

SITUATION OF CHILDREN'S RIGHTS IN GEORGIA

2014



EUROPEAN UNION



PUBLIC
DEFENDER
OF GEORGIA



PUBLIC DEFENDER
(OMBUDSMAN) OF GEORGIA

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1. INTRODUCTION

Highlights of positive developments undertaken by Georgian state in 2014 for improving children's well-being include the following: Parliamentary Committee for Human Rights Protection and Civil Integration declared the year 2014 as the year of protection of the rights of the child¹; the Parliament adopted a concept and an action plan on the Declaration of 2014 as the Year of Protection of the Rights of the Child with the goal to develop specific laws and policies for full protection of the rights of the child; the Government of Georgia presented the fourth report on the implementation of the Convention on the Rights of the Child to the UN Committee on the Rights of the Child; Georgia joined the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse²; the Government of Georgia approved the Governmental Human Rights Action Plan for the years 2014-2015, which includes the protection of the rights of the child as a separate chapter. Its implementation will facilitate the improvement of the protection of the rights of the child; on April 14, 2014 the Government of Georgia approved National Programme for Social Rehabilitation and Childcare of 2014 by resolution No 291. The Programme has served as the basis for developing sub-programmes aimed at the protection of social rights of children including the sub-programme of Providing Shelter for Homeless Children and sub-programme of Emergency Help for Families in Crisis with Children; draft Code of Juvenile Justice has been developed, which is an important step in the process of introducing specialized justice system for children; the Ministry of Education and Science of Georgia developed a draft Law on Preschool Education. However during 2014 no amendments were made to the Law of Georgia on General Education for fully eliminating corporal punishment; during the reporting period the Government of Georgia approved a renewed system of social assistance within which all families with children whose rating score does not exceed 100,000, are entitled to receive additional monetary assistance; in December 2014 the Government of Georgia initiated several target activities for the children with disabilities³ such as increasing the amount of pension, designing new special services including homecare programme to be introduced in 2015. At the same time it should be noted that effective implementation in practice of the Law of Georgia on the Protection of Minors from Harmful Influences and implementation of the Law on Prevention of Diseases Caused by the Deficiencies of Iodine, other Microelements and Vitamins still remains a challenge. This is caused by legal drawbacks in these acts.

Failure to finalize the process of signing and ratification of Additional Protocol No 3 of the Convention of the Rights of the Child on Communication Procedures, despite several requests from the Public Defender to do so starting from 2013, deserves a special mention. The Child's Rights Centre of the Public Defender's Office prepared and issued 9 recommendations and proposals to various agencies based on the information received as a

1 <http://www.parliament.ge/ge/saparlamento-saqmianoba/komitetebi/adamianis-uflebata-dacvisa-da-samoqalaqo-integraciis-komiteti/axali-ambebi-adamianis/parlamentis-adamianis-uflebata-dacvisa-da-samoqalaqo-integraciis-komitetma-2014-weli-bavshvta-uflebebis-dacvis-wlad-gamoacxada.page>

2 Resolution of the Parliament of Georgia No 2145-III dated March 19, 2014

3 http://unicef.ge/62/unicefis_gantskhadeba_shezguduli_shesadzleblobebis_mqone_bavshvebis_shesaxe/301

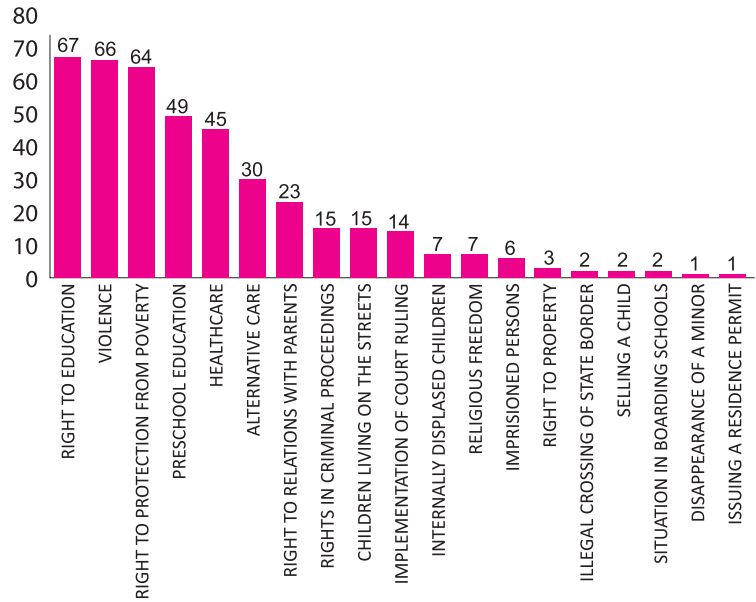
result of evaluation of the situation regarding the rights of the child. Out of these 9, 4 have been implemented, 3 have been partially implemented and 2 have not been implemented. Further, proceedings started regarding 419 cases of rights violations. Analysis of these cases has shown, that based on quantitative indicators, the rights to education, protection from violence and other types of inappropriate treatment against children, right of protection from poverty and inadequate living conditions, rights to preschool education and healthcare are not fully realized. Prevalence of death among children below 5 years is high; deinstitutionalization is still a challenge and so is the introduction of state services targeted at the needs of children living and working in the street.

Child’s Rights Centre of the Public Defender’s Office regularly monitored the situation regarding the protection of the rights of the child during the reporting period. Preschool education institutions, juvenile penitentiary institutions, as well as small family type homes have been monitored. Quality of the protection of the rights of the child has been assessed in the highland regions of Georgia, in public schools, in boarding schools, in the day care centres functioning within the scopes of the sub-programme of Providing Shelter for Homeless Children, in 24-hour shelters for crisis intervention and transitional centres, in children’s healthcare institutions.

Through the support from the UNICEF, the Centre developed a strategy for the years 2014-2017. The strategy calls for systematic monitoring of the protection of the rights of the child within the Human Rights Action Plan and for strengthening the capacity of Public Defender’s regional offices in the area of the rights of the child.

It should be noted that within the scopes of the power of attorney of the Public Defender, for the first time, monitoring of children’s homes (orphanages) operated by religious confessions was conducted. The monitoring was carried out together with the experts of a special prevention group and its results will be presented as a special report.

Figure 1 Numbers and types of the cases studied by the Child’s Rights Centre during the reporting period



2. THE STATE OF PROTECTION OF THE RIGHTS OF MINORS IN HIGHLAND REGIONS OF GEORGIA

From May 1, 2014 to January 31, 2015 the Child's Rights Centre of the Public Defender's Office of Georgia conducted an assessment of the state of protection of child's rights in highland regions of Georgia, namely in administrative units of Mestia, Kazbegi, Akhmeta, Oni, Ambrolauri, Shuakhevi and Keda. The assessment took place within the scopes of the project supported by the UNICEF – Strengthening the Capacity of Child's Rights Centre. The goal of the monitoring was to study the state of the protection of child's rights in these regions and establish its compliance with national and international standards.

2.1. THE RIGHT OF THE CHILD TO PROTECTION AGAINST POVERTY AND INADEQUATE LIVING CONDITIONS

In highland regions many children live in extreme as well as relative poverty. National programmes for early childhood development and prenatal care are not implemented adequately. Currently operating inclusive and integration policies and programmes for children under 6, especially for the most vulnerable groups, have certain flaws in the process of implementation.

According to the evidence from the UNICEF⁴, 9.4% of children back in 2011 were living in extreme poverty. The UNICEF report⁵ states that in order to reduce child poverty, it is necessary to improve social protection mechanisms over the next five years for better distribution of social assistance: adequate reflection of children's needs in targeted assistance programmes, expanding the scope of social assistance and healthcare programmes to cover all poor households.

On April 14, 2014 the Government of Georgia approved the National Programme of Social Rehabilitation and Childcare with the resolution No 291. One of its sub-programmes – Emergency Help for Families in Crisis with Children – includes provisions for satisfying the basic needs of poor families with children. However target groups of this sub-programme are not clearly defined and criteria for inclusion in the list of beneficiaries are not determined. In practice, the number of beneficiaries from highland regions participating in this sub-programme is very low – only 38 families with children in 8 highland regions are beneficiaries while 1510 recipients of social assistance package and 8638 recipients of living subsistence are registered in these regions⁶ (see table 1).

On March 31, 2014 the Government of Georgia approved the National Programme for Improving Demographic Situation with resolution No 262. 102 families from highland regions participated in this programme during the reporting period. Families with children living in Khulo, Shuakhevi and Keda are not included in the target groups for this programme while the indicators of child poverty and other risk-factors are significantly high in these regions as well (see table 1).

4 UNICEF, Georgia – Reduction of Child Poverty, Tbilisi 2012

5 UNICEF, Georgia and the Convention of the Rights of the Child, Tbilisi, 2011

6 http://ssa.gov.ge/index.php?lang_id=&sec_id=882
http://ssa.gov.ge/index.php?lang_id=&sec_id=766

Table 1

| | Mestia | Akhmeta | Kazbegi | Khulo | Keda | Shuakhevi | Ambrolauri | Oni |
|--|--------|---------|---------|-------|------|-----------|------------|-----|
| Number of children receiving social package | 92 | 207 | 26 | 336 | 167 | 217 | 57 | 29 |
| Number of families in crisis with children participating in the Emergency Assistance sub-programme | 5 | 10 | 1 | 5 | 4 | 4 | 8 | 1 |
| Number of families with children participating in the National Programme for Improving Demographic Situation | 21 | 56 | 7 | 0 | 0 | 0 | 10 | 8 |
| Number of children receiving living subsistence | 1037 | 2159 | 251 | 2129 | 986 | 1033 | 598 | 440 |

Analysis of national programmes and sub-programmes designed for ensuring the realization of social rights has demonstrated that these programmes do not duly reflect socio-economic needs of children living in highland regions. Accordingly, effective interventions, which could facilitate protection of minors living in the highland regions from poverty and inadequate living conditions, are not sufficient.

Analysis of municipal social programmes and sub-programmes aimed at the reduction of child poverty and inadequate living conditions has demonstrated that anti-poverty mechanisms at municipal level are mostly targeted at families with many children. However the level of funding is very low, and so is the number of beneficiaries participating in the programmes. Thus for example the programme for Social Assistance for Infants and Orphans in Families with Many Children in Oni municipality allocates 80 GEL for 3 children and 100 GEL for 4 children as a single-time monetary assistance. There were only 3 children beneficiaries participating in the target sub-programme of Free Municipal Lunchroom in Khulo in 2014.

Low level of awareness about the services available within the scopes of targeted social assistance among families with many children living in highland regions is another issue. This is true of national as well as local municipal programmes. One of the factors contributing to the low access to information is inefficient communication of municipal social services with population, especially with the most vulnerable groups.

According to article 31 of the Constitution of Georgia the Government shall support equal socio-economic development throughout the whole country while paragraph 2 of article 36 states that the state should support well-being of families.

According to paragraph 1 of the article 27 of the Convention on the Rights of the Child, 'states Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development' while paragraph 3 states that 'states Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to im-

plement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing’.

Paragraph 54 of the Concluding Observations of the Committee on the Rights of the Child (CRC), dated June 23, 2008, maintains, that the state party shall take necessary steps to eliminate poverty among children, especially for families living in rural and remote areas⁷.

According to the Governmental Action Plan of Human Rights Protection, it is necessary to improve children’s social protection system in order to eliminate poverty among children. This should include the enhancement of targeted social protection system to better reflect the needs of children.

2.2. RIGHT TO PROTECTION AGAINST VIOLENCE AND OTHER TYPES OF INAPPROPRIATE TREATMENT

Georgia still faces serious issues in effective prevention of violence against children, elimination of violence, provision of help and protection to the victims of violence⁸. This is evidenced by the study on Violence against Children in Georgia, conducted by the UNICEF in 2013.

Inspection of the situation regarding the protection of child’s rights has revealed certain violations in terms of violence and other types of inappropriate treatment against children.

Referral procedures⁹ of child protection establish that the cases of violence should be exposed and prevented, victims of violence should be protected by the representatives of patrol police and district services of the Ministry of Internal Affairs¹⁰. Accordingly, efficiency of identifying cases of violence against children and implementation of further activities by the Ministry of Internal Affairs has been studied during the reporting period. Registered data and evidence on the cases of violence against children have been analysed. According to statistical data provided by territorial units of the Ministry of Internal Affairs of Georgia¹¹, the Ministry started proceedings on violence against minors in high-land regions in 208 cases that were registered during 6 months in 2014 (January-June). However the Ministry of Internal Affairs has not provided responses to these appeals within the period of time determined by law¹².

