

In 2017, Georgia made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite new initiatives to address child labor, Georgia is receiving this assessment of minimal advancement because it continued to implement a law that delayed advancement in eliminating the worst forms of child labor. The government failed to remedy the abolition of its Labor Inspectorate, caused by its adoption of the 2006 Labor Code. Since that time, the government has lacked a functioning labor inspection mechanism to monitor, inspect, and enforce child labor laws, including through unannounced inspections. Otherwise, the government made efforts by training labor monitors and improving the ability of vulnerable children to obtain identity documents. Children in Georgia perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including forced begging. The government lacks a coordinating mechanism to address child labor. In addition, the compulsory education age leaves 15-year-old children vulnerable to the worst forms of child labor, as they are not required to be in school, but are not legally permitted to work full-time.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Georgia engage in the worst forms of child labor, including in forced begging. (1; 2; 3) Children also perform dangerous tasks in agriculture. (4; 5; 6; 7; 1; 2; 3) 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 to 14	2.9 (13,547)
Attending School (%)	5 to 14	96.9
Combining Work and School (%)	7 to 14	3.7
Primary Completion Rate (%)		119.1

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2018. (8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from National Child Labor Survey, 2015. (9)

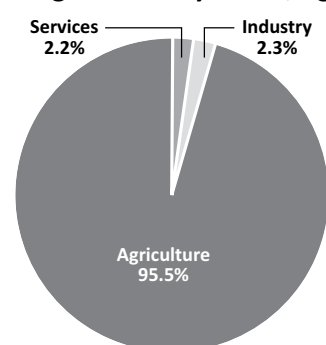
Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (10; 11)
Services	Street work, including begging and collecting scrap metal (10; 12; 11)
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1; 2; 3; 13; 11)
	Forced begging, sometimes as a result of human trafficking (1; 2; 3; 13)

† Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Figure 1. Working Children by Sector, Ages 5-14



Although estimates regarding the ethnicity and origin of children working on the street vary widely, sources report that children from Roma and Azerbaijani Kurd ethnic minorities make up a significant proportion of these children. (14) NGOs note that a lack of current data on the number and circumstances of children working on the street hinders effective targeting of social services. (14) In 2017, the government, in cooperation with UNICEF, began a program to conduct qualitative research on street children. (11)




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II. LEGAL FRAMEWORK FOR 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 (Table 4). However, gaps exist in Georgia's legal framework to adequately protect children from child labor, including with regard to the identification of hazardous occupations or activities prohibited for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	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)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 4(4) of the Labor Code of Georgia (15)
Prohibition of Forced Labor	Yes		Article 30 of the Constitution of Georgia; Articles 143-i, 143-ii, and 143-iii of the Criminal Code of Georgia; Law of Georgia on Combating Human Trafficking (17; 18; 19)
Prohibition of Child Trafficking	Yes		Articles 143, 143-1, 143-2, 143-3, and 172 of the Criminal Code of Georgia; Law of Georgia on Combating Human Trafficking (18; 19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 171, 253, 255, 255-1, and 255-2 of the Criminal Code of Georgia (19)
Prohibition of Using Children in Illicit Activities	Yes		Article 171 of the Criminal Code of Georgia (19)
Prohibition of Military Recruitment			
State Compulsory	Yes	18	Articles 9 and 21 of the Law of Georgia on Military Duty and Military Service (20)
State Voluntary	Yes	18	Article 10 of the Law of Georgia on Military Duty and Military Service (20)
Non-state	No		Article 410 of the Criminal Code of Georgia (19)
Compulsory Education Age	Yes	15‡	Articles 2 and 9 of the Law of Georgia on General Education (21; 22)
Free Public Education	Yes		Article 22 of the Law of Georgia on General Education (21)

‡ Age calculated based on available information (21; 22)

The labor law governing child labor is not in compliance with international standards because it does not apply to informal work. (23; 24) The compulsory education age leaves 15-year-old children vulnerable to the worst forms of child labor because they are not required to be in school but are not legally permitted to work full-time. In addition, although Article 4 of the Labor Code establishes age 14 as the minimum age for participation in work that is not harmful to the moral, physical, and mental development of the child, the law does not stipulate specific activities in which children under the legal working age are allowed

