

GEORGIA

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ALSO REFER TO PARTNERSHIP FOR PEACE SOFA (PFP SOFA)

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AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND GEORGIA
CONCERNING COOPERATION IN THE AREA OF THE PREVENTION OF
PROLIFERATION OF WEAPONS OF MASS DESTRUCTION, AND THE
PROMOTION OF DEFENSE AND MWITARY RELATIONS

The United States of America and Georgia, hereinafter referred to as the Parties,

Desiring to prevent the proliferation of weapons of mass destruction, and technology, materials, and expertise related to such weapons from Georgia;

Desiring to prevent the unauthorized transfer and transportation of nuclear, biological, or chemical weapons and related materials from Georgia;

Desiring to facilitate defense and military contacts and other cooperative military activities between the Parties;

Have agreed as follows:

ARTICLE I

AREAS OF COOPERATION

1. Subject to the terms of this Agreement, the United States of America may provide assistance to Georgia to facilitate cooperation in the following areas:
 - a. The establishment of verifiable measures against the proliferation of weapons of mass destruction from Georgia, and technology, materials, and expertise related to such weapons;
 - b. The prevention of unauthorized transfer and transportation of nuclear, biological, or chemical weapons and related materials;
 - c. The promotion of defense and military contacts and other cooperative military activities between the Parties;
 - d. Such other areas as agreed in writing by the Parties.
2. The terms of this Agreement shall apply to all assistance provided under this Agreement and under any subsequent implementing agreements and to all personnel and activities required for the implementation of such agreements and arrangements. All assistance provided in accordance with this Agreement shall be used exclusively for the purposes for which it is provided in support of cooperative activities listed in paragraph 1 of this Article.

ARTICLE II

TYPES OF COOPERATION

In order to achieve mutually agreed objectives in the areas of cooperation listed in Article I, Paragraph 1 of this Agreement, the United States of America may provide the following types of assistance to Georgia:

- a. Provision or loan of material and equipment;
- b. Classroom and on-site training for appropriate officials of the Government of Georgia;
- c. Provision of experts to assist Georgia in any area of agreed cooperation;
- d. Evaluation and improvement of systems, programs, and regulations;
- e. Promotion of bilateral and multilateral technical and policy level discussions;
- f. Support for defense and military contacts, and other cooperative military activities;
- g. Such other types of assistance as may be agreed in writing by the Parties.

ARTICLE III

EXECUTIVE AGENTS

Each Party shall designate an Executive Agent to implement this Agreement. For the United States of America, the Executive Agent shall be the Department of Defense. For Georgia, the Executive Agents shall be the Ministry of Defense and the State Department of the State Border Guards.

ARTICLE IV

IMPLEMENTING AGREEMENTS

The Parties, through their executive agents, shall enter into implementing agreements, as appropriate, to carry out the provisions of this Agreement. In case of any inconsistency between this Agreement and any such implementing agreements, the provisions of this Agreement shall prevail.

ARTICLE V

REQUIREMENTS RELATED TO ASSISTANCE

1. All activities related to the provision of assistance under this Agreement by the United States of America shall be subject to the same terms and conditions as activities related to the provision of commodities, supplies and other property by the United States Government to the Government of the Republic of Georgia under Articles I, II, and III, of the Agreement Between the Government of the United States of America and the Government of the Republic of Georgia Regarding Cooperation to Facilitate Humanitarian and Technical Economic Assistance of July 31, 1992.

2. Provision of assistance under this Agreement by the United States of America shall also be subject to the same terms and conditions as the provision of training provided by the United States Government to the Government of the Republic of Georgia under Parts A, B, and C of the Agreement Between the Government of the United States of America and the Government of the Republic of Georgia Concerning the Provision of Training under the United States International Military Education and Training Program of December 30, 1993.

3. Georgia shall, in respect of legal proceedings and claims, other than contractual claims, hold harmless and indemnify the United States of America and its personnel, contractors, and contractors' personnel, for damage to property, or death or injury to any persons in Georgia, arising out of activities under this Agreement.

4. All obligations of the United States of America under this Agreement shall be subject to availability of appropriated funds.

