting.

One of the main areas of the work of the IHL Commission is the promotion of IHL through different types of outreach and educational activities. For instance, each year the Ministry of Justice of Georgia, in close cooperation with LEPL Training Center of Justice and International Committee of the Red Cross organizes national IHL competitions for students. Based on the statistics of last 3 years, up to 310 students (including cadets of higher educational institutions of the Ministry of Defense) participated in the competition and the number of participants increases every year.

Pursuant to the obligations taken voluntarily by Georgia on the 33th Conference of the Red Cross and Red Crescent, the Ministry of Justice and The Georgia Red Cross Society organizes meetings/trainings about different topics of International Humanitarian Law for target groups (mainly volunteers of the Georgia Red Cross Society). So far, in 2023-2024 10 meetings have been held with the volunteers of the Georgian Red Cross Society and the representatives of the local self-government of the different regions of Georgia.

Lawyers, employed at the military divisions, permanently give instructions to military persons in order to inform about normative acts.

Field Manuals and guiding documents consider the aspects of IHL in it.

According to the memorandum of understanding signed between the MOD and International Committee of Red Cross in May 2014. A "Working group" consisting of ICRC and GDF representatives elaborates annual action plan which includes IHL courses and seminars for the officers of GDF.

Most of educational and training programs within the MOD system (including National Defence Academy) include aspects of International Humanitarian Law.

Implementing Gender Perspectives in the Georgian Defence Forces

The Ministry of Defence (MoD) of Georgia takes sustained efforts to integrate gender perspectives in the institutional development and operational capacity building of the Georgian Defence Forces (GDF). The MoD actions are focused on:

- Implementation UNSC Resolutions on Women, Peace, and Security;
- Strengthening Gender equality and Gender mainstreaming;
- Integrating gender perspectives in human resources and in the education and Trainings.
- Integrating gender equality into institutional processes through the Gender Responsive Budgeting (GRB).

Strengthening Gender Equality and Gender Mainstreaming

In partnership with the European Union, gender issues have been taken into account in the design, planning, conduct, and evaluation of the implementation of the Defence Code that was approved in 2023. Within the framework of EU4Gender Equality Reform helpdesk project, a gender impact assessment guidebook was created (helpdesk project funded by the EU and implemented by NIRAS). Consequently, in 2023, the gender impact assessment (GIA) of the professional military service reform, based on the study of Chapters 5 and 8 of the Defence Code, was conducted with the support of the EU4Gender Equality Reform Helpdesk project.

Gender equality is an essential principle of military and civilian personnel management. The MoD supports women's representation and participation in decision making, institutional reforms, and international peace building.

In the framework of the new "Georgia's Defence Ministry's Gender equality concept" the Gender Equality Action Plan was finalized in the beginning of 2023 and is aligned to the NAP on Women Peace and Security;

Additionally, Performance Appraisal Policy for professional civil servants was revised. Civilian personnel Policy direction is in strong cooperation with Military Personnel Policy and number of MPMS (Military Personnel Management System) policy document are also developed (Military Personnel Recruitment Concept, Officers and NCOs Professional and Career Development Concepts and Military personnel Career Transition Concept).

Sex-Disaggregated Data Collection and Analysis System

Gender equality issues are part of HR data software system. The system gives the opportunity to segregate data on gender bases, Sex-Disaggregated data collection and analysis are processed annually.

Gender equality and Implementation UNSC Resolutions on Women, Peace, and Security

The Ministry of Defence of Georgia is one of the leading institutions successfully implementing The National Action Plan on UNSCR 1325, in order to advocate Women's Participation, Protection, and Violence Prevention.

Within the framework of the new Gender Equality Concept with support of UN Women Georgia "Sexual harassment prevention and response mechanism in the Ministry of Defence" was approved in 2023.

The activities of the Women's Empowering Program dedicated to increase awareness of the MoD and Defence Forces representatives on the best international practices on gender mainstreaming - "Women in Defence: Building the cadre of future women leaders in Defence" with support of the UK and DCAF successfully ended in 2023 and covered the events such as: Online Training Sessions; Mentoring Training; High Level Seminars; Gender Advisors' Training, etc.

Integrating Gender Perspectives in Human Resources and in the Education and Trainings

Training on gender perspectives and UNSC1325 and following Resolutions became part of pre-deployment training for peacekeepers and since 2014 military service men and women are being trained annually.

Gender in Security Sector as a permanent module is taught in all courses in the Defence Institution

Building School (DIBS), In National Defence Academy and in the NCO School. Gender trainings in the MoD institutions are held by MoD and GDF employees who are certified gender trainers by Nordic Center of Gender in Military (NCGM).

