

Law of Georgia

On making changes to the Juvenile Justice Code

Article 1. In the Code of Juvenile Justice (Legislative Gazette of Georgia (www.matsne.gov.ge), 24.06.2015, registration code: 080060000.05.001.017792), the following changes will be made:

1. The first part of Article 8 shall be amended as follows:

"1. In the juvenile justice process, priority is given to the Criminal Law Code of Georgia, the Criminal Procedure Code of Georgia, the Code of Administrative Offenses of Georgia, the Penitentiary Code and the easiest way to achieve the goals of this Code."

2. Part 3 of Article 79 shall be amended as follows:

"3. In the rehabilitation facility for minors, minors are placed in special housing, where it is possible to monitor and control by visual and/or electronic means in accordance with Article 58 of the Penitentiary Code.

3. Part 2 of Article 82 shall be amended as follows:

"2. In case of injury to the body of a minor accused/convict while providing medical services, the medical staff is obliged to immediately inform the relevant investigative body, the legal representative of the minor accused/convict and the head of the penitentiary institution where the minor accused/convict is placed. If, while providing medical services to a minor accused/convict, the medical staff notices any physical injury and/or other such circumstance that would cause an objective person to suspect possible torture and other cruel, inhuman or degrading treatment of the said patient, a medical examination of the minor accused/convict is carried out. even without his consent."

4. Article 84:

a) Parts 4 and 4¹ shall be formed with the following wording:

"4. In the rehabilitation institution for minors, the conditions for receiving professional education should be created for the minor in the manner established by the Penal Code, which will contribute to his employment after leaving the rehabilitation institution for minors.

4¹. A juvenile convict enjoys the right to receive education at the first level of academic higher education, which is carried out in accordance with the procedure established by the Penal Code.";

b) After Section 8, Section 9 of the following content shall be added:

"9. One of the main means of resocialization of a juvenile convict is to conduct educational work with him.

5. The first part of Article 86 shall be amended as follows:

"1. A juvenile accused/convict should be provided with the right to exercise and walk daily. Appropriate equipment and space should be available for this purpose. The walking area should be arranged in such a way that meteorological conditions do not prevent the realization of the corresponding right.

6. Article 87:

a) subsection "c" of the first part should be formed with the following wording:

"c) to have 5 telephone conversations at his own expense per month, each of at least 15 minutes, and as an incentive, at his own expense - unlimited telephone conversations;"

b) Part 2 shall be formed with the following wording:

"2. A juvenile accused has the right to have no more than 4 short appointments per month, as well as 1 long appointment during his imprisonment (except for the first 3 months of his imprisonment). He also has the right, under the control of the penitentiary institution, to have at least 3 telephone conversations per month, at least 15 minutes each, at his own expense, and to receive unlimited letters and parcels. These rights may be limited based on the decision of the investigator or prosecutor or the court's decision, taking into account the best interests of the minor.";

c) After part 2², parts 2³ and 2⁴ of the following content shall be added :

"2³ . The Minister of Justice of Georgia is authorized to determine the number and duration of telephone conversations more than the number and duration of telephone conversations determined by subsection "c" of the first part of this article and part 2 according to the regulations of the corresponding penitentiary institution, taking into account the infrastructure of the said institution and other relevant circumstances.

2⁴ . In the presence of special circumstances (birthday of a minor accused/convict or a member of the family of the accused/convicted under the first part of Article 115 of the Penal Code, birth of a child, other circumstances) by the decision of the director of the corresponding penitentiary institution, the minor accused, who does not have the right to talk by telephone under this Article - according to part 2, a minor The convicted person may be granted the right to an additional telephone conversation, which is carried out in the corresponding penitentiary institution for the duration of the telephone conversation.";

d) Part 3 shall be formed with the following wording:

"3. For the purposes of subsections "a" and "b" of the first part of this article, a minor has the right to meet with any other person with the permission of his legal representative and the general director of the penitentiary service, except for the persons provided for in the first part of Article 120 of the Penal Code.

7. Paragraph "a" of the first part of Article 98 shall be amended as follows:

"a) notifies the juvenile convict and his legal representative, as well as the territorial body of the agency - Bureau of Crime Prevention, Enforcement of Non-custodial Sentences and Probation, and the relevant body of the municipality based on the place of residence of the juvenile convict, of the upcoming release date of the juvenile convict;"

Article 2. Until January 1, 2025, the minor defendant enjoys the right of appointment only with the right of a short appointment, which is carried out in accordance with the procedure established by the legislation of Georgia.

Article 3. This law shall enter into force on January 1, 2024.

President of Georgia

Salome Zurabishvili

Tbilisi,

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