

Georgia

Incidence and Nature of Child Labor

UNICEF estimated that 28.8 percent of children ages 5 to 14 years in Georgia were working in 1999.¹⁶⁸¹ The majority of working children work in family businesses, and in agriculture in rural areas.¹⁶⁸² There are reports of significant numbers of children, some as young as 5 years old, engaged in begging or working on the streets. Children as young as 9 years old are found working in markets, sometimes at night, and involved in carrying or loading wares. Children also work in cafes, bistros, gas stations, and for street photographers.¹⁶⁸³ According to the UN Committee on the Rights of the Child, police violence against street children is a problem.¹⁶⁸⁴ In general, there is a lack of social safety services for children living on the street, with disabilities or from dysfunctional households.¹⁶⁸⁵

Incidents of the commercial sexual exploitation of children, particularly for prostitution and pornography, are reported, especially among girls.¹⁶⁸⁶ In 2003, the statistical bureau of the Supreme Court reported 24 registered cases of the use of children in the drug trade and trafficking.¹⁶⁸⁷ Trafficking of children occurs, and thousands of children living in the streets and in orphanages are vulnerable to trafficking.¹⁶⁸⁸ Some families experiencing economic hardship have separated, which has increased the number of children living on the street.¹⁶⁸⁹

¹⁶⁸¹ Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than 4 hours of housekeeping chores in the household, or who have performed other family work. See Government of Georgia and State Department of Statistics - National Center for Disease Control, *Multiple Indicator Cluster Survey (MICS) 1999: Republic of Georgia*, UNICEF, Tbilisi, 2000, 25, 55; available from <http://www.childinfo.org/MICS2/newreports/georgia/georgia.pdf>.

¹⁶⁸² There is limited information on child labor or education in South Ossetia and Abkhazia. See *Ibid.*, 39.

¹⁶⁸³ Georgia NGO Convention on the Rights of the Child Coordinative Council, *Implementation of the Convention on Children's Rights in Georgia: A Report of Non-Governmental Organizations*, Tbilisi, 1999, 25; available from <http://www.assistancegeorgia.org.ge/common/reports/crc/altngocrce.pdf> [hardcopy on file]. See also UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Georgia*, CRC/C/15/Add.124, Geneva, June 28, 2000, para 60-62; available from <http://www.unhchr.ch>.

¹⁶⁸⁴ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention*, CRC/C/15/Ad.222, Geneva, October 27, 2003, 64.

¹⁶⁸⁵ International Monetary Fund, *Georgia: Poverty Reduction Strategy Paper*, 03/265, International Monetary Fund, Washington, D.C., August, 2003; available from <http://www.imf.org/external/pubs/ft/scr/2003/cr03265.pdf>.

¹⁶⁸⁶ U.S. Department of State, *Trafficking in Persons Report- 2004: Georgia*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33192.htm>. See also UN Committee on the Rights of the Child, *Concluding Observations -- Georgia* CRC/C/15/Add.124, para 66. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention* CRC/C/15/Ad.222, para 64.

¹⁶⁸⁷ U.S. Embassy- Tbilisi, *unclassified telegram no. 2157*, August 23, 2004.

¹⁶⁸⁸ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention* CRC/C/15/Ad.222. See also U.S. Department of State, *Trafficking in Persons Report- 2003: Georgia*, Washington, D.C., June 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/>.

¹⁶⁸⁹ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention* CRC/C/15/Ad.222, para 64. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Georgia*, Washington, D.C., February 25, 2004, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27838.htm>.

Education is mandatory and free for citizens¹⁶⁹⁰ from the age of 6 or 7 until 16 or 17 years.¹⁶⁹¹ In 2001, the gross primary enrollment rate was 92.0 percent and the net primary enrollment rate was 90.7 percent.¹⁶⁹² In 2000, the net primary school attendance rate for children ages 6 to 15 years in Georgia was 96 percent.¹⁶⁹³ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. The number of children leaving school to get married is reportedly increasing. Girls are removed from school at the age of 13 or upon betrothal in some minority communities.¹⁶⁹⁴ Although education is free, students are required to purchase their own textbooks,¹⁶⁹⁵ and many parents have difficulty affording the costs of related expenses, such as school supplies. Moreover, parents are sometimes forced to pay tuition or teacher's salaries, which prevent some children from attending school.¹⁶⁹⁶

Child Labor Laws and Enforcement

Article 167¹⁶⁹⁷ of the Labor Code sets the minimum age for employment in Georgia at 16 years. However, children who are 15 years old may work in jobs that are not dangerous to their health or development, in some jobs in the performing arts, or with special permission from the local trade union.¹⁶⁹⁸ In exceptional cases, children age 14 are permitted to work on a part time basis as long as permission is granted by their parents and the employment does not conflict with their schooling process. In general, children under 18 years of age may not be hired for unhealthy or underground work, and children ages 16 to 18 years have reduced working hours. The Labor Code prohibits forced labor, including that of minors.¹⁶⁹⁹ The Office of Labor Inspections in the Ministry of Health, Social Service and Labor and the Juvenile Delinquency Department in the Ministry of Interior are tasked with enforcing these laws.¹⁷⁰⁰ The actual enforcement of these laws in Georgia is questionable due to a general lack of resources.¹⁷⁰¹

¹⁶⁹⁰ *Constitution of Georgia*, Article 35, [cited November 5, 2002]; available from http://www.parliament.ge/LEGAL_ACTS/CONSTITUTION/consen.html.

