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Committee on the Rights of the Child**Concluding observations on the combined fifth and sixth reports of Georgia*****I. Introduction**

1. The Committee considered the combined fifth to sixth periodic reports of Georgia¹ at its 2792nd and 2793rd meetings,² held on 8th and 9th May 2024, and adopted the present concluding observations at its 2816th meeting, held on 24 May 2024.

2. The Committee welcomes the submission of the combined fifth to sixth periodic reports of the State party, under the simplified reporting procedure,³ which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the various legislative, institutional and policy measures taken by the State party to implement the Convention, including the adoption of the Code on the Rights of the Child, which entered into force on 1 September 2020, and the National Human Rights Strategy for 2022-2030, which includes a child rights chapter for the implementation of the Code on the Rights of the Child.

III. Factors and difficulties impeding the implementation of the Convention

4. The Committee notes the obstacles faced by the State party to implement the Convention and the Optional protocols thereto in Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia, which remain outside the effective control of the State party. The Committee is particularly concerned about the persistent violations of children's rights in those regions, including restrictions to freedom of movement and the right to education in one's native language. It appreciates Georgia's efforts to promote the improvement of the humanitarian and socio-economic conditions in those regions.

* Adopted by the Committee at its ninety-sixth session (6-24 May 2024).

¹ CRC/C/GEO/5-6.

² See CRC/C/SR.2792 and 2793.

³ CRC/C/GEO/QPR/5-6.

IV. Main areas of concern and recommendations

5. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: abuse, neglect and sexual exploitation and abuse (para. 23), children deprived of a family environment (para. 28), children with disabilities (para. 30), education (para. 37) and asylum-seeking, refugee and internally displaced children (para. 39).

6. **The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention and the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.**

A. General measures of implementation (arts. 1, 4, 42 and 44 (6))

Legislation

7. While welcoming the progress achieved in the legislative framework for children's rights, the Committee recommends that the State party take measures to ensure the effective implementation of its legislation, in particular the Code on the Rights of the Child, by allocating adequate and sufficient human, technical and financial resources. The Committee also recommends that the State party institute a child rights impact assessment of its legislation and withdraw the Constitutional Bill on the Protection of Family Values and Children as it contradicts the Convention.

Comprehensive policy and strategy

8. While welcoming the adoption of the second National Strategy for the Protection of Human Rights for 2022–2030, which includes a chapter on the rights of children, and its action plan for implementation, the Committee recommends that the State party ensure inclusive participation of all stakeholders, including the civil society and children, in developing its strategies and plans concerning the rights of children that are in line with the Convention and the Optional protocols thereto. The Committee also recommends that such strategies and plans are provided with sufficient human, technical and financial resources for their effective implementation.

Coordination

9. The Committee recommends that the State party increase the capacity and provide sufficient resources to the Permanent Parliamentary Council on Child Rights and the Inter-Agency Coordination Commission on the Implementation of the Convention established for coordination and oversight of the implementation of the Code on the Rights of the Child and the Convention, and ensure that it is provided with a clear mandate without overlaps and sufficient authority to coordinate all activities related to the implementation of the Convention and the Optional protocols thereto at cross-sectoral, national, regional and local levels.

Allocation of resources

10. Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party:

(a) **Conduct a comprehensive assessment of the budget needs of children and allocate adequate budgetary resources, in accordance with article 4 of the Convention,**

for the implementation of children's rights and, in particular increase the budget allocated to social sectors;

(b) Ensure transparent and participatory budgeting through public dialogue, especially with children and for proper accountability of local authorities;

(c) Define budgetary lines for all children, with special attention to those in disadvantaged or vulnerable situations that may require affirmative social measures, and make sure that those budgetary lines are protected even in situations of economic crisis, natural disasters or other emergencies;

(d) Strengthen audits to increase transparency and accountability with regard to public expenditure across all sectors, in order to mobilize the maximum available resources for the implementation of the rights of the child.

Data collection

11. While noting the population census conducted by the State party, which includes information on children, and recalling its general comment No. 5 (2003) on general measures of implementation, the Committee recommends that the State party strengthen the National Statistics Office or develop a comprehensive data-collection system on the implementation of the Convention and the Code on the Rights of the Child as per its article 84, especially at municipal level, which includes data disaggregated by age, sex, disability, geographical location, ethnic and national origin and socioeconomic background, on the situation of all children, particularly in the areas of child abuse, neglect, exploitation, sexual exploitation and children in street situations.

