

In 2015, Georgia made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite new initiatives to address child labor, Georgia is receiving this assessment because it continued to implement a law that delayed advancement in eliminating the worst forms of child labor. The Government failed to remedy the abolition of its labor inspectorate, caused by its adoption of the current Labor Code in 2006. Since that time, the Government has lacked a functioning labor inspection mechanism to monitor, inspect, and enforce child labor laws. Otherwise, the Government made efforts by amending the Labor Code to introduce restrictions on the number of hours children are allowed to work, developing and conducting a National Child Labor Survey, and developing a new methodology for identifying vulnerable children. Children in Georgia are engaged in child labor in agriculture and in the worst forms of child labor in forced begging. The Government also lacks a coordinating mechanism to address child labor. In addition, the compulsory education age left 15-year-old children vulnerable to the worst forms of child labor, as they are not required to be in school, but are not legally permitted to work full time.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Georgia are engaged in child labor in agriculture.(1-4) Children are also engaged in the worst forms of child labor, including in forced begging.(5-7) Table 1 provides key indicators on children’s work and education in Georgia.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	29.1 (172,378)
Attending School (%)	5-14 yrs.	92.1
Combining Work and School (%)	7-14 yrs.	31.5
Primary Completion Rate (%)		116.5

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 3, 2005.(9)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming,* activities unknown (1, 4, 10)
Services	Street work, including begging and collecting scrap metal* (4, 10-12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking* (5-7)
	Forced begging, sometimes as a result of human trafficking* (5-7)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

Although estimates regarding the ethnicity and origin of children working on the street vary widely, sources report that children from Roma and Azerbaijani Kurd ethnic minorities make up a significant proportion of these children.(13) In situations of forced begging as a result of human trafficking, traffickers most often operate independently with a small network of three to four children, making it challenging to identify the network. Children forced to beg are often physically abused by their traffickers.(13) NGOs note that a lack of current data on the number and circumstances of children working on the street hinders effective targeting of social services.(13)

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In 2014, a dramatic increase in the number of individuals seeking in asylum in Georgia due to conflicts in the Middle East and Ukraine exceeded the Ministry of Refugees and Accommodation's capacity to process asylum applications in a timely manner. As a result, less than 10 percent of asylum seekers received refugee status during the year, leaving some children with no legal status and therefore ,no access to education or social services, increasing their vulnerability to the worst forms of child labor.(14) By the end of 2015, however, the Ministry of Refugees and Accommodation had granted refugee or humanitarian status to 90 percent of refugees, ensuring that refugee children were able to access education and other services.(15)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Georgia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 4 of the Labor Code of Georgia (16)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Labor Code of Georgia (16, 17)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Order No. 147/N On Approving the List of Heavy, Harmful, and Hazardous Work (18-20)
Prohibition of Forced Labor	Yes		Article 30 of the Constitution of Georgia; Articles 143-i, 143-ii, and 143-iii of the Criminal Code of Georgia; The Law of Georgia on Combating Human Trafficking (21-23)
Prohibition of Child Trafficking	Yes		Articles 143, 143-i, 143-ii, 143-iii, and 172 of the Criminal Code of Georgia; The Law of Georgia on Combating Human Trafficking (22, 23)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 171, 253, 255, 255-1, and 255-2 of the Criminal Code of Georgia (19, 23, 24)
Prohibition of Using Children in Illicit Activities	Yes		Article 171 of the Criminal Code of Georgia (19, 23)
Minimum Age for Compulsory Military Recruitment	Yes	18	Articles 9 and 21 of the Law of Georgia on Military Duty and Military Service (25, 26)
Minimum Age for Voluntary Military Service	Yes	18	Article 10 of the Law of Georgia on Military Duty and Military Service (15, 25-27)
Compulsory Education Age	Yes	15‡	Articles 2 and 9 of the Law of Georgia on General Education (18, 28)
Free Public Education	Yes		Article 22 of the Law of Georgia on General Education (28)

‡ Age calculated based on available information

In December 2015, the Interagency Coordination Council on Combating Trafficking in Persons finalized a draft of several legislative amendments that would expand the child protection referral mechanism; give social workers increased authority to remove children from abusive or negligent homes; and make it easier for street children to obtain identification cards necessary for accessing government assistance. These amendments are slated to be submitted to Parliament for approval in 2016.(10, 29)

