



Information and observations on the scope and application of universal jurisdiction in Georgia

Prepared by the Ministry of Justice of Georgia

There are two modalities in which Georgia exercises its criminal jurisdiction - territoriality and extraterritoriality. The latter, according to Article 5 of the Criminal Code of Georgia (CCG) is based on principles of active personality (due regard paid to double criminality requirement), protective principle and principle of universal jurisdiction. The latter is stipulated in Article 5(3) of the CCG which is read as follows "a foreign citizen or a stateless person shall be criminally liable for a crime committed abroad . if criminal liability for committing the crime is established by an international treaty to which Georgia is a State party "

Georgia is a State party to the following international documents envisaging to greater or lesser degree the principle of universal jurisdiction - the 1984 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Geneva Conventions of 1949 and its

Additional Protocol of 1977 and the Statute of International Criminal Court (as amended by the

2010 Kampala Amendments).

Furthermore, according to Article 6 of the Law of Georgia on International Treaties of Georgia the