to engage. (15; 24) The law does not sufficiently criminalize non-state armed groups from recruiting children under 18 because it applies only to mercenaries. (19)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government does not adequately enforce its child labor laws, since it lacks a functioning Labor Inspectorate for the enforcement of labor laws and regulations. (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 pursue enforcement of labor laws. (25) Receive complaints through the Child Protection and Social Programs sub-department, and refer complaints of child labor violations to law enforcement agencies for investigation. (26)
Department of Labor Inspection within MoLHSA	Pilot program designed to enforce occupational safety and health laws, as well as prohibitions of forced labor and human trafficking. (10)
Department of Labor and Employment Policy within MoLHSA	Address labor and employment issues, and revise existing laws and policies to be in accordance with international standards. (22)
Social Service Agency 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. (10)
Ministry of Internal Affairs (MoIA)	Enforce criminal laws related to child labor and child trafficking, and investigate NGO and civilian reports of potential child labor violations. (5; 6; 25)
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. (26) Identify human traffickers and systematize data on traffickers across various agencies through the Information-Analytical Department. (27) Investigate possible human trafficking schemes by deploying teams of two law enforcement officials in Mobile Units to investigate companies offering suspicious work opportunities abroad. (26; 28)
District Police Units within the MoIA	Collect information on minors within each jurisdiction and visit minors' families to inform them of their rights. Conduct classes for school teachers on children's rights. (29)
Prosecutor General's Office within the Ministry of Justice	Investigate large-scale cases of child trafficking. (6)
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. (5; 26) Once any ministry identifies a case of child exploitation, the MoIA registers the case. MoLHSA then assesses the child's condition, provides shelter and rehabilitation services to the child as needed, and monitors the child's case. (6)

Following the abolition of the Labor Inspectorate in 2006, the Prime Minister's Decree No. 81, signed in March 2015, established a Department of Labor Inspection within the Ministry of Labor, Health, and Social Affairs. (30; 31; 32) However, existing legislation prevents the Department of Labor Inspection from functioning as a true Labor Inspectorate. In particular, the Law on Oversight of Entrepreneurial Activity requires government agencies, including the Department of Labor Inspection, to acquire a court order in order to inspect any private business. (33)

Labor Law Enforcement

In 2017, the lack of a functioning Labor Inspectorate in Georgia impeded the enforcement of child labor laws. However, the Department of Labor Inspection, a pilot initiative established in 2015 to monitor compliance with occupational safety and health laws and laws prohibiting forced labor and human trafficking, continued to function during the reporting period. (10; 34; 30) The pilot program is an initial step toward establishing a Labor Inspectorate, intended to build the capacity and credibility of the Inspectorate when the organization is fully established. (35) Currently, except in cases of suspected human trafficking or forced labor violations, the Department of Labor Inspection is only able to conduct monitoring of the 150 companies that volunteered to participate in the pilot program and must give companies 5 days' notice prior to a monitoring visit. (30; 36; 37) In addition, labor monitors are unable to impose sanctions or assess penalties for violations found. (11) A source reported that because the State Monitoring Program does not have sanctioning authority and its findings are confidential, the monitoring has little impact on workers. (38)

In 2017, the government created a special working group within the Chief Prosecutor's Office to identify and correct gaps in the government's capacity to enforce laws against forced labor and other forms of labor exploitation. (11)

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All 25 labor monitors received training from the ILO on planning and implementing labor inspections. (39; 40) During the reporting period, the Department of Labor Inspection received a budget of \$229,000 and employed 25 labor monitors. Monitors conducted 392 monitoring site visits, none of which were unannounced, and found no violations of child labor laws. (11)

In 2017, the Department of Labor Inspection conducted awareness raising activities at schools in regions where children are particularly vulnerable to child labor in seasonal agricultural work. (11) In addition, the Social Service Agency under MoLHSA provided services to 827 children found living or working on the street and referred them to MoLHSA-managed crisis centers. (11)

Criminal Law Enforcement

In 2017, criminal law enforcement agencies in Georgia took actions to combat child labor (Table 6). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including investigation of forced begging.

Table 6. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2016	2017
Training for Investigators		
Initial Training for New Employees	Yes (34)	Yes (41)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (34)	Yes (41)
Refresher Courses Provided	Yes (34)	Yes (41)
Number of Investigations	2 (34)	1 (41)
Number of Violations Found	0 (34)	2 (41)
Number of Prosecutions Initiated	0 (34)	2 (41)
Number of Convictions	5 (34)	0 (41)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (34)	Yes (41)

In 2017, the IOM provided training on commercial sexual exploitation to prosecutors, investigators, and judges. (11)

In 2017, the Ministry of Justice issued 14 temporary identification documents, one identity card, and five passports to children who were living on the street or victims of violence. The ability to obtain identity documents is key to reducing vulnerable children's risk of exploitation in the worst forms of child labor. (11)

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. (14)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 7).