7 <http://www.refworld.org/type,CONC/OBSERVATIONS,CRC,GEO,4885cfab0,0.html>

8 Report of the Public Defender of Georgia on the Protection of Basic Human Rights and Freedoms, 2013, p. 454

9 Joint Decree No 152/N – No 496 – No 45/N, dated May 31, 2010, of the Minister of Labour, Health and Social Protection of Georgia, Minister of Internal Affairs of Georgia and Minister of Education and Science of Georgia on the Approval of Child Referral Procedures

10 Ibid., Article 4, paragraph 2

11 http://police.ge/files/pdf/9%20%E1%83%9D%E1%83%AF%E1%83%90%E1%83%AE%E1%83%A3%E1%83%A0%E1%83%98%20%E1%83%AB%E1%83%90%E1%83%9A%E1%83%90%E1%83%93%E1%83%9D%E1%83%91%E1%83%90%202007-2014--6%20%E1%83%97%E1%83%95%E1%83%94____.pdf

12 Joint Decree No 152/N – No 496 – No 45/N, dated May 31, 2010, of the Minister of Labour, Health and Social Protection of Georgia, Minister of Internal Affairs of Georgia and Minister of Education and Science of Georgia on the Approval of Child Referral Procedures, Article 4, paragraph 4

The role of general schools is very important for the protection of children against violence and other types of inappropriate treatment. Schools have the responsibility to analyse the case on the spot where violence is believed to have taken place. They are also responsible for monitoring the conditions of the victim of violence in cooperation with police or the agency¹³.

In highland regions of Georgia cases of violence against minors are often not exposed (this is particularly true of domestic violence, including psychological threat and abuse). Legal proceedings and measures for protection of children who are victims of violence are often not effective. The case of 16-year-old A. Ch. in one of the villages of Keda municipality is an illustration of this. According to the information provided by LEPL Social Service Agency of the Ministry of Health, Labour and Social Protection to the Public Defender's Office, the child was systematically subject to psychological violence in the family, which resulted in a suicide attempt. However representatives of local law-enforcement bodies were not engaged in the case at any point, and no protective measures were taken to help the victim. LEPL Social Service Agency studied the case of A. Ch. and preventive measures were taken to protect the child from further maltreatment.

It is essential that all cases of violence are exposed by schools, healthcare centres, village doctors, specialized children's institutions, district service and patrol police¹⁴. As demonstrated by the activities carried out within the scopes of the project, practical implementation of the above-mentioned regulation is hindered by the following circumstances: lack of the position of a psychologist among the staff of district centres of LEPL Social Service Agency, the need of training and professional development for social workers to better prepare them for assessment of children, issues related to planned and unplanned field visits (including inadequate infrastructure, such as lack of the means of transportation constraining planned and unplanned visits by social workers), issues related to timely execution of proceedings and in-depth study of actual evidence. Similar to the report of 2014, the report of the Public Defender of 2013 stated that improving qualifications of social workers was a necessary condition for realizing child's rights in highland regions. Moreover, in 2013 the Public Defender addressed the Minister of Labour, Health and Social Protection with a request to provide LEPL Social Service Agency (the body responsible for childcare) with adequate means of transportation. However this proposal was not implemented in 2013 and 2014.

CASES OF N.TCH., T. TCH. AND D. TCH.

A typical case of violence against children was the case of N. Tch, T. Tch. and D. Tch. Following the monitoring conducted in highland regions of Georgia, representatives of Public Defender's Office received information¹⁵ about minors N. Tch, T. Tch. and D. Tch. living in one of the municipalities in Zemo Svaneti region. It has been revealed during the inspection of the case that children were victims of domestic violence. They were subjected to

13 Joint Decree No 152/N – No 496 – No 45/N, dated May 31, 2010, of the Minister of Labour, Health and Social Protection of Georgia, Minister of Internal Affairs of Georgia and Minister of Education and Science of Georgia on the Approval of Child Referral Procedures, article 4, paragraph 4

14 Joint Decree No 152/N – No 496 – No 45/N, dated May 31, 2010, of the Minister of Labour, Health and Social Protection of Georgia, Minister of Internal Affairs of Georgia and Minister of Education and Science of Georgia on the Approval of Child Referral Procedures, Article 6 (1)

15 Case No 12507/1

systematic physical and psychological violence. According to factual evidence collected, no relevant criminal proceedings have taken place and no child protection measures have taken place in connection with the likely instance of violence against N. Tch, T. Tch. and D. Tch.

The Child's Rights Centre of the Public Defender's Office addressed the Ministry of Labour, Health and Social Protection with the request to respond to the case and to carry out relevant child protection measures¹⁶. Based on this request, a social worker from the district social service centre of the LEPL Social Service Agency visited the family¹⁷. Evaluation of conditions of these minors has revealed that they had indeed been subjected to violence and other types of inappropriate treatment including neglect and coercion. Through the report prepared by the social worker the need to remove children from the family and place them in state care facilities became apparent. As a result, the minors were included in the foster care sub-programme¹⁸.

According to article 19 of the Convention of the Rights of the Child, state parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child. The Committee for the Rights of the Child, in paragraphs 31 to 33 of the Concluding Observations of the Committee on the Rights of the Child (CRC)¹⁹, dated June 23, 2008 pointed out to the responsibility of Georgia to take all necessary measures to prohibit violence against children, especially domestic violence.

In 2014 Georgia joined the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Article 4 of the Convention obligates the state to take all legislative and other appropriate measures in this sphere for prevention and further protection of minors.

The Law of Georgia on The Law of Georgia on Preventing Domestic Violence, Protecting and Assisting the Victims of Domestic Violence specifies procedures for protection and assistance of children in cases of domestic violence.

Articles 3 and 20 of the Law of Georgia on General Education outline responsibilities of the state to prevent violence in general educational institutions.

2.3. ACCESSIBILITY TO CHILD HEALTHCARE

According to the report Georgia – Evaluation of the Efficiency of Healthcare System, prepared by World Health Organization (WHO), ensuring the accessibility of quality medical services through continuous professional development of medical staff should be the priority of national healthcare in Georgia ²⁰.

16 Letter No 10-2/10099, dated August 5, 2014

17 Letter No 14277/1, dated September 04, 2014

18 Letter No 19923/1, dated December 23, 2014

19 <http://www.refworld.org/type,CONCOBSERVATIONS,CRC,GEO,4885cfab0,0.html>

20 http://www.healthrights.ge/wp-content/uploads/2011/07/2009_Shepaseba_Jand.-Sistemis-An-garishi_Georgia.pdf

Results of the inspection have demonstrated that in a number of administrative units and villages in highland regions medical centres are not functioning, outpatient clinics do not employ children's doctors, which causes problems for accessibility of public medical services. Poor conditions of facilities in out-patient clinics, insufficient number of medical staff in existing out-patient clinics, lack of necessary equipment in emergency medical centres is another serious issue. In order to solve problems with accessibility of healthcare in highland regions, the Public Defender of Georgia issued a recommendation²¹ for the Minister of Labour, Health and Social Protection and requested to take appropriate measures. However these measures have not been taken until this day.

According to the information requested from the Ministry of Labour, Health and Social Affairs on November 17, 2014, issues of accessibility of child healthcare services in highland regions are largely caused by the lack of doctors of specific highly demanded priority specializations. The Government is planning to address this problem by funding post-graduate educational courses (residency) for the students seeking to acquire qualifications of a doctor. Even though this measure might improve the realization of child's rights to healthcare, it could be less efficient for ensuring uninterrupted services and proportional/adequate staffing.

As for the healthcare programmes implemented by local self-governing bodies within the scopes of their power of attorney, problems related to regular supply of healthcare services by representative and executive bodies, small scopes of municipal programmes and insufficient funding are all issues to be addressed. For example, target groups and priorities listed in article 5 of the resolution No 2 of January 2014 of Akhmeta municipality on Social Assistance Programme and Budget for 2014 do not include children and healthcare services for them.

Some municipal programmes include measures to provide necessary medications for children. However these programmes are underfunded. Thus for example financial assistance programme designed to provide medicines for sick children under 18 in Mestia municipality allocates only 100 GEL for each beneficiary as a single-time assistance.

The right to healthcare, as a reflection of the principle of a social state, is reinforced by Article 37 of the Constitution of Georgia, which determines three interconnected criteria of accessible medical care – geographical, financial and informational accessibility.

In accordance with paragraph 1 of Article 24 of the UN Convention of the Rights of the Child, States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. In paragraph 44 of the Concluding Observations of the Committee on the Rights of the Child (CRC), dated June 23, 2008 it is stated that in Georgia many children have restricted access to healthcare services and facilities due to geographical conditions.

Paragraphs “A”, “B” and “J”, article 4 of the Law of Georgia on Healthcare reinforce the principle of equal and universal accessibility of medical care, protection of human rights and freedoms in the field of healthcare, recognition of respect, dignity and autonomy, significance of first medical aid including emergency care, improvement of family medicine and family doctor system and related services.

21 Letter No 10/14687, December 24, 2014

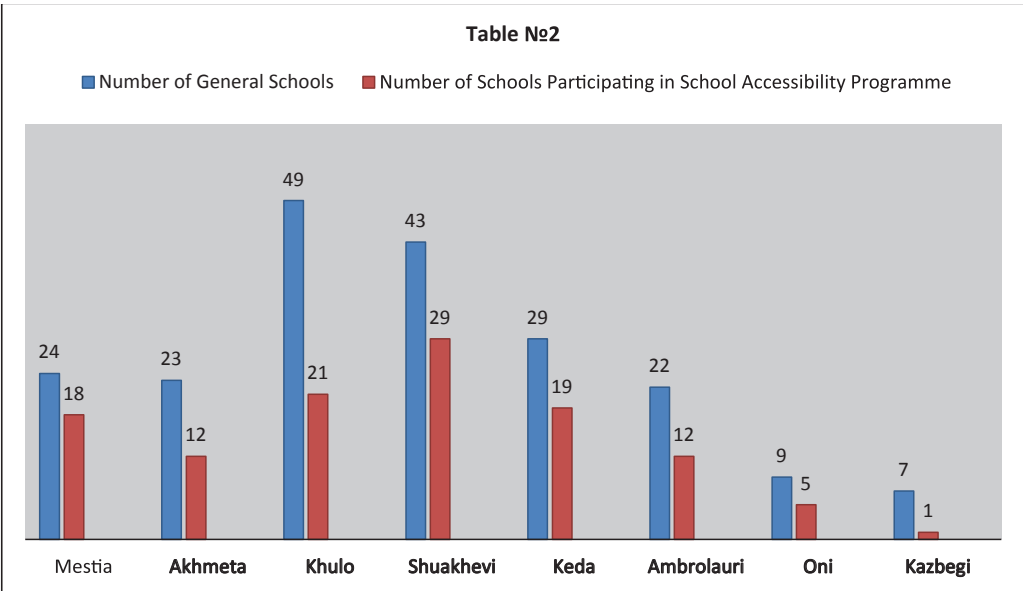
2.4. RIGHT TO GENERAL EDUCATION

The following major criteria of the constitutional right to general education are not met in public schools located in highland regions: 1) effective implementation in practice of equal access to basic/general education; 2) observation of the principle of geographical accessibility in public school operation; 3) creation of safe and adequate physical infrastructure and environment for students at basic/general schools; 4) right to effective and quality education; 5) introduction of inclusive education and adaptation of physical/educational environment of educational institutions for children with disabilities/special educational needs.

Right to access to general education – in highland regions the problems of equal access to education are related mainly to the insufficient number of general schools, physical and geographical inaccessibility, low indicators of participation of public schools in ‘School Accessibility’²² programme (see table No 2).

Physical/geographical accessibility of general education is a problem in village Adishi of Mestia municipality. There is no public school operating in the village and the closest public school is located in village Ipari. Distance between the two villages is 9 kilometres. Ipari school is not in possession of a school transportation vehicle and therefore right to general education of the children living in village Adishi is limited.

Access to general education is also limited in public schools located in Kazbegi municipality. Out of 7 general schools located in Kazbegi municipality, only Gudauri public school is participating in the ‘School Accessibility’ programme even though barriers to physical accessibility and related risk factors have also been found in other 6 schools in the monitoring process.



22 Decree of the Minister of Education and Science of Georgia of April 11, 2014, on the Approval of the Programme for Improving General Education, on Declaring Invalid the Decree of the Minister of Education No 1171 of November 26, 2012, and on amending the Decree of the Minister of Education and Science No 1124 of December 30 on the Approval of the Programme for Improving General Education.

Situation in village Dzibakhevi of Akhmeta district is also challenging in terms of access to general/basic education. There is no functioning public school in Dzibakhevi. In 2005, primary education classes were opened in a 'wooden cabin' as a result of the request from local population. 4 primary grades were operating – 1st, 2nd, 3rd and 4th mixed age classes²³. Three teachers were employed to teach these classes. The closest school was located in village Birkiani and these mixed classes were administratively part of Birkiani school. Parents in Dzibakhevi requested to properly equip the existing classes however in 2014 the mixed classes in Dzibakhevi were altogether abolished²⁴.