The Law on General Education makes education free through high school and compulsory for 9 years, but does not specify a start or end age.(18, 28) Because children begin school at age 6, education is typically compulsory up to age 15.(2) The compulsory education age leaves 15-year-old children vulnerable to the worst forms of child labor, as they are not required to be in school but are not legally permitted to work full time.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Health and Social Affairs (MoLHSA)	Oversee child welfare issues and address labor matters.(19) Through the Child Protection and Social Programs sub-department, receive and forward complaints of child labor violations to law enforcement agencies for investigation and prosecution.(30)
Department for Inspection of Labor Conditions* within MoLHSA	Pilot program designed to enforce occupational safety and health laws and prohibitions of forced labor and human trafficking.(10)
The Department of Labor and Employment Policy within MoLHSA	Address labor and employment issues, and revise existing laws and policies to be in accordance with international standards.(18)
Social Service Agency (SSA) within MoLHSA	Administer social benefits such as targeted social assistance, health care, and vouchers for day care. Employ social service agents who identify qualifying families for services and social workers who oversee child protection and family welfare cases.(10)
Ministry of Internal Affairs (MoIA)	Enforce criminal laws related to child labor and child trafficking and investigate NGO and civilian reports of potential child labor violations.(2, 3, 19)
Central Criminal Police Department within the MoIA	Lead criminal investigations of trafficking in persons, including the trafficking of children, through the Division for Combating Illicit Trafficking of Drugs, Human Trafficking, and Irregular Migration.(30) Identify human traffickers and systematize data on traffickers across various agencies through the Information-Analytical Department.(31) Investigate possible human trafficking schemes by deploying teams of two law enforcement officials in Mobile Units to investigate companies offering suspicious work opportunities abroad.(30, 32)
District Police Units within the MoIA	Collect information on minors within each jurisdiction and visit minors' families to inform them of their rights. Conduct classes for school teachers on children's rights.(33)
The Prosecutor General's Office within the Ministry of Justice	Investigate large-scale cases of child trafficking.(3)
Joint Child Referral Mechanism	Ensure interagency coordination of the enforcement of child labor laws and enumerate the procedures for referring children subject to any form of violence, including labor exploitation, to child protective services.(2, 30) Once any ministry identifies a case of child exploitation, the MoIA registers the case. MoLHSA then assesses the child's condition, provides shelter and rehabilitation services to the child as needed, and monitors the child's case.(3)

* Agency was created during the reporting period.

In March 2015, the Prime Minister signed Decree No. 81, which established a Department for Inspection of Labor Conditions within the Ministry of Labor, Health and Social Affairs (MoLHSA). In April 2015, MoLHSA issued a statute establishing the competencies of the Department for Inspection.(34-36) However, key legislation needed to formally establish the Department for Inspection's mandate to conduct labor inspections was not passed during the reporting period, and a chief labor inspector has not been selected.(10, 15) Article 3 of the Law on Oversight of Entrepreneurial Activity states that any government agency charged with oversight of private enterprise requires a court order in order to enter the premises of a place of business or even review documents from the employer.(37) This provision in particular obstructs the Department for Inspection from enforcing Georgia's labor laws through inspections, in accordance with international norms.(38) In addition, the April 2015 Statute states that the Department for Inspection should be able to impose sanctions, but requires the Government to introduce additional legislation in order for this to be possible.(35, 36)

During the reporting period, the Government amended the Law on Entrepreneurial Activity Oversight, as well as the Law on Combating Human Trafficking, to allow labor monitors to enter businesses without the permission of the employer if there

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are grounds to believe that monitoring may uncover a case of human trafficking.(38, 39) Although these provisions allow the Department for Inspection greater flexibility in inspecting possible forced labor and human trafficking violations, labor monitors are unable to impose sanctions or assess penalties for violations found.(39) In addition, monitors remain unable to inspect for violations of other provisions of the labor code, including laws on child labor.

Labor Law Enforcement

In 2015, Georgia lacked a labor inspectorate to enforce laws on child labor, including its worst forms.(10)

However, in February 2015, the Government adopted the State Monitoring Program, a pilot initiative to monitor compliance with occupational safety and health laws and laws prohibiting forced labor and human trafficking.(10, 34) The Government viewed the pilot program as an initial step towards establishing a functioning labor enforcement mechanism, which would build the capacity and credibility of the mechanism.(40) However, the State Monitoring Program is only able to conduct monitoring of the 150 companies that volunteered to participate in the pilot program and must give companies 5 days’ notice prior to a monitoring visit.(34, 41) In addition, a source reported that because the State Monitoring Program does not have sanctioning authority and its findings are confidential, the monitoring has little impact on workers.(38)

During the reporting period, MoLHSA hired 25 labor monitors and created a roster of 25 reserve monitors.(35) Monitors attended a number of trainings throughout the year, including a 5-day training on anti-trafficking laws, identifying signs of trafficking, and social services available to human trafficking victims.(13) Monitors conducted 114 monitoring site visits covering 80 companies, and law enforcement agencies launched investigations of six cases related to labor laws, including one involving a minor.(13, 42)

In 2015, the Social Service Agency under MoHLSA placed 232 street children at day centers or 24-hour crisis centers and directed an additional 64 children to other state programs.(10)

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in Georgia took actions to combat the worst forms of child labor (Table 6).

