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FINAL REPORT

Project: **"Weapons of Mass Destruction and International Terrorism"**

Tbilisi, 26 May 2002

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INTRODUCTION

The events of the 11th of September have clearly shown that terrorism is among the challenges *for* the security of nations and organizations. The most feared threats from terrorists today are the increasing use of modern technology and the deployment of weapons of mass destruction. The effects of chemical and biological agents vary greatly depending on the efficiency of delivery, but potentially they are very deadly and a single weapon could incapacitate or kill thousands. The risk of nuclear weapons for terrorism, if less likely than biological or chemical threats, carries an even greater specter. International state leaders, religious fanatics, separatists or trans-national criminal organizations could conceivably destroy not thousands, but millions of people if small nuclear or radiological dispersal weapons and expertise could be acquired. Possibly, such devices are available in countries of the former Soviet Union.

WMD and international terrorism are one of the most serous threats of the modern times. In these respect non-democratic states, which possess WMD or their singular components, alongside with the countries which still did not dispose WMD and their singular components can be viewed as the factors of exceptional danger. Number of the CIS countries fall under such classification.

The ultimate goal of our research is to analyze a probability of obtaining of the different types of WMD located on the territory of some CIS states by the international terrorist organizations. Additionally, it is crucial to be informed regarding the existence of the national legislative mechanisms, which alongside with international conventions provide protection from the illegal transit of WMD. The main objects of our research are the countries of South Caucasus and Central Asia, where, due to the geopolitical changes conducted during the past decade, the risk of acquiring of the WMD and their singular components by the International terrorist organization is still extremely high.

WMD TERRORISM as a NEW THREAT

The threat of terrorism today is a manifold one. What frightens people the most are the threats by modern means, including advanced technology. The use of chemical, biological and nuclear assets, better known as weapons of mass destruction (WMD) constitute the new weapons in the terrorist` arsenal.

Chemical and Biological Terrorism

International Law bans the use of biological and chemical weapons, covered by the Geneva Protocol of 1925 and the Biological Weapons Convention of 1972. The Geneva Protocol establishes a nearly universal standard against the first use of chemical and biological weapons (CBW). The 1972 Biological Weapons Convention (BWC), prohibits the development, production, stockpiling, transfer and acquisition of biological weapons. However, the prospect of terrorist actions using chemical or biological weapons against civilian population or military personnel has raised anxiety and counter-terrorism concerns in the intelligence community, military forces and mass-media to unprecedented levels.

Chemical and biological terrorism and warfare *are* not new. There have been hundreds of incidents in at least 30 countries that can be referred to as acts of chemical and biological terrorism. There is a popular phrase: “Chemical weapons are the nuclear weapons of poor states” *(K.Babievsky)*. Chemical weapons are extremely lethal, man-made poisons that can be disseminated as gases, liquids or aerosols, affecting either the human nerve centers or blood circulation. They have been used or stockpiled by many militaries for most of this century, beginning with their large-scale use in the First World War. Being suitable for mass-casualty attacks they can be acquired by virtually all states and by non-state actors having only moderate technical skills. Certain deadly chemical-

warfare agents can even be manufactured in a Kitchen or basement in quantities sufficient for mass-casualty attacks *(R.Falkenrath)*.

Biological weapons disseminate either: 1) pathogenic organisms or 2) biologically produced toxins to cause illness or death in human, animal or plant populations. Toxins generally need to be delivered as an aerosol to be effective as anything more than a contaminant or an assassination weapon. Both aerosols of toxins and pathogenic microorganisms in low concentrations are generally odorless, tasteless and invisible. The effects of biological attacks could vary greatly, but a single biological weapon could kill or incapacitate thousands of people even with an inefficient delivery system, especially when directed against large, indoor populations.

There are some examples of terrorist attacks that have used chemical and biological means. In 1915 an American physician established a small but effective biological agent production facility in his own home. Using cultures of bacillus antracis (anthrax) and pseudomonas mallei, supplied by the Imperial German government, he produced an estimated liter or more of liquid biological agents. Reportedly, the liquid and a simple inoculation device were given to Baltimore dockworkers who used this biological weapon to infect a reported 3,000 horses, mules and cattle destined for the Allied forces in Europe.

In 1978 a Palestinian group injected a good portion of Jaffa oranges with sodium cyanide, seriously damaging Israeli citrus fruit exports. In 1978 Scotland Yard successfully foiled a plot to export $ 15 million from the government of Cyprus. The terrorists threatened to detonate canisters of super toxic and super stable dioxin all over the island. In 1989 the Parisian police found a culture of Clostridium botulinum which is used for making the well-known botulinum toxin, growing in the safehouse of a German terrorist group.

The first and most obvious effect of an NBC attack would be its destruction of human life. The March 1995 Tokyo subway attack killed 12 and injured about 5000. Japanese sect members, *while using* very low-quality Sarin, a nerve agent, mixed with an organic solvent. Unless the malfunction of a simple mechanical device on one of the dispersal canisters, thousands of people would have died in this attack.

The global fight against terrorism requires the thorough coordination between various participating institutions. One of the aspects of such coordination is the definition of resources- from the point of their character and amount, - which these institutions can allocate, proceeding from the assumption that some coordination of action and resources will take place.

One of the main directions of the preventive actions is to ensure the proper security of the units, where the toxic chemicals are held, in order to prevent transfer/*theft* of such chemicals. In order to bereave terrorist access to such units, the places where the chemical weapons are held, including old or/and left chemical weapons, precautionary measures must be applied. Furthermore, security must play a major part on industrial units and other places, where the legal chemical activities are carried out, but where is the danger that terrorists groups can try to get an access to the chemicals that are used in legal way either in order to turn them into chemical weapon or carry out their discard in surroundings.

The probability of terrorists using toxic chemicals and biologically produced toxins as means of assault particularly depends on terrorist's awareness of effectively of such acts. If an opinion exists, that character and volume of provided counter- measures is such, that number of victims will be relatively limited, it is possible that the number of terrorist acts employing toxic chemicals will decrease. At the same time correct understanding of relative risks, related to various possible scenarios of terrorist acts using toxic chemicals, has vital importance for planning adequate counter-measures. It includes development of plans for extraordinary occasions, selection and training of personnel as well as selection of equipment, materials (for instance, drugs) and other support, necessary for counter acts against possible chemical attacks.

