

Georgia must meet its obligations on the rights of the child

Geneva – Tbilisi, June 9th 2008 – The United Nations Committee on the Rights of the Child has just made public its recommendations on the situation on children's rights in Georgia, noting that it “remains concerned about the information indicating that children continue to be victims of arbitrary detention, police brutality and ill-treatment in detention facilities”.

The United Nations Committee on the Rights of the Child, after examining the third periodic report of the Republic of Georgia on the implementation of the Convention on the Rights of the Child, adopted recommendations that echo much of the information contained in the alternative report submitted by the World Organisation Against Torture (OMCT), the Human Rights Centre (HRIDC) and the Public Health and Medicine Development Fund of Georgia (PHMDF) to the experts of the Committee in September 2007. Particularly, concerns over the serious shortcomings of the Georgian child protection system that lead to an increase in violence against children have been the object of questions and recommendations by the Committee members.

OMCT and HRIDC regret that the Government delegation of Georgia did not reply to the main questions of the expert members on violence against children and did not clarify how it intends to address the various forms of violence against children. Despite this lack of information, recommendations to tackle violence against children have been formulated by the Committee, notably that Georgia should “adopt legislation explicitly prohibiting all forms of corporal punishment of children in all settings, including the home”.

OMCT and HRIDC welcome the discussion between the Government delegation and the Committee members on juvenile justice that lead to the recommendations by the Committee. These recommendations particularly point out the need to reinstate urgently the minimum age of criminal responsibility at 14 years (instead of 12 under the new criminal law), to address the question of juvenile delinquency with a holistic and preventive approach instead of the current zero tolerance policy, and to improve conditions of detention. OMCT and HRIDC remain concern about the proper implementation of those recommendations. Indeed, according to the responses given by the Government delegation, it seems that the Government has no intention to raise the minimum age of criminal responsibility as recommended by the Committee. It also stated that the zero tolerance policy had been useful in addressing crimes committed by juveniles.

Concerning living conditions in detention, including the allegations of ill-treatment, the Government delegation explained that several national monitoring bodies exist in Georgia and will visit places where children are detained. It also assured that no juvenile is detained with adults. In this regard, OMCT and HRIDC are keen to monitor Georgia's implementation of the Anti-Torture Action Plan, which includes a zero tolerance policy on abuse by law enforcement personnel, and the promise of the delegation that no juvenile is detained with adults.

In conclusion, OMCT and HRIDC consider that the detailed Concluding Observations of the Committee clearly show that major steps remain to be taken to ensure that Georgia fully complies with the

Convention on the Rights of the Child. Appropriate measures to implement the Committee's recommendations should be taken and without delay. OMCT and HRIDC remain deeply concerned and will scrutinize the Government's action.

Complementary Information:

- [Alternative report on the implementation of the UN Convention on the rights of the child by Georgia](#)
 - [Conclusions and Recommendations of the Committee on the rights of the child](#) (advance unedited version)
 - [The Committee on the Rights of the Child](#)
 - [The Convention on the Rights of the Child](#)
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