

Country session: Georgia

Date: 74th session - 25 January 2017

Context:

During the dialogue the State party underlined that is not possible for them to monitor the CRC in the territories of Abkhazia and South Ossetia. In its Concluding Observations, the Committee noted that these regions were not under the effective control of the State party, which is a serious obstacle for implementing the CRC. It expressed its concerns about restrictions in the freedom of movement in these regions, which affects the access to health services, the right to education, the rights of displaced children and the discrimination on ethnic basis.

Background information

[OHCHR press release](#)

[Webcast](#)

[Audio file](#)

Reporting

Reporting methodology

Regular reporting procedure

Simplified reporting procedure

Concluding Observations with urgent measures

State report:

| CRC | | OPAC | | OPSC | |
|----------------------|------------------------|----------------------|-------------------|----------------------|-----------------|
| No. of report | Fourth periodic report | No. of report | First report | No. of report | First report |
| Due date | 01 July 2011 | Due date | 03 September 2012 | Due date | 28 July 2007 |
| Submission | 13 December 2011 | Submission | 24 January 2017 | Submission | 24 January 2017 |

| Written replies to List of Issues | |
|---|------------------|
| Due date | 2011 |
| Submission | 11 December 2014 |

The Committee welcomed the clarity of the State report on the CRC and the written replies to the List of Issues.

Public reports from children's rights defenders

| Alternative reports | |
|-------------------------------------|--|
| NGOs | <ul style="list-style-type: none"> ▪ Advocates for Human Rights & Anti-Violence Network ▪ International Catholic Child Bureau (BICE) Public Health Foundation of Georgia (PHFG) & Coalition for Children and Youth Welfare |

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|--------------|---|
| | <ul style="list-style-type: none"> ▪ Global Initiative Against Corporal Punishment |
| NHRIs | <ul style="list-style-type: none"> ▪ Public Defender of Georgia |

State delegation

Large high level and multisectoral delegation led by Ms. Khathuna Totladze, Deputy Minister of Foreign Affairs. She was supported by a high level and technical functionaries from the Minister of Justice, Reconciliation and Civic Equality, Health and Social Affairs, Education and Sciences, Human Rights Protection Secretariat, Migration and Labour.

List of State delegation representatives on [OHCHR site](#)

Committee's Task Force members

| Name & Last Name | Country |
|------------------|---------|
| Hatem KOTRANE | Tunisia |
| Renate WINTER | Austria |

Dialogue description:

i. Character of the dialogue

The atmosphere during the session was cooperative and constructive. The answers of the State to the Committee's questions were focused mainly on law development and policy making on children's rights.

ii. General assessment made by the Committee

The Committee welcomed the ratification of the OPIC in 2016, as well as the institutional and legislative development. However, raised its concerns about the lack of proper implementation, especially in regards to the social protection system.

iii. Main issues discussed

- **Corporal punishment and child abuse:** The Committee was strongly concerned about absence of laws prohibiting corporal punishment and the prevalence of this practice within the family. The limited implementation of the child protection referral mechanism and the inadequate access to psychological services for children victims of neglect and abuse was regretted. The State acknowledged this issue, and replied that children victims of violence are protected and removed from the reach of the perpetrator. A plan to strengthen capacities, awareness and skills of civil servants, and awareness raising initiatives will be conducted to promote change within the population.
- **Sexual exploitation and abuse:** Committee members were deeply concerned about the increasing cases of sexual exploitation in the country, and the absence of comprehensive laws criminalizing and preventing sexual abuse and exploitation. Committee members pointed out the need of a reporting and referral mechanism for children victims, as well as preventive measures to tackle online abuse and

exploitation. The State party stressed that criminal laws and policies were amended to criminalize these practices, and child tailored services to the victims were provided to ensure their protection.

- **Children in street situations:** The Committee expressed its concerns about the situation of children living in the street, as well as the lack of comprehensive programs enabling them to access to social, health, education and reintegration programs. The delegation stated that this was a priority, but unfortunately there was no evidence-based research on the root causes. However, a program was being carried out to identify street children, provide them with care services and reintegrate them into school.
- **Tolerance:** Committee members raised their concerns about the deterioration of tolerance and freedom of thought towards religious minorities, which might lead to violence. The State delegation did not agree with this statement and underlined that tolerance was an integral element of Georgian culture and history, especially in relation to religious diversity.

Recommendations of the Committee

In its [Concluding Observations](#), Committee members draw attention to the need of urgent measures concerning the following areas:

- **Corporal punishment and child abuse:** The Committee urged the State to explicitly ban all forms of corporal punishment both in private and public settings, while reinforcing programs preventing and combatting violence against children using community-based approaches and child participatory methods. It should further enhance the existing child protection referral mechanisms by strengthening the capacities of all professionals involved in child protection, particularly of social workers in both rural and remote areas.
- **Sexual exploitation and abuse:** The State should establish a national data base system for cases of sexual exploitation and abuse of children, including cases of on online abuse, and conduct thorough investigations and prosecutions for strengthening the victim identification process. Child-friendly referral and reporting systems should be ensured, and the existing helpline services should be fostered and disseminated. Moreover, the State should conduct raising campaigns for children and families to minimize the risk of being abused, especially online.
- **Family environment:** The Committee urged the State to allocate enough human, technical and financial resources to the social protection system, particularly by increasing the capacity and remuneration of social workers across the country. The establishment of an early detection system to identify families in need of social protection services is required, as well as the reinforcement of the standards for child care institutions, including the criminalization of institutions running without official license.
- **Children with disabilities:** The State should adopt a comprehensive strategy to include children with disabilities in all sectors, while ensuring effective referral systems and adequate health and educational services. The Committee recommended to expedite the deinstitutionalization process, especially in rural areas, and guarantee adequate alternative family and community based care. A monitoring mechanism for health and education systems is required to guarantee reliable disaggregated data, as well as awareness raising campaigns to destigmatize children with disabilities.
- **Internally displaced children:** The State should integrate the assistance of internal displaced children into the national protection system, while guaranteeing their inclusion in professional programs. The Committee recommended to ensure appropriate alternative accommodation giving priority to families with children, while reinforcing community based solutions to generate livelihoods and employment for displaced families.



child rights connect

Next State report

| CRC | |
|---------------|---------------------------------|
| No. of report | Fifth and sixth periodic report |
| Due date | 1 July 2022 |

Disclaimer: Child Rights Connect reports are all drafted in English. If the State report and/or the alternative reports were submitted in another UN language (Spanish, French, Arabic, Russian or Chinese) the report will be translated accordingly.