Access to justice and remedies

12. While noting that the Code on the Rights of the Child provides for child-friendly justice in all justice proceedings in which children are involved or which affect children, the Committee recommends that the State party strengthen its existing efforts and ensure that all children in all settings, including in public and private schools, foster care systems, alternative care settings and in detention, have access to:

(a) Confidential, child-friendly and independent complaint mechanisms for reporting all forms of violence, abuse, discrimination and other violations of their rights;

(b) Age-appropriate information about their right to file a complaint under existing national mechanisms and under the Optional protocol on a communications procedure, including by providing capacity-building activities aimed at training relevant actors, including children and/or children human rights defenders, on the Optional protocol;

(c) Social and legal support for all children, including those living in disadvantaged and marginalized situations, to have access to counselling and remedies, including compensation and rehabilitation.

Cooperation with civil society

13. The Committee notes with serious concern the adoption of the Law on Transparency of Foreign Influence at the State party's Parliament, which can negatively impact the work of child rights organisations. The Committee urges the State party to repeal the law. The Committee also recommends that State party systematically involve the civil society, including children's organizations, in all decisions, laws and policies concerning children's rights.

Children's rights and the business sector

14. Recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and to the Guiding Principles on

Business and Human Rights, endorsed by the Human Rights Council in 2011, and previous recommendations⁴, the Committee recommends that the State party:

(a) **Establish a clear regulatory framework for the industries/businesses operating in or managed from the State party to ensure that their activities do not negatively affect human rights or endanger environmental, health, labour and other standards, especially those relating to children's rights;**

(b) **Ensure effective implementation by companies of international and national environment and health standards, effective monitoring of implementation of these standards and appropriately sanctioning and providing remedies when violations occur;**

(c) **Require companies to undertake assessments, consultations, and full public disclosure of the environmental, health-related and children's rights impacts of their business activities and their plans to address such impacts.**

B. General principles (arts. 2–3, 6 and 12)

Non-discrimination

15. **The Committee recommends that the State party take measures to ensure that all children enjoy equal rights under the Convention and the Optional Protocols thereto without discrimination, and ensure effective elimination of any form of discrimination, especially against children with disabilities, children in street situations, children belonging to minority groups, children living in poverty, children in alternative care settings and children living in rural or remote areas. The Committee also urges the State party to effectively eliminate sex selective abortions.**

16. **While concerned about the allegations of discrimination and hate speech against lesbian, gay, bisexual and transgender persons and the Constitutional Bill on the Protection of Family Values and Children of March 2024, the Committee recommends that the State party ensure that children who are lesbian, gay, bisexual and transgender or belong to LGBTI families are not subjected to any form of discrimination or hate crimes by raising the public's awareness of equality and non-discrimination on the basis of sexual orientation and gender identity.**

Best interests of the child

17. **Noting that article 3 of the Code on the Rights of the Child provides for the best interests of the child and recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:**

(a) **Further strengthen efforts to ensure that the right of the child to have his or her best interests taken as a primary consideration is appropriately integrated and consistently interpreted and applied in all decisions concerning children by courts, administrative authorities or legislative bodies as well as in all policies, programmes and projects that are relevant to, and have an impact on, children;**

(b) **Develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area as a primary consideration and build their capacity to implement relevant laws, including article 3 of the Code on the Rights of the Child, policies and procedures.**

Right to life, survival and development

18. **While welcoming the National Strategy for the Promotion of Maternal and Newborn Health for 2017–2030 with the aim to reduce maternal and newborn morbidity and mortality, the Committee recommends that the State party:**

⁴ CRC/C/GEO/CO/4, para 14.

- (a) Further strengthen efforts to reduce infant and neonatal mortality rates and expand preventive health care services;
- (b) Implement the suicide prevention protocol to address and prevent suicides and suicidal behaviour among adolescents.