In order to achieve full equality, access and inclusion in basic/general education in highland regions of Georgia it is essential for the state, to fulfil its positive obligation, to increase geographical scopes of operation and improve quality of its general schools and when needed allocate increased amounts of per capita funding²⁵. In addition, in order to meet requirements of International Standard Classification of Education²⁶ special target programmes should be designed for accessible and efficient implementation of formal/non-formal education.

The right to quality and efficient general education – operation of efficient, inclusive and quality educational system is related to a number of challenges such as the need for teacher training and professional development. Improvement of teacher qualifications should be achieved through attracting new highly qualified personnel to teach at educational institutions as well as through systematic professional development of current teachers. The challenges also include a low quality of effectiveness of methodological system of teaching embedded in the national curriculum, as well as of the limited scope of implementation of state funded programmes designed for this specific purpose.

The right to quality general education fails to be realized in highland regions of Georgia due to such problems as low teacher qualification levels and the need for professional development. Low number of certified teachers in highland municipalities is one of the indicators pointing out this problem (see table No 3). For example out of 430 teachers in Mestia public schools only 34 are certified and out of 1051 teachers in Khulo public school – only 67.

The Ministry of Education and Science of Georgia carried out several major programmes in 2014 to support professional development of teachers in highland regions²⁷. However these activities are not enough to ensure high quality of education. Another factor impeding the provision of quality education is the large number of mixed-age classes in public schools located in highland regions (see table 3). Thus for example, in public school of village Maghraani in Akhmeta municipality there are 10 mixed-age classes while there are 6 mixed-age classes in village Tunadzebi of Khulo municipality.

23 Letter of the Ministry of Education and Science of Georgia No 10675/1, dated May 22, 2014

24 Letter of the Ministry of Education and Science of Georgia No 10675/1, dated May 22, 2015

25 Paragraph 2, article 7 of the Law of Georgia in General Education

26 UNESCO, „International Standard Classification of Education“, 2011

27 http://www.tpdg.ge/uploads/pdf_documents/consolidated%20program%202014%20Inclusion%20May%201.pdf

Table 3

| | Khulo | Shuakhevi | Keda | Oni | Ambrolauri | Akhmeta | Kazbegi | Mestia |
|------------------------------|-------|-----------|------|-----|------------|---------|---------|--------|
| Number of mixed-age classes | 27 | 70 | 137 | 3 | 18 | 43 | 4 | 29 |
| Number of teachers | 1051 | 929 | 654 | 155 | 304 | 665 | 128 | 430 |
| Number of certified teachers | 67 | 87 | 61 | 32 | 66 | 114 | 21 | 34 |

Infrastructure at public schools – monitoring of public schools has revealed that infrastructure and sanitary-hygienic conditions at many of these schools are not fully safe and suitable for students.

Infrastructure at general schools located in Mestia municipality is in particularly dire state. For example an external primary class in village Zemo Marghu, which administratively belongs to the public school in village Karsgurishi, does not have any allocated building. Children have to attend lessons at a privately-owned house. External class of village Mulakhi school, which is located in village Mushkeli has similar problem – the class is located in an abandoned house and accommodates 3 students and 4 teachers.

Public school of village Sno in Kazbegi is also in need of improvement of physical environment and infrastructure. Infrastructure needs to be modernized (teaching and learning materials have not been updated for decades, and majority of them date back to 1960s), the building needs rehabilitation and sanitary-hygienic conditions need to be improved.

Public school of village Tsvirmi is in unfavourable condition as well. 10 classrooms in this schools cannot be considered safe for children. The school building needs urgent repair, it is damp and fungi are growing on classroom walls. Level of humidity in the school is so high that windows are permanently wet. The floor in the building is deformed and library wall is torn down. The Public Defender issued a recommendation for the Ministry of Education and Science (No 10/9591, dated July 22, 2014) to improve physical environment at the school. As a result, necessary procedures for the construction of a new building have been started.

Sanitary and hygienic conditions are not satisfactory in public schools in Karsgurishi community, village Latali, village Nakra and Mulakhi community (Mestia municipality). There are no bathrooms inside buildings of these schools and they are not equipped with permanent water supply system.

On the positive side, based on the information provided by the Ministry of Education and Science²⁸, rehabilitation works were carried out in a number of public schools in highland regions.

In 2013 the Public Defender issued several recommendations to increase accessibility of public schools in highland regions. However, only some of them have been implemented.

²⁸ Letter of the Ministry of Education and Science of Georgia No 19908/1, dated December 16, 2014

ed in 2013-2014. The same trend can be observed regarding the rights of students with disabilities/special educational needs. As a result, adaptation of physical environment at schools, increasing geographical and physical accessibility, low levels of qualification of teachers, etc. still remain unresolved issues.

According to paragraph 4, article 35 of the Constitution of Georgia, the state should support the operation of educational institutions in accordance with relevant laws.

According to article 28 of the Convention of the Rights of the Child, the state parties shall make primary, secondary and tertiary education available and accessible on the basis of their capacity. Sub-paragraph (a) of paragraph 57 of the Concluding Observations of the Committee on the Rights of the Child (CRC), dated June 23, 2008²⁹ emphasizes the obligation of the state to allocate additional funds to ensure that everybody's right to education is realized. Sub-paragraph (b) of the same paragraph recommends to the state to focus on an overall improvement of the quality of education provided, particularly in rural and minority regions. According to sub-paragraph (c), quality of education should be improved through bettering material provisions of schools.

Article 3 of the Law of Georgia on General Education maintains that the state should ensure openness and equal accessibility to general education system for all.

2.5. IMPLEMENTATION OF FOSTER CARE AND REINTEGRATION SUB-PROGRAMMES

Monitoring of the rights of the child in highland regions by the representatives of the Public Defender has revealed several shortcomings in the operation of the foster care and reintegration sub-programmes.

The foster care sub-programme faces constraints in implementation in highland regions of Georgia. Only 16 children are participating in this sub-programme in 8 municipalities and 3 out of these 16 are children with disabilities. The sub-programme is not being implemented in Mestia, Khulo and Shuakhevi municipalities despite the actual need for it. This is caused by the fact that no recipient families are registered in these municipalities. As for the sub-programme of reintegration in biological families, there are 12 families and 21 children participating in 8 highland municipalities: 2 beneficiaries in Ambrolauri, 9 in Akhmeta and 10 in Mestia. There are no beneficiaries in Kazbegi, Oni, Khulo, Shuakhevi and Keda.

Low efficiency of district centres of LEPL Social Service Agency is a constraint for successful implementation of foster care and reintegration sub-programmes. Social workers are unable to pay frequent planned and unplanned visits to recipient families (in case of reintegration to biological families). Disruptions in the activities of social workers result in failures in the identification of the needs of the children participating in foster care and reintegration sub-programmes and inappropriate follow-up procedures.

²⁹ <http://www.refworld.org/type,CONCOBSERVATIONS,CRC,GEO,4885cfab0,0.html>

CASES OF L.M. AND L.P.

Representatives of the Public Defender received information about two minors with disabilities – L.M. and L.P. participating in foster care sub-programme. Inspection of the case revealed that the children with disabilities participating in the foster care sub-programme were facing violence and other types of inappropriate treatment. The social worker did not appropriately carry out the obligations specified by the Law of Georgia on Adoption and Foster Care and by the Decree on the Approval of Procedures and Forms of Foster Care. Namely, the social worker did not visit the family as required and therefore, the needs of the children and the instances of their maltreatment were not identified on time. After receiving a letter from the Child's Rights Centre of the Public Defender's Office, representatives of LEPL Social Service Agency studied the facts of maltreatment towards the children and it was deemed necessary to move L. M. to a different recipient family.

According to paragraph 1, article 20 of the UN Convention on the Rights of the Child, a child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State. Article 39 of the Convention also calls for reintegration of a child in an environment that fosters dignity of the child.

Article 11 of the Law of Georgia on Adoption and Foster Care specifies the powers and responsibilities of the local competent authorities in foster care.

Appendix 1.9 to the resolution No 291 of the Government of Georgia dated April 14, 2014 on the Approval of the National Programme of Social Rehabilitation and Childcare of 2014 regulates foster care sub-programme. The sub-programme includes activities for raising the children deprived of care in family-like environments, providing psychosocial support to these children and helping them to prepare for independent life, strengthening the contacts with biological family provided it is not against the best interests of the child³⁰.

2.6. RIGHTS OF CHILDREN WITH DISABILITIES

Monitoring of the rights of children with disabilities living in highland regions has demonstrated that there are serious constraints to the realization of their rights to healthcare and education.

Rights of students with disabilities – major problems regarding the rights of students with disabilities/students with special needs in highland regions of Georgia are mainly related to inefficient implementation of inclusive education programme, lack of special teachers and lack of physical accessibility of educational facilities. Thus for example, in Kazbegi – in Stefantsminda and Gudauri – 6 children with disabilities are enrolled general schools. However these schools do not have a position of special teacher in their personnel. Physical environments of these schools are not adapted to the requirements of inclusive education. Similar situation can be found in Mestia municipality where many children with disabilities cannot socialize and participate in educational process efficiently.

30 Resolution No 291 of the Government of Georgia dated April 14, 2014 on the Approval of the National Programme of Social Rehabilitation and Childcare of 2014

It should be noted that children with disabilities living in highland regions also face problems regarding the realization of their right to healthcare. Using services covered by universal health insurance programme, access to necessary medication and lack of specialized medical personnel are all challenges to be addressed.

As for the level of engagement of local self-government bodies in providing social assistance to children with disabilities, it is necessary to emphasize that the amount of social assistance assigned by municipal administrative bodies for children with disabilities, even in combination with the social assistance from the Government of Georgia³¹, is not enough to provide adequate living conditions for children³². In some cases, social assistance is not allocated to all minors with disabilities. For example in Akhmeta only persons under 16 years are identified as the target group of social assistance in 2014 budget³³. Local budgets of Shuakhevi, Keda and Khulo do not contain any assignments for single-time financial assistance for children with disabilities.

Paragraph 1, article 23 of the Conventions of the Rights of the Child reinforces the right of a child with mental or physical disabilities to full and decent life, in conditions which ensure dignity.

According to article 4 of the UN Convention of the Rights of Persons with Disabilities, states undertake to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability.

According to sub-paragraph (h), paragraph 3, article 3 of the Law on General Education of Georgia, the State undertakes to introduce inclusive education throughout the country.

3. MONITORING OF PRESCHOOL INSTITUTIONS

Paragraph 5, article 35 of the Constitution of Georgia establishes that ‘the State provides preschool education in accordance with the procedure established by the law’. This constitutional provision legally binds the State to ensure effective operation of preschool education institutions within the scopes of its positive obligations on the one hand, and not to carry out an unlawful intervention in this part of the protected sphere within the scopes of its negative obligations on the other.

31 Resolution No 279 of the Government of Georgia on the Allocation of Social Package, dated July 23, 2013

32 Resolution No 2 of Akhmeta Municipality on the Approval of Social Assistance Programme for 2014 and its Budget, dated January 20, 2014; Resolution No 3 of Oni Municipality on the Approval of the Procedure to Allocate Social Assistance from the Budget of 2014, dated January 16, 2014; Resolution No 33 of Ambrolauri Municipality on the Approval of the Procedure to Allocate Social Assistance from the Budget of 2014, dated September 1, 2014; Resolution No 16 of Kazbegi Municipality on the Approval of the Procedure to Allocate Additional Medical Service and Social Assistance to the Population Registered and Residing Permanently on the Territory of Kazbegi Municipality from the Local Budget, dated August 12, 2014; Resolution No 14 of Shuakhevi Municipality on the Approval of Local Budget for 2014, dated December 25, 2013; Resolution No 38 of Mestia Municipality Council on the Approval of Mestia Municipal Budget for 2014, dated December 17, 2013;

33 Resolution No 2 of Akhmeta Municipality on the Approval of Social Assistance Programme for 2014 and its Budget, dated January 20, 2014

Paragraph 1 of article 2, paragraph 1 of article 3 and article 4 of the Convention of the Rights of the Child maintain, that state parties shall ensure full realization of the rights of children in educational institutions. Sub-paragraph (e), paragraph 57 of the Concluding Observations on the Rights of the Child in Georgia of 2008 contain recommendations to the State about carrying out necessary measures in preschool institutions to improve the realization of the rights of young children³⁴.

Governmental Action Plan on Human Rights adopted in 2014 also emphasizes the need to integrate the issues related to violence against children in educational programs of preschool institutions and to ensure accessibility of non-formal education programme, as well as development and implementation of preschool care policy at local self-government level.

Within the scopes of the power of attorney of the Public Defender³⁵, situation regarding the rights of the child in preschools was monitored for the first time during the reporting period³⁶. 61 preschools were randomly selected for monitoring in Tbilisi and different regions of Georgia.

3.1. SAFE AND ADEQUATE ENVIRONMENT, SANITARY AND HYGIENIC CONDITIONS

According to paragraph 3, article 3 of the Convention of the Rights of the Child States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

According to the internal legal standard regulating the rights of beneficiaries at preschool institutions, a medical cabinet and a laundry room must necessarily be present at a preschool institution³⁷. An isolator with a separate entrance should be located on the first floor to ensure the isolation of sick children. At the same time, medical personnel should carry out daily control of child nutrition, physical development, implementation of anti-epidemic measures, observation of the schedule of activities³⁸.

