

In 2012, Georgia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government approved and began implementing the 2012-2015 Action Plan for Child Welfare and Protection. It also amended the Law of Georgia on Combating Human Trafficking to include a new article on social and legal protection, assistance, and rehabilitation of child trafficking victims; worked with international organizations to implement a pilot program to identify children living and working on the streets; and continued to undertake a reform of its system of orphanages and similar institutions in order to provide better care to vulnerable children, including street children. 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 engaged in the worst forms of child labor, including in forced begging on the streets. Children also work on farms, which may entail dangerous activities.

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, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from MICS3 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 forced begging on the streets. They also work on farms, which may include dangerous activities.(3-5) Although evidence is limited, some street children have reported being forced to beg or steal in order to repay debts owed to gambling facilities. According to one study, the majority of street children are boys.(6) There are reports that the majority of street children in Georgia are of Roma minority origin.(7, 8) School enrollment rates among street children in



Georgia are low and illiteracy is high.(6) There are also reports of children working on the streets, but specific information on hazards is unknown.

Many children also work on farms.(4, 9) Children working in agriculture in Georgia may use dangerous tools, carry heavy loads, and work long hours.(3, 9, 10) It is reported that agricultural work disrupts school participation among some ethnic minority children.(11)

Although the extent of the problem is unknown, some girls are trafficked for commercial sexual exploitation.(12)

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.(13, 14) Children ages 14 to 16 may perform nonhazardous work with parental permission. Minors under age 14 may be employed in sports, arts, culture, and advertising activities.(4) The Government has a list of activities considered heavy, hazardous, and harmful for all workers.(15, 16) Information was unavailable regarding the specific activities on the list.(17) Georgian law prohibits anyone under age 18 from performing hazardous work.(4) 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.(4) There does not appear to be protection in the law for children engaged in dangerous activities in streets.(4)

The Constitution states that "Labor shall be free," which has been interpreted to mean that forced and compulsory labor are prohibited.(11, 18) The minimum age for entry into the armed forces is 18.(19)

Article 171 of the Criminal Code provides sanctions for persuading a minor to beg and involving or employing a minor in prostitution. The Criminal Code also prohibits the trafficking of minors and the possession, production, sale,

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distribution, or promotion of child pornography; it imposes stringent penalties on the persons convicted of committing these crimes.(4, 20)

International Conventions and Selected Laws on Child Labor and Education

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|  | 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 | 15 |
| | Free Public Education | Yes |

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.(21, 22) 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.(21, 23) In April 2012, the Law was amended to include the Article on Social and Legal Protection, Assistance and Rehabilitation of the Child Victims of Trafficking, which according to the Government, “defines the issues related to the mechanisms of social and legal protection, assistance and rehabilitation of the child victims of trafficking and their status.”(15) 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.(24)

The Law on General Education makes education compulsory for 9 years and does not specify a start or end age.(15, 25) Most

children begin school at age 6. Education is free through high school.(4) 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.

Institutional Mechanisms for Coordination and Enforcement

Various bodies in Georgia are involved in child protection. A high-level interagency committee coordinates state policy relating to vulnerable children, especially children living or working in the streets.(5, 26) The Government also relies on the ICC; however, research found no evidence of a coordinating mechanism to combat other worst forms of child labor.(5) The Parliamentary Child’s Rights Council, although currently inactive, is available to make legislative changes as necessary.(26)

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.(5)

The Government announced its intent to establish the Department of Labor and Employment within the framework of the Ministry of Labor, Health, and Social Affairs (MoLHSA) in early 2013. The new department will address labor and employment issues, and revise existing laws and policies to be in accordance with international standards.(15) The MoLHSA is responsible for child welfare issues and has one deputy minister who focuses on labor matters.(4) The Child Protection and Social Programs subdepartment receives and forwards complaints of child labor violations to law enforcement agencies for investigation and prosecution.(27) The MoLHSA’s Social Service Agency assesses the situation of child victims to determine how to proceed.(5)

Despite being responsible for labor law enforcement, research has found the MoLHSA to be a policymaking 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.(27, 28) 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.(4)

The Ministry of Internal Affairs (MoIA) is responsible for investigating child labor cases, including NGO and civilian reports of potential child labor violations.(4) In 2012, two child labor investigations were initiated by the Prosecutor's Office: one that is ongoing and one in which the charges were dropped. Both of these cases were initiated under article 143(2). Also in 2012, the MoIA dropped charges in investigations from earlier cases from 2007 and 2009.(29) There were no reports of children being removed as a result of inspections in 2012.(5)

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.(21, 22, 30) The ICC coordinates a variety of efforts throughout Georgia to protect and rehabilitate victims of trafficking.(7) On February 22, 2012, Georgia signed an MOU with Turkey on Cooperation in Combating Crime, with trafficking as a key priority.(24)

The 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 (MOJ) for prosecution.(22, 31) Large-scale cases of trafficking are investigated by the Prosecutor's Office.(4) 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.(7, 30)

Law enforcement training includes modules on trafficking of minors. The Basic Preparation Course for Patrol Police includes anti-trafficking training as well.(5) Government officials from a variety of agencies and consular officials abroad also attend training and seminars on trafficking in persons.(5) During 2012, the MoIA assumed complete responsibility for anti-trafficking trainings after years of donor support.(5)

In February 2012, the MoIA opened an investigation of the case of a 16-year-old female alleged victim of labor trafficking in Russia. The MOJ reported the investigation and determined no human trafficking occurred.(32)