The access to scientific, technical, medicine and other advisory knowledge is significant for preventive and security measures against the possible use of toxic chemicals by terrorists has. Impossible is the thorough planing of extreme arrangements without such knowledge. The access to such advisory knowledge can help to identify and estimate the risk, establish necessary potential of reaction, estimate actual situation, that turned out as a result of incident, and determine necessary counter-measures.

Nuclear Terrorism

The spectre of nuclear terrorism as an international threat is one of most sobering and ominous possibilities endangering post-modern man. While previous perpetrators of terrorism were typically limited to local targets, the nuclear terrorist, whether a rogue state or a small, independent, non-state groups would seek to destroy much larger targets, killing millions of people or destabilizing a region, or even an entire country.

The nuclear terrorist threat could come from a violent irrational group, religious oriented fanatics or a transnational criminal organization *(Raufer, Xavier).* It is reasonable to assume that a single non-state actor, an individual, probably could not act alone as a nuclear terrorist due to the extremely complicated prerequisites for acquiring, building or employing such a sophisticated device. The possibility of the illicit trade of nuclear materials and small weapons of mass destruction is however, a dimension that makes people frightened *(The Economist, The New Terrorism, 15 august 98).* A prominent Russian general was quoted within the last year as saying there may be as many as 100 suitcase-sized nuclear packages that can no longer be traced by authorities of the Russian Federation *(CBS "60 Minutes" report, 7 September 1997, Russian Suitcase Nuke Report).* While this claim has been lost in Russia is enough to strike fear in anyone who understands the implications.

Both organized crime and the proliferation of WMD are areas of grave concern. While it is easy to mention organized crime and nuclear terrorism together, there appears to be little evidence, so far, that would concretely link the two issues *(Freeh, Louis J., Director, FBI, Statement on "The Threat of International Organized Crime and Global Terrorism and the International Law Enforcement Programs of the FBI", presented before The House International Relations Committee, U.S. House of Representatives on October 1, 1997).* Most commentators would however agree that either the theft of nuclear materials or the danger of small nuclear devices passing into the hands of terrorists are both possibilities that could exist in countries where economic conditions are deteriorating, as currently in Russia. The loss of nuclear surety could be a possibility if the fabric of a society and government began to break down. Deterioration of national will and institutional control could result from such a situation (*Manwaring, Max G., Strategic Forum, Number 137, April 1998, pares 1-3, National Defense University (US),*

Institute for National Strategic Studies, article entitled "Security of the Western Hemisphere, International Terrorism and Organized Crime"). Precursors to this might include general economic collapse and the accompanying failure of the government to regularly pay the military, resulting in the eventual loss of the loyalty of the armed forces. Experts on organized crime might conclude that a compact device of WMD could be a lucrative commodity for illicit international trade and might be an item made available by a group of disillusioned and desperate officers. However, even if nuclear weapons could be controlled to ensure they never fall into the hands of either terrorists or rogue states, strict control of fissile, radioactive materials is less likely. The distinct chance exists that transnational groups, including both state and non-state actors eventually could build and use dirty, radiological dispersal devices (RDDs) as terrorist weapons. The RDD has been defined as any device, weapon or equipment, excluding a nuclear explosive device, specifically designed to disseminate radioactive material to cause destruction, damage or injury. Weapons grade fissile materials are not required although they could be used, albeit at considerable personal risk. The difficulty of employing a lethal RDD (and not being killed in the process) cannot be overstated. Many technical obstacles and personal dangers exist regarding the likelihood of lethal exposure to radiation by the handlers of such a device *(Ford, James L., Strategic Forum, Number136, March 1998, pages 1-4, National Defense University (US), Institute for National Strategic Studies, article entitled "Radiological Dispersal Devices, Assessing the Transnational Threat").*

The principles of physics involved in making a simple nuclear weapon such as one exploded over Hiroshima and Nagasaki are widely known. The main technical barrier that today prevents non-nuclear states or terrorist organizations from making nuclear weapons is the difficulty of acquiring the necessary plutonium or highly enriched uranium, the weapons usable materials. Today, that is very alarming for non-stable regions. Historically, International cooperation on export controls has faced major political and technical challenges. The challenges of controlling and monitoring strategic technology and advanced weapons exports in the 21st century will be even greater than in the past.

Potential of WMD and terrorism

There are two main reasons for terrorists, seeking to get WMD: insulting

serious losses and blackmail.

For successful application of WMD for destroying the enemy terrorists have to get the weapons and the way to deliver them. The other serious component is psychological preparedness for killing thousands of people. If the WMD is used for threat the traditional principle of control is adapted (the control means the real threat plus the possibility of realization). In that case if one of the elements accepts the threat will be infective. That is why the terrorists have to make the public believe in availability of WMD and readiness of using it.

It is important to prepare for the consequences of the possible use of Chemical and Biological agents against civilian populations. While this is essentially a national responsibility, no country alone is able to cope with the consequences of such an attack. Although consequence management of an attack against the civilian populations is primarily a civil-led responsibility, there is a considerable potential for increased military support to civilians. The civil-military nature of the EAPC may provide significant added value to build a common response to such a possible attack. The statement issued at the Ministerial Meeting of NAC (06 December 01), stated that "Allies will enhance their ability to provide support, when requested, to national authorities for the protection of civilian populations against the effects of any terrorist attack. They will also enhance cooperation with Partners in this field, taking into account the various proposals and initiatives put forward".

Availability of WMD is the necessary element of act of mass terrorism.

There is told much about International terrorist Usama Ben Ladens richness. His fortune is estimated at 100 million to 5 billion dollars. Besides the money he inherited from his father, he has other ways of financing. He is the owner of many firms around the world, including the Sudan Gum Arabic Company ltd., which provides the 80% of gum in the world. The most of his money is on the account of dummies in West Europe and are hidden under various charitable organizations. Its pointed that Ben Laden helped tallibs to provide the operation for washing money through Russian and Chechenian Mafiosi. In return Ben Laden received from 2 to 10% of profit from Afghanistan narcotic trade (from 133ml to 1bl dollars a year). We see that his resources are enough for buying WMD.

There is evidence regarding people trying to purchase nuclear, chemical and biological weapons. According to the information of the secret service some of the attempts were successful.

