Information on UN resolution 73/67 regarding "Countering the Threat Posed by Improvised Explosive Devices"

Improvised explosive devices (IEDs) and materials for their fabrication such as related substances, devices specially designed to initiate charges and devices containing energetic materials, multipoint initiation systems, detonating cords, explosive detonators and their delivery systems and technology there off are subject to the national strategic trade control in line with international export control standards. They are included in the national control lists of the military and dual use items, their trade are restricted through the licensing and their transfers – import, export, transit, brokering and technical assistance are regulated by the administrative rules stipulated in the national export control legislation.

Export control can be considered as one of the feasibilities to control and monitor trade IED’s components and prevent production and proliferation of IEDs similar to the export control of all strategic goods, Weapons of Mass Destruction (WMD), missile technologies and etc.

Export control that applies to the international trade in military and dual use items is considered as essential instrument of national security policy and foreign policy interests of Georgia.

Georgia established a mechanism to support peace and security through harmonization of the relevant legislation with the EU norms and standards. EU Control Lists structure was adopted as a model for Georgia’s national lists to control the modern developments and advanced technologies in this area.

In particular, it should be underlined that modern export control legislative framework was elaborated and enforced in 2014. New legislation determines the policy and rules of export control of strategic products in spectrum of set of main criteria that are consistent with criteria set out by the ‘Council Common Position 2008/944 CFSP’. As a result of the adoption of the legislative package, Georgia fulfilled the requirements of the UN Security council resolution 1540, and commitments undertaken by Georgia through other bilateral/multilateral formats.

Renewed Georgian legislation also defines control of non-listed items, so called ‘catch all’ provision that provides a legal basis allowing authorities to extend regulation on transfers of items based on their end-use and end-user in connection with WMD or Military applications and their final destinations, rather than the item. The “catch-all” clause applies when the licensing authority or exporter “knows” that the item to be exported would be used, directly or indirectly, in a prohibited end-use, by the prohibited end-user or to the destination subject to an embargo imposed by the UNSC resolutions.

Items which are subject to export control are specified by the Governmental Ordinance №394 on “Approval of Military and Dual Use Products Lists”. Two annexes of this statute specify lists of military and dual use goods, technology and software their off that are similar to the EU “Common Military List and “Consolidated dual use list of the EU“.

In addition, Georgia ratified the "Arms Trade Treaty" in 2015 and at that moment Georgia had already had an appropriate legislative basis to meet the requirements set out by this treaty for implementation of illicit proliferation of conventional arms, small arms and light weapons.

Inter-agency cooperation based approach plays a crucial role in responsible decision-making on the international transfers of strategic goods and facilitates transparency in export control issues. namely, As a competent licensing authority the Ministry of Defense of Georgia and Standing Military-technical Issues Commission are responsible
for the control of the trade in military products and dual use products marked with asterisks as well as coordination of the relevant Governmental bodies designated to be involved in the national export control system.

Governmental Degree #372 set forth eight criteria that shall be taken into consideration by the Standing Military Commission of MOD and interagency experts group in decision-making process. In particular, priorities shall be given to the national security interests of Georgia and international commitments assumed by the country in respect with UNSC resolutions on sanctions/embargoes and International treaties and agreements in terms of non-proliferation. Therefore, application shall be denied if transaction contradicts with national security interests and international obligations of country.

Criteria apply to the assessment of the nature of transfers, weather it might cause a negative impact on the regional or global peace and stability, on the internal situation of recipient country, its attitude to the terrorism, and respect for international law, the status of country of final destination with respect to the infringement of the international humanitarian and human rights laws.

Each individual Export license application is scrupulously examined on a case-by-case basis through assessment of each element of application like nature of goods and their declared and potential usage, specific end user and end use, all parties involved in transaction as well as the status of the recipient country.

In addition, a dedicated website for export control provides a wide variety of information to facilitate persons interested and involved in strategic trade, such as regulatory documents, control lists, a brief explanation about the regulations for both military and dual use goods separately, types of licenses, designated licensing authorities, licensing procedures and the list of required documents for obtaining a specific license, or international sanctions and useful links which are vital for exporters. Information is also available in English for the interested foreign companies.

Guidelines (a booklet) on strategic trade control for enterprise has been published that provides briefly all relevant information regarding export control policy, system, regulations, procedures of licensing and etc.

Newspaper articles and other publications that cover different topics related to the nonproliferation and security issues are published through the Civil Council on Defense and Security (CCDS, non-governmental organization which major goal among others is to provide a public platform for civil society, governmental agencies and international stakeholders) in order to raise public awareness. Moreover, periodically Government authorities and experts are invited in media to facilitate dialogue and inform civil society about the current processes in the field of strategic trade control in the country.

Georgian Parliament is also involved in outreach activities. Joint meetings with representatives of Parliament, export control authorities, international partners, business officials and research institutes regularly take place.