Visual inspection of preschool institutions and analysis of relevant documentation has shown that 20% of them are in need of urgent rehabilitation works and 35% are in need of repair works, physical environment at 25 % of preschools is satisfactory and 20% have accessible and safe physical environment. Physical environment is not adapted to the needs of children with disabilities. Out of 61 preschools monitored, only preschool No 91 in Tbilisi has a partially adapted physical environment.

34 <http://www.refworld.org/type,CONCOBSERVATIONS,CRC,GEO,4885cfab0,0.html>

35 Articles 12 and 18, Organic Law on the Public Defender of Georgia

36 Project implemented through the support from UNICEF Strengthening the Capacity of the Child's Rights Centre

37 Decree No 308/n of the Minister of Labour, Health and Social Protection on the Approval of Rules and Norms concerning the Design, Equipment and Operational Sanitary Norms of Preschool Institutions, dated August 16, 2001

38 Ibid.

In 40% of the inspected preschools basic furniture and equipment and sanitary-hygienic products have not been renewed or updated for several decades (from 10 to 30 years). On average, 60% of preschools renew their furniture and equipment every 5 years and purchase additional ones every year. Medical cabinet is not present and nurse is not part of the personnel in 40% of the preschools inspected. 50% of the preschools were not provided with necessary medications for first aid.

The following violations in the provision of safe and adequate environment have been found in various municipalities.

Mestia municipality – physical environment needs to be rehabilitated at preschools in the following communities and villages: Etseri, Latali, Mujali, Ifari and Karsguri. Mold and fungus were observed on the walls of these institutions during the monitoring process. Walls of some classrooms were starting to come down, central heating and ventilation systems were not functioning. Classrooms were heated with wooden heaters, which were not sealed and were not partitioned from children. On August 20, 2014 the Public Defender of Georgia issued a recommendation (No 10/10900) to the Council of Mestia Municipality to take necessary measures to address these problems. Based on the recommendation, physical environment of the preschools was partially rehabilitated. In addition, construction of new preschools have been planned for years 2015-2016 in the following communities and villages: Tskhumari, Idliani, Khaishi, Mulakhi, Mazeri, Nakra, Chuberi, Fari, Karsgurishi, Lenjeri, Latali³⁹

Khulo municipality – inadequate physical environment was found in preschools of Khulo, villages Dioknisi and Khikhadziri. As demonstrated by the proceedings⁴⁰, Dioknisi preschool is in need of capital repair works. The area of the building is 136 square meters and it was initially designed for only one groups but currently 2 groups are operating in it. As for the preschool in Khikhadziri, the floor on the second floor of the building needs to be fully replaced. According to the information received from Khulo municipality⁴¹, rehabilitation works are planned in these preschools in 2015.

Kazbegi municipality – out of 7 preschools monitored, inadequate environment was found in Sioni preschool⁴². This preschool is located on the second floor of a private rented house. The building does not correspond to the standards of preschool institutions and cannot satisfy the needs of children: classrooms are not completely furnished, bathroom and shower are not functioning, drinking water is provided from the sink installed on the balcony. Material provision and learning materials have not been updated in the preschool since 1980s.

Akhmeta municipality – access to safe environment is limited for children at village Kistauri preschool No 1 and at village Ozhio preschool. Factual evidence gathered around the case⁴³ demonstrate, that the buildings do not have a centralized heating system. Main

39 Letter No 19693/1 dated December 8, 2014, No 12366/1 dated 25/2014

40 Case No 16943/1, dated October 15, 2014

41 Letter No 18646/1, dated November 18, 2014

42 Case No 17319/1, dated October 19, 2014

43 Case No 10593/1, dated July 22, 2014; No 10595/1, dated August 20, 2014; No 10596/1, dated August 20, 2014

rooms are heated by wooden heaters, which are not sealed. Equipment and material in Ozhi preschool has not been renewed since 1983. The Public Defender issued a recommendation to the Akhmeta Municipal Council⁴⁴ concerning this case. Based on the recommendation, the Council made a decision to allocate additional funds to improve infrastructure and sanitary conditions at village Kistauri preschool No 1 and village Ozhi preschool⁴⁵.

Signaghi municipality – Conditions at preschool No 9 of village Bodbiskhevi were very poor and unsafe for children⁴⁶. The preschool failed to meet sanitary and hygienic needs of children. Based on the information received from Signaghi municipality⁴⁷, construction of new buildings for preschools is planned in the local budget of 2015. Before the completion of the construction, the preschool was moved to a privately-owned building under a rental agreement.

Tbilisi preschools – proportional disparity between physical environment and sizes of children's groups was found in preschools No 71, 117, 98, 60, 201, 205. In 80 % of all preschools monitored in Tbilisi bedrooms are not in place for the children in the second group of early age and the first group of preschool age. Dining and main rooms are not differentiated from each other.

3.2. REALIZATION OF THE RIGHT TO ACCESS TO PRESCHOOL EDUCATION

Visual inspection, examination of documentation and requested official data has revealed that average accessibility of preschool education at municipal level is 70%. However access is particularly low in certain administrative units. These include preschools in Tbilisi, Marneuli, Kutaisi, Oni, Mestia, Khulo, Shuakhevi and Keda.

Tbilisi – evidence shows⁴⁸, that 75,000 online registration applications were received by Tbilisi Preschool Management Agency in 2014. Out of this number, 52,000 children were registered at preschools including 7,000 children additionally registered by preschool representative councils. As a result, 23,000 children who applied for preschools did not get access in 2014. According to information provided by the non-entrepreneurial non-commercial legal entity Tbilisi Preschool Management Agency⁴⁹, construction and establishment of 8 new preschools and creation of new groups at existing preschools is planned in different parts of Tbilisi to increase accessibility.

Marneuli municipality – 9,000 early and preschool age children are registered in this municipality. However preschools located in the administrative units of this municipality have the capacity to accept only 890 children. According to the data from September-December 2014, 1500 children were actually enrolled in municipal preschools⁵⁰. Children living in villages Algeti and Sabirkend also have limited accessibility to preschool education

44 Letter No 10/9596, dated July 22, 2014

45 Letter No 14560/1, dated August 12, 2014

46 Case No 12914/1, dated July 15, 2014

47 Letter No 1514/1, dated August 26, 2014; No 1869/1, dated November 19, 2014

48 Letter No 15660/1, dated September 12, 2014

49 Letter No 20205/1, dated January 6, 2015

50 Case No 18056/1, dated November 6, 2014; letter No 18870/1, dated November 28, 2014

as there are no preschools operating in these villages⁵¹.

Oni municipality – monitoring process has demonstrated that geographical accessibility to preschool education is limited in this municipality. Namely, in the entire municipality – 64 villages and 1 administrative centre – only one preschool centre is operating in village Ghari. Conditions at the centre are not appropriate for a preschool institution. It is located in a privately-owned house, a rented building and minimal sanitary and hygiene criteria are not met.

Khulo municipality – problems related to accessibility have been found in this municipality⁵². There are 9 preschools operating in this municipality, however there are no preschools in some villages and communities including villages Bako and Mtis Ubani of Tkhinvala community, in Upper and Lower Tkhinvala. Therefore children living in these villages and communities do not have access to preschool education⁵³.

3.3. APPLICATION OF INDIVIDUAL APPROACHES AT PRESCHOOL INSTITUTIONS

Internal legal mechanisms relevant to preschool education include Decree No 958 of the Ministry of Education and Science of Georgia on the Approval of National Goals of Pre-school Education, dated November 11, 2008. This decree emphasizes the rights of children to the development based on individual approach.

Quality of individualization of services in educational process was one of the focuses of inspection. Individual approach at educational institutions implies educational process, which is adapted to the needs of the child, management and prevention of challenging behaviour, individualization of learning, provision of appropriate resources for the benefit of children with disabilities including material and human resources.

According to the UN Convention on the Rights of the Child, state parties recognize the right of children with disabilities to enjoy special care in appropriate conditions.

The following problems related to the implementation of individual approach were identified as a result of analysing the semi-structured interviews conducted during the monitoring process:

Qualification of personnel – teacher and caregivers as well as administrative personnel require training and professional development in prevention and management of challenging behaviour among children and towards children, rights of children with disabilities, identification and prevention of discrimination against children.

One of the constraints for efficient implementation of individual approach in educational process is neglecting individual needs and capacities of beneficiaries. Results of the monitoring demonstrate that many educators and caregivers use a uniform approach to all children and they completely ignore the principles of individual approach.

51 Case No 18056/1, dated November 6, 2014; letter No 18870/1, dated November 28, 2014

52 Case No 17049/1, dated November 12, 2014

53 Case No 17049/1, dated November 12, 2014

Rights of children with disabilities – issues in this regard include: lack of adapted educational environment for children; irregular and unsystematic evaluation of the needs of beneficiaries by a multi-disciplinary group; lack of the positions of curriculum specialist, speech therapist, psychologist and a special teacher at preschools. In large majority of the inspected preschools educational and physical environment is not adapted to the needs of children with disabilities and multi-disciplinary group is not working on addressing their individual needs.

Positive developments were observed in preschool No 45 in Tbilisi where a multi-disciplinary group is operating, which consists of a special teacher, a psychologist, a speech therapist, a paediatrician and a curriculum specialist. The multi-disciplinary group has evaluated 15 beneficiaries. Individual development plans have been designed for 10 of them and implementation of these plans is regularly controlled.

3.4. RIGHT TO PROTECTION AGAINST VIOLENCE AND OTHER INAPPROPRIATE TREATMENT

Realization of this right at preschool institutions should be guaranteed by article 19 of the UN Convention on the Rights of the Child, general observation No 8 of the UN Committee on the Rights of the Child of 2006, Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, article 7 of the International Covenant on Civil and Political Rights, general observation No 13 of the International Covenant of Economic, Social and Cultural Rights. Paragraph 1 of article 4, sub-paragraphs (a), (b) and (c) of article 5, paragraph 2 of article 6 of the Joint Decree No 152/N – No 496 – No 45/N, dated May 31, 2010, of the Minister of Labour, Health and Social Protection of Georgia, Minister of Internal Affairs of Georgia and Minister of Education and Science of Georgia on the Approval of Child Referral Procedures maintain, that preschool institutions are obligated to evaluate conditions of a child who has been a victim of violence and initiate appropriate referral procedure.

Definition of violence against minors as provided by the UN Committee on the Rights of the Child was used at every stage of the monitoring process. According to this definition, violence and other types of inappropriate treatment is understood as all forms of physical or mental harm and all these forms are considered as degrading treatment.³⁴

Inspection of situation regarding the rights to protection against violence and types of inappropriate treatment has demonstrated the following:

In a number of preschool institutions the personnel uses different forms of violence and types of inappropriate treatment against children - corporal punishment, psychological violence and exploitation take place regularly. Out of 61 preschools included in the monitoring, cases of psychological violence were identified in 70% and cases of physical violence and use of corporal punishment – in 40%. 30% of all interviewed caregivers considered it acceptable to reduce meal portions of children when they display challenging behaviour or disobedience. The instances of use of referral procedure mechanisms in practice are very rare. 90% of preschool teachers and care-givers do not possess infor-

mation about this referral mechanism⁵⁴. Those who do possess information about the referral mechanism believe that referral procedure should be initiated only in cases of extremely grave and repeated forms of violence.

Special attention should be paid to frequent instances of violence and other types of inappropriate treatment against children with disabilities as well as intolerant attitudes towards them in Tbilisi and Kutaisi preschools. In Tbilisi preschool No 6 the case of repeated psychological violence from a caregiver towards a child with autistic disorders was identified. An appeal⁵⁵ was submitted to Tbilisi Preschool Management Agency in connection with this case. According to the reply from the Agency⁵⁶ preventive measures have been taken at preschool No 6 – teachers and care-givers attended additional training sessions on early education.

The interviews with teachers and care-givers have demonstrated their low levels of awareness and insufficient experience in identifying and responding to the cases of violence against children, initiating referral procedure and preventing all types of inappropriate treatment against children. According to teachers and caregivers they need a training course to improve their competencies in identification of cases of violence against children, prevention and adequate response in these cases⁵⁷. 60% of the interviewed care-takers have not had any training in the prevention of violence, 30% had such training, however their level of awareness is still low.

3.5. IMPLEMENTATION OF THE ORGANISATIONAL RULES FOR NUTRITION

According to sub-paragraph (c), paragraph 2 of article 24, UN Convention on the Rights of the Child, state parties shall carry out all necessary measures to ensure provision of nutritious food and drinking water. According to general observation No 12 of the Committee of Economic, Social and Cultural Rights (1999), all children should have access to nutritious food at any time.

