

In 2014, Georgia made a minimal advancement in efforts to eliminate the worst forms of child labor. Georgia has received an assessment of minimal advancement because the Government lacked a labor inspectorate to monitor, inspect, and enforce child labor laws during the reporting period.<sup>1</sup>

This continued gap in enforcement delays the advancements made in eliminating child labor during the reporting period. Although the Government participated in a project to improve its ability to enforce labor laws and adhere to international labor standards, including those related to child labor, the Government did not take steps to establish a labor inspectorate during the reporting period. Children in Georgia continue to engage in child labor in agriculture and in the worst forms of child labor in forced begging. Despite these gaps, the Government did make efforts to prevent and eliminate child labor, including participating in a project to collect and analyze data on child labor in Georgia.



## 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 (%)		108.1

Source for primary completion rate: Data from 2012, 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 Survey, 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)
Services	Street work, including begging and collecting scrap metal* (2-4, 10-12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking* (5-7, 13) Forced begging* (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.

While the specific activities children are involved in are unknown, many children in Georgia are known to perform agricultural work on farms.(1, 2)

<sup>1</sup> Although past *Findings on the Worst Forms of Child Labor* reports have reflected the absence of a labor inspectorate in Georgia, Georgia's assessment level in previous years did not reflect the extent to which this gap in enforcement delays advancements made in eliminating child labor. Georgia has not had a labor inspectorate to monitor, inspect, and enforce child labor laws since 2006, when the Government abolished the labor inspectorate that existed at that time.

# Georgia

## MINIMAL ADVANCEMENT




The majority of children involved in street work, including victims of forced begging, are members of the Roma and Azerbaijani Kurd ethnic minorities. 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.(7)

In 2014, the number of persons seeking asylum in Georgia doubled due to ongoing conflicts in the Near East and Ukraine. The Ministry of Refugees and Accommodation does not have the capacity to accommodate this increase.(14) Refugee status has been granted to less than 10 percent of asylum seekers, and some children have been denied refugee status. Those who are denied refugee status, including children, have no legal status in Georgia and no access to education or social services, increasing their vulnerability to the worst forms of child labor.(14)

## 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 (15)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Labor Code of Georgia (15, 16)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Order No. 147/N, 3 May 2007 of the Minister of Labor, Health and Social Affairs 2007 "On Approving the List of Heavy, Harmful, and Hazardous Work" (10, 17)
Prohibition of Forced Labor	Yes		Article 30 of the Constitution of Georgia (18)
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 (19, 20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 171, 253, 255, 255-1, and 255-2 of the Criminal Code of Georgia (10, 20, 21)
Prohibition of Using Children in Illicit Activities	Yes		Article 171 of the Criminal Code of Georgia (10, 20)
Minimum Age for Compulsory Military Recruitment	Yes	18	Articles 9 and 21 of the Law of Georgia on Military Duty and Military Service (22, 23)
Minimum Age for Voluntary Military Service	Yes	18	Legislation title unknown (22-24)
Compulsory Education Age	Yes	15	Articles 2 and 9 of the Law of Georgia on General Education (17, 25)
Free Public Education	Yes		Article 22 of the Law of Georgia on General Education (25)

Research did not find a public version of the List of Heavy, Harmful, and Hazardous Work for review.(26)

Although the Government has confirmed that the minimum age for voluntary military service is 18, research did not find information on the legislation that establishes this standard.

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.(17, 25) Because children begin school at age 6, education is compulsory up to age 15.(2) The compulsory education age leaves children ages 15 to 16 vulnerable to the worst forms of child labor, as they are not required to be in school but are not legally permitted to work either.

In order to convict a trafficker, the Law of Georgia on Combating Human Trafficking requires the prosecutor to prove that the trafficker “exploited” the victim. As a result of judges imposing a higher-than-intended standard of proof for this exploitation, over the last 4 years the number of human trafficking cases brought, prosecuted, and convicted fell from 33 investigations, 40 prosecutions, and 37 convictions during the 2009 – 2010 reporting period to seven, two, and zero, respectively, during the 2012 – 2013 reporting period.(27) In May 2014, the Government adopted amendments to Article 143 of the Criminal Code to define the standard of proof for exploitation, with the intention of increasing the rate of successful prosecution of cases of trafficking in persons.(7, 27)

In March 2014, the Government of Georgia ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.(28)

