

In 2018, Georgia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government passed the 2018 Law on Occupational Safety to allow unannounced inspections in harmful, hazardous, and heavy industries, and carried out 90 unannounced inspections in these industries during the reporting period. The 2019 Law on Occupational Safety grants labor inspectors the ability to enter any business for occupational health and safety reasons without prior notification starting in late 2019. The government also approved a National Action Plan on Human Trafficking for 2019–2020 to protect and integrate street children through issuing identity documents and inclusive education. However, children in Georgia engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The labor inspectorate is allowed to conduct unannounced inspections only in harmful, hazardous, and heavy industries, and requires a court order to inspect all other businesses in the country. 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, sometimes as a result of human trafficking. (1-4) Children also perform dangerous tasks in agriculture. (1,2,5,6) Table I provides key indicators on children’s work and education in Georgia.

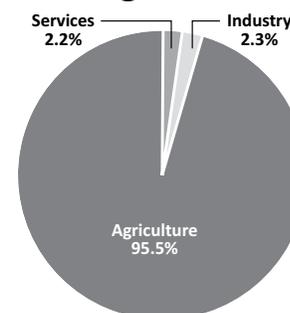
Table I. Statistics on Children’s Work and Education

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 (%)		117.1

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labor Survey, 2015. (8)

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



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 (2,9)
Services	Street work, including begging and collecting scrap metal (2,4,9,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4) Forced begging, sometimes as a result of human trafficking (1-4)

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

Georgia is a source and transit country for child trafficking, especially of girls, to Turkey, China, the United Arab Emirates, and Cyprus. (3,4) Sources report that Roma and Azerbaijani Kurd ethnic minorities and refugee and internally displaced children from Georgia, Armenia, and Moldova are subjected to forced begging in Georgia. (2-4, 11) Estimates suggest that 1,000 to 2,000 children earn a living by begging, primarily caused by poverty or

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domestic violence. (2,4,11) Many of the child beggars are from Roma communities. (4,11) Children from Roma communities lack identity documents and, therefore, have challenges accessing education. (2) In addition, socially vulnerable children and those who live in rural areas have difficulty accessing education.(2,12) Children who do not attend school are vulnerable to the worst forms of child labor.

Lack of information limits an assessment of the types of work that children perform and the sectors in which they work in Abkhazia and South Ossetia. (2,3)

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 the worst forms of child labor, including the identification of hazardous occupations or activities prohibited for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 4 of the Labor Code of Georgia (13)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Labor Code of Georgia; Articles 2 and 5 of the Law on Occupational Safety (13,14)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 4(4) of the Labor Code of Georgia; Articles 2 and 5 of the Law on Occupational Safety (13,14)
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 (15-17)
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 (16,17)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 171, 253, 255, 255-1, and 255-2 of the Criminal Code of Georgia (17)
Prohibition of Using Children in Illicit Activities	Yes		Article 171 of the Criminal Code of Georgia (17)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 10 of the Law of Georgia on Military Duty and Military Service (18)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 9 and 21 of the Law of Georgia on Military Duty and Military Service (18)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 410 of the Criminal Code of Georgia (17)
Compulsory Education Age	Yes	15‡	Articles 2 and 9 of the Law of Georgia on General Education (19)
Free Public Education	Yes		Article 22 of the Law of Georgia on General Education (19)

‡ Age calculated based on available information (19)

In 2018, the government passed the Law on Occupational Safety that forbids minors from working in harmful, hazardous, and heavy (3H) industries. According to the law, the specific 3H industries will be determined by the government in consultation with partners; trade unions; employers' associations; and the Ministry of Labor, Health, and Social Affairs (MoLHSA). (2,14,20)

Also, Article 143-I of the Criminal Code was amended during the reporting period, which introduced pimping as a crime, developed a temporary working group under the Interagency Anti-Trafficking Coordination Council, and simplified evidence collection for human trafficking. (4,24-26)

The labor law governing child labor is not in compliance with international standards because it does not apply to informal work. (13,27) The compulsory education age leaves children age 15 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. (13,27)

