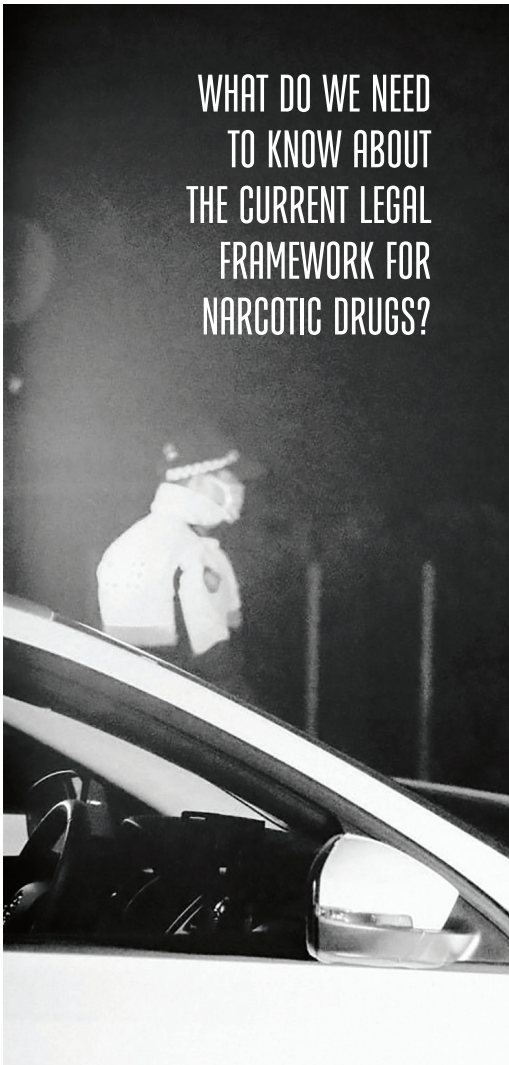


WHAT DO WE NEED
TO KNOW ABOUT
THE CURRENT LEGAL
FRAMEWORK FOR
NARCOTIC DRUGS?



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A number of legislative changes aimed at introducing liberal approaches have been implemented in recent years in the field of drug policy, in line with the decisions made by the Constitutional Court. The amendments concerned, inter alia, the regulation of marijuana consumption. Regrettably, however, public perceptions pertaining to drug-related crimes or offenses often are not in conformity with the current legislative framework. This brochure aims to inform the public about the legal restrictions and penalties in relation to narcotic drugs.

A GENERAL FRAMEWORK FOR DRUG REGULATION

WHAT ACTION IS SUBJECT TO ADMINISTRATIVE PENALTY?

- ▶ Consumption and/or illegal purchase, storage, shipment, or transportation of drugs (other than cannabis or marijuana) in small quantities -
- ▶ Illicit act of planting, growing, or cultivating a plant containing small amounts of narcotic substances -

A fine of 500 GEL or imprisonment for up to 15 days.

WHAT IS PUNISHABLE UNDER CRIMINAL LAW?

- ▶ Consumption of narcotic drugs (other than cannabis or marijuana) and manufacture, purchase, storage, transportation, shipment of a small amount of illicit narcotic substances, if the person has already been subject to administrative penalty for the same act for the duration of the previous year - is punishable by a fine or community service or imprisonment for up to 1 year
- ▶ Illegal preparation, production, purchase, storage, transportation, or shipment of drugs (more than a small amount and less than a large amount) - punishable by up to 6 years of imprisonment
- ▶ Illegal preparation, production, purchase, storage, transportation, or shipment of a new psychoactive substance in any quantity - is punishable by up to 5 years' imprisonment
- ▶ Illegal drug distribution- punishable by 6 to 11 years' imprisonment.



Remember: Imprisonment for illegal purchase and possession of an unusable amount of drugs has been abolished.

- ▶ Illegal sowing, planting, or cultivation of a plant containing narcotic drugs - punishable by a fine or imprisonment for a term of 2 to 5 years;
- ▶ Driving under the influence of narcotic and/or psychotropic substances - is punishable by a fine or by a term of imprisonment not exceeding 1 year.



Note: When committing the above listed actions under aggravating circumstances the penalties are increased accordingly.

DEPRIVATION OF CIVIL RIGHTS

Convicted drug users will be deprived of the following civil rights for the duration of 3 years: the right to operate any kind of vehicle, the right to work in educational and state institutions, the right to conduct medical and/or pharmaceutical business, legal counseling services; election related passive rights; the right to manufacture, store and carry weapons.

The same rights may be revoked for a period of up to 3 years for the persons subject to administrative liability for illegal purchase, storage, transportation, shipment, consumption, and/or being under influence of marijuana.

In case of conviction for purchase, possession, sale of drugs, these rights can be deprived for a period of 5 to 20 years.

LEGISLATION FRAMEWORK FOR MARIJUANA

WHAT IS LEGAL?

Consumption of marijuana in a private space - in a residential house or other privately owned building, if this building is not in parallel used for economic activities.

WHAT ACTION IS SUBJECT TO ADMINISTRATIVE PENALTY?

- ▶ For persons over 21 years of age, marijuana consumption in any building, except private property, is punishable by a fine of 500 to 1000 GEL, while persons under 21 years of age are prohibited from consuming marijuana in any circumstances.
- ▶ The amount of the fine (from 800 to 1200 GEL) for the consumption of marijuana in public places/place of social gatherings is further increased. For the consumption of marijuana or being under the influence in the presence of a minor (including in the private space), at the facilities intended for minors, or at gatherings of persons under 18 or in the vicinity of 150 meters, the fine is set at 1000-1500 GEL.
- ▶ For purchase, storage, transportation, shipment of a small amount of dried marijuana (up to 5 g), raw marijuana (up to 10 g), and cannabis plant (up to 10 g), the fine is 500 GEL
- ▶ Illegal sowing, planting, or cultivation of a plant containing a small amount of drugs - a fine of 500 GEL or imprisonment for up to 15 days.



Remember: The administrative sanction for cannabis and marijuana use has been lifted only in private space.

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WHAT IS PUNISHABLE UNDER CRIMINAL LAW (NON-CUSTODIAL SENTENCE)

- ▶ Purchase, storage, transportation, or shipment of small amounts of marijuana if the perpetrator has already been fined for the same act or convicted of the offense; And
- ▶ Illegal purchase, storage, transportation, or shipment of more than a small amount and less than a large amount of marijuana (dried: 5 to 70 grams, raw: 10 to 140 grams)- is punishable by a fine or community service.



Remember: criminal liability has been abolished only for marijuana use;



Remember: Imprisonment for purchasing and storing dried (up to 70 grams) and raw (up to 140 grams) marijuana for personal use has been abolished.

IN WHAT CASE IS IMPRISONMENT PROVIDED?

- ▶ Purchase, storage, transportation, shipment of large (from 70 g) and especially large quantities (from 500 g) of dried marijuana and raw marijuana/cannabis (large quantity - from 140 g; especially large - from 1000 g)
- ▶ Distribution of any amount of cannabis or marijuana illegally
- ▶ Illegal sowing, planting, or cultivation of more than 151 grams of the cannabis plant.



Remember: imprisonment was abolished only for illegal planting or cultivation of up to 151 grams of narcotic substance – cannabis plant for personal use;



Remember: Imprisonment for six to twelve years, as a form of punishment, was abolished only for illegal sowing or cultivation of up to 266 grams of cannabis for personal use.



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