Paragraph 1, article 12 of the Resolution No 78 of the Government of Georgia on Statutory Regulations - Approval of Sanitary Rules and Norms of Nutrition in Preschool Institutions, dated January 15, 2014 maintains, that recommendations of the World Health Organization concerning safe nutrition should be taken into consideration at preschool institutions; according to paragraph 3 of article 3, it is essential to establish daily control over the quality of child nutrition.

Fulfilment of the requirements established by the standards of child nutrition⁵⁸ and capacity to address individual needs of children with special nutritious essentials were in-

54 Joint Decree No 152/N – No 496 – No 45/N, dated May 31, 2010, of the Minister of Labour, Health and Social Protection of Georgia, Minister of Internal Affairs of Georgia and Minister of Education and Science of Georgia on the Approval of Child Referral Procedures

55 Letter No 10-2/13660, dated November 5, 2014

56 Letter No19441/1, dated November 21, 2014

57 This is true of preschools in regions as well as in Tbilisi. These issues have been identified in Tbilisi preschools No 98, No9, No 205; preschools No 9 and 10 of Bodbiskhevi village, preschools of villages Mahgaro and Tsvrimi

58 Resolution of the Government of Georgia on Statutory Regulations - Approval of Sanitary Rules and Norms of Nutrition in Preschool Institutions, dated January 15, 2014

spected in the monitoring process. The following problems have been identified in the analysis of the results of monitoring:

Deficient nutrition – according to paragraph 2 article 2 of the standard⁵⁹, ration of food allocated to children in preschools should correspond to the needs of a child's organism on basic food products and energy with consideration of age-appropriate norms. At the same time, it is necessary to take into consideration such factors as seasonality, physical environment, health conditions, nutritional characteristics etc. According to paragraph 6 of the same article, daily meals should contain the products necessary for a child's organism. Despite the mandatory nature of this requirement, meals provided in most preschools under inspection did not meet these standards and did not contain products necessary for children. Nutrition was deficient in 35 out of 61 inspected preschools.

Neglect of individual nutritional needs of children – special nutritional needs of children are not appropriately reflected in bi-weekly and daily menus of preschools. At the same time, out of the spectrum of nutritional needs, insufficient attention is paid to the needs of overweight and allergic children. Problems related to the neglect of special nutritional needs of children have been found in 36 preschools.

Product storage/handling procedures – mandatory requirements for storing and handling of products are violated in many preschools⁶⁰. Refrigerators, storage areas and special containers for storing products are not operating; rules for storing vegetables and products with short shelf life separately are not observed. Appropriate equipment in kitchen areas was missing in 31 preschools. Besides, violations of sanitary and hygienic norms were observed in 20 preschools. These include preschools of villages Becho, Etseri, Muzhali, Karsgurishi of Mestia municipality, preschool No 6 of Mtskheta municipality, preschool No 1 and Maghlaki preschool of Tskhaltubo municipality.

Supply of food products – preschools operating in highland regions do not receive supply of food products frequently enough.

Personnel – nutrition specialist is not a part of preschool personnel and preschool directors, or representatives of preschool unions design diets.

3.6. THE RIGHT TO EARLY AND PRESCHOOL EDUCATION

Article 28 (1) of the UN Convention on the Rights of the Child focuses on the right of the minor to education. Article 13 (1) of the International Covenant on Economic, Social and Cultural Rights reinforces universal right to education.

According to sub-paragraph (a) of paragraph 1, article 17 of European Social Charter, contracting parties assume responsibility to take all necessary measures for providing adequate education and learning for children and for developing and maintaining instruments needed to achieve this goal.

59 Resolution No 78 of the Government of Georgia on Statutory Regulations - Approval of Sanitary Rules and Norms of Nutrition in Preschool Institutions, dated January 15, 2014

60 Paragraph 1, article 5 of the Resolution No 78 of the Government of Georgia on Statutory Regulations - Approval of Sanitary Rules and Norms of Nutrition in Preschool Institutions, dated January 15, 2014

Ensuring high quality and efficiency of early development programmes and preschool curricula is one of the major focuses of Early Learning and Development Standards⁶¹. Implementation of these standards in practice depends on such factors as the use of quality educational material in the process of early learning, accessibility of learning materials, accessibility of physical environment for children with special educational needs, creating appropriate conditions for ethnic minority children.

Use of educational and methodological material in practice

Several educational resources have been developed to facilitate the realization of the right to early education: Early Learning and Development Standards⁶², Preschool Education Curriculum⁶³, instrument for assessment of a preschool age child⁶⁴, Georgian Language for Minority Children⁶⁵ etc. 60% of the interviewed caregivers mentioned that they do not have methodology books and evaluation forms. 70% of the caregivers require training on the application of early education curricula and methodological material in practice; 25% of the teachers interviewed have been trained through various training programmes. However their professional qualifications still are not satisfactory.

Marneuli preschool No 3⁶⁶ accommodates Georgian as well as Azeri children and therefore it is recommended⁶⁷ to use the methodological textbook of Georgian Language for Ethnic Minority Children of Preschool Age in the educational process. Even though these textbooks were present in each group, they are not being used in practice in most cases⁶⁸.

Application of educational resources in preschool education

70% of preschools monitored are not equipped appropriately with educational materials. Environment and resources are not adapted to the needs of children with disabilities; educational material and resources for children did not meet the requirements of safety and accessibility⁶⁹. In 35 of all monitored preschools educational material and environment is partially safe, in 40 preschools it is safe but is not tailored to the needs of children, in 25 preschools it is mainly safe and accessible while in 30 monitored preschools physical environment is not safe for children.

Number of children in groups

One of the major constraints for provision of quality preschool education is inadequately large size of groups at preschools. According to the currently operating standard⁷⁰ no

61 National Curriculum and Evaluation Centre, Ministry of Education and Science of Georgia; Early Learning and Development Standards, Tbilisi 2011

62 Resolution No 78 of the Government of Georgia on Statutory Regulations - Approval of Sanitary Rules and Norms of Nutrition in Preschool Institutions, dated January 15, 2014

63 <http://preschooleducation.ge/admin/uploads/5.%20skolamdeli%20ganatlebis%20programa.pdf>

64 [http://preschooleducation.ge/admin/uploads/4.%20INSTRUMENT\[1\].pdf](http://preschooleducation.ge/admin/uploads/4.%20INSTRUMENT[1].pdf)

65 <http://preschooleducation.ge/admin/uploads/metod.pdf>

66 Case No 18056/1, dated November 7, 2014

67 <http://preschooleducation.ge/admin/uploads/metod.pdf>

68 Letter No 10-2/13398/1, dated November 11, 2014

69 Methodological document of National Curriculum and Assessment Centre of the Ministry of Education and Science – Physical Environment of Preschools: principles and practice, 2010

70 Decree No 308/n of the Minister of Labour, Health and Social Protection on the Approval of Sanitary Rules and Norms for Equipment and Operating Schedule of Preschools, dated August 16, 2001

more than 20 children can be accepted to the first junior group, and no more than 25 children can be accepted to the second junior, middle and senior (preschool age) groups. Results of the monitoring revealed that in junior groups of preschools of Tbilisi, Kutaisi, Batumi, Marneuli and Samtredia average number of children was 30, average number of children in the second junior group was 35, in middle group – 37 and in preschool group – 38. According to 70% of caregivers interviewed major constraints in educational process are related to excessive number of children in groups and the lack of relevant material.

4. INFANT MORTALITY

High rate of mortality of children aged zero to 5 is one of the important problems in Georgia. Based on the data provided jointly by the Ministry of Labour, Health and Social Protection of Georgia, LEPL L. Sakvarelidze National Centre for Disease Control and Public Health, and the Agency for the Development of State Services⁷¹, 635 children under 5 died in 2014 (including 259 cases of early infant (0 to 6 days) mortality, 295 cases of infant (7 to 28 days) mortality, 148 cases of mortality of children from 28 days to one year and 69 cases of mortality of children from 1 to 5 years). Mortality rate under 5 per 1,000 children is 9.7, which is a significant decrease compared to previous years⁷². Despite significant progress, based on World Bank data, Georgia still has high children mortality rate compared to other countries. Average child mortality in all the countries of the world is about twice as low – 4.6 per 1,000. In addition, among countries in Europe, only Albania, Moldova, Armenia and Azerbaijan have higher child mortality rates than Georgia.

Factors affecting child mortality in Georgia include: extreme poverty, quality of food, system of care for pregnant women, qualifications of medical personnel and obstetricians⁷³, quality of pre-natal services. Together with these factors, low level of awareness of many parents also plays a significant role. In most cases parents do not have appropriate skills of caring for their children; they do not possess information about needs and true interests of children, information about minimum norms of universal healthcare system. The role of social workers working at administrative units of LEPL Social Service Agency – district centres of social service, and the role of the personnel of local out-patient clinics is very important in addressing these issues. Cooperation of these agencies with families and their engagement in improving the skills of parents to care for their infants can be an important pre-condition for decreasing child mortality rates. According to statistical data from 2014⁷⁴, major causes of death among children under 5 are the following: respiratory distress syndrome – 32%, pneumonia, bronchitis and respiratory insufficiency – 21%, shock and unidentified causes of death – 14%, infant sepsis – 8%, asphyxia – 4%, congenital heart defects and developmental anomalies – 5%. Negligence from the side of medical personnel and inadequate implementation of their responsibilities is to be separately mentioned among the reasons of child deaths. In 2014, 19 cases of death of children under 5 were studied by a special examination commission. As a result of the

71 Letter of the Ministry of Labour, Health and Social Protection No 01/14396, dated February 27

72 According to the data provided by the Ministry of Labour, Health and Social Affairs, rate of mortality per 1,000 born children was 13.9 in 2013 and 13.5 in 2014

73 Report of the Public Defender on Human Rights and Freedoms in Georgia, 2013, p.447

74 Letter of the Ministry of Labour, Health and Social Protection No 01/14396 dated February 27, 2015

decision of the professional development council state medical certificates of 40 doctors were revoked and 64 doctors were given a written warning.

Positive obligation to protect the right to life is warranted by the Constitution. This right is reinforced at international level by such documents as the European Convention on the Protection of Human Rights and Fundamental Freedoms (article 2) and International Covenant on Civil and Political Rights (article 6).

Sub-paragraph (a) of paragraph 2, article 24 of the UN Convention on the Rights of the Child obligates state parties to take necessary measures to reduce infant and child mortality. UN Committee on the Rights of the Child, in its General Comment No 15 emphasizes the need of state parties to carry out all legal, administrative and other measures to ensure implementation of the rights described in article 24 without discrimination⁷⁵.

According to paragraph 2, article 12 of the International Covenant on Economic, Social and Cultural Rights, contracting parties are obligated to take measures necessary to reduce child and infant mortality, prenatal death and to ensure healthy development of all children.

Paragraph 1 of article 133 of the Law of Georgia on Healthcare points out that ‘managing medical aspects of child mortality and reduction of diseases, providing medical care of highest possible quality including first medical aid, is the top priority task of the healthcare system’.

In accordance with international and domestic legal standards, in order to prevent mortality among children and infants, on December 2 the Government of Georgia adopted the Decree No 650, on the Approval of the National Programme of Healthcare of 2014. The document, which is adopted every year, contains a programme on mother and child healthcare (appendix 9). One of the goals of this programme is to reduce infant mortality. The Decree adopted in 2014 differs from its predecessors⁷⁶ in that premature birth and congenital anomalies are added as important causes of infant death and therefore elimination of these causes is also identified as a goal of the programme. 2014 programme also for the first time contains a clause on the provision of medications for pregnant women (including pholium acid and iron medicines).

5. RIGHT TO PROTECTION FROM VIOLENCE AND OTHER TYPES OF INAPPROPRIATE TREATMENT AGAINST CHILDREN

Right to protection from violence, abusive actions and other types of inappropriate treatment against children is a fundamental principle of international legal standards. Monitoring process conducted by the Public Defender in 2014 has demonstrated that constraints to the implementation of this principle in practice are related to the following issues: identification of the victims of all forms of inappropriate treatment, including sex-

75 Committee on the Rights of the Child, General comment No. 15 on the right of the child to the enjoyment of the highest attainable standard of health (Art. 24), 2013, P. 20.

76 Decree No 279 of the Government of Georgia on the Approval of the National Healthcare Programmed for 2013, dated October 31, 2013, appendix 9

ual violence and corporal punishment, implementation of referral procedures, and psycho-social support activities, effective investigation procedures within reasonable dates in case of identification of violence by relevant state agencies⁷⁷, identification of offenders, prevention of potential and direct risks of maltreatment⁷⁸ and other follow-up actions. Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, of which Georgia became a party in 2014, determines the instruments, which are important for elimination and prevention of sexual violence against children. According to articles 2 and 14 of this Convention, responsible agencies of state parties should take legislative and other measures to prevent violence and provide assistance to victims without discrimination. Article 5 of the Convention establishes the necessity to raise awareness of persons working in educational, healthcare, social protection, court and law-enforcement agencies on the issues related to child sexual exploitation and violence against children.

