

Georgia

In 2011, Georgia made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government created a new high-level inter-agency committee on vulnerable children, particularly street children, during the reporting period to coordinate governmental policy and oversee the efforts to address this issue. The Government is also undertaking a reform of its system of orphanages and similar institutions, to provide better care to vulnerable children, including street children. Large residential institutions are being closed in favor of group homes in which a small number of children live with foster families. However, gaps remain in enforcement and in the collection and dissemination of data, which hinders effective targeting of the policies and programs to address the worst forms of child labor. Although the extent of the problem is unknown, children in Georgia continue to be involved in the worst forms of child labor, including in street work such as begging. Children also work on farms, which may entail dangerous activities.



There are reports that the majority of the street children in Georgia are of Roma minority origin.(8, 9) School enrollment rates among street children in Georgia are low and illiteracy is high.(5)

Many children also work on farms.(3) Children working in agriculture in Georgia may use dangerous tools, carry heavy loads and work long hours.(4, 10) It is reported that agricultural work disrupts school participation among some ethnic minority children.(7)

Although the extent of the problem is unknown, some girls are trafficked for commercial sexual exploitation.(6)

Statistics on Working Children and Education

Children	Age	Percent
Working	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		116.2

Sources:

Primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis of statistics from MIC3 Survey, 2005.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Georgia are engaged in the worst forms of child labor, primarily in street work, although the extent of the problem is unknown. They also work on farms which may include dangerous activities.(3, 4) Children found working in the streets are mainly involved in begging or selling small items such as scrap metal and glass.(3, 5, 6) Street work is reported to leave children vulnerable to abuse and exploitation.(7) Although evidence is limited, some street children have reported incurring debts at gambling facilities then being forced to beg or steal in order to repay those debts. According to one study, the majority of the street children are boys.(5)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for work at 16, and the minimum age for hazardous work at 18.(11, 12) Children ages 14 to 16 who have parental permission may perform non-hazardous work. Minors under age 14 may be employed in sports, arts, culture and advertising activities.(3) The Government has a list of activities considered heavy, hazardous and harmful for all workers but begging and street work are not on that list. Georgian law prohibits anyone under age 18 from performing hazardous work.(3, 13) Minors are prohibited from working at night. The Administrative Violations Code empowers the courts to levy sanctions against employers found in violation of child labor laws.(3)

The Constitution states that "Labor shall be free," which has been interpreted to mean that forced and compulsory labor are prohibited.(7, 14) The minimum age for entry into the armed forces is 18.(15)

Children in Georgia are required to attend school only until age 14, which leaves children age 15 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.(3) Education in Georgia is free through high school.(3) Roma minority children, in particular, have a low rate of enrollment in school.(8)

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	14
	Free Public Education	Yes

Article 171 of the Criminal Code provides sanctions for persuading a minor to beg and involving or employing a minor in prostitution. The Code also prohibits the trafficking of minors and the possession, production, sale, distribution or promotion of child pornography; it imposes stringent penalties on the persons convicted of committing these crimes.(3, 16)

The Law of Georgia on Combating Human Trafficking establishes the roles and responsibilities of state agencies and creates a comprehensive set of tools to prevent trafficking in persons and protect and assist trafficking victims.(17, 18) The Interagency Anti-Trafficking Coordination Council for the Implementation of Measures against Human Trafficking (ICC) submitted several amendments to Parliament that, if passed, would add specific language to the Law on providing assistance to underage trafficking victims and minors found in the care of adult victims of trafficking.(17, 19) In December, Parliament approved an amendment to the Law on Grants permitting ministries to provide grants to NGOs. The amendment aimed, in part, to expand cooperation with trafficking-related NGOs.(20)

Institutional Mechanisms for Coordination and Enforcement

Various bodies in Georgia are involved in child protection. During the reporting period, the Government created a high-level inter-agency committee to coordinate state policy on vulnerable children, especially children living or working in the streets.(3, 21) The Government also relies on the

ICC; however, research found no evidence of a coordinating mechanism to combat other worst forms of child labor.(3) The Parliamentary Child's Rights Council, while inactive, is available to make legislative changes as necessary.(21)

The Minister of Labor, Health and Social Affairs, the Minister of Internal Affairs and the Minister of Education and Science have a joint Child Referral Mechanism in place that enumerates the procedures for referring children subject to any form of violence—including labor exploitation—to child protective services. The mechanism is aimed at creating a coordinated child protection system.(3)