¹⁶⁹¹ U.S. Embassy- Tbilisi, *unclassified telegram no. 2157*.

¹⁶⁹² World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004.

¹⁶⁹³ Government of Georgia, *Multiple Indicator Cluster Survey 2 (MICS2): Georgia*, UNICEF, 1999; available from http://www.ucw-project.org/cgi-bin/ucw/Survey/Main.sql?come=Tab_Country_Res.sql&ID_SURVEY=1092.

¹⁶⁹⁴ ABA CEELI, *CEDAW Assessment Tool Report: Georgia*, American Bar Association- Central European and Eurasian Law Initiative, Washington, D.C., October 2003, 39.

¹⁶⁹⁵ UN Committee on the Rights of the Child, *Summary Record of the 915th Meeting*, CRC/C/SR.915, Geneva, October 8, 2003, 33.

¹⁶⁹⁶ U.S. Department of State, *Country Reports- 2003: Georgia*, Section 5.

¹⁶⁹⁷ U.S. Embassy- Tbilisi, *unclassified telegram no. 2157*.

¹⁶⁹⁸ UN Committee on the Rights of the Child, *Initial Reports of States Parties due in 1996, Addendum: Georgia*, CRC/C/41/Add.4, prepared by Government of Georgia, pursuant to Article 44 of the Convention on the Rights of the Child, May 26, 1997, paras. 13, 219-20.

¹⁶⁹⁹ U.S. Embassy- Tbilisi, *unclassified telegram no. 2157*.

¹⁷⁰⁰ U.S. Department of State, *Country Reports- 2003: Georgia*, Section 6d.

¹⁷⁰¹ U.S. Embassy- Tbilisi, *unclassified telegram no. 2157*. See also UN Committee on the Rights of the Child, *Summary Record of the 915th Meeting* CRC/C/SR.915.

Article 171 of the Penal Code includes penalties of imprisonment for up to two years for encouraging minors to engage in prostitution. Article 172 provides for penalties for trafficking of minors, particularly for the purpose of prostitution.¹⁷⁰² Offenses for involving children in pornography are punishable by a prison sentence of up to three years, while penalties for trafficking of minors include imprisonment for 5 to 15 years.¹⁷⁰³ Articles 171 and 172 of the Penal Code limit prosecution of cases and fail to include many forms of exploitive child labor, including work in agriculture, factories, and forced begging.¹⁷⁰⁴ Local branches of the Ministry of Internal Affairs are charged with handling crimes against minors, including sexual exploitation of children.¹⁷⁰⁵

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Georgia, with the help of international organizations, generated brochures and posters that provide information on Convention 182 for public distribution. Representatives from the Ministry of Labor deliver lectures to public groups on child labor issues.¹⁷⁰⁶ The Ministry of Internal Affairs sponsors a Center for the Rehabilitation of Minors, which regularly provides medical and psychosocial assistance to child and adolescent victims of prostitution before returning them to their guardians.¹⁷⁰⁷

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	09/23/1996	✓
Ratified Convention 182	7/24/2002	✓
ILO-IPEC Associated Member		✓
National Plan for Children		
National Child Labor Action Plan		
Sector Action Plan (Trafficking)		✓

The Anti-TIP Unit of the Illegal Detention and Trafficking Division of the Organized Crime in the Ministry of Interior acquired a new office in 2004.¹⁷⁰⁸ The anti-TIP unit is allocated sufficient resources for its operations and has successfully investigated and made arrests in several trafficking cases. The Government provides protection and assistance to victims discovered in the course of police raids or investigations by referring the victims to government agencies and NGOs.¹⁷⁰⁹ The Government of Georgia

¹⁷⁰² UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 2001, Addendum: Georgia, CRC/C/104/Add.1*, prepared by Government of Georgia, pursuant to Article 44 of the Convention on the Rights of the Child, April 28, 2003, paras. 286-87. The Protection Project, *Georgia*, [online] 2004 [cited January 26, 2005]; available from <http://www.protectionproject.org/se1.htm>. See also U.S. Embassy- Tbilisi, email communication to USDOL official, January 28, 2005.