In November 2014, the Government adopted legislative changes on domestic violence that prohibit corporal punishment of children, which is a tool used to coerce children into begging.(3)

### 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.(10) 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.(28)
The Department of Labor and Employment within MoLHSA	Address labor and employment issues, and revise existing laws and policies to be in accordance with international standards.(17)
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.(3)
Ministry of Internal Affairs (MoIA)	Investigate child labor cases, including NGO and civilian reports of potential child labor violations.(2, 10) Enforce criminal laws related to child labor and child trafficking.(2, 3)
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.(28) Identify human traffickers and systematize data on traffickers across various agencies through the Information-Analytical Department.(29) Investigate potential human trafficking schemes by deploying teams of two law enforcement officials in Mobile Units to investigate companies offering suspicious work opportunities abroad.(28, 30) In April 2014, the number of Mobile Units was expanded from 3 to 4.(7)
District Police Units within the MoIA	Collect information on minors within jurisdiction and visit families of these minors to inform them of their rights. Conduct classes for school teachers on children’s rights.(31)
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, 28) Comprised of MoLHSA, the MoIA, and the Ministry of Education and Science (MoES).(32)

Criminal law enforcement agencies in Georgia took actions to combat child labor, including its worst forms. However, there were no agencies empowered to enforce child labor laws in Georgia during the reporting period.

# Georgia

## MINIMAL ADVANCEMENT

### *Labor Law Enforcement*

The 2006 Labor Code abolished the labor inspectorate within the former Ministry of Labor, Health and Social Security. As a result, the Ministry of Labor, Health and Social Affairs (MoLHSA) lacked inspectors or other means to effectively enforce labor laws during the reporting period.<sup>(3)</sup> While the Government has taken steps to reestablish a labor inspectorate, in part with the support of an ILO technical cooperation project funded by USDOL, this was not accomplished during the reporting period.<sup>(3)<sup>2</sup></sup>

### *Criminal Law Enforcement*

In 2014, 16 investigators from the Division for Combating Illicit Trafficking of Drugs, Human Trafficking, and Irregular Migration are dedicated to detecting and investigating cases of human trafficking. In addition, 150 officers in the Unit on Combating Organized Crime are available to assist with human trafficking investigations when necessary.<sup>(28)</sup> In January 2014, the Ministry of Internal Affairs (MoIA) established a new anti-trafficking division in the Adjara region, a popular tourist destination and regional hub for commercial sexual exploitation in Georgia.<sup>(6, 27, 28)</sup> One month later, the MoIA and the Prosecutor's Office, assisted by the International Organization on Migration, established a Trafficking in Persons Task Force in Batumi that operates as part of the Adjara anti-trafficking division.<sup>(27)</sup> The Task Force is composed of 7 investigators and 5 prosecutors, and is designed to investigate all potential trafficking in persons cases brought by the criminal police in Batumi.<sup>(28)</sup> Task Force members also aim to identify potential victims of human trafficking by sending investigators and undercover agents to venues where victims of human trafficking are frequently forced to work.<sup>(27)</sup>

Law enforcement training includes modules on trafficking of minors.<sup>(28)</sup> Trafficking in persons trainings were held regularly throughout the year for investigators, prosecutors, and judges.<sup>(2, 27, 28)</sup> However, high turnover among human trafficking-dedicated investigators may prevent training from increasing law enforcement's investigative capacity over the long term.<sup>(27)</sup>

During 2014, the MoIA initiated two investigations into the trafficking of minors. Of the two investigations, one case involving two perpetrators was prosecuted resulting in two sentences of 14 and 11 years, respectively.<sup>(3)</sup> 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.<sup>(3)</sup> In addition, the Prosecutor's Office is working with the U.S. Embassy to develop a Victim/Witness Coordination Service, which would provide improved outreach and coordination with victims and witnesses of crime, including victims and witnesses of child labor and child trafficking.<sup>(3)</sup>

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.<sup>(7)</sup>

## **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 6).

**Table 6. 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. Comprised of representatives of the MoES, Ministry of Finance, MoIA, Ministry of Justice, the Public Defender's Office, MoLHSA, and UNICEF. <sup>(3)</sup> The council as a whole convened once in 2014. <sup>(28)</sup>

<sup>2</sup> In March 2015, the Prime Minister signed two decrees that established Georgia's labor inspectorate under the MoLHSA, and in April 2015, the MoLHSA issued a ministerial regulation stipulating the competencies of the labor inspectors. However, significant work on the part of the Government is still needed to ensure that the labor inspectorate can effectively enforce child labor laws according to international standards, including by performing quality targeted, complaint-based, and unannounced inspections and by ensuring that inspectors have the ability to assess penalties for violations of labor law.