The Ministry of Labor, Health and Social Affairs (MoLHSA) is responsible for child welfare issues and has one deputy minister who focuses on labor matters.(3) The Child Protection and Social Programs sub-department receives and forwards complaints of child labor violations to law enforcement agencies for investigation and potential prosecution.(22) MoLHSA's Social Service Agency assesses the situation of child victims to determine how to proceed.(23)

Despite being responsible for labor law enforcement, research has found MoLHSA to be a policy making and implementing body without inspectors or other means by which to enforce labor law. The Labor Inspectorate, within the former Ministry of Labor, Health and Social Security, was abolished under the 2006 Labor Code, leaving Georgia without any means to actively monitor workplaces for violations of child labor laws.(22, 24, 25) The Technical Oversight Inspection Agency, accountable to the Ministry of Economic Development, is responsible for labor inspections in occupations classified as hazardous. These inspections only uncover violations of child labor laws in conjunction with hazardous occupations.(3)

The Ministry of Internal Affairs (MoIA) is responsible for investigating child labor cases, including NGO and civilian reports of potential child labor violations.(3) In 2011, there was one ongoing child labor investigation. The Prosecutor's Office also registered one offense under article 171 of the Criminal Code; that investigation is ongoing.(3) There were no reports of children being removed as a result of inspections in 2011, nor were there reports of penalties or citations issued for child labor violations during the reporting period.(3)

The ICC coordinates government efforts against trafficking in persons and children. The body is chaired by the Minister of Justice; it includes representatives from state agencies and non-state entities.(17, 18, 26) The ICC coordinates a variety of efforts throughout Georgia to protect and rehabilitate victims of trafficking.(9) On February 22, 2012, Georgia signed an

MOU with Turkey on Cooperation in Combating Crime, with trafficking as a key priority.(20)

MoIA's Special Operations Department leads criminal investigations of trafficking in persons, including the trafficking of children, and turns actionable cases over to the Ministry of Justice for prosecution.(18, 23) Large-scale cases of trafficking are investigated by the Prosecutor's Office.(3) Police and district inspectors maintain contact with district inhabitants to obtain information on the children vulnerable to crime and abuse and to take protective measures.(9, 26)

Law enforcement training includes modules on trafficking in minors. The Basic Preparation Course for Patrol Police includes anti-trafficking training as well.(3) Government officials from a variety of agencies and consular officials abroad also attend training and seminars on trafficking in persons.(3) During 2011, the Government held trainings for police, prosecutors, judges and education officials that included guidance on the identification, protection, assistance and rehabilitation of child trafficking victims. Law enforcement officials also participated in a conference in which the investigation of child trafficking cases was a main focus.(27)

Two new sex trafficking investigations related to the worst forms of child labor also began in 2011; they led to the prosecution and conviction of two individuals. Both individuals received prison sentences of 12 years and the two minors involved were placed in shelters.(3) On February 1, 2012, the MoIA opened an investigation of the case of a 16-year-old female alleged victim of labor trafficking in Russia. The investigation is ongoing.(19)

Government Policies on the Worst Forms of Child Labor

The Child Action Plan of 2008-2011 established an overarching framework to improve the welfare of children; it included providing support to street children and victims of trafficking and exploitation.(28) The 2011-2012 Supplementary Plan provides guidance on closing large childcare institutions, widely recognized as the least appropriate option for children outside of family care, and on increasing the number of Government-financed small group homes and day care centers for vulnerable children, including street children; it also aims to strengthen the country's capacity to provide social protections.(29) The Plan is fully funded, including \$6 million from USAID; 20 small group homes became operational during the reporting period.(3, 28, 29)

The Government of Georgia has remained focused on education reform, having developed a new Education Strategy for 2010-2015 that follows up on its Consolidated Education Strategy and Action Plan of 2007-2011. The reforms include new curriculum and teaching standards as well as investment in improved education infrastructure.(29) There does not appear to be research on the impact of these education reform strategies on street children or on children working in agriculture or commercial sexual exploitation.