Respect for the views of the child

19. While noting that article 8 of the Code on the Rights of the Child provides for the right of children to be heard in all matters affecting them and recalling its general comment No. 12 (2009) on the right of the child to be heard and its statement under article 5 of the Convention, the Committee recommends that the State party:

- (a) Take measures to ensure the effective implementation of legislation recognizing the right of the child to be heard, in particular article 8 of the Code on the Rights of the Child, in relevant legal and administrative proceedings, including by establishing systems and/or procedures for social workers and courts to comply with the principle;
- (b) Conduct research to: (i) identify the issues that are most important to children, to hear their views on those issues and the channels through which they currently and potentially have the most influence on national and local decision-making; (ii) identify whether their voices are heard in line with children's evolving capacities in family decisions affecting their lives;
- (c) Conduct programmes and awareness-raising activities to promote the meaningful and empowered participation of all children within the family, community and schools.

C. Civil and political rights (arts. 7–8 and 13–17)

Right to identity and nationality

20. The Committee recalls its previous recommendations⁵ and urges the State party to:

- (a) Strengthen its efforts, including through legislative guarantees, to ensure that children born through assisted reproduction technologies, including surrogacy, are able to access information about their origin and receive appropriate counselling and support;
- (b) Establish an effective and efficient identification and referral mechanism for children who are undocumented and at risk of statelessness and ensure that its legislation is in line with the Convention relating to the Status of the Stateless Persons;
- (c) Consider ratifying the 1997 European Convention on Nationality and the 2006 Council of Europe Convention on the avoidance of statelessness in relation to State succession.

Access to appropriate information and right to privacy

21. Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State party ensure that children have access to information and material from a diversity of national and international sources, including in the digital environment, especially those aimed at the promotion of their social, spiritual and moral well-being and physical and mental health, while ensuring respect for children's right to privacy, protection of children from harmful content and materials, and strengthening mechanisms to prosecute violations.

⁵ CRC/C/GEO/CO/4, para 19.

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 35, 37 (a), and 39 of the Convention and the Optional Protocol on the sale of children, child prostitution and child pornography)

Abuse, neglect and sexual abuse and exploitation

22. While welcoming the State party's efforts to combat violence against children, in particular the adoption of the Law on Combating Crime against Sexual Freedom and Inviolability in 2020, the establishment of the Center for Psychological and Social Services for Children Victims of Violence (*Barnahus*) and the capacity building of professionals working with child victims, and the increase in prosecution of crimes with child victims, the Committee is seriously concerned about:

(a) The high level of violence against children and the insufficient procedural and policy measures to address violence against children in families, residential care, foster care and educational institutions;

(b) The gaps in the national legislation to protect child victims of sexual violence and abuse, including in the definition of rape;

(c) The non-reporting and lack of timely detection of sexual violence against children and the limited response to reported and detected cases;

(d) Limited rehabilitation services for child victims, inadequate coordination between responsible agencies for prevention of violence, and low qualifications of professionals working with children;

(e) Services of the Center for Psychological and Social Services for Children Victims of Violence (*Barnahus*), being limited only to Tbilisi;

(f) The slow pace of investigation in the cases of violence and ill-treatment committed against children in Ninotsminda boarding school, which continues to operate and host children.

23. **In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee recommends that the State party:**

(a) **Ensure prompt and effective investigations into all allegations of violence against children, in particular in cases of sexual abuse and violence against children, and prosecute and punish perpetrators with penalties commensurate to the gravity of their crime;**

(b) **Adopt procedural and policy measures to address violence against children in families, residential care, foster care and educational institutions as well as strengthen mechanisms for referrals and child-friendly reporting of violence and abuse;**

(c) **Ensure the quality of services of psychologists and social workers, including through a comprehensive regulation;**

(d) **Ensure effective implementation of the piloted case management coordination mechanism in all municipalities, including through an electronic system and provide sufficient human, technical and financial resources for such purpose;**

(e) **Strengthen awareness-raising and education programmes — including campaigns — with the involvement of children and put into place accessible, confidential and child-friendly mechanisms to facilitate and promote the reporting of violence against children;**

(f) **Ensure that all children who are victims or witnesses of violence have prompt access to child-friendly, multisectoral, and comprehensive interventions, services and support, including forensic interviews and psychological therapy, with the aim of preventing the secondary victimization of those children, and allocate sufficient resources for the implementation and expansion of the *barnahus* and similar models outside Tbilisi;**

- (g) Systematically accept audiovisual recordings of the child victim's testimony as evidence, and conduct cross-examination without delay in child-friendly facilities;
- (h) Speed up the investigations into the reports of violence against and ill-treatment of children in Ninotsminda boarding school and ensure that perpetrators are brought to justice without further delay;
- (i) Adopt a national policy for preventing and addressing online child sexual exploitation and abuse;
- (j) Enhance awareness about child sexual abuse and exploitation among the public and strengthen the professional capacity and software tools to detect and investigate child sexual exploitation and abuse, provide training for parents and teachers about risks online, and ensure and promote accessible, confidential, child-friendly and effective channels for reporting all forms of sexual exploitation and abuse.