One of the most troubling facts was that “Al Qaida” successfully acquired Russian made “nuclear suitcase with bomb”, although, Russian government denies the existence of that kind of weapon. According to the information from Israel and Russia Ben Laden apportioned several millions of dollars in cash and gave heroin for 500ml dollars to his comrades in Chechnya for getting the suitcase for “Al Qaida. One of the information states that Ben Laden has acquired several bombs of that kind in autumn 1998 and send them for storage to talibs, not far from Kandagar. Same sources declare that the weapon has not been used, as it was defended by soviet code demanding the signal from Moscow for detonation of the weapon. The same information is confirmed by other sources where we read that Ben Laden has got 20 tactical nuclear weapons.

Despite the fact, nuclear possibilities of “Al Quid” are limited. The most realistic scenario of using weapon is the usual explode by nuclear materials for atomization radioactive materials. Such incident will not cause mass destruction of the population, but it will greatly contribute to the territorial contamination. As for chemical and biological weapons, they are more probable weapons for terrorists. It is much easier to obtain them, as most of these poisons are produced from the material of double purpose, which is easy to purchase at the open market. Biological tocsins can be obtained at the bacteriological laboratories all over the world.

Although the possibility of using all these war gasses by terrorists is not great, because it can be a high risky-game for them as well. Regardless the fundamentalists show their will to die for Islam’s sacred duty it does not mean that they want to die while preparing terrorist acts. The leading International intelligence services are sure that “Al Qaida’s” is in possession of chemical and biological weapons. The members of the organization obtained anthrax stock from the east-Asian countries for 3695 dollars and botulin lethal virus from Chechnian laboratory for 7,5 thousand dollars a piece. It is possible that the members of the National liberation front Moro, in Philippines, who had tight contacts with “Al Qaida”, also obtained the anthrax stam from the Indonesian

pharmaceutical company. Viruses of anthrax and plague were obtained from the gun dealers from Kazakhstan.

Sources do not clearly state whether what kind of chemical weapon is accessible for Ben Laden. Special services talk about presence of war gas in “Al Qaida”. Reaction of government on Ben Laden’s threat related to chemical weapons utilization also proves that the threat is real. Attack on Ben Laden which was planned in 2001 January in time of his son’s wedding’ was supposedly cancelled because of Ben Ladens threat of using the chemical weapon against American military bases in Persian Gulf. Acquisition of WMD is just one of the steps to its successful use. Most kinds of WMD need modern sources of delivery to make maximum losses. In that case if Ben Laden succeeded in getting WMD he has no sources for delivery what actually is proved by secret service. In order to solve this problem, it is necessary either to hire independent specialists or get support from government. First version is quite realizable for Ben Laden. He has already spent considerable part of sources for recruiting Russian scientists and workers of special service, which would help him to decipher codes on the suitcases. Second version is also possible. Iraqi secret service repeatedly offered an assistance to Ben Laden, at the same time fasten him the list of potential objects (including “The Radio of Independent Europe” in Prague) Ben Laden was offered sanctuary and several pure passports with the guarantee of kind intention. But Ben Laden’s messengers did not attached an importance to this offer, and were satisfied by the request to Iraq to acquire the delivery of chemical and biological weapons, expressing readiness for utilize this weapon against American forces and interests. Iraq has big experience of investigations in sphere of WMD and supposedly Iraqi is the owner of chemical and biological weapon. If Ben Laden got this request, then utilization of military chemical and biological weapon for his net is just the question of time.

For today “Al Qaida” does not have full scaled abilities for creating mass damage. In the nearest future there might be a possibility of the attack by using small or medium scale WMD. One should not underestimate the psychological effect of such attack. If “Al Qaida” can prove the presence of potential WMD via its spontaneous use, it will show destructive effect on public conscious.

LEGAL BASIS RELATED to the NON-PROLIFERATION ISSUES

(In case of South Caucasus States)

It is important to analyze the legal basis of the South Caucasus states in respect to the non-proliferation of WMD, i.e. how effective is the legal basis of these states in protecting the WMD located on their territory from the different types of international terrorist organizations. The above-mentioned is stated in "The Washington Summit WMD initiative", which will complement existing international regimes and arms control efforts under way to respond to the proliferation of WMD and their delivery means.

Appropriate measures to prevent and combat terrorism, in particular participation in international agreements.

Georgia is a State Party to a number of bilateral, as well as international agreements or treaties and international conventions, the provisions of which envisage the prevention of terrorism and mutual assistance of states, e.g. resolutions of the Parliament of Georgia:

- Agreement on Prevention of Terrorism. 04.04.1999. Signed. Enters into force for Georgia after completion of intra-state procedures.
- 25.11.98. – On Ratification of the Protocol on Prevention of Illegal Actions at International Civil Airports, added to the Montreal Convention on Prevention of Illegal Actions Against Security of Civil Aviation of September 23, 1971.
- Resolution of the Parliament of Georgia of December 7, 1993, - Convention on Prevention of Hijacking.
- Resolution of the Parliament of Georgia of December 7,1993. - Convention "On Crimes and Other Actions on Board of the Air-crafts".
- Resolution of the Parliament of Georgia of December 7,1993.- Convention "On Prevention of Illegal Actions Against Security of Civil Aviation"
- Resolution of the Parliament of Georgia of December 7, 1993, - Convention "On International Civil Aviation".
- Resolution of the Cabinet of Ministers of 15.11.93. - International Convention "On Protection of Human Lives in the Sea". 1974. By the protocol of 1978.

- Resolution of the Parliament of 24.02.95. On joining to The Hague International Convention on Civil Aspects on Children kidnapping in the World.
- Resolution of the Parliament of 3.05.95. On Acceding of the Republic of Georgia to the New-York International Convention on Prevention of Usage, Finance and Training of Mercenaries.
- Resolution of the Parliament of 2.04.96. On joining to the Convention on Prohibition or Reduction of Ordinary Arms.
- Resolution of the Parliament of 24.01.96. On Joining the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases.
- New-York Convention on Prevention of Crimes Against Diplomatic Agents and Persons, Under the International Patronage and on Punishment, Deposited with Secretary General, December 14, 1973.
- New-York Convention on Prevention of Taking Hostages, Deposited with Secretary General, December 17, 1979.
- Vienna Convention on Physical Protection of Nuclear Materials, March 3, 1980.
- Rome Convention on Prevention of Illegal Actions against Maritime Security, March 10, 1988.
- Rome Protocol on Prevention of Illegal Actions against Permanent Platforms Security on Continental Shelf, March 10, 1988.
- Montreal Convention on Marking Plastic Explosives for their Exposure, March 1,1991.
- 21.03.1983. Convention about transference of criminals. For Georgia valid since 01.02.1998.
- 20.04.1959 European convention about cooperation in criminal cases. For Georgia valid since 11.01.2000.