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
The Interagency Anti-Trafficking Coordination Council for the Implementation of Measures against Human Trafficking (ICC)	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 comprised of representatives from state agencies and non-state entities.(3) In February 2014, the ICC published guidelines on enforcement of laws against trafficking in persons, including establishing standards on investigation; interrogation of victims, including children; and evidence collection. The ICC also produced a set of Standard Operating Procedures for law enforcement on victim identification.(28)

## 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 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
The 2012 – 2015 Action Plan for Child Welfare and Protection	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, 17, 33)
Anti-Trafficking Action Plan for 2013 – 2014	Supports implementation activities to address human trafficking, including the exploitation of children.(34)
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.(35, 36)
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)

† Policy was approved during the reporting period.

In November 2014, the Government adopted a new Anti-Trafficking Action Plan for 2015 – 2016, which will increase the number of Mobile Units to detect cases of human trafficking.(28)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, 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 8).

**Table 8. 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.(37)
Improved Compliance with Labor Laws in the Democratic Republic of Georgia†	\$2 million USDOL-funded 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.(38) 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.(39)
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. In 2014, began receiving Government funding through MolHSA's Rehabilitation and Child Care Program.(7, 28) 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 three day care centers, two 24-hour crisis intervention centers, and two transitional centers that prepare children to enter long-term care.(7, 28) In 2014, the program removed at least 400 children from the street and transferred them to safe environments where they will receive education and health care.(2)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
The State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking (SFVPA)‡	MoLHSA program to protect, assist, and rehabilitate trafficking victims and victims of domestic violence, including minors.(3, 13) 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, 32, 40) In 2014, the SFVPA employed 620 people, 30 of whom focused on trafficking in persons.(3)
The Common Information Strategy†‡	Countrywide awareness-raising campaign launched by Interagency Council that is aimed at offering assistance to victims, warning potential victims, and generating dialogue around human trafficking. Campaign included information seminars intended for target audiences such as students, street children, minorities, and internally displaced persons.(27) Also included public service announcements, regularly broadcasted on the radio by the Interagency Council, on how to avoid traffickers.(27)
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 social disadvantaged families.(28) In 2014, the Government allocated \$5.1 million for the program.(3)
The Georgian Language for Future Success Program*	MoES program implemented by the National Center for Teacher Professional Development that commissions teachers who are native speakers of Georgian to provide Georgian-language instruction to ethnic minority students. These teachers also assist local teachers in improving their abilities in the Georgian language.(26, 28) In 2014, 187 school teachers were sent to assist in ethnic minority schools through this program.(28)
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. Formerly funded in partnership with UNICEF, in 2014 the MoES took responsibility for financing and implementing the program.(28)
Social Rehabilitation and Childcare Program‡*	Government program that includes the provision of assistance to children with a high risk of abandonment and children with disabilities, as well as placement of abandoned children in foster care, guardianship, or small group homes. In 2014, received \$11 million in funding.(3)
Pension Program and Targeted Social Assistance*	SSA-administered program that provides financial assistance to the poorest 10 percent of the population.(41)
UNICEF Country Program 2011 – 2015*	Joint effort by UNICEF, the Government of Georgia, and other partners from intergovernmental organizations and NGOs to improve both provision of social services to children and the protection of children’s rights. Includes support of the MoLHSA and SSA program to reform child care efforts by reducing the institutionalization of children.(42) In 2014, UNICEF allocated \$77,000 for capacity-building activities, including training for professionals involved with addressing the issue of children living and working on the streets.(3)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ 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 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Make the List of Heavy, Harmful, and Hazardous Work publicly available.	2014
	Increase the age of compulsory education to 16, the minimum age for work.	2009 – 2014
Enforcement	Reestablish the 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 – 2014
	Ensure that cases of forced begging are recognized as criminal acts and receive appropriate and thorough investigation by the Police.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2014
Social Programs	Ensure that all children, including those seeking asylum in Georgia, are able to access education and relevant social services.	2014
	Assess the impact that existing programs may have on child labor.	2009 – 2014

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