Even though CRC issued recommendations to Georgia in the Concluding Observations of 2008 concerning necessary measures to be taken to prevent violence, exploitation and other types of inappropriate treatment against children⁷⁹, the state does not possess until now an effective instrument for reduction of risk factors causing the above-mentioned problems.

Investigation of cases at Public Defender's Office during the reporting period have demonstrated that violence against children is a serious issue at preschools and at general schools, in families and against beneficiaries of national foster care programmes. Identification of violence against children has been particularly difficult at public schools. This is mainly caused by low level of awareness of teachers and administrative personnel at public schools on the referral procedures against violence. Cases of corporal punishment against children at preschools and general schools are still frequent. Disciplinary penalties have been used only in few of these cases⁸⁰.

Low effectiveness of law-enforcement bodies in 2014 in responding to cases of violence and abusive action against children should be considered as a challenge. In particular, analysis of cases at Public Defender's Office has demonstrated that often investigation process is delayed and criminal proceedings take unreasonably long periods of time. According to the information requested from the Ministry of Internal Affairs⁸¹, 80 cases of actions against sexual freedom and autonomy of minors were registered in 2014. Out of these 80, criminal proceedings started only in case of 38. As for the effectiveness of investigation in case of corporal punishment of children (article 125.2 of Criminal Code of Georgia), violence (article 126.2 of Criminal Code of Georgia) and domestic violence (article 126¹.2. of Criminal Code of Georgia), criminal proceedings started only in case of 12 out of registered 33 cases.

Problems related to practical implementation of protection and rehabilitation systems

77 *Assenov v. Russia*, October 28, 1998, para. 102; *Lapida v. Italy*, App. N 26772/95, para. 131; *Kaya v. Turkey*, February, 19, 1998, para. 124; ECHR.

78 *Z v. United Kingdom*, (1998), ECHR, App. No. 29392/95 (Comm. Rep 10.9.99), para 94.

79 Paragraphs 31-33 of the Concluding Observations of CRC, June 23, 2008

80 Case No 6432/1, dated October 1, 2014

81 Letter No 2134/15, dated February 25, 2015

are relevant when considering violence, exploitation and other types of inappropriate treatment against children. When the case of violence against a child is identified, the child must be placed in a safe and supportive environment within the scopes of the referral procedure⁸². However analysis of cases by the Public Defender's Office in 2014 demonstrates that children are placed in special service programs (mainly within the scopes of foster care sub-programme) only in extreme cases and within an unreasonable period of time. These are mostly cases of repeated physical violence and/or actions against sexual freedom and autonomy⁸³.

One of the ways to prevent and eliminate violence, exploitation and other types of inappropriate treatment against children is systematic implementation of the activities that are part of the referral procedure. However it has been evidenced, that during the reporting period the referral procedure was often not observed causing problems in the implementation of further preventive activities and in effective rehabilitation of the victims. According to the information requested from LEPL Social Service Agency of the Ministry of Labour, Health and Social Protection⁸⁴, 336 reports of violence against children were received by LEPL Social Service Agency in the form of oral, telephone and online messages⁸⁵. Out of these cases, social workers carried on with proceedings in 250 cases and psychological service was provided in 94 cases. As for the indicators of the use of referral procedure, 65 reports were presented to the Ministry of Labour, Health and Social Protection from the Ministry of Internal Affairs. Based on the statistical data of the Ministry of Internal Affairs⁸⁶, in 2013-2014 (January-June) number of children who faced domestic violence throughout the country was 36. This number seems too small and does not represent the full picture considering the fact that up to 200 cases of domestic violence against children were identified in 2014 only by LEPL Social Service Agency.

CASE OF G. N.

Starting from October 16, 2014, the Public Defender's Office was working on a case⁸⁷ of potential physical violence (corporal punishment) against a child with disabilities at a private preschool in Tbilisi.

The Public Defender's Office requested all the necessary documentation for the inspection of the case from the Prosecutor's Office of Georgia and from LEPL Levan Samkharauli

82 Joint Decree No 152/N – No 496 – No 45/N, dated May 31, 2010, of the Minister of Labour, Health and Social Protection of Georgia, Minister of Internal Affairs of Georgia and Minister of Education and Science of Georgia on the Approval of Child Referral Procedures

83 Case No 11487/1, Dates June 20, 2014; case No 14993/1, dated September 1, 2014

84 Letter No 04/102901, 26/12/2014 (internal N20223/1, 06/01/2015).

85 This includes cases of domestic violence as well as violence against children in state institutions

86 <http://police.ge/ge/useful-information/statistics/skhvadaskhva-sakhis-statistika-kvlevebi?y=2014>

http://police.ge/files/pdf/9%20%E1%83%9D%E1%83%AF%E1%83%90%E1%83%AE%E1%83%A3%E1%83%A0%E1%83%98%20%E1%83%AB%E1%83%90%E1%83%9A%E1%83%90%E1%83%93%E1%83%9D%E1%83%91%E1%83%90%202007-2014--6%20%E1%83%97%E1%83%95%E1%83%94____.pdf

87 Case No 17045/1, dated October 16, 2014

National Forensic Bureau⁸⁸. In addition, in order to establish objective circumstances, representatives of the Public Defender met teachers and caregivers of the child⁸⁹.

According to the factual evidence collected on the case, investigation was being conducted in the patrol police department of the Ministry of Internal Affairs of Georgia on the potential case of physical violence against a child with disability. The investigation was conducted under part one of the article 125 (corporal punishment) of the Criminal Code of Georgia. Witnesses were interrogated during the investigation, trasological and forensic expertise was conducted. However criminal proceedings were not initiated against a specific person.

It should be noted that potential instrument of crime was not obtained during the investigation. Granting the victim status was delayed. Despite the fact that the Public Defender's Office addressed Chief Prosecutor's Office and the Ministry of Internal Affairs several times⁹⁰ with the recommendation to complete investigation within a reasonable period of time and use all necessary measures to avoid delay in investigation and to establish the truth, no responsible persons for this case were identified in 2014. Analysis of this case makes it clear that the state has failed to fulfil obligations assumed under articles 3 and 19 of the Convention on the Rights of the Child and article 16 of the Convention on the Rights of Persons with disabilities. Responsible bodies failed to appropriately carry out measures for rehabilitation of the victim and for effective investigation of an offense.

CASE OF S.M.

Starting on November 12, 2014 the Public Defender's Office on its own initiative⁹¹ started proceedings to study the case of potential action against sexual freedom and autonomy of a 12-year-old⁹².

Statutory circumstances around the case show that the girl became a victim of group rape through the use of violence and threat of violence. This action was repeatedly conducted against her during 2 months. However identification of sexual violence by relevant bodies and persons did not take place within a reasonable period of time.

According to the evidence gathered by the Public Defender's Office, the child was not provided with psychological rehabilitation services and a psychologist was not engaged in the case. No in-depth analysis of psychosocial conditions of the child was conducted and neither were relevant rehabilitation measures planned⁹³. Criminal proceedings were initiated on this case and 1 person is convicted⁹⁴.

88 Letter No 10-1/1104, dated February 12, 2015; letter No 10-1/12959 dated October 29, 2014

89 Protocol No 17045/1, dated October 16, 2014

90 Letter No 10-1/1104 dated February 12, 2014, No 10-1/12983, dated October 29, 2014; No 10-1/14376, dated December 15, 2014

91 Organic Law of Georgia on Public Defender, article 12

92 Case No 18309/1 dated November 12, 2014

93 Letter No 10-4/14072 Dated December 4, 2014; No 10-4/14270 dated December 10, 2014; No 10-2/171, dated January 1, 2015

94 Letter No 19969 dated December 22, 2014

6. MONITORING OF THE SUB-PROGRAMME FOR THE PROVISION OF SHELTER FOR HOMELESS CHILDREN

Representatives of the Child's Rights Centre of the Public Defender's Office conducted monitoring of day care centres, crisis intervention shelters and transitional centres operating within the scopes of the sub-programme for the Provision of Shelter for Homeless Children. Monitoring was conducted in accordance with the childcare standards⁹⁵.

Providers of the sub-programme were partner NGOs: World Vision International Georgia, Charitable Foundation Caritas and the union Child and Environment.

In 2014 sub-programme for the Provision of Shelter for Homeless Children was implemented in Tbilisi and Rustavi. Two day care centres, two crisis intervention and one 24-hour transitional centre is operating in Tbilisi, and one 24-hour crisis centre in Rustavi. Besides one mobile group of the Charitable Foundation Caritas, and two mobile groups of World Vision Georgia are also in place. These groups consist of four members: psychologist, peer educator, administrative worker and a state social worker. The service is funded through a non-materialized state voucher, issued in accordance with the sub-programme for Provision of Shelter for Homeless Children of the National Programme of Social Rehabilitation and Childcare approved by the resolution No 291 of the Government of Georgia dated April 14, 2014. At the end of July 2013 the staff working for this service attended a two-month training programme developed by World Vision Georgia.

The union Child and Environment operates the transitional centre located in Tbilisi, which is designed to offer services to 15 beneficiaries. 7 beneficiaries were in the centre during the monitoring process. During one year the centre had 12 beneficiaries. Charitable Foundation Caritas organizes services provided by the Rustavi Transition Centre, Tbilisi Crisis Intervention Shelter and Tbilisi Day care Centre. The Transition Centre is designed for 20 beneficiaries and 9 children were at the Centre during the monitoring. The Centre offered services to 9 children during the year. Crisis Intervention Centre and Day care Centre are operating in the same building. Crisis Intervention Centre can accommodate 8 beneficiaries and Day care Centre can accommodate 21 children. The service provider World Vision Georgia operates another Day care Centre and Crisis Intervention Centre in Tbilisi. The two are also located in the same building. The Crisis Intervention Centre has the capacity to accommodate 10 beneficiaries and there were 7 during the monitoring. Day care Centre can accommodate 20 beneficiaries. It was impossible to establish the exact number of beneficiaries during the monitoring process due to frequent alternation.

Placement of Beneficiaries in Services and General Information about the Service

According to paragraph 3, article 3 of the UN Convention on the Rights of the Child, States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall comply with the standards established by competent authorities. Article 1 of Childcare Standards provides the list of documents that all service

⁹⁵ Resolution of the Government of Georgia No. 66 dated 15 January 2014, Technical Regulations approving Childcare Standards

providers should prepare and provide to the interested parties upon request⁹⁶.

Beneficiaries are placed in day care centres, crisis intervention centres and transitional centres operating within the scopes of the sub-programme for the Provision of Shelter for Homeless Children by the mobile groups, and in rare cases – by patrol police or on their own. Right after being placed in the service, children go through medical check-ups. In case they require further inspection, they are transferred to medical institutions. The mobile groups visit potential beneficiaries everyday at the places of their residence/work. The group members initiate relevant activities in the street immediately after discovering a child.

In accordance with the Child Protection Referral Procedures⁹⁷, patrol police departments is one of the bodies participating in these procedures and its responsibility is to identify and prevent violence against children, as well as initiate relevant proceedings, take measures to protect the victims of violence and inform the agency. According to the information received from the members of the mobile group patrol police divisions are often not informed about the referral procedures and they are not effectively cooperating with the mobile group.

In order to receive 24-hour service, a beneficiary has to go through several stages. In the beginning she/he is placed in a crisis intervention shelter. Beneficiaries receive psychosocial rehabilitation help, their basic needs are attended and they are engaged in educational process. Beneficiaries remain in the shelter for 3 to 6 months. After this they change the environment – they are transferred to the transitional centre where working with them continues. Organizations providing services and beneficiaries claim that change of the place of residence and environment negatively affects them and often the effects achieved through individual work with the children in crisis intervention centres are lost.

It should also be noted that two day care centres within the scope of the sub-programme are operating in the same location as crisis intervention centre. Beneficiaries of both services are engaged in a number of activities together during the day, which, according to service provider organizations, facilitates the process of their re-socialization and has a positive effect on the motivation of the children. Representatives of Caritas Georgia informed us that children residing and working in the streets, as well as socially vulnerable and at-risk children are beneficiaries of the services provided by their day care centre⁹⁸.

Most of the beneficiaries using the services provided within the scopes of the sub-programme for Provision of Shelter for Homeless Children do not have their documentation in order. Social workers are working on addressing this issue. However the process of organizing documentation takes very long, which results in the limitation of a number of rights for these children. Many beneficiaries using these services are not the citizens of Georgia, in many cases they are not willing to identify themselves and it makes addressing

96 Resolution of the Government of Georgia No. 66 dated 15 January 2014, Technical Regulations approving Childcare Standards

97 Joint Decree No 152/N – No 496 – No 45/N, dated May 31, 2010, of the Minister of Labour, Health and Social Protection of Georgia, Minister of Internal Affairs of Georgia and Minister of Education and Science of Georgia on the Approval of Child Referral Procedures

98 Charitable Foundation Caritas Georgia; daycare centre – 59, Manjgaladze Street, Tbilisi

the above issue even more difficult. At one crisis intervention centre⁹⁹ management failed to present documentation certifying the qualifications of caregivers and the certificates of additional trainings. We were informed that these documents are kept at the facilities of the organization conducting the training. Moreover, journals and records required by childcare standards were not complete.

