



Security Council

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Security Council Committee established pursuant to resolution [1718 \(2006\)](#)

Note verbale dated 28 March 2018 from the Permanent Mission of Georgia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Georgia to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution [1718 \(2006\)](#) and has the honour to enclose herewith the report of the Government of Georgia on the implementation of Security Council resolutions [1718 \(2006\)](#), [2371 \(2017\)](#), [2375 \(2017\)](#) and [2397 \(2017\)](#) (see annex).



Annex to the note verbale dated 28 March 2018 from the Permanent Mission of Georgia to the United Nations addressed to the Chair of the Committee

Report of Georgia on the implementation of Security Council resolutions [1718 \(2006\)](#), [2371\(2017\)](#), [2375\(2017\)](#) and [2397 \(2017\)](#)

General information

On 21 December 2011, the Inter-agency Commission on the implementation of the Security Council resolutions was set up by the Government of Georgia for the effective implementation of the Security Council resolutions. The Commission is chaired by the Minister of Justice and brings together all ministries and State institutions to develop State policy and promote the efficient implementation of sanctions regimes.

The Commission is assisted by the secretariat (the Department of Public International Law of the Ministry of Justice) which keeps State institutions up to date on the measures adopted by the Security Council.

The Commission conducts its work in three major areas: asset freezes; travel bans; and arms embargoes on individuals and legal entities suspected of terrorism and so designated in Security Council resolutions.

The Commission ensures that the sanctions regimes are implemented without delay. Special national mechanisms are therefore in place to support the implementation of Security Council resolutions.

The Commission is mandated to decide upon asset freezes imposed on persons designated in line with, inter alia, Security Council resolutions [1718 \(2006\)](#), [1874 \(2009\)](#), [2087 \(2013\)](#), [2094 \(2013\)](#), [2270 \(2016\)](#), [2321 \(2016\)](#), [2371 \(2017\)](#), [2375 \(2017\)](#) and [2397 \(2017\)](#), and to create lists of persons connected to terrorist acts in accordance with Security Council resolution [1373 \(2001\)](#). The arms embargo and travel ban are implemented by a special task force established under the Commission.

The task force is chaired by the First Deputy Minister of Justice and keeps the relevant State institutions informed about the arms embargo and travel ban updates issued by relevant Security Council sanctions committees. Under the task force authorities, the task force, in accordance with article 5 of governmental decree No. 487, is authorized to refer matters to relevant State institutions regarding effective implementation of arms embargoes and travel bans. All relevant institutions are involved in the functioning of the task force. The Department of Public International Law is also in charge of monitoring and evaluating the implementation of the sanctions, as well as providing operational, technical and logistic support to the task force.

Moreover, the Commission is in charge of further developing national legal standards to address current challenges in a timely and effective way and in line with the international standards.

Procedure for the freezing of property

The freezing of assets of designated persons is regulated by the Administrative Procedure Code of Georgia. Special chapter VII of the Administrative Procedure Code of Georgia, which was adopted in November 2011, introduced the procedure for freezing the property of persons related to terrorism. On 28 October 2015, the Parliament of Georgia approved amendments to the Administrative Procedure Code of Georgia to fulfil recommendations of the Financial Action Task Force and further

develop the procedure for freezing the financial assets of individuals and legal entities related to terrorism. The Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism stated at its 49th plenary meeting that Georgia had fully implemented all recommendations and had therefore taken sufficient steps to be removed from the regular follow-up process.¹

In its established practice, the Commission carries out adequate measures to implement the decisions of the sanctions committees. The secretariat of the Commission updates the list of designated individuals and legal entities daily on the basis of the information (listing and delisting) that appears on the website of the sanctions committees. The Commission sends a motion to the Administrative Chamber of Tbilisi City Court to freeze the assets of the individuals and legal entities designated by the Security Council in its resolutions and the Court then issues an order to freeze the financial assets of those individuals and legal entities.