The Republic of Armenia has acceded and is a State Party to the following international agreements on prevention of, and combating terrorism:

- Convention on Physical Protection of Nuclear Material, 3 March, 1980 (date of accession: 24 August, 1993);

- Convention on Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 14 December, 1973 (date of accession: 21 December, 1993);
- Convention on Offences and Certain Other Acts Committed on Board Aircraft, 14 September, 1963 (date of accession: 29 March, 1994);
- Convention on the Suppression of Unlawful Seizure of Aircraft, 16 December, 1970 (date of accession: 29 March, 1994);
- Convention on Combating Unlawful Acts against Civil Aircraft and Protocol on combating Unlawful Violent Acts at International Airports, 23 September, 1971 (date of accession: 8 October, 1996);
- Agreement on Cooperation in the Field of Protection of Civil Aviation from Illegal Interference, 26 May, 1995 (within the framework of the Commonwealth of Independent States);
- Agreement on Cooperation in Combating Terrorism, 4 June 1999 (within the framework of the Commonwealth of Independent States).

The Republic of Azerbaijan follows the principle of taking relevant measures in the field of prevention and combating terrorism. In particular, the Republic of Azerbaijan acceded to:

- Convention on Prevention of Taking Hostages, 1979;
- Convention on Prevention of Illegal Actions Against Security of Civil Aviation, 1971;
- Convention on the Suppression of Unlawful Seizure of Aircraft, 1970.

Central Asia region represents a clot of various political, military, economic and ecological problems, which in combination with the protracted Afghan conflict would be transformed into threat of global nature and scope. Possibility of the proliferation of WMD, illegal drugs trafficking, arms supply to the areas of local conflicts, mass migration, and religion extremism were the main sources of both regional and global threats. It is difficult to affirm, that during current international antiterrorist war champing the threat of spread aggressive extremism will be eliminated completely and

stopped. Moreover, the proliferation of WMD has been transformed into new unpredictable form. Central Asia states fully understand, that in such unstable context the regional community is not secured from the WMD terrorism.

PROBLEM NON-PROLIFERATION of WMD: POLITICAL, LEGAL AND PRACTICAL ASPECTS

(In case of Georgia)

Common review of the situation and general description of problems

At the first stage of the attainment of its independence, Georgia had to deal with a lot of vital problems. But step by step, due to enormous efforts the country has achieved political, economic, and social stabilization.

However, since the very beginning, one vitally important aspect of development was very obvious: this was the function of Georgia, as a transit country. Favorable geographic location and existing political realities made Georgia one of the most important rings of the Euro-Asian Transport corridor. Georgia is at the crossroads of the routs from East to West, from North to South and vice versa. Here should be also added the access to the Black Sea and it will become obvious, why the idea of establishment and full participation in a modern "Silk Rout" was so vital for the country from the very beginning of the attainment of the national independence.

At the same time, realization of transit potential of the country is connected with certain risks: along with the existing transit capabilities of Georgia, the country can also be used for the transportation of high tech, as well as weapons of mass destruction and illicit trafficking of dual-use technologies and materials.

Consequently, there are number of problems related with the location of the country. Georgia is located at the heart of an unstable region: to the north is Chechnya, turbulent and unpredictable after its war with Russia, ethnic tensions frequently surface in nearby Dagestan, Ingushetia and North Ossetia. In addition, number of "rogue states" and conflict areas are located in the close neighborhood to the region.

Besides these regional threats, problems exist within the country itself some of

those problems appeared in the period of USSR's decline and dissolution, some - later. Let me draw your attention to certain specific moments that should be taken into consideration:

- Russian military presence: for the moment being this presence includes 3 military bases, located in Gudauta, Batumi and Akhalkalaki and number of military installations all over the territory of Georgia. This also includes an existence of Russian military airport in Gudauta, which is virtually uncontrolled by Georgian authorities.

Many sources argue about indications that the territory of Georgia is used by some profit-seeking groups of Russian militaries for illicit trafficking of different equipment / materials / technologies from the North to South and on the contrary. Although it seems to be an exaggeration, several cases give rise to some suspicions.

Therefore, more transparency and co-operation with local law enforcement structures should be the necessary pre-condition for the functioning of Russian military installations in Georgia;

- Unaccounted radioactive materials: the legacy of Soviet period also causes various accidents connected with radioactive (non-weapons usable nuclear) materials unaccounted for and left by Soviet and later Russian troops during their withdrawal without informing local authorities. For example:

- In March 1996 three people were reportedly irradiated in Georgia by opening package of cobalt 60 at railway station;
- In October 97 Georgia informed International Atomic Energy Agency (IAEA) and World Health Organization about serious radiation accident involving at least ten border guard soldiers being exposed to Cesium- 137 sources over several months. IAEA sent a team to Georgia to identical details as well as other places where similar cases may occur (main emphasis is on ex-Soviet military sites);
- Most recent case occurred in June 2001 at the dismissed Russian military base

in Vaziani, where strong sources of radiation had been discovered. Unfortunately, this not complete list of such incidents, connected with the unaccounted radioactive materials;

- Uncontrolled territories: existence of separatist regimes and the territories uncontrolled by Georgian authorities, particularly, in the region of Abkhazia is the next major problem Georgia faces in the context of border control and thus fighting proliferation. The criminal essence of the regime that controls the region of Abkhazia generates difficulties and threatens much of the progress in this field.

Therefore, only restoration of territorial integrity and extension of the authority of central Government over all territory of the country will allow Georgia to take full responsibility in the sphere of non-proliferation and prohibition of illegal transit of WMD.