We consider it a positive fact that staff meeting protocols were kept and presented to us at the Transitional Centre of Child and Environment. Issues related to each beneficiary are discussed at these meetings. At Rustavi Transitional Centre child observation journals are kept, which documents daily activities of a child and her/his psychosocial status.

Inspection of personal documentation of beneficiaries has revealed that individual development plans of children were incomplete and mostly of formal nature. These plans specified activities conducted with children, but did not contain information about the results achieved.

Caregivers have not had special training on keeping the documentation.

Violence – Article 11 of the Childcare Standard determines the right of a child to be protected from violence¹⁰⁰. According to article 19 of the Convention on the Rights of the Child every child should be protected from any kind of violence and article 36 of the Convention obligates state parties to protect every child from all forms of exploitation.

As a result of the monitoring it became clear that beneficiaries of the sub-programme for Provision of Shelter for Homeless Children are victims of violence. Most of the beneficiaries have psychological/mental issues and are in need of professional help. Children with challenging behaviour and emotional disorders face issues in relationships with caregivers. Thus for example an employee of a centre was physically attacked by one beneficiary and patrol police was engaged in the matter. No specific preventive measures have taken place with this beneficiary. It is noteworthy that most beneficiaries continue to beg in the streets while they reside in the shelters as they are coerced to do so by their family members. There are cases when beneficiaries escape from shelters and information about this is provided to the police. However in most cases children return to shelters themselves or mobile groups discover them. Sometimes beneficiaries, who might be suffering from severe health conditions, return to shelters for several days to get sleep, medical treatment and food and afterwards return to streets and carry on their activities. A 16-year-old beneficiary of one of the centres, who is allegedly victim of groups rape and domestic violence, is now pregnant. She was forced to return to her family by her parents, shelter staff appealed to the police regarding the case however the case was not followed-up. Manager of one of the shelters provided information during the interview about the case of paedophilia involving a 14-year-old. Police was informed about this case as well, but no response has been taken place. Current location of this beneficiary is unknown. There is unconfirmed information, that she is pregnant and is engaged in prostitution together with another beneficiary. According to the members of the mobile group, a Turkish bar

99 World Vision International Georgia Crisis Intervention Centre – 29, Gotsiridze/Chikobava Street, Tbilisi

100 Resolution of the Government of Georgia No. 66 dated 15 January 2014, Technical Regulations approving Childcare Standards

located near hotel Radisson at the Roses Square might be a potential location where underage prostitution takes place. Mobile group is regularly monitoring this location. So far no appropriate legal measures have been taken regarding this case as well.

There is an alarming trend of spending nights at internet-cafes by the children – their daily schedule is unorganized and as a result they become aggressive.

A member of the mobile group informed us about a 9-year-old, who was beaten by a family member with a hammer. The child was to be placed in foster care. However, social worker, according to her, was not allowed to do so by the police. The child is until now with his/her biological family and continues to be the victim of domestic violence. The family exercises coercion over him/her to continue begging on the street together with smaller brother and does not allow social worker to place them at the crisis intervention centre. Often parents take children from shelters using force. This is caused by the fact that as soon as children are admitted to shelters, they are entitled to receive social assistance. A member of the mobile group of Caritas Georgia provided information about extremely poor living conditions of 6 Azeri families living in Isani-Samgori (Africa settlement). Children living in these families are regularly forced to beg on the street.

Cases of bullying and violence among children are also very common. Psychologists of shelters and mobile groups are working with them. Shelter beneficiaries find it particularly difficult to observe rules and regulations operating there. Caregivers have problems in controlling the location of children, their activities outside shelters. They get information about this through mobile group or from other beneficiaries. Members of the mobile group have pointed out that children residing and working in the streets have supervisor, who, in most cases are their family members. This is particularly noticeable in Tbilisi metro, where these supervisors do not allow mobile group members to work with children.

Public Defender's Office started proceedings on the cases described in this report within the scope of its power of attorney and has already appealed to relevant bodies.

Education and leisure time – According to article 28 of UN Convention on the Rights of the Child, every child has the right to education and state parties have to facilitate achieving this right progressively and on the basis of equal opportunity. Article 8 of Childcare Standards¹⁰¹ defines the responsibilities of service providers to help realize the right of children to education.

Majority of beneficiaries using the benefits of services under the sub-programme for Provision of Shelter for Homeless Children are not engaged in general or vocational education. Most of the children do not have relevant learning skills and appropriate cognitive development level. The children do not display interest in educational process. Some of them are not enrolled in general educational institutions, as they do not meet the requirements of enrolment defined by the Law of Georgia on General Education due to absence of relevant documentation. Most of the children study independently even though they are in need of additional pedagogical and training assistance. Multidisciplinary group con-

101 Resolution of the Government of Georgia No. 66 dated 15 January 2014, Technical Regulations approving Childcare Standards

ducts assessment of the children in the shelters. However they face problems at schools since many school directors do not wish to enrol them at their schools and often they justify their action with the claim of overload of schools.

Service provider organizations try to engage children in various informal activities. Children are taken to cinemas, theatres; film screenings and discussions are being organized in the centres; centres have volunteers who teach music and dance, working with felt material, train them in taiquando. At the Crisis Intervention Centre/Day care Centre of Caritas Georgia¹⁰² children can also attend training sessions, which are tailored to their needs according to their age. At the 24-hour transitional centre¹⁰³, however, evidence shows that children are not engaged in any informal activities, as they do not display interest in focusing on the same activity for an extended period of time.

Monitoring at the transitional centre of Child and Environment¹⁰⁴ has revealed that the garden of the centre is not appropriately taken care of and does not correspond to the standards. Sewage system is damaged causing poor sanitary conditions and spreading of insects. Therefore children cannot spend leisure time in the garden. The centre also has a pitch but it is not operational. Head of the organization Child and Environment claimed that they have appealed to the Didube district administration with the request to address these issues without any results.

Right to Healthcare – according to article 9 of the Childcare Standard¹⁰⁵ beneficiaries have to be placed in environments supportive to cultivating healthy lifestyle and where their health needs are adequately addressed.

After beneficiaries are placed in centres, first-hand information about their health condition is obtained from them mainly through interviewing, or physical inspection. Children are checked for any signs of physical injuries, signs of violence, rash. Children are asked questions about infectious or chronic diseases. There is a risk that children might withhold this kind of information or that they themselves are not aware of the conditions of their own health. In cases where doubts about a specific disease arise, the child is taken to the health specialist. Beneficiaries without relevant documents cannot enjoy the benefits of universal healthcare programme. In such cases the costs of their treatment are covered by the service provider organization given that necessary funds are available. The situation is very unfavourable in this respect at the transitional centre of Child and Environment¹⁰⁶ as the organization is entirely dependent on voucher funding from the state.

Almost all children have issues with intestines when they are admitted to centres which subside after children start receiving healthy food. Most children do not have any certificates about their health conditions. At Rustavi Transitional Centre¹⁰⁷, if such certificates are needed, they are prepared by the doctor of the centre. It is commendable that the

102 Caritas Georgia, 59 Manjgaladze Street

103 Caritas Georgia, Transitional Centre; 18 Paliashvili Street, Rustavi

104 Organization Child and Environment; 4, Abastumani Street, Tbilisi

105 Resolution of the Government of Georgia No. 66 dated 15 January 2014, Technical Regulations approving Childcare Standards

106 Organizarion Child and Environment; 4 Abastumani Street, Tbilisi

107 Caritas Georgia Transitional enter; 18 Paliashvili Street, Rustavi

centre has a special isolation room for placing children with infectious diseases. In addition, medical records are kept for every beneficiary documenting their health conditions and complete information about the entire treatment course.

Majority of beneficiaries at the centres are users of tobacco and cases of drug-use have also been identified. According to information received from the staff of one of the centres, medications, namely Dimedrol, purchased without prescription were discovered in possession of children several times. Several tablets of Dimedrol can cause drug effects. The Child's Rights Centre of the Public Defender's Office informed LEPL Medical Regulation Agency about this case. The response from the Agency states that this information was confirmed and that protocol of administrative offense was sent for consideration to the Administrative Cases Panel of the Tbilisi City Court.

Nutrition – article 6 of Childcare Standards¹⁰⁸ defines the responsibilities of providers in the process of food provision¹⁰⁹. A child placed in state care should be provided with appropriate amount of food according to his/her age.

Meals are provided four times a day at crisis intervention shelters and transitional centres, twice a day for beneficiaries of the services at Caritas Georgia Day care Centre and twice a day for World Vision International Day care Centre. At Crisis Intervention Shelter of World Vision International Georgia¹¹⁰ representative of provider organization received necessary food products once in every two weeks. Menu is designed by the director. Calories are not calculated and taken into consideration when designing the menu. At Caritas Georgia Transitional Centre¹¹¹ the doctor designs menus taking into consideration amounts of calories needed for children. Managers of centres in most cases do not have information about the safety of drinking water. Organization Child and Environment receives part of its food products as donations. One private school provides dinners for beneficiaries every day. Representatives of provider organizations purchase food products based on their needs with varying frequency. Children's preferences to eat sausages, frozen products and sweets are taken into consideration in most cases and these products are often part of children's diet. This is not in the best interest of children and is not consistent with the principles of healthy nutrition and lifestyle. Children often drink soda drinks as well. Kitchens in all the centres are well-equipped and furnished with sufficient kitchenware.

Preparation for independent life – Childcare Standards oblige service providers to prepare children for independent life and support them leave the centres¹¹².

Provider organizations are trying to provide vocational education and training through their own resources or through the help of various charity organizations. Establishment of

108 Resolution of the Government of Georgia No. 66 dated 15 January 2014, Technical Regulations approving Childcare Standards

109 Article 6, Resolution of the Government of Georgia No. 66 dated 15 January 2014, Technical Regulations approving Childcare Standards

110 World Vision International Georgia Crisis Intervention Shelter; 29 Chikobava Street/2 Gotsiridze Street, Tbilisi

111 Caritas Georgia Transitional Centre; 18 Paliashvili Street, Rustavi

112 Standard No 13, Resolution of the Government of Georgia No. 66 dated 15 January 2014, Technical Regulations approving Childcare Standards

the Youth House funded by Caritas Georgia was a positive development. Currently there are four young people living in this youth house who received professional training and were employed through the efforts of the organization. 2 beneficiaries of World Vision International Georgia are participating in a project implemented by the private company Natakhtari and the company rented an apartment for one of the young people. Cultivating the interest of beneficiaries in specific activities, vocational education is a very difficult task. This is particularly evident in case of older beneficiaries. Most beneficiaries find it hard to develop skills of caring for themselves. It was found that children often reject the offers of employment because remuneration is considerably lower compared to the income they can receive by begging in the street.

7. RIGHT OF THE CHILD TO HEALTHCARE

Article 37 of the Constitution of Georgia guarantees the right to healthcare which assumes the responsibility of the state to support realization of this right.

Article 12 of the International Covenant on Economic, Social and Cultural Rights recognized ‘the right of everyone to the enjoyment of the highest attainable standard of physical and mental health’. According to article 24 of the Convention on the Rights of the Child every child has the right to receive quality medical service.

General Comment No 15 of the Committee on the Rights of the Child reinforces these principles and defines the right of child to healthcare more broadly.

Child’s Rights Centre of the Public Defender’s Office of Georgia studied 43 cases concerning inadequate realization of the right of the child to healthcare throughout 2014. The situation in this respect is particularly challenging at the Leukaemia Section of the Department of Oncology and Haematology of M. Iashvili Children’s Central Hospital, and at the Children’s Section of the National Centre of Tuberculosis and Lung Diseases.

7.1. M. IASHVILI CHILDREN’S CENTRAL HOSPITAL

Representatives of the Public Defender visited M. Iashvili Central Hospital following receiving the information about the situation there. The representatives found out that repair works conducted at the Emergency Department created risk for health condition of the patients with leukaemia of the Oncology and Haematology Department. Children were exposed to dust for several days. Hospital rooms were damaged as a result of repair works. Parents claimed, that repair works took place even during the night preventing the patients from sleep and negatively affecting their nervous system. Despite repeated requests of parents, hospital administration did not take any necessary preventive measures. Apart from this specific issue, problems related to infrastructure, especially in bathrooms and hospital rooms. There are no individual rooms for children diseased with leukaemia. Ventilation system is not functioning in the department.

Child’s Rights Centre of the Public Defender’s Office addressed the Deputy Minister of Labour, Health and Social Protection with the request to respond to this case and take necessary measures required by law.

After the review of the case, repair works in the emergency department continued observing safety norms. Besides, necessary repair works were carried out in the kitchen and bathrooms.