In the National Defence Academy, organizes training module: "Gender Equality" and "Gender Mainstreaming". **Integrating gender equality into institutional processes through the Gender Responsive Budgeting (GRB)**

From 2022, the Ministry of Defence of Georgia implements GRB in order to strengthen gender mainstreaming in the budgeting process, which involves gender assessment of the budget, inclusion of a gender perspective at all levels of the budgeting process, and restructuring of revenues and expenditures in order to promote gender equality. Integrating GRB into the budget process will overcome the gap between the declared gender equality policy of the MoD and the allocation of resources for its implementation, and will also contribute to the integration of a gender perspective to better support women and men in the GDF.

4.2 What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

Chapter XLVII of the Criminal Code of Georgia covers articles related to all four crimes under the jurisdiction of the Rome Statute, while the definition and clarification of the individual responsibility of the commander and subordinate personnel is given in Article 413 of the Criminal Code of Georgia.

Article 413 – Other violations of the provisions of the international humanitarian law

An act that does not contain the elements of the crime provided for in Article 411 or Article 412 of this Code, in particular:

- a) looting, i.e. taking possession of items of the person killed or wounded during military actions as well as taking possession of citizens' property which is left in the zone of military actions, and/or robbery of settlements or other territorial entities;
- b) use of citizens to protect the army or facilities from military procedures;
- c) use of such weapons, ammunition, military equipment or weapons of mass destruction in a military operation or an armed conflict, also use of such methods of waging war that cause excessive damage, unjustified suffering, or violation of the norms of the international law of armed conflicts; and if such weapons, ammunition, equipment, or methods of waging war are universally banned;
- d) other war crimes provided for in an international agreement of Georgia and are not punished under Article 411 or 412 of this Code, shall be punished by imprisonment for a term of eleven to fifteen years.

Note: For the crimes provided for by this Chapter, the commander of the armed forces involved in the armed conflict, or the commander of their sub-units shall incur liability under this Chapter even when the above crime has been committed by the armed forces subordinated to the management and/or control of the commander, and the crime was caused by inactivity of the commander and/or of any other relevant superior.³⁵

³⁵ Penal code of Georgia, 22.07.1999.

The Criminal Code, by the virtue of principles of territorial, extraterritorial and universal jurisdiction, regulates the aspects of the implementation of criminal law jurisdiction over crimes committed on the territory of Georgia, as well as crimes committed outside its borders.

The General Staff of the Defence Forces on regular base co-operates with the International Committee of Red Cross (ICRC). In the first quarter of every year Action Plan is signed with ICRC. According to the Action Plan relevant trainings and seminars are conducted on each level of the Defence Forces. Criminal Code of Georgia contains a separate section on crime against the humanity which on its own consists of subsection on crime against humanity, peace, security and International Humanitarian Law. The Structural unit on International Humanitarian Law (IHL) has been created in the Defence Forces of Georgia.

All military order includes ROE Annex.

4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

According to the Constitution of Georgia and the Defence Code, "Georgia shall maintain the Defence Forces to protect independence, sovereignty and territorial integrity of the country, and fulfill other tasks and international obligations related to defence and security in cases provided by the Constitution".

Besides, Prime Minister makes a decision on activation of the Defence Forces during martial law. Decision does not require approval by Parliament. In addition, the Defence Forces act by order of the Prime Minister during a state of emergency or martial law.

The President, on the recommendation of the Prime Minister makes a decision on the activation of the Defence Forces during a state of emergency and immediately presents to Parliament for approval.

4.4 What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?

The civil rights and liberties are ensured by the Constitution of Georgia, relevant laws and bylaws. It should be noted that concrete steps have been taken to further strengthen this practice.

The MoD General Inspection Service is responsible for internal monitoring of the Defence System. Its main functions are to prevent, respond and investigate alleged violations including recommendations for disciplinary measures. A General Inspection Service hotline launched on 30 May 2013 and is available 24 hours a day. Special comment boxes have been installed at all military units, enabling military personnel to inform the General Inspection Service of complaints and opinions on the issues within their area of competence.

According to article 23 of the Constitution of Georgia "A person who is enrolled in the personnel of the military forces, the bodies of internal affairs or a person having been designated as a judge or a prosecutor shall cease his/her membership of any political association".

4.5 How does your State ensure that its defence policy and doctrine are consistent with international law?

Conceptual documents should be in compliance with the Georgian legislation and International law. Relevant structural units of the MOD are taking part in the drafting process of each doctrine and political document in order to ensure these documents to be in compliance with international law.