- Difficult economic situation: which is reflected in every sphere of life including the establishment of effective export control system;

- The lack of experience in nonproliferation field: before the dissolution of USSR Georgia did not have its own legislation and export control structure. These issues were operated by relevant Soviet ministries, so Georgia had to begin the construction of nonproliferation controls from scratch. It lacked the resources and expertise to establish systems to meet international standards;

- Inadequate controls in customs/borders: current control systems are insufficient to deter those organized criminals intent on selling weapons of mass destruction, dual-use materials and other related items. The border and custom controls are undermanned not speaking about the equipment capabilities to prevent illicit trafficking. Besides, level of corruption plays very negative role.

Being a victim of terrorist acts, Georgia considers timely and effective implementation of UNSCR 1373 provisions as its highest priority.

Striving against all forms of terrorism, including ethnic or religious separatism

and extremism has always been important for Georgia. Located in the heart of rather unstable region, Georgia has been attaching a great importance to its border defense, economic security and battle against organized criminal/terrorist groups and prevention of increasing possibility of the WMD terrorism in the Caucasus region.

In its efforts to implement effective measures limiting the ability of terrorist organizations to operate internationally, Georgia faces some major problems, which could not be solved solely by own country. Firs of all this is problem of territories controlled by separatist regimes (so called "white spots"), where big amounts of military equipment and ammunition are stockpiled. Sea and land of these territories are transparent for any illegal movements and activities. Besides direct military threats, this, of course, undermines economic security of the country. Smuggling, trafficking and illegal economic activities – these are important financial sources, which can be used by different terrorist and criminal groups.

Necessary steps for the settlements above-mentioned problems should be:

- More International pressure on separatist regimes for peaceful solutions of conflicts:

- Necessity of International monitoring on the territories and sea/land borders of "white spots".

Rules governing transfers of radioactive materials and dual-use technologies

Georgia acceded to the Non-Proliferation Treaty (NPT) on March 7, 1994. It became a member of the International Atomic Energy Agency (IAEA) in February 23, 1996. During the IAEA General Conference in September 29, 1997 Georgia signed the strengthened (additional) safeguards agreement. In addition, Georgia has undertaken the commitment to apply the Protocol provisionally, pending its ratification. The Agreement now is being ratified by the Parliament of Georgia.

Regulations:

- On August 11, 1992, the State Council of Georgia issued resolution No. 118 on "the Prohibition of the Import of Waste on the Territory of Georgia";

On February 8, 1995, the Georgian Parliament passed Law No. 504, prohibiting the transit and import of toxic and radioactive waste. This provided an important step in moving export control awareness closer to items of non- proliferation concern;

- Upon the National Security Council's recommendation. President of Georgia issued a decree in December 2, 1996, that created an Interagency Working Group authorized to work out the necessary proposals for preparing a legislative and material-technical basis for the control of high-technology, radioactive materials, raw materials and specific products. The Interagency Working Group consisted of representatives from various ministries and regularly gathered to discuss developments in this field, identify existing problems, and etc;

- The President's Decree No. 582 of October 15,1997, "On Some Steps on the Improvement of Defence Related Scientific-Industrial Activities in Georgia," established a Standing Interagency Commission of National Security Council for Military-technical Issues under the chairmanship of a State Minister. The Commission's charter and the list of its members were also approved according to the Decree;

- On December 7,1999, the Presidential Decree N 650 "On some measures of regulation of export-import of military armament, equipment and ammunition" was adopted;

- On July 15, 2000, the Presidential Decree N 304 regarding the list of military use production under the export control was adopted.

Of a special importance is a fact, that in spring 1998, the Georgian Parliament passed "Law of Georgia on Export Control of Arms, Military Technology and Dual-Use Products". On April 29,1998, President Shevardnadze signed the Law and it entered into

force from September 1,1998.

The Law explicitly states, that one of the main principles behind regulating exports in Georgia is to adhere to international obligations regarding the non- proliferation of weapons of mass destruction. The following categories of items are subject to export controls: conventional arms and military technology; raw materials, materials, special equipment, technology and services connected with their production; nuclear materials, technology, equipment and facilities; special non- nuclear materials and products; dual-use equipment and technologies; radiation sources and isotope products; nuclear, chemical, biological and dual-use technologies which could be used in the creation of weapons of mass destruction or a missile weapons in accordance with lists of items established by international non-proliferation regimes.

Of special note is the commitment made to the international non-proliferation regime. The Law also outlines the process for obtaining an export license and explicitly states, that nuclear materials can only be exported if the importing country meets special guarantees, such as:

- The items will not be used in the production of a nuclear weapon or for the achievement any military goal;
- The items will be placed under the AIEA safeguards;
- The items will be placed under physical protection at levels not less than those recommended by the IAEA;
- The items will be re-exported only if the third country can guarantee the three conditions above. In the case of HEU enriched to over 20%, Plutonium, or heavy water, re-export will take place only with the written permission of the relevant authorities within Georgia.

For the understanding of the importance of export control law is necessary to underline, that due to absence of nuclear weapons, nuclear power plants and substantial amount of radioactive materials, export controls is the main field in non-proliferation

Georgia can work on and prove its support to the noble aims of non-proliferation.

Areas of practical co-operation

Possible areas of cooperation, where international assistance may be most useful for Georgia:

US-Georgia Training and Equip Program: as an extremely necessary tool in struggle against the Global and International terrorism, assisting Georgia to determine its role in the International Security Structures. The implementation of the program will significantly increase the operational abilities of Georgian Armed Forces, contribute to the more effective control of the National Border and will reinforce security and stability in the whole South Caucasus region.

Assistance in the implementation of Georgian-Russian Joint Statement: One of the most important steps forward to the strengthening of Euro-Atlantic security was made at the OSCE Istanbul Summit in 1999. This was signature of the adapted Treaty on Conventional Forces in Europe (CFE Treaty). In the complex of the new Treaty was included Georgian-Russian Joint Statement, made in Istanbul during the OSCE Summit on November 17, 1999.

According to the statement, 2 Russian military bases in Georgia had to be withdrawn before July l, 2001. In spite of significant importance of the CFE Treaty, this obligation contains some problems, which can't be covered by the CFE Treaty and need more complex approach.

