

Article 1 - Purpose of the Law

The purpose of this Law is to facilitate the fight against and the prevention of organised crime, the “criminal underworld” and racketeering, and the fight against members of the “criminal underworld”/“thieves in law” for the protection of private, public and state interests.

Law of Georgia No 2354 of 18 April 2018 – website, 1.5.2018

Article 2 - Racketeering, racketeering groups, racketeers

1. Racketeering is a repeated and organised activity intended to obtain income or other property benefits systematically, and related to the intentional commission of crime (unless the conviction is expunged or removed), if it occurred at least twice during five calendar years, which does not include the period of the racketeer’s arrest and the period of service of the sentence.

2. A Racketeering group is any legal person or a group of natural and/or legal persons, the occupation of which is related to racket.

3. A racketeer is a person who independently or with other person(s) directs the activities of a racketeering group, or otherwise participates in the activity of a racketeering group, and he/she knows that this group is a racketeering group; also a person who illegally resolves disputes between racketeering groups or between a racketeering group and other persons, or participates in resolving such disputes.

Article 3 – “Criminal underworld”, “criminal underworld” activities, a member of the “criminal underworld”, a “thief in law”, “criminal discussion”, “underworld meeting”

1. “Criminal underworld” – any association of persons, which has agreed to carry out “criminal underworld” activities.

2. “Criminal underworld” activities – activities of a member of the “criminal underworld”/“a thief in law” carried out through intimidation, a threat, coercion, the promise to keep silent, a “criminal meeting”/“criminal discussion”, by drawing of minors into criminal activities, commission of a crime, incitement to commit a crime, by using his/her own criminal influence or by another unlawful act with the purpose to gain benefit or advantages for himself/herself or others, to gain/grant power and/or influence.

3. A member of the “criminal underworld” – a person who recognises the “criminal underworld” and actively participates in its activities, and a person who recognises the “criminal underworld”, has a connection with it, and there is a combination of clearly expressed signs that the person acts to be willing to participate in the “criminal underworld” activities.

4. A “thief in law” – a person who manages and/or organises the “criminal underworld” in any form, or manages and/or organises a certain group of persons by using the methods of the “criminal underworld” activities.

5. A “criminal discussion” – making a judgment on an act committed by a person, and/or reviewing/resolving a dispute in any form (including through electronic communication) by a member of the “criminal underworld”/“thief in law” with the purpose to carry out the “criminal underworld” activities.



6. A “criminal meeting” – meeting or contact of two or more than two persons in any form (including through electronic communication) with the purpose to discuss/resolve the issue of granting or terminating membership of the “criminal underworld” for individuals, changing their status, or any issue related to the “criminal underworld” activities (including the issue of administering financial/physical resources).

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Article 4 – A family member, close relative, related person

1. A family member of a racketeer or a member of the “criminal underworld”/”thief in law” is his/her spouse, a minor child, a stepchild, and a person permanently living with the racketeer or a member of the “criminal underworld”/”thief in law”.

2. A close relative of a racketeer or a member of the “criminal underworld”/”thief in law” is his/her relative of a direct ascending or descending line, sister, brother, and a stepchild of his/her parent or child, a sister, a brother, or a parent of his/her spouse.

3. A person related to a racketeer or a member of the “criminal underworld”/”thief in law” is a person who owns property on the basis of legal documents and there is sufficient evidence that the property is received through racketeering or criminal actions of a member of the “criminal underworld”/”thief in law” and a racketeer or a member of the “criminal underworld”/”thief in law” uses this property.

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Article 5 - Property obtained through racketeering, property of a member of the “criminal underworld”/”thief in law”

1. Property obtained as a result of racketeering is the property received from racketeering, income from such property, the property acquired by the income obtained through racketeering, or the income, property or the property income of a racketeering group, a racketeer, a family member or a close relative of a racketeer, or of a person related to the racketeer, when there is no document or other evidence proving the receipt of this property through legitimate means.

2. Property of a member of the “criminal underworld”/”thief in law” is the income, property or the property income of a member of the “criminal underworld”/”thief in law”, his/her family member or close relative, or of a person related to the member of the “criminal underworld”/”thief in law”, when there is no document or other evidence proving the receipt of this property through legitimate means.

3. Property obtained through racketeering and property of a member of the “criminal underworld”/”thief in law” shall be subject to confiscation and shall be transferred to its legal owner after satisfaction of lawful interests of a third person, and if its legal owner cannot be established, the property shall be transferred to the State.

4. The procedure for confiscating and transferring the property obtained through racketeering and the property of a member of the “criminal underworld”/”thief in law” to the State shall be established under the Civil Procedure Code of Georgia.

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Article 6 - Criminal liability of a racketeer, a members of the “criminal underworld”/”thief in law”



Criminal liability of a racketeer, a member of the “criminal underworld”/“thief in law” shall be determined by this Law and other legislative acts of Georgia.

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Article 7 - Final Provisions

1. The Law of Georgia on Organised Crime and Racketeering (Legislative Herald of Georgia, No 18, 9.7.2004, Art. 60) of 24 June 2004 shall be deemed repealed upon entry into force of this Law.
2. This Law shall enter into force on the fifteenth day after its promulgation.

President of Georgia **M. Saakashvili**

Tbilisi,

20 December 2005

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