Based on the appeal from the Child's Rights Centre of the Public Defender's Office, representatives of the LEPL National Agency for Regulation of Medical Activities visited the hospital. The hospital was given reasonable period of time till May 1, 2015 to fulfil the requirements defined by the Resolution No 385 of the Government of Georgia, dated December 17, 2010 on the Approval of Rules and Conditions for Issuing License for Medical Activities and Permits for Hospitals. Situation at the hospital will be inspected again after this reasonable period of time has passed.

The case proceedings have demonstrated that the hospital administration was not guided by the best interests of the children with leukaemia, which caused risk to their health. Currently health conditions of the children in this department are safe. However a number of issues at the hospital still remain to be addressed indicating inadequate implementation of obligations in healthcare by the state.

7.2. NATIONAL CENTRE OF TUBERCULOSIS AND LUNG DISEASES

Representatives of Public Defender's Office visited children's department of the National Centre of Tuberculosis and Lung Diseases and have found that conditions in the department are extremely poor.

Walls of the building where patients are placed have cracks. Medical personnel noted that water comes through the roof during rain. According to the director of the Centre, the building is not repairable. Further serious issues include problems with heating of the building, hot water supply and poor sanitary norms. There are only two bathrooms in the building and neither of them is heated. It is possible to take shower in only one of them however hot water supply is not regular even in this bathroom. Sanitary conditions are extremely poor in toilets and bathrooms. The building is not adapted to the needs of persons with disabilities.

Particularly alarming is the fact that patients with the contagious and non-contagious forms of the disease are placed together in the children's department. Parents terminate the treatment process before its completion due to the extremely poor physical conditions in the department and leave the centre causing significant risk of spreading the disease outside the clinic, particularly at educational institutions. There is no emergency bloc and an intensive care room in the department with relevant equipment.

Representatives of the Public Defender's Office inspected the condition at the kitchen and the menu. Even though meals are cooked separately for children, transporting it to the children's department is a problem due to the distance between the kitchen and the department.

National Strategy of Healthcare of Georgia defines the political responsibility of the state to protect its citizens from tuberculosis. According to the National Strategy and Action Plan of Tuberculosis for 2013-2015 'for successful treatment outcomes, it is not sufficient

to enrol patients in treatment. Completing the full course of treatment is a necessary condition for recovery¹¹³.

Child's Rights Centre of the Public Defender's Office wrote to the Deputy Minister of Labour, Health and Social Protection in the middle of proceedings. The reply from the Deputy Minister stated that a special working groups was set up by the Decree No 01-115/o dated May 13, 2014 of the Minister of Labour, Health and Social Protection of Georgia to work on the issue of physical environment at the paediatric department of the JSC National Centre of Tuberculosis and Lung Diseases. The Ministry is also cooperating with other organizations and public agencies to solve this problem. Particularly, the options of moving the paediatric department to alternative space in one of the buildings of the National Centre or constructing a new building on the territory of the Centre are being considered. However no specific actions have been taken yet. Therefore situation in the paediatric department of JSC National Centre of Tuberculosis and Lung Diseases remains unchanged.

Dire conditions at the children's department of the National Centre of Tuberculosis and Lung Diseases not only fails to provide quality medical services and facilitate completion of the full course of treatment for the children, but provides additional risk to their health conditions. This indicates failure on the part of the state to fulfil obligations assumed in the field of healthcare and disregard of article 24 of the Convention of the Rights of the Child about rights of the child to healthcare.

8. RIGHT TO PROTECTION OF THE CHILD FROM POVERTY AND INADEQUATE STANDARDS OF LIVING

Results of the inspection conducted by the Public Defender's Office demonstrate that realization right to protection of the child from poverty and inadequate standards of living still remains an important issue for the realization of social rights of children.

According paragraph 2, article 36 of the Constitution of Georgia, the state should support well-being of families. Normative contents of this article maintains that it is a legitimate constitutional goal and positive obligation of the state to effectively implement immanent statutes guaranteeing rights and fundamental freedoms with the purpose of promoting child well-being.

According to the Constitutional Court of Georgia¹¹⁴, the goal of a social state is to create equal conditions for population to the fullest extent possible and create adequate standards of living throughout the country. This is particularly important in case of the children living in extremely poor households and imposes greater responsibility on the state to carry out effective interventions.

113 National Strategy and Action Plan of Tuberculosis for 2013-2015; strategic area 2: high quality of tuberculosis treatment and management and full coverage

114 Decision No 2/1-392 of the Constitutional Court of Georgia of March 31, 2008 on the case Citizen of Georgia Shota Beridze and Others against the Parliament of Georgia

Legal standards for protecting children from poverty and inadequate standards of living are defined in article 27 of the Convention on the Rights of the Child. According to paragraphs 1 and 3 of this article, the state assumes positive and negative obligations to ensure access for every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to achieve this goal within every branch of government.

Analysis of cases by the Public Defender's Office throughout 2014 has demonstrated such problems as inadequate reflection of the needs of extremely and relatively poor families with children in the existing national sub-programmes of social protection, drawback in carrying out effective interventions to improve the protection of the rights of children living in extremely poor households, delays in the provision of state social services and failure to identify the needs of children living in inadequate conditions within reasonable period of time by relevant childcare agencies.

Analysis of target social programmes throughout the reporting period demonstrates that the number of children living in poverty is quite high: 51,435 children aged 0 to 6, and 105,540 children aged 6 to 18 were recipients of targeted social assistance in 2014¹¹⁵. Out of them, 35,826 children aged 0 to 6 and 72,009 children aged 6 to 18 were recipients of living subsistence¹¹⁶.

National Programme for Social Rehabilitation and Childcare approved in 2014¹¹⁷ includes several sub-programmes¹¹⁸ aimed at improved realization of social rights of the child such as: sub-programme of Emergency Assistance to Families with Children in Crises, sub-programme on the Provision of Mothers and Children with Shelter, Child Rehabilitation sub-programme, Early Childhood Development, Provision of Food for Children at Risk of Abandoning. Analysis of these sub-programmes demonstrate that financial and material resources allocated for them and target numbers of beneficiaries of various services are low considering specific needs and compared to the number of children receiving living subsistence. For example, 382 beneficiaries participated in the Early Childhood Development sub-programme, 103 beneficiaries participated in the sub-programme for Provision of Shelter for Homeless Children, 988 beneficiaries – in the Food Voucher sub-programme and 563 beneficiaries in the Child rehabilitation/habilitation sub-programme.

It has also been found that an important constraint for the protection of children from inadequate standard of living is low level of awareness of families with children about services provided by the state within the scopes of social assistance system. This is true of national services as well as services provided by self-governing bodies within municipal social programmes. Ineffective communication of national and municipal social services with the most vulnerable groups of population is one of the main barriers to the accessibility of information.

115 http://ssa.gov.ge/index.php?lang_id=&sec_id=769

116 http://ssa.gov.ge/index.php?lang_id=&sec_id=769

117 Resolution No 291 dated April 14, 2014 on the Approval of the National Programme for Social Rehabilitation and Childcare

118 Ibid, article 1, appendix 1, article 2, sub-paragraphs (a) (b) (c) (h) (k) (m)

CASE OF CITIZEN L. G.

Case of Citizen L. G. living in Tbilisi was one of the most problematic cases in terms of child poverty and exploitation in 2014¹¹⁹.

According to the factual evidence gathered during the inspection of the case citizen L.G. had 9 children living in extreme poverty. Even though the family was registered as the recipient of state living subsistence, the children did not have adequate living conditions, educational material, sufficient food and other material resources necessary for development. In order to improve the extremely poor living conditions, the children were engaged in labour and none of them was engaged in the educational process. At the same time the instances of manipulation by children from the side of their legal representatives (parents) were revealed.

After gathering the evidence around the case Public Defender's Office addressed¹²⁰ LEPL Social Service Agency with the request to carry out necessary measures to improve the realization of the rights of these children. According to the reply received from the Social Service Agency, a social worker started working on the case and living conditions of the children were assessed. However essential activities for addressing poverty and inadequate standards of living of these children have not been taken by relevant bodies.

9. RECOMMENDATIONS:

TO THE GOVERNMENT OF GEORGIA

- to proportionately reflect the socio-economic needs of children in national social sub-programmes aimed at the identification of specific needs of children living in extreme and relative poverty and addressing these needs
- to develop a special strategy and an action plan to improve living conditions of the children living in extremely poor households and in relative poverty in highland regions, including increased access to information
- to introduce interventions within the scopes of Mother and Child Healthcare programme in order to prevent the death of children under 5; especially for fighting against most common causes of child mortality

TO THE MINISTRY OF LABOUR, HEALTH AND SOCIAL PROTECTION

- to develop a strategy and an action plan for improving access of children to healthcare in highland regions
- to develop special national programmes for preventing diseases caused by deficient nutrition among young children and design effective mechanisms for their implementation in highland regions
- to take necessary measures to improve the quality of work of social workers with-

¹¹⁹ Case No 17690/1, dated November 7, 2014

¹²⁰ Letter No 10-1/13661 dated November 21, 2014; No 10-1/1178 dated February 13, 2015

in the scope of foster care/reintegration sub-programme

- to take all necessary measures in accordance with international standards to study and eliminate all potential causes of death among children under 5. Take measures such as training of medical personnel in order to reduce the instances of inadequate completion of their responsibilities, which is one of the main causes of child mortality
- to take necessary measures to increase effectiveness and proactivity of social workers in to efficiently identify families with problems, to support the development of necessary skills among parents.
- Take immediate concrete measures to solve problems with physical environment existing in the paediatric department of JSC National Centre of Tuberculosis and Lung Diseases; make a decision about moving the department to alternative location or to build a new modern building for it

TO THE LEPL SOCIAL SERVICE AGENCY FOR THE BENEFICIARIES OF DAY CARE CENTRES, CRISIS INTERVENTION SHELTERS AND TRANSITIONAL CENTRES OPERATING WITHIN THE SCOPE OF THE SUB-PROGRAMME FOR PROVISION OF SHELTER FOR HOMELESS CHILDREN

- to provide additional regular training for beneficiaries in school subjects and increase their motivation
- to develop a uniform strategy for handling and solving the problems of children without necessary documentation
- to reconsider the rationality of moving beneficiaries from crisis intervention centres to transitional centres
- to ensure timely provision of medical services to beneficiaries
- to promote healthy lifestyle; plan more physical and sports activities and actively engage beneficiaries
- to ensure adequate levels of awareness among beneficiaries and caregivers about contagious diseases and about preventive measures
- to engage multidisciplinary group in managing challenging behaviour among beneficiaries through active participation of a psychologist and when needed – a psychiatrist
- to facilitate development of an effective programme for supporting independent life
- to improve physical environment of the garden at the transitional centre of Child and Environment in accordance with relevant standards

TO THE MINISTRY OF EDUCATION AND SCIENCE OF GEORGIA

- to develop target programmes for children living in highland regions to ensure effectiveness, accessibility and inclusive nature of educational system
- to implement wide-scale regular programmes for professional development and

qualification improvement of teachers; widen geographical scope of currently operating programmes

- to improve physical environment and sanitary conditions at general schools; update learning material
- to improve the protection of rights of the children with disabilities, efficiently implement inclusive education programme and adapt physical and educational environment at schools

TO THE MINISTRY OF EDUCATION AND SCIENCE OF GEORGIA, TO THE MINISTRY OF LABOUR, HEALTH AND SOCIAL PROTECTION OF GEORGIA, TO THE MINISTRY OF INTERNAL AFFAIRS OF GEORGIA

- to provide necessary information to relevant bodies about the use of child referral mechanisms; to introduce psycho-social rehabilitation services for victims of violence and provide the services to beneficiaries; to ensure constant exchange of information between different bodies and implement coordinated activities to prevent violence against children including children at preschools

TO THE MINISTRY OF INTERNAL AFFAIRS

- to immediately take necessary legal measures to respond to the potential cases of violence, prostitution among minor, coercion to begging; to provide necessary information to every employee of the patrol police about child referral procedures and facilitate their cooperation with Social Service Agency

TO THE MINISTRY OF INTERNAL AFFAIRS AND TO THE CHIEF PROSECUTOR'S OFFICE OF GEORGIA

- to carry out timely and effective investigation of the cases involving violence against children including violation sexual freedom and autonomy; to identify the convicted persons within reasonable period of time and take necessary measures to prevent violence

TO REPRESENTATIVE AND EXECUTIVE BODIES OF LOCAL SELF-GOVERNMENTS

- to allocate funds to increase access to preschools in respective municipalities
- to take timely and effective measures for improving safety and quality of physical environment and infrastructure as well as sanitary conditions at preschools
- to raise awareness of preschool teachers and caregivers about identification and prevention of the cases of discrimination against children with disabilities and children with challenging behaviour
- to fully observe the organizational rules concerning food provision at preschools
- to ensure systematic professional training of early and preschool education teachers for improving quality of preschool education.