For example, we already mentioned number of cases when radioactive sources had been discovered on former Russian military installations. Unfortunately, this number is still growing. Taking an opportunity and expressing our deepest gratitude to the states, who had already offered their assistance for the solution of this problem, let me stress again importance of co-operation and assistance in this field. Full monitoring of the

former Soviet / Russian military locations are necessary precondition for the elimination of the problem ofunaccounted nuclear materials;

Assistance in border/customs control: one of the effective means in combating proliferation threats is implementation of national controls such as effective border and customs control mechanisms. Therefore, assistance in the border protection field is very important. Such assistance may include financial support, organization of training programs for customs and border guard officials, establishment and improving of national databases, communication systems and equipment for monitoring and controlling movements across borders;

Training of relevant Governmental structures: another important component for fighting proliferation is training of appropriate personnel from customs, border guards, police, the judiciary and other agencies involved in combating proliferation. This may also include assistance in establishment of interagency working groups involving all relevant national structures in order to enhance co-operation and information exchange among law-enforcement agencies at the national level;

Assistance in initiation of common regional approach: in spite of all above mentioned activities, effective combating proliferation is impossible only through national measures without valid regional cooperation. Assistance in regional approach to this problem may include support for establishment of common criteria, encouragement of regional agreements, also elaboration of regional training programs and joint exercises for strengthening regional links between law-enforcement and other agencies. In this regard it is important of International Regional Forums on Export Control and Non-Proliferation of Weapons of Mass Destruction for Caucasus and Central Asian Countries, organized by the US Departments of State and Commerce.

EXPORT CONTROL

Why Coordination of Export Control Functions is Necessary

Proliferation prevention of chemical, biological and nuclear weapons is a complex task. To address it effectively, governments must achieve consistency in approach across functional areas within their national export control systems and align their system with other national systems regionally and globally. Nations that have operated export controls for decades have over time developed a common framework as the basis for their national export control systems.

Each of the key functional areas must have the capacity to give and obtain guidance, information, and reinforcement to and from the other areas, thereby ensuring that the system operates effectively as a whole. The legal foundation governments establish for export control issues will have far-reaching repercussions for approaches and processes developed for licensing, industry outreach, and enforcement. Law also establishes a useful basis for industry cooperation and outreach. Moreover, the clearer the legal foundation, the easier it is for governments to develop licensing and enforcement regulations to carry out the intentions as the specific circumstances evolve. Flexibility is critical in export controls, given the dynamic environment in which they operate. These reasons explain why national export control systems are most effective if their key functional areas are carefully coordinated with each other.

The U.S. Bureau of Export Administration (BXA) has employed this framework encompassing the key functional areas as the basis for the programs it has offered during the bilateral technical exchanges conducted with export control officials from the countries of the Caucasus and Central Asian region since the early 1990s.

Concept of the Regional Forum

The Regional Forum was established to enable export control officials from Armenia, Azerbaijan, Georgia, Kazakhstan, The Kyrgyz Republic, Tajikistan,

Turkmenistan, and Uzbekistan to: coordinate and align their national export control procedures and practices to the maximum extent possible; update their counterparts on recent developments in their national export control systems; and identify, analyze, and resolve cross-border export control issues to prevent proliferation of weapons of mass destruction (WMD) and accusation its to terrorist organizations.

An analysis of the transcripts of discussions from Regional Fora held in 1998 and 1999 indicates that participants at those Fora suggested at least four issues as challenges to successful export/transit control that they believed should be priorities for discussion and possible future action by the Regional Fora. These four issues are:

- Transit of Items Subject to Export Control
- Consolidation of Control Lists Using the EU Model
- "Catch-All" Regulation
- Industry Compliance

Transit of Items Subject to Export Controls

Goods are said to be "in transit" when they are shipped via a road vehicle, vessel or aircraft and pass from one country to another. "In transit" is defined as movement of an item subject to export controls from country A to country B. Currently, the exporting country is not legally obligated to inform any country through which a sensitive shipment will pass ("the transit country") about that shipment. Consequently, customs officers in transit countries confront shipments, often with vague descriptions of their contents, and find it extremely difficult to recognize which shipments contain sensitive items subject to export control. There are currently no standards regarding what information must appear on "Bills of Lading", and the information usually provided on shipment labels is rarely sufficient to identify sensitive goods. National export control authorities find it difficult to determine which items in transit are controlled because the nations of the region lack a common basis for making such decisions. The nations of the South Caucasus and Central Asia region handle large volumes of goods in transit, and none is a member of any of the four multilateral export control regimes. These countries thus are often "left in the dark" to cope with the increasing traffic in military and dual-use goods without access to

information available to regime members. This is why the Regional Forum has identified transit of items subject to export control as a top priority.

At the Fourth Regional Forum in Tbilisi in 1999, the Georgian delegation recommended that nations take the following measures into account in their discussions concerning the regulations to implement the Transit Agreement, once those nations have approved an Agreement: to improve customs procedures at national border control points, and to create a system of mutual notification of shipment of cargo's, and a mechanism for expeditious information exchange.

Governments have expressed concerns that export control list users – especially exporters and Customs officials – find the control lists difficult to understand. Users have complained that the control lists often lack clear organizational structures, are excessively long and technical, and do not use standard terms in a consistent way. Recently, progress has been made on this issue within the European Union (EU). Revisions in the multilateral export control regime lists have been incorporated into the new EU dual-use control list to the new Regulation 1334/2000.

In November 2000, the parliament of Kazakhstan enacted a law authorizing the national government to issue revised national export control lists, reformatted to incorporate the structure of EU control lists. After this law was enacted, the government of Kazakhstan published revised control lists that use the EU numbering system and ten technical categories with five sub-groups. By adopting the EU structure in its control lists, the government of Kazakhstan has made it easier for list users to understand sensitive dual-use technology and software controls (Note: *the decision to adopt the EU structure does not affect the governments autonomy in decisions concerning which items are subject to export controls*).

In late November 2000, the government of Kazakhstan held a conference in Astana – attended by export control officials from Uzbekistan and Tajikistan – to explain the implications of the control list revisions to exporters. The government of Kazakhstan has agreed to conduct several more workshops on the use of its control list.