The law does not sufficiently criminalize non-state armed groups from recruiting children under age 18 because it applies only to mercenaries. (17)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist with the authority of the Ministry of Labor, Health, and Social Affairs that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Health, and Social Affairs (MoLHSA)	Oversees child welfare issues and pursues enforcement of labor laws. (2) Receives complaints through the Child Protection and Social Programs sub-department, and refers complaints of child labor violations to law enforcement agencies for investigation. (25)
Department of Labor Inspection within MoLHSA	Enforces occupational safety and health laws, as well as prohibitions of forced labor and human trafficking. (9)
Department of Labor and Employment Policy within MoLHSA	Addresses labor and employment issues, and revises existing laws and policies to be in accordance with international standards. (25)
Social Services Agency within MoLHSA	Administers social benefits such as targeted social assistance, healthcare, and vouchers for day care. (2) Employs social services agents who identify qualifying families for services, and social workers who oversee child protection and family welfare cases. (9)
Ministry of Internal Affairs (MoIA)	Enforces criminal laws related to child labor and child trafficking, and investigates NGO and civilian reports of potential child labor violations. (6) Operates a hotline that is available in Georgian, Russian, and English. (4)
Central Criminal Police Department within MoIA	Leads criminal investigations of trafficking in persons, including the trafficking of children, through the Division for Combating Human Trafficking and Illegal Migration. (4) Identifies human traffickers and collates data on traffickers across various agencies through the Information-Analytical Department. (28) Investigates possible human trafficking schemes by deploying teams of two law enforcement officials in Mobile Units to investigate companies offering suspicious work opportunities abroad. (29) In 2018, Mobile Units inspected 71 locations. (4)
District Police Units within MoIA	Collects information on minors in each jurisdiction and visit minors' families to inform them of their rights. (25) Conduct classes for school teachers on children's rights.
Human Rights Department within the MoIA*	Ensures prompt responses to human trafficking crimes and compose suggested recommendations for investigations. (4)
Prosecutor General's Office within the Ministry of Justice	Investigates large-scale cases of child trafficking. (6) Headquartered in the Prosecution Service of Georgia under the Prime Minister's Office. (25)
Joint Child Referral Mechanism	Ensures interagency coordination of the enforcement of child labor laws and enumerates the procedures for referring children subject to any form of violence, including labor exploitation, to child protective services. (2,4) After any ministry identifies a case of child exploitation, 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)

* Agency responsible for child labor enforcement was created during the reporting period.

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Following the abolition of the labor inspectorate in 2006, Prime Minister’s Decree No. 81, signed in March 2015, established a Department of Labor Inspection in MoLHSA. (30-32) However, existing legislation hampers enforcement of labor laws by the Department of Labor Inspection. In particular, although the new 2018 Law on Occupational Safety allows unannounced inspections, labor inspectors can only conduct them in 3H industries. (2,14) Furthermore, the Law on Oversight of Entrepreneurial Activity requires government agencies, including the Department of Labor Inspection, to acquire a court order to inspect any private business. (32,33) However, a 2019 Law on Occupational Safety grants labor inspectors the ability to enter any business for occupational health and safety reasons without prior notification and removes the requirement that the Department of Labor Inspection acquire a court order to inspect private businesses starting in late 2019. (4) In addition, the government passed Decrees 382 and N01-25N to determine rules for labor safety inspections. (2,21-23)

In 2018, the Prosecution Service of Georgia separated from the Ministry of Justice and now has the primary responsibility for setting criminal justice policy related to criminal prosecutions. (2)

MoLHSA’s jurisdiction was expanded during 2018 to allow the Department of Labor Inspection to detect labor exploitation and inform law enforcement officials of potential victims of human trafficking, including children. (2,24)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Georgia took actions to combat child labor (Table 6). However, gaps exist within the authority of MoLHSA that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$229,000 (34)	\$340,800 (2)
Number of Labor Inspectors	25 (34)	40 (2)
Inspectorate Authorized to Assess Penalties	No (34)	Yes (2)
Initial Training for New Labor Inspectors	Yes (34)	Yes (2)
Training on New Laws Related to Child Labor	Yes (34)	Yes (2)
Refresher Courses Provided	Unknown	Yes (2)
Number of Labor Inspections Conducted	392 (34)	511 (2)
Number Conducted at Worksite	392 (34)	511 (2)
Number of Child Labor Violations Found	0 (34)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (34)	0 (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (34)	0 (2)
Routine Inspections Conducted	Yes (34)	Yes (2)
Routine Inspections Targeted	Yes (34)	Yes (2)
Unannounced Inspections Permitted	No (34)	Yes (2)
Unannounced Inspections Conducted	No (34)	Yes (2)
Complaint Mechanism Exists	Yes (34)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (34)	Yes (2)