Government Policies on the Worst Forms of Child Labor

In 2012, the Government approved and began implementing the 2012-2015 Action Plan for Child Welfare and Protection to establish an overarching framework to improve the welfare of children, including highly vulnerable groups like street children. The Plan identifies the institutions responsible for carrying out activities, funding sources, and expected outcomes in a broad range of areas such as education, health, childcare, public awareness campaigns, and rehabilitation programs.(15, 33) In addition, the Government continued to support the 2011-2012 Supplementary Plan, which 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 daycare centers for vulnerable children, including street children; it also aims to strengthen the country's capacity to provide social protections.(34) The Plan was fully funded, including \$6 million from USAID and a government commitment to contribute 80.0 percent of all proceeds generated from the sale of the large institutions to the reform effort. By the end of 2012, 163 children remained in large state institutions, a reduction from 5,200 children in 2004.(5, 34, 35) Efforts to close large childcare institutions will continue through the new Action Plan for Child Welfare and Protection.(33)

The Government of Georgia supports education reform through the Education Strategy for 2010-2015. During 2012, the Government focused on improving the education system by equipping schools with computers and other technology, updating school laboratories, and bringing 1,500 English teachers to various regions of Georgia.(29) The impact of this education policy on the worst forms of children labor does not appear to have been addressed.

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.(36) During the reporting period, the Government continued to implement the 2011-2012 National Action Plan on the Fight Against Trafficking in Human Beings, allocating \$485,000 for implementation along with approximately \$130,000 from international donors.(5, 15) Implementation activities included trafficking discussions with youth in various regions of the country and training 320 institutionalized youth

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on trafficking and its prevention.(37) 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.(24)

The Government has not collected data on the worst forms of child labor, which may hamper 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 by improving access to social benefits for vulnerable groups, providing alternative care and expanding family support services, and strengthening policy, oversight, and accountability in the childcare system.(38, 39) During the reporting period, the Government continued incremental increases to social benefits and services for vulnerable children, as well as hired additional social workers trained through the USAID project. These efforts extended government outreach to vulnerable and marginalized children, with the aim of preventing these children from living and/or working on the street.(29)

Georgia's MoLHSA and Social Service Agency partner with UNICEF in their childcare reform efforts. UNICEF, with support from international donors, supports Georgia's childcare reform plans.(5) The interagency committee to coordinate policy on vulnerable children, including street children, together with UNICEF and the EU, implemented a pilot program titled Reaching Highly Vulnerable Children in Georgia with a Focus on Children Living and/or Working on the Streets.(4, 5) UNICEF received just under \$1 million in 2012 for the program, which is expected to reach more than 500 children and will include data collection on children working and/or living in the streets to develop a database.(5, 15)

The Government of Georgia increased funding from \$3.2 million to \$4 million in 2012 to expand its program that distributes free textbooks for extremely vulnerable children.(5) 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.(24)

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.(5, 21) The SFVPA implements the Government's Rehabilitation and Reintegration Strategy and operates two trafficking shelters in Batumi and Tbilisi, each staffed with a social worker to further assist victims.(5, 22) In addition, the SFVPA funds the Assistance to Victims of Trafficking in Persons Hotline and a related Web site.(27, 32) The Government increased funding levels for the SFVPA for 2012. In early 2012, the ICC held a number of outreach events focused on vulnerable groups, such as internally displaced communities.(23) Under the Law on Grants, the Government made two grants of approximately \$6,000 each to NGOs for anti-trafficking community awareness programming. As a result, more than 1,000 people participated in awareness training and leaflets were disseminated in eastern and western Georgia.(32)

The Government also continued support for the Georgian Language for Future Success Program, which commissioned teachers who are native speakers of Georgian to teach subjects in the Georgian language in ethnic minority classes. These teachers also assisted local teachers in improving their abilities in the Georgian language.(17) In 2012, 240 such teachers were commissioned to teach in schools in Samtskhe-Javakheti, Kakheti, and Shida Kartli, which represented an increase from the 140 teachers involved in the program in 2011. In 2012, the Government continued to develop textbooks for Georgian and math in the Georgian language for students in primary grades one to four in 2011, and grades five to six in 2012.(17) 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's Social Service Agency, within the MoLHSA, administers a pension program and Targeted Social Assistance (TSA) that provides financial assistance to the poorest 10.0 percent of the population. According to UNICEF's analysis of available data, the pension program and the TSA pulled out of extreme poverty 9.0 percent and 5.0 percent of children, respectively.(34)

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 | Provide legal protection for children working on the streets. | 2012 |
| | Increase the age of compulsory education to 16, the minimum age for work. | 2009, 2010, 2011, 2012 |
| Coordination and Enforcement | Establish a mechanism to coordinate all government efforts against the worst forms of child labor. | 2009, 2010, 2011, 2012 |
| | Reestablish the Labor Inspectorate, or establish an equivalent body, to enforce child labor legislation. | 2009, 2010, 2011, 2012 |
| Policies | Assess the impact of education and child welfare reform policies on children working in the worst forms of child labor, including in agriculture, on the streets, and in commercial sexual exploitation. | 2011, 2012 |
| | Collect data on children engaged in the worst forms of child labor, specifically in agriculture and commercial sexual exploitation in order to inform policies and programs. | 2009, 2010, 2011, 2012 |
| | Conduct research on whether children are engaged in dangerous work on the street in order to inform policy and program design. | 2012 |
| 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, 2012 |
| | 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, 2012 |

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