Table 7. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role and Description
Interagency Commission for the Implementation of the Convention on the Rights of the Child	Monitor implementation of the Child Rights chapter of the National Human Rights Action Plan, which is based on provisions of the UN CRC. (34)
Interagency Anti-Trafficking Coordination Council for the Implementation of Measures Against Human Trafficking	Coordinate government efforts against human trafficking, including efforts to protect and rehabilitate victims. (6) Refer child victims to shelters to receive social services. (5) Chaired by the Minister of Justice and comprises representatives from state agencies and non-state entities. (26)

In December 2017, the Interagency Anti-Trafficking Coordination Council finalized revised guidelines for the investigation and prosecution of trafficking cases and the treatment of victims of human trafficking. These updated guidelines require that border police and customs officials receive training on trafficking in persons, including on the standards for interviewing potential child trafficking victims. (41)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 8). However, policy gaps exist that hinder efforts to address child labor, including scope of existing policies.

Table 8. Key Policies Related to Child Labor

Policy	Description
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 the provision of services to vulnerable children, such as those living and working on the streets, and requires implementation of ILO C. 138 and C. 182. (42; 43)
National Action Plan on Trafficking in Persons (2017–2018) [†]	Supports development of policy and implementation of activities to address human trafficking. Includes plans to conduct research on commercial sexual exploitation and forced labor with a particular focus on the exploitation of minors. (11)
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. (6; 44)

[†] Policy was approved during the reporting period.

In 2017, the government drafted its National Human Rights Action Plan for 2018–2020. Anticipated to be adopted in 2018, the plan contains a chapter on vulnerable children. (11)

While the government has established policies to address child begging, child trafficking, and child labor in street work, research found no evidence of a policy to address child labor in agriculture.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that include the goal of eliminating or preventing child labor, which cover the main sectors where child labor has been identified in the country (Table 9).

Table 9. Key Social Programs to Address Child Labor

Program	Description
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. (45) Key objectives of the project include supporting the establishment of adequate labor law enforcement mechanisms in Georgia through labor inspection and promoting effective tripartite cooperation. (46)
Research on Street Children ^{*†}	MoHLSA, MoIA, and UNICEF-administered program to conduct qualitative research on street children. Research will be completed in 2018. (11) In addition, the Ministry of Justice issued a \$22,000 grant to two NGOs to improve the process for identification of street children and support reintegration of these children. One NGO identified 105 street children. (11)
Targeted Social Assistance Program and Child Benefit Program [†]	Social Service Agency-administered social assistance programs designed to eliminate poverty, especially child poverty. The Child Benefit Program is intended to halve extreme poverty among children, and covers about a quarter of the most vulnerable families with children. (47)
Social Rehabilitation and Childcare Program [†]	Government program with a 2017 budget of \$9.2 million that provides assistance to children at high risk of abandonment and children with disabilities; also places abandoned children in appropriate care. (6; 10; 34; 11)
State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking [†]	MoLHSA program to protect, assist, and rehabilitate trafficking and domestic violence victims, including minors. (6; 48) Implements the government's Rehabilitation and Reintegration Strategy, which includes operating trafficking shelters in Batumi and Tbilisi. (5; 49) In 2017, received a total budget of \$2.4 million. (11)
Education-Focused Programs for Vulnerable Children	The Ministry of Education and Science funds multiple programs to promote the inclusion of vulnerable children in education. Initiatives include a program designed to increase the school participation of street children, victims of forced begging, and children who are seasonal agricultural workers; a program to increase the number of Georgian language teachers in communities with large ethnic minority populations; and a program to distribute free textbooks to public school students. (10; 26; 37; 50)
UNICEF Country Program (2016–2020)	Joint effort by UNICEF and the Government of Georgia to improve social inclusion of the most vulnerable children. (51)

^{*} Program was launched during the reporting period.

[†] Program is funded by the Government of Georgia.

[‡] The government had other social programs that may have included the goal of eliminating or preventing child labor. (11)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Georgia (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age for work applies to all children, including those in informal work.	2017
	Determine and codify the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2016 – 2017
	Increase the age up to which education is compulsory to 16, the minimum age for work.	2009 – 2017
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2016 – 2017
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016 – 2017
Enforcement	Establish a functioning Labor Inspectorate to enforce child labor legislation. Ensure that the Labor Inspectorate has funding to employ a sufficient 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 – 2017
	Ensure that legislation permits the Department of Labor Inspection to enter the premises of all businesses to conduct unannounced inspections, and empowers monitors to impose sanctions for the violation of labor laws.	2015 – 2017
	Ensure that labor monitors inspect for compliance with the full range of labor laws, including laws against child labor.	2015 – 2017
	Ensure that cases of forced begging are recognized as criminal acts and receive appropriate and thorough investigation by the Police.	2014 – 2017
Government Policies	Adopt a policy that addresses all relevant forms of child labor, including child labor in agriculture.	2017

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