

BRIEF OVERVIEW

OF NATIONAL PROCEDURES OF THE LEGISLATION OF GEORGIA PERTAINING TO THE EXEMPTION FROM NATIONAL SERVICE OBLIGATIONS OF CERTAIN INDIVIDUALS IN THE LIGHT OF THE DRAFT AGREEMENT BETWEEN GEORGIA AND THE ORGANIZATION FOR THE PROTECTION OF CHEMICAL WEAPONS (OPCW) ON THE PRIVILEGES AND IMMUNITIES OF THE OPCW

Article 6(3) of the Draft Agreement between Georgia and the Organization for the Protection of Chemical Weapons (OPCW) on the Privileges and Immunities of the OPCW provides that

"The officials of the OPCW shall be exempt from national service obligations, provided that, in relation to nationals of Georgia, such exemption shall be confined to officials of the OPCW whose names have, by reason of their duties, been placed upon a list compiled by the Director-General of the OPCW and approved by Georgia. Should other officials of the OPCW be called up for national service by Georgia, Georgia shall, in accordance with the legislation of Georgia, at the request of the OPCW, grant such temporary deferments in the call-up of such officials as may be necessary to avoid interruption in the continuation of essential work."

In accordance with the legislation of Georgia and in particular pursuant to Article 30(1.n) of the *Law of Georgia on Military Duty and Military Service*, national service obligations shall be postponed, in case an individual concerned is granted an authorization from the Prime Minister of Georgia thereof.

In practice, under the Agreement between Georgia and the Organization for the Protection of Chemical Weapons (OPCW) on the Privileges and Immunities of the OPCW, in order to exempt the OPCW officials from the national service obligations in Georgia, the following actions shall be taken:

1. OPCW shall send an official request to the Government of Georgia stating that a certain OPCW official is eligible for exemption from the national service obligations in Georgia;
2. Based on the above request, in accordance with Article 30(1.n) of the *Law of Georgia on Military Duty and Military Service*, the relevant Georgian State Agency shall request an authorization from the Prime Minister of Georgia to postpone a national service obligation for that particular person for a certain period of time.
3. The above procedures may be repeated whenever requested by the OPCW.

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28.04.15*