Table 6. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Yes (3)	Yes (10)
■ Training on New Laws Related to the Worst Forms of Child Labor	Yes (3)	Yes (10)
■ Refresher Courses Provided	Yes (3)	Yes (10)
Number of Investigations	2 (3)	2 (10)
Number of Violations Found	Unknown	2 (10)
Number of Prosecutions Initiated	1 (3)	3 (10)
Number of Convictions	2 (3)	1 (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (10)

Training on trafficking in persons was conducted regularly throughout the year for investigators, prosecutors, and judges.(10)

Victims of child trafficking are referred to the State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking, a MoLHSA program that offers shelter and psychological rehabilitation services to child victims.(3) In September 2015, the Prosecutor General’s Office and Ministry of Internal Affairs took steps to allow the Prosecutor General’s Victim-Witness Coordinators to meet and counsel human trafficking victims through the duration of each investigation. Under this program, suspected victims of human trafficking, including children, meet with a Victim-Witness Coordinator to receive counseling and gain access to available government services before being interviewed by law enforcement officials.(13)

Research found that the Police have in some instances refused to investigate cases of forced begging raised by NGOs, claiming that street begging could not be considered a violation of children’s rights under the current legislation.(13)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established coordinating mechanisms to combat human trafficking and promote child welfare, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 7).

Table 7. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-Ministerial Coordination Council on Childcare	Implement the 2012–2015 Child Action Plan, which addresses the issues of street children and child victims of abuse and neglect and promotes the rehabilitation and social integration of street children and juvenile criminals. Composed of representatives of the Ministry of Education and Science, Ministry of Finance, MoIA, Ministry of Justice, Public Defender's Office, MoLHSA, and UNICEF.(3)
The Interagency Anti-Trafficking Coordination Council for the Implementation of Measures against Human Trafficking	Coordinate government efforts against trafficking in persons and children, including efforts to protect and rehabilitate victims.(3) Refer child victims to shelters to receive social services.(2) Chaired by the Minister of Justice and comprises representatives from state agencies and non-state entities.(30) In 2015, drafted Standard Operating Procedures on identifying cases of child trafficking and forced child labor for law enforcement agencies, which were approved by the Minister of Internal Affairs in January, 2015.(29)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Georgia has established policies related to child labor, including its worst forms (Table 8).

Table 8. Policies Related to Child Labor

Policy	Description
Action Plan for Child Welfare and Protection (2012–2015)	Establishes an overarching framework to improve the welfare of children, including highly vulnerable groups like street children. Identifies the institutions responsible for carrying out activities, funding sources, and expected outcomes in a broad range of areas such as education, health, child care, public awareness campaigns, and rehabilitation programs.(2, 18, 43)
Anti-Trafficking Action Plan for (2015–2016)	Supports implementation of activities to address human trafficking, including the exploitation of children. Focuses on identifying street children and including them in formal education, as well as ensuring that shelters for human trafficking victims properly accommodate child victims.(44)
National Human Rights Strategy (2014–2020)	Identifies human rights priorities, including the protection of child rights. Led to the adoption of a National Action Plan on the Protection of Human Rights 2014–2016, which includes objectives to strengthen provision of services to vulnerable children, such as those living and working on the streets.(45, 46)
EU Association Agreement and Association Agenda (2014–2016)	Outlines a framework for cooperation between Georgia and the EU. Requires Georgia to institute a number of initiatives to protect children's rights, including addressing child poverty, providing adequate resources to the Public Defender to undertake work for children, and focusing on measures to protect children against all forms of violence.(3)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Georgia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 9).

