



**“Support to the anti-corruption strategy of Georgia”
(GEPAC)**

**Training for Prosecutors
on the implementation of the amendments on the Criminal Law
of Georgia related to liability of legal persons**

Agenda

8 July 2008

Training Centre of the Prosecutor’s Office, Tbilisi, Georgia

10:00-10:30 **Welcome Coffee**

10:30-10:45 **Opening remarks**

Ms Tanya Peshovska, GEPAC Project Officer
Mr Levan Khetsuriani, Council of Europe Long Term Adviser for GEPAC

10:45-12:15 **Presentation on International Standards and Discussion**

Mr Georgi Rupchev, Council of Europe Expert

- Introduction of international standards applicable to liability of legal persons
- Guidelines on the implementation of the amendments on the Criminal Code of Georgia related to the liability of legal persons

Moderator - Mr Levan Khetsuriani, Council of Europe Long-term Adviser for GEPAC

12:30-14:00 **Lunch**

14:00-15:30 **Discussion on legislative innovations in Criminal Code of Georgia and review of other normative acts (part 1)**

Mr Georgi Rupchev, CoE Expert / Mr Ucha Gogokhia, Expert, Ministry of Justice of Georgia

- Review the structure of Chapter VI of the Criminal Code of Georgia taking into account the amendments made to it on 4 July 2007 and 19 March 2008;
- Analyse and review Chapter LXIV² of the Criminal Procedural Code of Georgia
- Existing judicial practice;
- Review the draft law, submitted to the parliament of Georgia, concerning extending liabilities for legal persons;

Legislative innovation: article 194¹ of Criminal Code of Georgia – use, obtain, possess and alienation of property obtained through legalisation of illegal assets

- The structure of the corpus delicti;
- Liability of legal persons according to the article of 194¹ of the Criminal Code of Georgia
- **Legislative innovation: article 202¹ of the Criminal Code of Georgia**
- Reasons and purpose of criminalisation considering recommendations of international organisations;
- Practical approach to other normative acts necessary for the purpose of legal analysis.

Moderator - Mr Levan Khetsuriani, Council of Europe Long-term Adviser for GEPAC

15:30-15:45 **Coffee break**

15:45-17:00 **Discussion on legislative innovations in Criminal Code of Georgia and review of other normative acts (part 2)**

Mr Georgi Rupchev, CoE Expert / Mr Ucha Gogokhia, Expert, Ministry of Justice of Georgia

Article 194 of the criminal code of Georgia legalization of illegal assets (money laundering)

- Reason for the amendments - legal gaps in the corpus delicti
- New structure of the corpus delicti
- Probability of confiscation of the illegal or unjustified assets of the convicted person and its legal mechanism according to the paragraph 3 of the article 194 of the Georgian Criminal Code
- Criminal Liability of the legal entity for committing the crime under paragraph 194 of the Georgian criminal Code

Article 186 of the criminal code of Georgia deliberate obtaining or alienation of the property gained through illegal way

- Reason for the amendments– legal gaps in the old version of the article
- New structure of the corpus delicti - in accordance with the amendments made on 19 March 2008

Article 331¹ of the criminal code of Georgia – Terrorism Financing

- Reason for the amendments - legal gaps in the old version of the article
- New structure of the corpus delicti - in accordance with the amendments made on 19 March 2008
- Criminal Liability of the legal entity for committing crime under paragraph 3311 of the Criminal Code of Georgia

Moderator - Mr Levan Khetsuriani, Council of Europe Long-term Adviser for GEPAC

17:00-18:00

Final remarks/Conclusions

- Mr Ucha Gogokhia
- Mr Georgi Rupchev