

XXXIX. GEORGIA¹²⁰

SUMMARY OF LEGISLATION OF GEORGIA RELATED TO TERRORISM

The Criminal Code of Georgia sets out a special chapter for the crime of terrorism, prescribing criminal liability for various forms of terrorist acts. Under the Criminal Code, terrorism falls within the category of especially grave crimes and is subject to severest of punishments.¹²¹

The Criminal Code prescribes liability not only for the terrorist act as a crime in general, which manifests the threat to human life, damage to property or any other grave consequence, but also differentiates terrorism according to means, facilities, consequences, and crime organization, and establishes respective punishments. For instance, technological terrorism, i.e. the use of, or threatening to use a nuclear, radiological, chemical or bacteriological (biological) arms or a component thereof, a pathogenic micro-organism, radioactive or any other substance hazardous for human health; assault on a political official of Georgia; assault on an internationally protected person or institution; taking possession of or blocking an object of strategic or special importance for terrorist purposes, etc.

The Criminal Code places attention on the issues related to participation in organized terrorist groups. The crime breaks down to such components as formation of or leading a terrorist organization, participation in a terrorist organization, accession and assistance to a terrorist organization of a foreign state or to such organization controlled by a foreign state. The Criminal Code prescribes specific severe punishments to each of these organized crimes.

Regarding the legal gaps in terms of supplying arms to terrorist groups, the Criminal Code deals with the arms-related issues in a general manner. Punishable are the illegal purchase, keeping, carrying, making, shipment and delivery of arms. In addition, punishment is prescribed for such arms-related actions that may be directed to carry out terrorist acts; for example, preparation of nuclear arms, illegal export of the technology, scientific-technical information or services used in the creation of the arms of mass destruction, illegally taking possession or extortion of arms for misappropriation purposes; neglectful keeping of arms, preparation, purchase, and sale of the arms of mass destruction, etc.

¹²⁰ Transmitted to the Secretariat by that Government on 26 December 2001 (S/2002/3, enclosure) and 15 October 2002 (S/2002/1185, enclosure).

¹²¹ The text of Penal Code articles 323 to 331, dealing with specific terrorism offences, was reproduced in Part I of the present publication (pp. 180-82).