Table 9. Social Programs to Address Child Labor

Program	Description
Global Research on Child Labor Measurement and Policy Development (MAP)	USDOL-funded research project implemented by the ILO in 10 countries, including Georgia, to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area.(47) In 2015, supported the National Statistics Office (Geostat) in conducting a National Child Labor Survey. The results of the survey are anticipated to be publicly available in October 2016.(47)
Improved Compliance with Labor Laws in the Democratic Republic of Georgia	USDOL-funded, \$2 million grant implemented by the ILO to work with the Government to improve its ability to enforce labor laws, including child labor laws, and adhere to international labor standards.(48) Key objectives of the project include supporting the establishment of effective labor law enforcement mechanisms in Georgia through labor inspection and promoting effective tripartite cooperation.(49)

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Table 9. Social Programs to Address Child Labor (cont)

Program	Description
Social Rehabilitation and Childcare Program†	Government program, with a 2015 budget of \$8.1 million, that provides assistance to children at high risk of abandonment and children with disabilities; also places abandoned children in appropriate care.(3, 10)
Reaching Highly Vulnerable Children in Georgia with a Focus on Children Living or Working on the Streets†	MoLHSA program to assist children and youth living or working on the streets. Supported by UNICEF and the EU, and implemented by World Vision, Caritas, and Child and Environment.(7, 13, 30) Includes the operation of four mobile street teams comprised of a social worker, a psychologist, and a former street child who serves as a mentor, who makes initial contact with street children and directs them to the program's services. Also provides four day care centers, two 24-hour crisis intervention centers, and two long-term transition centers that prepare children to enter long-term care.(7, 10, 13, 30) In 2015, an estimated 573 children benefited from these services.(13)
The State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking†	MoLHSA program to protect, assist, and rehabilitate trafficking and domestic violence victims, including minors.(3, 50) Implements the Government's Rehabilitation and Reintegration Strategy, which includes operating two trafficking shelters in Batumi and Tbilisi, each staffed with a social worker to further assist victims. Funds the Assistance to Victims of Trafficking in Persons Hotline and a related Web site.(2, 51) In 2015, received a total budget of \$2.6 million and employed 33 individuals who focused solely on human trafficking issues.(10)
Program on Provision of School Children with Free Textbooks†	MoES program that distributes free textbooks to all public school students and private school students from socially-disadvantaged families. In 2015, the Government allocated \$5.1 million for the program.(10)
The Georgian Language for Future Success Program	MoES program implemented by the National Center for Teacher Professional Development that provides professional development opportunities to teachers of Georgian language in schools with large populations of ethnic minority students. These teachers also assist local teachers in improving their abilities in the Georgian language.(30, 52) As of June 2015, 600 teachers had participated in the program.(53)
Second Chance Education for Disadvantaged, Children with Behavior Problems and Out-of-School Children in Georgia†	MoES program designed to promote inclusion of disadvantaged children, including street children, victims of forced begging, and children engaged in seasonal agricultural work into the educational system.(10, 30)
Pension Program and Targeted Social Assistance†	SSA-administered program that provides financial assistance to the poorest 10 percent of the population.(54) In 2015, the Government cooperated with UNICEF to develop a new methodology for targeting vulnerable children to identify beneficiaries Targeted Social Assistance (TSA) beneficiaries. As a result, over 22,000 additional children qualified to receive TSA benefits during the reporting period, bringing the total to 115,096 qualified child beneficiaries.(55)
UNICEF Country Program 2011–2015	Joint effort by UNICEF, the Government of Georgia, and other partners from intergovernmental organizations and NGOs to improve both the provision of social services to children and the protection of children's rights. Supports the MoLHSA and SSA program to reform child care efforts by reducing the institutionalization of children.(56) In 2015, UNICEF advised the Government on the development of a new Juvenile Justice Code as well as a Law on Early Learning and Pre-school Education, which would provide compulsory pre-primary education for all children.(55)

† Program is funded by the Government of Georgia.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Georgia (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Increase the age up to which education is compulsory to 16, the minimum age for work.	2009 – 2015
Enforcement	Establish a functioning Labor Inspectorate to enforce child labor legislation. Ensure that the Labor Inspectorate has sufficient funding to provide an adequate number of inspectors; that inspectors are capable of performing quality targeted, complaint-based, and unannounced inspections; that inspectors have the ability to assess penalties; and that data on the number and type of inspections, violations, and penalties are made publicly available.	2009 – 2015

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that legislation permits the Department for Inspection of Labor Conditions to enter the premises of all businesses to conduct unannounced inspections, and empowers monitors to impose sanctions for violation of labor laws.	2015
	Ensure that labor monitors inspect for compliance with the full range of labor laws, including laws against child labor.	2015
	Ensure that data on the number and type of inspections conducted, violations found, and penalties issued by the Department for Inspection of Labor Conditions are made publicly available.	2015
	Ensure that cases of forced begging are recognized as criminal acts and receive appropriate and thorough investigation by the Police.	2014 – 2015
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2015
Social Programs	Conduct a survey to learn more about the number and circumstances of children living on the street, to facilitate effective targeting of policies and programs.	2015

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