Corporal punishment

24. While welcoming that the Code on the Rights of the Child bans all forms of corporal punishment of children and recalling its general comment No. 8 (2006) on corporal punishment, the Committee urges the State party to:

- (a) Further strengthen efforts to implement the ban on corporal punishment and apply appropriate sanctions to such cases;
- (b) Promote positive, non-violent and participatory forms of child-rearing and discipline;
- (c) Conduct awareness-raising campaigns for parents and professionals working with and for children to promote attitudinal change, within the family and the community, with regard to corporal punishment.

Harmful practices

25. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party:

- (a) Increase efforts to put an end to the practice of child marriages;
- (b) Develop awareness-raising campaigns and programmes on the harmful effects of child marriage on the physical and mental health and well-being of children, especially girls, targeting households, local authorities, religious leaders and judges and prosecutors;
- (c) Establish protection schemes for victims of child marriages who file a complaint.

Optional Protocol on the sale of children, child prostitution and child pornography

26. While welcoming the 2020 amendments to the Criminal Code which strengthened penalties for sexual exploitation of children and added the offence of import and export of child sexual abuse material, and recalling its 2019 guidelines on the implementation of the Optional Protocol⁶ and its previous concluding observations on the report of the State party submitted under article 12 of the Optional Protocol,⁷ the Committee urges the State party to:

- (a) Ensure that the definition of sale of children in its Criminal Code covers all elements as defined in articles 2 and 3 of the Optional Protocol, which is similar, but not identical to the crime of trafficking in children;

⁶ CRC/C/156.

⁷ CRC/C/OPSC/GEO/CO/1.

(b) **Strengthen its efforts to identify and detect children at risk of falling victim to offences under the Optional Protocol, especially among children in vulnerable and marginalized situations, and to address the root causes for children at risk of becoming victims to offences under the Optional Protocol;**

(c) **Regulate and engage with the tourism industry in the prevention, monitoring and reporting of cases of sexual exploitation of children in travel and tourism;**

(d) **Introduce additional safeguards to prevent sale of children in the context of surrogacy;**

(e) **Fully implement all the legal and administrative measures in order to effectively protect child victims of offences under the Optional Protocol;**

(f) **Implement its laws to provide all child victims of offences with free legal aid and the support of child psychologists and social workers, and ensure they have access to child- and gender-sensitive complaint mechanisms and appropriate procedures for seeking, without discrimination, compensation and redress, including removal of child sexual abuse materials online.**

E. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))

Children deprived of a family environment

27. While welcoming the significant progress in the deinstitutionalization with the closure of large institutions for children and the adoption of the State Program of Social Rehabilitation and Child Care aimed at improving physical and social conditions of children deprived of a family environment and children at risk, the Committee remains seriously concerned about:

(a) The continuous institutionalization of children in licensed small group homes which host up to 10 children each;

(b) The significant number of children residing in non-licensed residential care institutions, including religious ones, and the lack of monitoring of conditions in such institutions;

(c) The lack of a deinstitutionalization strategy and action plan in accordance with the Code on the Rights of the Child;

(d) The reports of removing children from the families due to poverty, despite its prohibition by the Code on the Rights of the Child, and insufficient measures to identify children and families in need of support;

(e) Poor quality of alternative care, including in the foster care arrangements, and the lack of training for foster parents;

(f) Insufficient training for social workers responsible for working with children deprived of a family environment.

28. **Drawing the State party's attention to the Guidelines for the Alternative Care of Children,⁸ the Committee recommends that the State party:**

(a) **Phase out institutionalization and adopt, without delay, a strategy and action plan for deinstitutionalization, ensuring that it has adequate human, technical and financial resources for its implementation and includes systemic transformation of the childcare, welfare and protection systems;**

(b) **Ensure adequate safeguards and clear criteria, based on the needs as well as best interests of the child, for determining whether a child should be placed in alternative care;**

⁸ General Assembly resolution 64/142, annex.