The Legal Department of the MoD, International Law Division of the International Relations and Euro-

Atlantic Integration Department of the MoD, Legal Service of the General Staff of the Georgian Defence Forces and the lawyers at all unit levels down to and including battalions of the Georgian Defence Forces

Section III: Public access and contact information

1. Public access

The right to access to public information is guaranteed by the Constitution of Georgia according to which:

“Everyone has the right to be familiarized with information about him/her, or other information, or an official document that exists in public institutions in accordance with the procedures established by law, unless this information or document contains commercial or professional secrets, or is acknowledged as a state secret by law or in accordance with the procedures established by law as necessary in a democratic society to ensure national security or public safety or to protect the interests of legal proceedings (Article 18).”

General Administrative Code of Georgia also states that: “Everyone may have access to public information available at the administrative body, as well as receive copies unless the information contains state, professional, or commercial secrets or personal data. (Article 10).”

The General Administrative Code of Georgia provides that any state agency is required to issue public information (including information requested electronically) instantly or no later than 10 days (Article 40). The exception to the general rule is envisaged in the same Code according to which: “Public information shall be open, except for cases provided for by law and information considered to be the state, commercial or professional secrets, or the personal data (Article 28).” In such cases the state agency should inform citizens in a written form within 3 days (Article 41, General Administrative Code).

The issues of classified information are regulated by the Law on State Secrets and the Decree of the Government of Georgia No. 507 on approving the Normative Acts Concerning the Enforcement of the Law of Georgia on State Secrets. Annex 2 of the Decree regulates the list of information that is considered as a state secret and Chapter 2 includes Defence related provisions.

The Law on Personal Data Protection provides the definition of personal data. In particular, article 2 states that:

Any information relating to an identified or identifiable person. A person is identifiable when he can be identified directly or indirectly, including by name, surname, identification number, geolocation data, identifiable electronic communication data, physical, physiological, mental, psychological, genetic, economic, cultural or social characteristics;

In accordance with Article 49 of General Administrative Code public institutions are obliged to prepare annual reports on access to public information by December 10 each year, and submit it to the Parliament, the President and the Prime Minister of Georgia, and publish in the Legislative Herald of Georgia.

The annual reports of the Ministry of Defence on access to public information are regularly submitted to the aforementioned institutions and are available on the Public Information Portal of the Ministry.

Bellow you can find information on the statistics of 2023 annual report (information is presented as of December 1, 2023):

- Total number of requests - 3017;
- Number of requests met - 1942;
- Number of requests partially met - 139;
- Number of requests at the review stage - 132;
- Number of requests left without any review – 5;
- Forwarded to another agency (Article 80 of General Administrative Code) – 4;
- Total number of decisions made to reject a claim – 795.

The legal grounds for refusal of information were relevant articles of the General Administrative Code of Georgia (Articles 3, 28, 29, 44, 83, 99 and 102), Law of Georgia on Personal Data Protection, Law of Georgia on State Secrets, and the absence of requested information.

Public Information Division within the Administration of MoD is responsible to ensure the public

access to information with regard to the data protection provisions in order to make the Institution more compliant with the abovementioned regulations. It is also tasked to ensure elaboration of specific recommendations and proposals on the matter, designed for the Ministry and its LEPLS (the Order of Minister of Defence No. 335 of 20th April, 2017).

the Decree of the Government of Georgia No. 219 (26th of August, 2013) on Requesting Public Information in Electronic Form and Publishing It Proactively was promoted by the group of civil society organizations and defines the standard for proactive publication of public information, the rule for requesting public information in electronic form and the list of public information to be proactively published. The Decree creates obligations for all state agencies to release information on their activities electronically, free of charge and in easy-to-use, open forms.

The order of the Minister of Defence No. 27 (5th of April, 2017) defines the updated rule about proactive publishing and the standard of requesting and issuing public information in electronic form.

As a result, number of information is now proactively published and regularly updated (quarterly/annually) on the official website of the Ministry. This information is categorized under the following headings:

- General information about the Ministry;
- Information about staffing of the Ministry;
- Information about procurements and privatization of state property;
- Information on Ministry's funding and spending;
- Legal acts related to the activities of the Ministry;
- Contact information of responsible persons for public information;
- Contact information of other structural units;
- Other public information.

The above mentioned information is available on MOD's Public Information Portal - <https://mod.gov.ge/ge/public>. In addition, since 2017 public information requests can also be sent to the following email address: public@mod.gov.ge.