In 2015, the Department of Labor Inspection in MoLHSA created a pilot initiative to monitor compliance with occupational safety and health laws and laws prohibiting forced labor and human trafficking. The initiative continued to function during the reporting period. (9,30,35) The pilot program is an initial step toward establishing a labor inspectorate and is intended to build the capacity and credibility of the inspectorate when the organization is fully established. (35,36)

Currently, except in cases of suspected human trafficking or forced labor violations, the Department of Labor Inspection is only able to conduct monitoring of 3H industries and the 150 companies that volunteered to participate in the pilot program, and it must give companies 5 days’ notice prior to a monitoring visit until

the new law on Occupational Safety takes effect in September 2019. (25,30,37,38) Labor monitors conducted 511 monitoring site visits, 90 of which were unannounced. Visits were only conducted in 3H industries, and no violations of child labor were found. (2) In addition, labor monitors are able to impose sanctions and assess penalties for violations found only in 3H industries. (2)

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. (25,38,39) The number of labor monitors is likely insufficient for the size of Georgia's workforce, which includes more than 1.9 million workers. (53) According to the ILO's technical advice of a ratio approaching 1 monitor for every 20,000 workers in transition economies, Georgia would employ about 100 labor monitors. (54, 55)

During the reporting period, labor monitors received 3-day trainings from the ILO on new labor laws and best practices on labor law enforcement. (2)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Georgia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including investigation of forced begging.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (40)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (40)	Yes (2)
Refresher Courses Provided	Yes (40)	Yes (2)
Number of Investigations	1 (40)	7 (2)
Number of Violations Found	2 (40)	2 (2)
Number of Prosecutions Initiated	2 (40)	2 (2)
Number of Convictions	0 (40)	2 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	0 (20)	0 (20)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (40)	Yes (2)

Law enforcement agencies received training on the worst forms of child labor, including forced labor, child trafficking, and the use of children in illicit activities. (4) Ministry officials, including prosecutors and investigators, participated in trainings and seminars organized by the Police Academy of the Ministry of Internal Affairs (MoIA). (2,4) In 2018, law enforcement officials were trained on human trafficking at border checkpoints; 16 trainings were organized for law enforcement officials and prosecutors on legislation review, interagency coordination, and illegal transportation of migrants. (4) Criminal investigators also were unable to investigate and prosecute any potential human trafficking cases, including of children, in Abkhazia and South Ossetia because they remain occupied by Russian forces and are outside of central government control. (4,20)

During the reporting period, the Social Services Agency referred 11 cases of minors involved in forced labor to the MoIA and provided services to 328 children, 270 of which were directed to crisis centers. (2) In addition, authorities investigated and convicted two individuals as a result of their participation in the worst forms of child labor, each receiving 9-year prison sentences for forcing children to beg. (2,25) However, a source reported that forced begging needs to be addressed broadly, rather than as isolated incidents. (4) Gaps remain in the identification and removal of street children as well. (4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including coordination among agencies.

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Interagency Commission for the Implementation of the UN CRC	Monitors implementation of the Child Rights chapter of the National Human Rights Action Plan, which is based on provisions of the UN CRC. Held meetings in 2018 and contributed to drafting legislation. (25)
Interagency Anti-Trafficking Coordination Council for the Implementation of Measures Against Human Trafficking	Coordinates government efforts against human trafficking, including efforts to protect and rehabilitate victims. (6) Refers child victims to shelters to receive social services. Chaired by the Minister of Justice and comprises representatives from state agencies and non-state entities. (4,6) In 2018, approved a National Action Plan on Human Trafficking for 2019–2020. (2,25,41)
Prosecution Service of Georgia Working Group	Established in 2017 to address labor trafficking issues under the framework of the Prosecution Service Strategy for 2017–2021. (2,42) Met in 2018 to discuss investigative techniques, victim services, successful prosecutions, and combating labor trafficking. (2) The corresponding 2019 Action Plan for the Prosecution Service includes increasing awareness of victim services and developing a list of high-risk businesses for inspections. (2)