(c) **Ensure that policies and practices are guided by the principle that financial and material poverty — or conditions directly and uniquely attributable to such poverty — should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child’s social reintegration;**

(d) **Ensure sufficient alternative family-based and community-based care options for children who cannot stay with their families, including by allocating sufficient financial resources for foster care and adoption, regularly reviewing placement measures and facilitating the reunification of children with their families when possible;**

(e) **Establish quality standards for all alternative care settings, ensure periodic review of the placement of children in foster care and institutions, and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying maltreatment of children;**

(f) **Strengthen the capacity of professionals working with families and children, in particular judges, law enforcement personnel, social workers and service providers, and enhance their awareness of the rights and needs of children deprived of a family environment;**

(g) **Guarantee the best interest of the child in the adoption procedures and provision of services and ensure monitoring before and after adoption.**

F. Children with disabilities (art. 23)

29. Noting the adoption of the Law on the Rights of Persons with Disabilities in 2020, which provides for disability assessment on the basis of the biopsychosocial model and the 2018 amendments to the Law on General Education, providing “special teachers” with the status of a school teacher, the Committee remains concerned about:

(a) The absence of a reliable data on the number of children with disabilities and on their access to various services;

(b) The lack of services for early identification and referral of children with psycho-social and intellectual disabilities;

(c) Insufficient measures to prevent the abandonment of children with disabilities and their institutionalization;

(d) The lack of quality health care services for children with disabilities, including therapeutic sessions for children with autism, especially in rural and remote areas, as well as for asylum seeking, refugee and migrant children with disabilities;

(e) Persistent discrimination and bullying of children with disabilities, including in schools and by school administration and staff.

30. **Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to implement a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:**

(a) **Organize the collection of data on children with disabilities and develop an efficient and harmonized system for disability assessment in order to facilitate access for children with all types of disabilities to accessible services, including to education and health, social protection and support services;**

(b) **Take urgent measures to prevent the abandonment of children with disabilities and their institutionalization by providing comprehensive support to families with children with disabilities;**

(c) **Take immediate measures to ensure that children with disabilities have access to quality health care, including early detection and intervention programmes and therapeutic sessions for children with autism;**

(d) Undertake awareness-raising campaigns aimed at the public and families to combat the stigmatization of, and prejudice against, children with disabilities and promote a positive image of children with disabilities as rights-holders.

G. Health (arts. 6, 24 and 33)

Health and health services

31. Noting the adoption of the action plan to improve the health of mothers and newborns for 2021–2023 and recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State party:

(a) Increase the financing of public health care services and address the shortage of trained health care personnel;

(b) Strengthen measures to address the lead exposure, especially among children in Western Georgia and children living in poverty;

(c) Develop a national policy on nutrition that includes provisions based on a clear assessment of nutrition needs and dietary habits and build the capacity of nutrition professionals;

(d) Promote exclusive breastfeeding for at least six months, with appropriate guidance and support for breastfeeding by HIV-infected mothers, and regulate the promotion of breast milk substitutes.

Mental health

32. While noting the Mental Health Strategy for 2020-2030, the Committee recommends that the State party strengthen measures to raise public awareness about child and adolescent mental health and provide access for children to quality mental health services, especially in rural areas, including by providing free of charge confidential consultation by school psychologists and promote mental health interventions involving adolescents, their families, and communities.

Adolescent health

33. Recalling its general comment No. 4 (2003) on adolescent health and general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee recommends that the State party:

(a) Adopt a comprehensive sexual and reproductive health policy for adolescents, with special attention on preventing early pregnancy and sexually transmitted infections;

(b) Ensure that all children, including those who are out of school and those in rural areas, receive confidential and child-friendly sexual and reproductive health information and services, including access to contraceptives.

H. Standard of living (arts. 18 (3), 26 and 27 (1)–(3))

34. While concerned about the insufficient number of social work professionals, despite the 2018 Law on Social Work, the Committee recommends that the State party:

(a) Alleviate poverty among children and expand Targeted Special Assistance programme to include all children living in poverty, including asylum seeking children and further increase the coverage of child cash benefit to support families in child upbringing;

(b) Ensure that all children, including those in rural and remote areas, have access to clean drinkable water and adequate sanitation;

(c) **Strengthen its efforts and provide further incentives to engage more social workers with appropriate qualifications.**