The Government of Georgia participates in several initiatives to improve national action plans and legal frameworks on combating trafficking in persons in Armenia, Azerbaijan and Georgia.(30) During the reporting period, the 2011-2012 National Action Plan on the Fight Against Trafficking in Human Beings was adopted and received \$483,000 in funding from the Government of Georgia and \$70,000 from international donors.(3) Implementation of the Plan began during the year and included trafficking discussions with youth in various regions of the country and the training of 320 institutionalized youth on trafficking and its prevention.(27) In addition, government cooperation with NGOs intensified in early 2012 through several meetings and the signing of an MOU with key NGOs involved in anti-trafficking efforts. Additional MOUs are being negotiated in an attempt to build trust, transparency and complementary services.(20)

The Government has not collected data on the worst forms of child labor, which hampers its ability to formulate policies and programs.

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government has worked largely in cooperation with international organizations, NGOs and foreign aid agencies to improve the welfare of children and address the plight of street children.

The Government supports USAID's \$5.4 million Strengthening Childcare Services and Systems Project (2010-2013). The Project assists Georgia's children to improve their access to social benefits for vulnerable groups; to improve alternative care and expand family support services and to strengthen policy, oversight and accountability in the child care system.(31) During the reporting period, the Project supported the training of 30 social workers and recruited an additional 50 as part of the Child Care System Reform and Plan of

Action for 2011–2012 led by the Government of Georgia and supported by several NGOs, international organizations and foreign aid agencies.(31)

Georgia's MoLHSA and Social Service Agency partner with UNICEF in their child care reform efforts. UNICEF, with support from international donors, supports Georgia's child care reform plans.(3) The inter-agency committee to coordinate policy on vulnerable children, including street children, together with UNICEF has developed a \$2 million pilot-program entitled "Reaching Highly Vulnerable Children in Georgia with a Focus on Children Living and/or Working on the Streets," pending funding from the EU.(3)

The Government of Georgia earmarked \$3.4 million in the 2011 budget to provide free textbooks for extremely vulnerable children.(3) In early 2012, the Ministry of Education and Science, the Georgia branch of the IOM, and the Swiss Cooperation Office for the South Caucasus initiated a program to include trafficking prevention and safe migration information into the Georgian educational curriculum.(20)

The Law of Georgia on Combating Human Trafficking established the State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking (SFVPA) to

protect, assist and rehabilitate trafficking victims, including minors.(3, 17) The SFVPA implements the Government's Rehabilitation and Reintegration Strategy and operates two trafficking shelters in Batumi and Tbilisi.(18) In addition, the SFVPA funds the Assistance to Victims of Trafficking in Persons Hotline and a related Web site.(22) The Government increased funding levels for the SFVPA for 2012. The Ministry of Justice also supports a hotline for reporting on human rights abuses, including trafficking.(3, 22) In early 2012, the ICC held a number of outreach events focused on vulnerable groups, such as internally displaced communities.(19) Under the new authority of the Law on Grants, the Government has made two grants to NGOs for anti-trafficking work.(19, 20)

The Government's Social Service Agency, within the MoLHSA, administers a pension program and Targeted Social Assistance (TSA) that provides financial assistance to the poorest 10 percent of the population. According to UNICEF's analysis of available data, the pension program and TSA pulled 9 percent and 5 percent of children, respectively, out of extreme poverty.(29)

There does not appear to be research on the impact of these programs on child labor. Research found no evidence of any programs to assist children engaged in agriculture.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Georgia:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Add begging and street work to the hazardous work list.	2009, 2010, 2011
	Increase the age of compulsory schooling to 16, the minimum age for work.	2009, 2010, 2011
Coordination and Enforcement	Establish a mechanism to coordinate all government efforts against the worst forms of child labor.	2009, 2010, 2011
	Reestablish the Labor Inspectorate, or establish an equivalent body, to enforce child labor legislation.	2009, 2010, 2011
Policies	Collect data on children engaged in the worst forms of child labor, specifically in agriculture and street work, in order to inform policies and programs.	2009, 2010, 2011
	Assess the impact of education and child welfare reform policies on children working in agriculture, on the street and in commercial sexual exploitation.	2011

Area	Suggested Actions	Year(s) Action Recommended
Social Programs	Assess the impact that the childcare, education, and social assistance programs may have on preventing and removing children from the worst forms of child labor.	2009, 2010, 2011
	Expand and develop social programs to assist children engaged in or at risk of entering the worst forms of child labor, particularly children working in agriculture.	2009, 2010, 2011

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