ATTACHMENT - LIST OF INTERNATIONAL AGREEMENTS AND ARRANGEMENTS

Please indicate if your State is party to the following universal and regional legal instruments relevant to preventing and combating terrorism and related co-operation in criminal matters. If your State is not a party to a treaty, but considers becoming a party, kindly indicate at which stage is such consideration (e.g., undergoing inter-ministerial co-ordination, approved by government and sent to parliament, approved by parliament and awaiting enactment by president, etc.)

Name of the treaty	Party by: ratification P(R), accession P(a), succession P(s), acceptance P(A), approval P(AA), or Not party	Law and date of ratification, accession, succession, acceptance, or approval	
Universal legal instruments			
1.	Convention on Offences and Certain Other Acts Committed on Board Aircraft (1963)	P(a)	16/06/1994
2.	Convention for the Suppression of Unlawful Seizure of Aircraft (1970)	P(a)	20/04/1994
3.	Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1971)	P(a)	20/04/1994
4.	Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons (1973)	P(a)	18/02/2004
5.	International Convention against the Taking of Hostages (1979)	P(a)	18/02/2004
6.	Convention on the Physical Protection of Nuclear Material (1979)	P(a)	07/09/2006

7.	Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1988)	P(a)	15/02/1999
8.	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988)	P(a)	11/08/2006
9.	Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf (1988)	P(a)	11/08/2006
10.	Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991)	P(a)	25/04/2000
11.	International Convention for the Suppression of Terrorist Bombings (1997)	P(a)	18/02/2004
12.	International Convention for the Suppression of the Financing of Terrorism (1999)	P(R)	Law of Georgia on Facilitating the Prevention of Money Laundering and the Financing of Terrorism / 27/09/2002
13.	International Convention for the Suppression of Acts of Nuclear Terrorism (2005)	P(a)	23/04/2010
14.	Amendment to the Convention on the Physical Protection of Nuclear Material (2005)	P(A)	05/04/2012
15.	Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (2005)	Not Party	
16.	Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (2005)	Not Party	
17.	Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (2010)	Not Party	
18.	Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (2010)	Not Party	
19.	The United Nations Convention Against Transnational Organized Crime (2000)	P(R)	05/09/2006

The Council of Europe legal instruments			
20.	European Convention on the Suppression of Terrorism (1977) CETS No: 090	P(R)	14/12/2000

21.	Protocol amending the European Convention on the Suppression of Terrorism (2003) CETS No: 190	P(R)	08/12/2004
22.	Council of Europe Convention on the Prevention of Terrorism (2005) CETS No: 196	This convention is signed by Georgia in 14/12/2005	14/12/2005
23.	Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (2005) CETS No: 198	P(R)	13/05/2004
24.	European Convention on Extradition (1957) CETS No: 024	P(R)	Law of Georgia on International Cooperation in Criminal Matters / 15/06/2001
25.	Additional Protocol to the European Convention on Extradition (1975) CETS No: 086	P(R)	Law of Georgia on International Cooperation in Criminal Matters / 15/06/2001
26.	Second Additional Protocol to the European Convention on Extradition (1978) CETS No: 098	P(R)	Law of Georgia on International Cooperation in Criminal Matters / 15/06/2001
27.	European Convention on Mutual Legal Assistance in Criminal Matters (1959) CETS No: 030	P(R)	Law of Georgia on International Cooperation in Criminal Matters / 10/1999
28.	Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (1978) CETS No: 099	P(R)	Law of Georgia on International Cooperation in Criminal Matters / 22/05/2003
29.	Second Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (2001) CETS No: 182	P(R)	Law of Georgia on International Cooperation in Criminal Matters / 10/01/2014

30.	European Convention on the Transfer of Proceedings in Criminal Matters (1972) CETS No: 073	Not Party	
31.	Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (1990)CETS No: 141	P(R)	13/05/2004
32.	Convention on Cybercrime (2001) CETS No: 185	P(R)	06/06/2012
Please list below any other regional, sub-regional or bi-lateral agreements or arrangements relevant to preventing and combating terrorism and related co-operation in criminal matters, to which your country is a party.			
33.	United Nations Convention against Corruption	P(a)	04/11/2008
34.	Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation	P(a)	15/02/1999
35.	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	P(R)	Law of Georgia on Combating Trafficking in Human beings / 05/09/2006
36.	Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	P(R)	05/09/2006

37.	European Convention on the Transfer of Sentenced Persons	P(R)	Law of Georgia on International Cooperation in Criminal Matters / 21/10/1997
38.	Additional Protocol to the European Convention on the Transfer of Sentenced Persons	P(R)	Law of Georgia on International Cooperation in Criminal Matters / 13/04/2000
39.	European Convention on the International Validity of Criminal Judgments	P(R)	Law of Georgia on International Cooperation in Criminal Matters / 25/03/2002