¹⁷⁰³ U.S. Department of State, *Country Reports- 2003: Georgia*, Section 5. See also *Republic of Georgia Criminal Code*, Article 232; available from <http://209.190.246.239/protectionproject/statutesPDF/GeorgiaF.pdf>.

¹⁷⁰⁴ Article 172 was originally intended to target illegal adoptions. See Kristi Severance, "Georgia," in *Survey of Legislative Frameworks for Combatting Trafficking in Persons, CEELI Research Paper Series* Washington, D.C.: American Bar Association, 2003; available from http://www.abanet.org/ceeli/publications/conceptpapers/humantrafficking/09_georgia.pdf. See also Marc Hulst, "Georgia," in *Analysis of Institutional and Legal Frameworks and Overview of Cooperation Patterns in the Field of Counter-Trafficking in Eastern Europe and Central Asia* Vienna: International Organization for Migration, 2003, 81; available from <http://www.iom.int/en/pdf%5Ffiles/other/ct%5Freport%5Fnov2003.pdf>.

¹⁷⁰⁵ UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 2001, Addendum: Georgia CRC/C/104/Add.1*, para. 289.

¹⁷⁰⁶ U.S. Embassy- Tbilisi, *unclassified telegram no. 2157*.

¹⁷⁰⁷ ABA CEELI, *CEDAW Assessment Tool Report*, 26.

¹⁷⁰⁸ U.S. Embassy- Tbilisi, *unclassified telegram no. 2157*.

¹⁷⁰⁹ Foreign national and Georgian victims are provided medical services and referred to NGOs and the IOM as necessary for shelter, psychological assistance, rehabilitation, and repatriation. U.S. Embassy- Tbilisi, email communication, May 18, 2005.

is a member of the Black Sea Economic Cooperation and cooperates with other members to combat organized crime, including criminal activities concerning trafficking in human beings and sexual exploitation of women and children.¹⁷¹⁰

The Government of Georgia is receiving funding from the World Bank for the first phase of a 12-year, USD 25.9 million program that will develop a national curriculum for primary and secondary education, train teachers and principals, and provide basic learning materials through 2005.¹⁷¹¹ The government provides evening classes for out of school youth.¹⁷¹² The government also offers education grants and tutoring, including the option of enrolling in military school, to some children who leave the orphanages.¹⁷¹³

In August 2004, UNICEF provided school supplies to internally displaced children from South Ossetia in various parts of Georgia. It will work with UNHCR and WFP to continue to assess the needs of the refugees and is planning to provide them with vitamin supplements.¹⁷¹⁴ USAID is currently sponsoring several programs targeting local, Abkhaz and internally displaced youth. These programs provide psycho-social assistance, educational activities, and alternative methods of conflict resolution.¹⁷¹⁵

¹⁷¹⁰ Georgia is a signatory to the *Agreement Among the Governments of the Black Sea Economic Cooperation (BSEC) Participating States on Cooperation in Combating Crime, In Particular in its Organized Forms*. Participating states include the Republic of Albania, the Republic of Armenia, the Republic of Azerbaijan, the Republic of Bulgaria, Georgia, the Hellenic Republic, the Republic of Moldova, Romania, the Russian Federation, the Republic of Turkey, and Ukraine. See *Black Sea Economic Cooperation, Agreement among the Governments of the Black Sea Economic Cooperation Participating States on Cooperation in Combating Crime, in Particular in its Organized Forms*, October 2, 1998; available from www.bsec.gov.tr/cooperation.htm.

¹⁷¹¹ The World Bank, *Education System Realignment and Strengthening Program*, 2001 [cited April 22, 2004]; available from <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20027079~menuPK:34470~pagePK:40651~piPK:40653~theSitePK:4607,00.html>. See also The World Bank, *Project Appraisal Document on the First Phase of the Proposed Adaptable Program Credit in the Amount of SDR 19.9 Million to Georgia for an Educational System Realignment and Strengthening Program*, 20952-GE, The World Bank, Washington, D.C., February 22, 2001; available from http://www-wds.worldbank.org/servlet/WDSContentServer?WDSID=IB/2001/03/27/000094946_01030705343241/Rendered/PDF/multi0page.pdf.

¹⁷¹² UN Committee on the Rights of the Child, *Summary Record of the 915th Meeting CRC/C/SR.915*, paras 40, 42.

¹⁷¹³ *Ibid.*, paras 50, 51.

¹⁷¹⁴ UNICEF, *UNICEF provides school supplies and sport equipment to the displaced children from South Ossetia*, press release, UNICEF, Geneva, August 19, 2004; available from http://www.unicef.org/media/media_23130.html.

¹⁷¹⁵ USAID, *Georgia*, [online] na [cited October 25, 2004]; available from <http://www.usaid.org/ge/activities.shtml>.