Coordination on cases between the labor inspectorate and the Criminal Police Department has traditionally been sporadic. (4)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including the scope of existing policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Human Rights Strategy (2014–2020)†	Identifies human rights priorities, including the protection of children’s rights. 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. (43,44) The National Human Rights Action Plan for 2018–2020 has a chapter on children’s rights and lays out actions for government commitment toward developing a broad-based approach to fighting violence against children. (2,45)
National Action Plan on Trafficking in Persons (2017–2018)†	Supports the development of policy and the 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. (34) In 2018, approved a National Action Plan for 2019–2020. The plan commits the government to protect and effectively integrate street children, such as issuing identify documents and increasing school enrollment. (2,41,46)
EU Association Agreement and Association Agenda	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. (6,47) The government continued its support for the program in 2018. (2)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (2,48)

In 2018, the government announced its intention to become a Pathfinder Country for the Global Partnership to End Violence Against Children. In doing so, the government has committed to end violence against children, including by combatting child trafficking and increasing school inclusion through the use of broad-based approaches. (2,49)

Although the government has established policies to address child begging and 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 2018, the government funded and participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. 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 ILO to work with the Government of Georgia to improve its ability to enforce labor laws, including child labor laws, and adhere to international labor standards. Key objectives include supporting the establishment of adequate labor law enforcement mechanisms in Georgia through labor inspection and promoting effective tripartite cooperation. (50) Additional information is available on the USDOL website.
Research on Street Children†	MoLHSA, MoLA, and UNICEF-administered program to conduct qualitative research on street children. (2,34) In July 2018, a final report was released and identified main gaps such as the need for increased cooperation between Georgia and Azerbaijan on law application, outreach to minority populations and families of street-connected children, legal reform on child protection, and police investigation of cases. (4,11)
Targeted Social Assistance Program and Child Benefit Program†	Social services 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. (51) Active in 2018. (2)
Social Rehabilitation and Childcare Program†	Government program with a 2018 budget of \$11.2 million that provides assistance to children at high risk of abandonment and children with disabilities; also places abandoned children in appropriate care. (2,6,9,33,34)
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) Implements the government's Rehabilitation and Reintegration Strategy, which includes operating shelters for trafficking victims in Batumi and Tbilisi. In 2018, received a budget of \$2.04 million. (2)
Education-Focused Programs for Vulnerable Children†	The Ministry of Education and Science funds multiple programs to promote the inclusion of vulnerable children in education. (2) Initiatives include a program designed to increase the participation in school by 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. (2,9) In 2018, funding for free textbooks, school buses, and inclusive education increased from the previous year. (2)
UNICEF Country Program (2016–2020)	Joint effort by UNICEF and the Government of Georgia to improve social inclusion of the most vulnerable children. (52) In 2018, worked on a draft code on the rights and freedoms of children, which was submitted to Parliament. (2)

† 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. (2,4)

During the reporting period, the government issued grants to NGOs to raise awareness about children living and working on the streets and the state services available to them. (2) Although Georgia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially with regard to street children. (2,4)

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 11).

Table 11. 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 – 2018
	Determine and codify the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2016 – 2018
	Increase the age up to which education is compulsory to age 16, the minimum age for work.	2009 – 2018
	Ensure that the law's light work provisions are sufficiently specific to prevent children from involvement in child labor.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the Department of Labor Inspection has funding to employ a sufficient number of inspectors; that inspectors are capable of performing quality targeted, complaint-based, and unannounced inspections in all sectors and businesses on all labor laws; and that inspectors have the ability to assess penalties.	2009 – 2018
	Ensure that legislation permits the Department of Labor Inspection to enter the premises of all businesses to conduct unannounced inspections, and empowers inspectors to impose sanctions for the violation of labor laws.	2015 – 2018
	Increase the number of labor inspectors to monitor and combat child labor.	2018
	Ensure that cases of forced begging are recognized as criminal acts and receive appropriate and thorough investigation by the police.	2014 – 2018
Coordination	Increase coordination between the Department of Labor Inspection and Criminal Police Department.	2018
Government Policies	Adopt a policy that addresses all relevant forms of child labor, including child labor in agriculture.	2017 – 2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs, especially on agriculture and in Abkhazia and South Ossetia.	2018
	Make additional efforts to register children from Roma communities and provide them with identity documents, and ensure that these groups can access education.	2018
	Expand existing programs to address the scope of the child labor problem, especially for street children.	2018

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