The means by which governments apply existing national export control procedures to goods and technologies not on national control lists when it is known or suspected that such goods or technologies will contribute to WMD programs is so cold

"Catch-All". This type of regulation is also known as "End Use" Regulation because it requires that exporters ensure that their exports of dual-use products have legitimate end uses. Since the early 1990s, following revelations that products not covered by existing control lists had been used to develop WMD, many countries have introduced Catch-All provisions into their national export control systems.

Some have seen the widespread adoption of Catch-All Regulation as the global export control community's response to trade liberalization pressures. Governments have reduced the contents of the list of dual-use items they control for non-proliferation purposes and have enhanced the mechanisms they use to control those items that remain on that list. Catch-All Regulation can be helpful in at least two ways: 1) it applies a new standard to exporters that they are to use to prevent export of even normally uncontrolled goods to WMD programs, and, 2) it gives export control/Customs officials the authority to detain goods being exported to suspected or confirmed WMD program participants.

Delegates at the Third and Fourth Regional Fora recommended that nations of the South Caucasus and Central Asia region introduce a Catch-All clause into their national export control laws. Delegates recognized that to implement and effectively enforce a Catch-All Regulation, their governments would need to develop mechanisms to exchange information, especially concerning end users. Since under the Catch-All concept, exporters are responsible for ensuring that products go for legitimate end uses, governments would need to educate their exporters and establish regular communication channels to address questions and concerns.

Industry Compliance

Governments must depend on the cooperation of exporters to operate national export control systems efficiently and to secure compliance with export control laws and regulations. As a consequence, governments need to take specific measures to assist exporters to know and fulfill their responsibilities. Governments need to make sure rules and procedures are clear, consistent, comprehensible, and accessible to exporters, and should a strategy for disseminating pertinent information to affected parties.

At the Fourth Regional Forum in 1999, a delegate from Ukraine attending the Forum as an observer explained the Ukrainian governments` industry outreach program, which includes courses for exporting enterprises on the license application process and enterprise internal compliance programs (ICP). The ICP is a computer-based training and job aid tool, which the US bureau of Export Administration (BXA) has made available to foreign governments to assist those governments` in educating their exporters concerning those governments export control requirements and helping those exporters to develop in-house compliance programs consistent with national regulations. Each government wishing to encourage use of the ICP tool by its exporters customizes it to reflect its national export control laws, regulations, policies and procedures. For nations of the South Caucasus and Central Asia region, the ICP could provide a means of educating companies concerning their governments` export control requirements pertaining to movement of goods across national borders.

For nations of the South Caucasus and Central Asia region it is important that government is the consider convening a technical workshop to explore best practices in industry-government relations and outreach. Such a workshop might address how best to educate and enable them to cooperate with government officials on export control compliance. Also important the development of a web site as a possible means to disseminate information about industry compliance among the governments of the region.

Need to Improve the Quality and Effectiveness of Export Controls

The nations of the South Caucasus and Central Asia region are developing and improving their national export control infrastructures. Like their counterparts in other parts of the world, export control officials from these countries are under pressure from exporters to develop understandable, transparent regulatory procedures that cause minimal disruption to legitimate international trade. Export control officials must be careful to ensure that any new laws, regulations, or implementation procedures are consistent with existing national law and international treaty obligations.

The regional forum provides a venue for national export control officials to cooperate and communicate with their counterparts in other nations in the region on quality improvement initiatives in each of the functional areas of export control. The Forum also gives export control officials of each participating country an opportunity to update their counterparts on recent developments in the legal-regulatory, licensing, industry outreach, and enforcement areas of their national system.

During the Fourth Regional forum in Tbilisi, the Enforcement expert group agreed to cooperate on the development of a web site. Regional enforcement agents would use this web site to share information and improve cooperation and communication among regional enforcement agents. Also the Licensing and Industry Outreach expert group explored a plan to conduct a regional technical workshop to study and improve regional licensing procedures and the use of control lists.

Very important to share information on progress for South Caucasus and Central Asia respective national governments have made and problems they have encountered in developing and improving their national export control systems. At the Fourth Regional Forum, Georgia presented information concerning its draft provisions to control export, re-export, and transit of dual-use products, pointed out unresolved issues still under discussion concerning the implementing regulations. One major issue concerned the degree to which the government would assign responsibility for applying for export licenses to enterprise managers. Another related issue was that most Georgian enterprises producing or handling technologies subject to export control were privatized only recently, and their managers would welcome training in export control regulations. The Georgian government is also considering measures to control the transfer of knowledge, i.e., “intangible technology” to rouge countries and terrorist organizations.

CONCLUSIONS

Among the various motivations that have inspired terrorism during the last thirty years the two most significant ones for the foreseeable future are nationalist terrorism, religious extremism and aggressive separatism. Nationalist terrorism is employed by people with a common identity to attempt to achieve independence from a ruling power. After the collapse of the Soviet Union a number of new independent states appeared in Europe. Many of them had boundaries with the neighboring states which were drawn in the past by the political will of the former rulers. These borders failed to consider common history, language, religion, or ethnic ties within the new structures. As a consequence the cry for self-determination and independence of various groups arose together with the intention to fight for independence. Sometimes this fight has included terrorist means.

Religious extremism is driven by the belief that violent actions against liberal atheists are not only fulfilling God` s will, but are also saving mankind from the evil in the world. The difficulties in the economic transition to a better life in poor North African and Arab countries for example, have led to beliefs that the West wants these countries to remain poor and this has become a common basis for some of their ideology. In the Western world of liberal and democratic political states, the freedom of open markets as well as a different view of human rights is often unjustly presented as the cause of poverty and the evil in the world. These motivations and ideologies aim to pursue a political goal and terrorism is frequently seen as the only way to achieve these goals. Democratic institutions and the democratic way of life considered to be completely out of reach for these countries and could even be seen as antagonistic from a fundamentalist point of view.

Both nationalist and religious extremism are categories of terrorist motivation that can be found in many regions and countries all over the world. The spread of these beliefs has sometimes become a new challenge for governments and rulers. In the international and global sense, the Western hemisphere's overwhelming economic and political world dominance could be seen as the "enemy". The West can be criticized for judging third world countries and their societies by its own moral standards while leaving these countries behind in poverty. The enlarging gap between rich and poor, between

developed and developing countries could be used as justification for violent terrorist actions.