I. Children’s rights and the environment (arts. 2-3, 6, 12-13, 15, 17, 19, 24, 26-31)

35. **Recalling its general comment No. 26 (2023) on children’s rights and the environment with a special focus on climate change, the Committee recommends that the State party:**

(a) **Ensure that its 2030 climate change strategy and action plan prioritize children’s right to a healthy environment, including an assessment of risks and measures to address priority concerns;**

(b) **Ensure that national policies and programmes addressing environmental protection, climate change and disaster risk management, and the National Determined Contribution are developed and implemented with child rights impact assessments and taking into account the principles of the Convention and the needs and views of children;**

(c) **Incorporate rights-based environmental education into school curricula at all levels and in the training of teachers, and promote children’s awareness of and preparedness for climate change and natural disasters.**

J. Education, leisure and cultural activities (arts. 28–31)

Education

36. **While noting the high enrolment rates in primary and lower secondary education, the Committee remains concerned about:**

(a) **Poor school attendance and limited access to education for children belonging to ethnic minorities, including due to the insufficient number of teachers in non-Georgian schools;**

(b) **The low quality of education related to low salary or prestige and limited opportunities for professional development of teachers;**

(c) **Poor infrastructure of schools and pre-school establishments in remote areas with many lacking access to water and sanitation;**

(d) **Insufficient implementation of inclusive education persisted by the lack of infrastructure, transportation, teaching resources, technologies and aids, including sign language materials;**

(e) **A number of asylum-seeking and refugee children remaining out of schools, as Georgian language classes are not provided throughout the country;**

(f) **Lack of access to quality pre-school education, including due to poverty, remote location, language and disability status of children;**

(g) **Lack of access to technology required for distance learning, such as access to computers and internet connection.**

37. **The Committee recommends that the State party:**

(a) **Ensure that all children complete free and quality primary and secondary education leading to relevant and effective learning outcomes;**

(b) **Take necessary measures to improve infrastructure and the quality of education, and provide quality training for teachers, with particular emphasis on rural areas;**

(c) **Ensure implementation of its laws and policies on inclusive education of children with disabilities in mainstream schools by guaranteeing reasonable**

accommodation, including accessible infrastructure, resources, aid and qualified teaching personnel;

(d) Ensure that asylum-seeking, refugee and internally displaced children have unimpeded access to education at all levels and are provided with Georgian language classes close to their places of residence;

(e) Allocate sufficient financial resources for the development and expansion of early childhood education, based on a comprehensive and holistic policy of early childhood care and development;

(f) Ensure the availability of computer equipment and sufficient Internet access, giving particular attention to children in rural areas and children with disabilities.

K. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d), and 38–40 of the Convention and the Optional Protocol on the involvement of children in armed conflict)

Asylum-seeking, refugee and internally displaced children

38. The Committee welcomes the adoption of the Law on International Protection, in 2016, but remains concerned that:

(a) Asylum-seeking children are often unaware about their rights and asylum procedures;

(b) Assignment of guardians and treatment of cases of unaccompanied asylum-seeking children remain slow;

(c) Access to services and housing for children of internally displaced families remains challenging.

39. Recalling the joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration and its General Comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin], the Committee recommends that the State party:

(a) Ensure that asylum-seeking children are provided with information on their rights, asylum procedure and services available to them promptly and in a language that they understand;

(b) Ensure that the best interests of the child are a primary consideration in all decisions and agreements in relation to unaccompanied children by processing their cases in a positive, humane and expeditious manner as a means of identifying durable solutions, including by appointing a guardian the moment they come into contact with the authorities;

(c) Ensure that internally displaced children are provided with access to all services, including health care, education and social protection services, and provide durable housing to internally displaced families with children.

Economic exploitation, including child labour

40. While noting the efforts made by the State party to combat child labour, including launching Labour Inspection Service in 2021, the Committee recommends that the State party:

(a) Eliminate hazardous child labour, especially in the informal sector and in agriculture;

(b) Implement the revised Labour Code with regard to working hours, holiday periods, breaks and prohibition of overtime work for children in order to

prevent economic exploitation of children above the employment age and ensure that such children receive adequate treatment and compensation;

(c) Strengthen the Labour Inspection Service and monitoring mechanisms in the formal and informal sectors;

(d) Address the labour migration of children, especially from Guria and Adjara to neighbouring countries, which has a negative impact on the education of children affected.