In accordance with the amendments, the Court will review the motion of the secretariat of the Commission without delay and without an oral hearing (art. 21³², para. 1, of the Administrative Procedure Code). The motion submitted to the Court does not need further consideration. The judge does not require further argumentation from the Commission. Therefore, the Court only examines if the person indicated in the motion is designated by the Security Council. The Court does not consider whether the listed person is connected to terrorism. The Court issues an order or orders to freeze assets and sends one copy to the Commission, which is then submitted to the National Bureau of Enforcement, an agency responsible for implementing the Court decisions on the freezing of the financial assets of designated persons. The Bureau lists all persons included in the court order in the Debtor Register. A Debtor Register is a system-wide electronic database containing a list of individuals and legal entities. The Debtor Register is publicly available and accessible on the Bureau website (<https://debt.reestri.gov.ge/main.php?s=1>).

Given that the data of the Register are public, the Bureau ensures that they are available (accessible) to State-registered agencies, banks and other institutions (including monitoring entities). Correspondence between the Bureau and these institutions is carried out by means of electronic case management.

Supervisory and monitoring mechanisms

Lists of all persons subject to the Court's asset freeze order in the Debtor Register are accessible to State-registered agencies, banks and other monitoring entities.

¹ Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), 49th plenary meeting, Strasbourg, 8–11 December 2015, meeting report, available from [https://www.coe.int/t/dghl/monitoring/moneyval/publications/moneyval\(2015\)46_meetingrep49_en.pdf](https://www.coe.int/t/dghl/monitoring/moneyval/publications/moneyval(2015)46_meetingrep49_en.pdf).

Supervisory authorities² and monitoring entities³ systematically check debtor lists and receive updates on designated persons.

Other measures

The Government also notes that neither Georgia nor the Democratic People's Republic of Korea maintain diplomatic missions or consular services on each other's territory and that no working, official or diplomatic visits are carried out between Georgia and the Democratic People's Republic of Korea.

To remain in compliance with the Security Council resolutions, the Parliament of Georgia adopted the Law on the Control of Military and Dual-use Goods. New legislation and military and dual-use goods lists (which are identical to the relevant laws and lists of the European Union) have enabled the Government to control the export, import, transit and brokering of and technological support for military and dual-use goods on the basis of modern European standards.

Over recent years, no permit has been issued for the Democratic People's Republic of Korea for the export, import or transit of the products specified in the list of military and dual-use products and provided for in the Law on the Control of Military and Dual-use Goods.

Since 22 June 2017, the Commission has applied to the Administrative Chamber of Tbilisi City Court to freeze the assets of individuals and legal entities of the Democratic People's Republic of Korea (overall, 17 individuals and 4 legal entities), in accordance with the relevant Security Council resolutions.

In addition, the list of all Ocean Maritime Management vessels, which represent an "economic resource" of the Democratic People's Republic of Korea and are subject to seizure pursuant to Security Council resolution [2270 \(2016\)](#), has been disseminated to the relevant target agencies.

² The National Bank of Georgia — for commercial banks, currency exchange bureaus, and non-bank depository institutions, microfinance organizations; entities performing money remittance services; broker companies and securities' registrars; insurance companies and non-state pension scheme founders; the Ministry of Finance of Georgia — for entities organizing lotteries and other commercial games; entities engaged in activities related to precious metals, precious stones and products thereof, as well as antiques; the Revenue Service; leasing companies; entities engaged in extension of grants and charity assistance; the Ministry of Justice of Georgia — for notaries and the National Agency of Public Registry; organization created on the basis of the Georgian legislation that is the member of the International Federation of Accountants, for persons conducting accountancy or/and auditor activity as defined by Georgian legislation.

³ Commercial banks, currency exchange bureaus, non-bank depository institutions and microfinance organizations; entities performing money remittance services; broker companies and securities registrars; insurance companies and non-State pension scheme founders; entities organizing lotteries and other commercial games; entities engaged in activities related to precious metals, precious stones and products thereof, as well as antiques; legal entity of public law of the Ministry of Finance of Georgia — Revenue Service; entities engaged in the extension of grants and charity assistance; notaries; legal entity of public law — the National Agency of Public Registry; persons conducting accountancy or/and auditor activity as defined under the Georgian legislation; leasing companies.