By recognizing these threats, the West in general and NATO countries in particular may have three promising opportunities to counteract and prevent terrorism caused by nationalistic or extreme religiously motivated actors. Firstly, the gap between the rich and the poor, the North and the South, the West and the East must be narrowed. Although it will take some time to overcome economic and trade problems, the West should be obliged to show its political will to provide help. Secondly, democratic values have to be discussed, explained and presented clearly as essential for every nation's benefit. These values must include the acceptance of minorities and religious diversity. Thirdly, the exchange of intelligence information between countries must be enhanced.

Fed by ideology, nationalism and religious extremism most terrorist incidents are carried out by non-state actors. After the end of the Cold War state supported terrorism diminished principally because the superpower USSR collapsed. Previously the USSR had appeared on the international stage as the sponsoring big brother in the name of ideology. However, even today some countries probably support active or dormant terrorist organizations by providing money, training, safehavens and logistics.

Today modern terrorism frightens people because it has the potential to employ high tech weapons such as biological, chemical, or possibly even nuclear devices as well as and the use of information warfare. The use of **biological agents** as weapons of terrorism, insurgency, or war – no matter how repugnant – cannot be discounted. Biological agents have been known to have been produced on a large scale by countries like Iraq and they could easily have been provided to non-state actors having similar goals. The likelihood of the use of biological agents is increasing as the former stability of the Cold War balance of power has vanished and the proliferation of biological weapons has become easier. Biological terrorism is frightening and the threat is real. Needless injury, death, and public hysteria would be a bad bargain, if this threat were not taken seriously. Reasonable protective measures would demand increased attention.

Chemical weapons are obviously an effective military tool and could easily be an instrument of terror. In the past NATO gathered firsthand experience about the effectiveness of chemicals on the battlefield and invested significantly in chemical

capabilities for potential retaliation. Chemical weapons would have a dramatic effect on troop performance even for those with a defensive capability. The use of chemical weapons in terrorism might be less effective than biological agents but either could cause massive civilian casualties and tremendous psychological and political impacts. To reduce the risk of the use of biological and chemical agents as weapons of terrorism, Counter Terrorism coalition and NATO allies should assist, advise and support newly independent states in building up a national export-control system to prevent the proliferation of weapons of mass destruction. Of course the basic technology for the development and construction of some weapons of mass destruction is the same as that for some civilian applications. This is especially true in regards to commercial activities involved in manufacturing legitimate chemical substances. These dual-use technologies pose a significant danger if they are diverted to weapons production. One of the difficulties is the fact that improper use of these technologies is difficult to detect. The balance between a desire for national exports and the control of information must be matter considered on case by case basis.

In the field of **nuclear terrorism** the likelihood of an incident is believed to by low, compared to the chance of a biological or chemical attack. The effect, however, of a terrorist nuclear attack would be profound, or even disastrous for any country. NATO and member countries must remain vigilant in counter proliferation efforts in order to minimize such risks.

Most terrorists seek to promote their particular ideas, aims and organizations. Consequently and logically, under normal conditions they would not be willing to use weapons of mass destruction. This is because in destroying entire populations and devastating societies, terrorists could lose everything they have fought for. Thus only self-destructive terrorists or those seeking religious martyrdom will consider weapons of mass destruction.

For the South Caucasus and Central Asia country problems related of chemical, biological and nuclear weapons Terrorism more less is similar:

Political Instability. One part of political scientists presume that country's crisis in ideological and government-jurisdiction system can lead to terrorism development in this region, which is the best condition of opposition groupings' (political, social,

national and religious) spread, which cause a suspicion in the authority and legality of it's affairs. Judging from an example taken from different countries and recent happenings, if the above named groupings come to a conclusion that it's impossible to reach goals legally, the use of terrorism becomes actual, which is unfortunately one of the varieties of spreading influence on governmental institutions and social ideas. Concerning the above mentioned, political scientists think that it will be reasonable to apply opposition actions to constitution, what will exclude possibility of opposition's connection with radical forces.

Existence of conflict in religious aspect. According political scientists, the increase in religious tension in the region is undisputedly an outcome of factors of non-reliance on authority organs and political organizations, a decrease in living standard and an external religious expansion. They also presume that terrorism on the territory of South Caucasus and Central Asia country's can be formulated as the following: a solution of disputable questions in private sphere, as a means of spread of ideology in South Caucasus and Central Asia country's certain regions, as a series of massive suicides from destructive religious cults.

Unsatisfactory state of ecology is an undisputed basis of the ecological terror outbreak on the South Caucasus and Central Asia country's territory.

Existence of conflict between clans inside the countries, according analysts, can cause terrorism in political forces among regional leadership conditions, which from the position of separate financial-industrial groupings, can lead to destabilization in the regions which are under political opponents' control.

Low level in medical service, sanitary and epidemic control, according political scientists, defines possibility of terror attacks that use chemical and bacterial warfare.

Specialists claim that, South Caucasus and Central Asia country's in the sphere of medicine, having taken into consideration the level of up-to-date financial-technical and professional preparation, is incapable of extinguishing epidemic in the cities with population of a million.

Existence of Russian Federation military forces on the some South Caucasus and Central Asia country's territory, according political scientists, poses danger to the

spread or terror attack on the above named Russian military forces by external terrorist organizations as well as by internal radical-national groupings. To our mind, this type of terror attacks can yet only have provocative implication.

High concentrations of those dangerous objects in the region, which need strong repairs and increase in security automatically attract terrorist groupings' attention. According some experts, the following can be named as these objects: atomic electro plants, chemical industry complexes, atomic substance storage, etc.

Existence of ethnical conflict in different South Caucasus and Central Asia country's regions, according political scientists, increases possibility of outbreaks of terror attacks, which will probably be used by ethnical minority representatives to discriminate between separate ethnical groups, to protects their rights and to change some compact settlement of ethnical groups.

Apart from all the above, we assume that it's noteworthy to mention another opinion of American experts. They claim that modern terrorism is directed not against concrete authorities, but against population, which will undisputedly lead to demonstration of catastrophic outcomes of terror attacks with the means of mass information. Taking into consideration that unprecendented catastrophic results can only be achieved with the help of high technology (terror warfare), probability of so called high-tech and WMD Terrorism acquisition rises. International experts presume that there is an adequate base for high-tech and WMD Terrorism acquisition in hole the world and in South Caucasus and Central Asia countries in particular.

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