Children in street situations

41. While noting the State party's programme "Provision of Shelter for Homeless Children" designed to ensure the psycho-social rehabilitation and integration of homeless children, including children in street situation, and drawing attention to its general comment No. 21 (2017) on children in street situations, the Committee recommends that the State party:

(a) Assess the number of children living and/or working in the streets, and undertake a study on the root causes of their situations;

(b) Take measures for effective identification of children in street situations and referral mechanisms for their comprehensive and long-term care, recovery and reintegration and prevent their involvement in hazardous work, including prostitution;

(c) Allocate sufficient resources and infrastructure for providing children in street situation with shelter and immediate access to health care, education and social protection services.

Administration of child justice

42. While welcoming the progress achieved by the State party, including by the significant reduction of children in detention, increased specialization of judges and prosecutors and application of the restorative justice, the Committee recalls its general comment No. 24 (2019) on children's rights in the child justice system, and recommends that the State party further strengthen its efforts to bring its child justice system fully into line with the Convention. In particular, the Committee recommends that the State party:

(a) Further strengthen the implementation of the Code on the Rights of the Child, in particular with regard to the selection, appointment and professional training of all justice professionals working with and for children, including those who provide free legal aid;

(b) Expeditiously establish specialized child court facilities and procedures with adequate human, technical and financial resources, with specialized judges for children;

(c) Strengthen the capacity of the Juvenile Referral Centre and increase reintegration services provided for children in need;

(d) Continue systematizing the implementation of juvenile diversion and mediation programs and psycho-social support for children alleged as, accused of or recognized as having infringed criminal law and, wherever possible, the use of non-custodial measures for children, such as probation or community service;

(e) Ensure a specialized service for children under 14 years of age who are accused of having infringed the criminal law, and allocate sufficient human, technical and financial resources for its effective functioning in order to secure their social reintegration;

(f) Continue to ensure that detention is used as a measure of last resort and for the shortest appropriate period of time and is reviewed on a regular basis with a view to its withdrawal;

(g) For the few situations where deprivation of liberty is justified as a measure of last resort, ensure that the children are not detained together with adults and that detention conditions are compliant with international standards, including with regard to access to education and health services.

Optional Protocol on the involvement of children in armed conflict

43. Recalling its previous concluding observations on the report of the State party submitted under article 8 of the Optional Protocol, and noting the National Strategy on Fights against Terrorism and its corresponding Action Plan for 2022-2026, the Committee recommends that the State party:

(a) Take measures to tackle root causes of terrorism, including social, economic and ideological factors, and initiate effective campaigns to prevent cases of radicalization and recruitment of children by terrorist groups;

(b) Take measures to ensure that students below the age of 18 years at higher military educational institutions are exempt from military training that involves the handling of firearms and military discipline;

(c) Ensure that the curriculum of the Giorgi Kvinitadze cadets military lyceum is in line with the general educational system and ensure the effective implementation of the Order N58 of 17 March 2020 of the head of the lyceum prohibiting training of students in the use of weapons and live ammunition;

(d) Amend the Criminal Code by explicitly criminalizing the recruitment, and the use in hostilities, of children below the age of 18 years by armed forces and non-State armed groups;

(e) Introduce aggravated criminal liability under article 223 of the Criminal Code, on illegal formations, including recruiting persons to join such formations, and article 327¹ of the Criminal Code, on recruitment of a person into a terrorist organization, when such offences target children below the age of 18 years.

(f) Establish mechanisms for the early identification of asylum-seeking children from conflict areas, collect disaggregated data on such children and provide child victims with appropriate assistance for their full physical and psychological recovery and social reintegration.

M. Ratification of international human rights instruments

44. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments:

(a) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(b) Convention for the Protection of All Persons from Enforced Disappearance.

N. Cooperation with regional bodies

45. The Committee recommends that the State party continue to cooperate with the Council of Europe on the implementation of the Convention and other human rights instruments, both in the State party and in other States members of the Council of Europe.

IV. Implementation and reporting

A. Follow-up and dissemination

46. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. Next report

47. The Committee will establish and communicate the due date of the combined seventh and eighth periodic reports of the State party in due course, in line with the envisaged predictable reporting calendar based on an eight-year review cycle, and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines⁹ and should not exceed 21,200 words.¹⁰ In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

⁹ [CRC/C/58/Rev.3](#).

¹⁰ General Assembly resolution 68/268, para. 16.