



მოხმარებისათვის გამოუსადეგარი ოდენობით
ნარკოტიკული საშუალების შეძენა-შენახვისათვის
მსჯავრდებულებს განაჩენის გადასინჯვის
მოთხოვნა შეუძლიათ



Convicts can request a review of their conviction on the purchase and storage of narcotic drugs with inappropriate quantities for consumption

On June 4th, 2020, the Constitutional Court declared unconstitutional the normative content of Article 260, Part 3 of the Criminal Code, which allowed imprisonment for the purchase and storage of unsuitable quantities of drugs for consumption for a term of five to eight years.

According to the Constitutional Court, the quantities of narcotic drugs suitable for consumption for each specific narcotic drug should be assessed by a court considering a criminal case.

Based on the Judgment of the Constitutional Court, due to the newly revealed circumstances, it became possible to review the conviction in similar cases.

If a particular person has been convicted of the purchase or storage of quantities of narcotic drugs that are unsuitable for consumption, his conviction, based on the relevant petition, shall be reviewed by the Court of Appeals according to the jurisdiction.

The petition must be accompanied by:

- A conviction by which a person is convicted;
- The conclusion of the examination (expert opinion), on the basis of which the mentioned person was convicted due to the purchase and storage of a specific narcotic drug and the quantities of the narcotic drug could not be determined;
- The conclusion of the new examination (expert opinion), which confirms that the quantities specified for the illegal purchase and storage of a narcotic drug at the time of sentencing are unsuitable and inappropriate for consumption if the amount of the narcotic drugs has been determined by the conclusion of the examination at the time of the sentencing.

If the relevant documents are available, GYLA is ready to assist the convicts in preparing the petition. You can get a telephone consultation on this issue at 2-30-72-36 from Monday to Thursday from 11:00 to 18:00 and on Fridays from 11:00 to 14:00. For online consultations please write to us at the following email address:
legalaid@gyla.ge