ARTICLE VI

ENTRY INTO FORCE, DURATION, AMENDMENT, AND TERMINATION

This Agreement shall enter into force upon the date on which the Parties exchange diplomatic notes confirming the completion by each Party of all applicable procedures required for the entry into force of this Agreement, and shall remain in force for five years. This Agreement may be amended or extended by the written agreement of the Parties and may be terminated by either Party upon ninety days written notification to the other Party of its intention to do so. Notwithstanding the termination of this Agreement or the implementing agreements, the obligations of Georgia in accordance with paragraphs 2 and 3 of Article V of this Agreement shall continue to apply without respect to time, unless otherwise agreed in writing by the Parties.

DONE at Washington on this 17th day of July, 1997, in two original copies, each in the – English and Georgian Languages, both texts being equally authentic.

FOR THE UNITED STATES
OF AMERICA:

FOR GEORGIA:

I/s/I William S. Cohen

I/s/I [not legible]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF GEORGIA REGARDING COOPERATION TO FACILITATE HUMANITARIAN AND TECHNICAL ECONOMIC ASSISTANCE

The Government of the United States of America and the Government of the Republic of Georgia:

Recognizing the interests of the Government of the United States of America and the Government of the Republic of Georgia in cooperating to facilitate provision of Humanitarian and Technical Economic Assistance to benefit people of Georgia; and

Recognizing the need to make certain practical arrangements to help ensure the effectiveness of that assistance; have agreed as follows:

Article I

Taxes and Other Charges

(A) Commodities, supplies, or other property provided or utilized in connection with United States assistance programs may be imported into, exported from, or used in Georgia free from any tariffs, dues, customs duties, import taxes, and other similar taxes or charges imposed by Georgia or any subdivision thereof.

(B) Any United States Government or United States Private Organization that has responsibility for implementing United States Assistance Programs, and any personnel of such private organization who are not nationals of or ordinarily resident in Georgia and that are present in Georgia in connection with such programs shall be exempt from:

(1) any income, social security or other taxes imposed by Georgia, or a subdivision thereof, regarding income received in connection with the implementation of United States Assistance Programs, and

(2) the payment of any tariffs, dues, customs duties, import taxes and other similar taxes or charges upon personal or household goods imported into, exported from, or used in Georgia for the personal use of such personnel or members of their families.

(C) The access and movement of aircraft and vessels operated by or for the Government of the United States of America in connection with United States Assistance Programs in Georgia shall be free of landing fees, navigation charges, port charges, tolls and similar charges by Georgia or any subdivision thereof.

Article II

Status of Personnel

Civilian and military personnel of the United States Government present in Georgia in connection with United States Assistance Programs shall be accorded status equivalent to that accorded administrative and technical staff personnel under the Vienna Convention of Diplomatic Relations of April 18, 1961. Nothing in this agreement shall be construed to derogate from privileges and immunities granted to such personnel under other agreements.

Article III

Inspection and Audit

Upon reasonable request, representatives of the Government of the United States of America may examine the utilization of any commodities, supplies, other property, or services provided under United States Assistance Programs at sites of their location or use; and may inspect or audit any records or other documentation in connection with the assistance wherever such records or other documentation are located during the period in which the United States provides assistance to Georgia and for three years thereafter.

Article IV

Use of Assistance

Any commodities, supplies, or other property provided under United States Assistance Programs will be used solely for the purposes agreed upon between the Governments of the United States and Georgia. If use of any commodities, supplies or other property occurs for purposes other than those agreed upon under such programs, which the Government of the United States of America determines could reasonably have been prevented by appropriate action of the Government of Georgia, the Government of Georgia upon request shall refund in United States dollars to the Government of the United States of America the amount disbursed for such commodities, supplies, or other property. The Government of the United States of America may, in its discretion, make available the amount refunded to finance other costs of the assistance activities involved.

Article V

Other Agreements

The Government of the United States of America and the Government of the Republic of Georgia recognize that further arrangements or agreements may be necessary or desirable with respect to particular United States assistance activities. In case of any inconsistency between this agreement and any such further written agreements, the provisions of such further written agreements shall prevail. Nothing in this agreement shall be construed to derogate from the privileges and immunities to which personnel are otherwise entitled.

Article VI

Entry Into Force

This Agreement shall enter into force upon signature by both parties.

Done at Tbilisi, this thirty-first day of July, 1992, in duplicate, in the English and Georgian languages. Any discrepancy between the texts shall be resolved with reference to the English until, by an exchange of diplomatic notes, the two texts have been conformed, at which time both texts shall equally authentic.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA

FOR THE GOVERNMENT OF THE
REPUBLIC OF GEORGIA

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