

Committee on the Rights of the CHILD
48th Session
20 May 2008

Opening Speech of the Head of Delegation of GEORGIA
Mr. Archil Gagnidze – Deputy Minister of Education and Science

Thank You Mr. Chairperson,

Distinguished Members of the Committee,

On behalf of the Government of Georgia let me express the words of gratitude to you, dear representatives of the Committee on the Rights of the CHILD, to the Secretariat and to the Office of the High Commissioner for Human Rights for your indispensable and momentous role played in the preservation, protection and realization of the of the Rights of the Child.

Georgia acceded to the Convention on the Rights of the Child in 1994 and to the Optional Protocol on the Sale of the Children in 2005, thereby declaring its sheer commitment and adherence to the values cherished by the international community and entrenched in the Covenant, as well as the aforementioned Protocol.

This is the third time that Georgia has honor to present its State Report before the Committee. In that respect we would like to express out gratitude to the Committee for meeting with understanding the late decision taken by the Government of Georgia in January 2008 regarding the postponement of the presentation of the 3rd Periodic Report. We are thankful for granting us this opportunity and being able to present it now - at the 48th Session. As probably the members of the Committee have been informed, the January decision of the Government of Georgia was primarily influenced by the existing tensed political situation within the County. Throughout this period, we have witnessed a constructive dialogue between the Committee and the Government marked with continual and productive collaboration. The Government of Georgia is strongly determined to preserve and further enhance this cooperation.

At this point with your permission, I would like to present the members of the delegation:

- Mr. Nickoloz Pruidze, Deputy Minister of Labor, Health and Social Affairs;
- Ms. Nino Mirzikashvili, Head of the International Relations Department at the Ministry of Labour, Health and Social Affairs;
- Mr. Gia Kakachia, Head of Division at the Minister of Labor, Health and Social Affairs;
- Mr. Berika Shukakidze, Head of Analytical Department at the Ministry of Education and Science;
- Ms. Tamar Golubiani, Head of Child Welfare Division at the Ministry of Education and Science;
- Mr. Alexander Nalbandov, Director of International Organization's Department at the Ministry of Foreign Affairs;
- Mr. Levan Meskhoradze, Head of International Relations Division at the Ministry of Justice of Georgia;
- Ms. Rusudan Mikhelidze, Head of Analytical Division of the Office of the Prosecutor General of Georgia;
- Ms. Tamar Tomashvili, Legal Consultant at the Permanent Mission of Georgia to the UN Office and Other International Organizations at Geneva.



Committee on the Rights of the CHILD
48th Session
20 May 2008

Mr. Chairperson, over the recent years, Georgia has been undergoing significant changes directed towards the promotion of democratic values and strengthening of the rule of law within the country. As a government, we have perceived respect for and fulfillment of the fundamental human rights guarantees as a cornerstone underlying the entire process of reform. Respectfully, Georgia has always taken, and continues to take, its obligations under the Convention with utmost seriousness, while guided by common understanding that the Special Care and Assistance to Childhood as well as their harmonious development within society and in the family/natural environment represents unique value for any human respecting society. Our periodic report as well as written replies, which we will be discussing with the Committee today, underlines our respect and commitment for these obligations.

Let me set out a few of significant developments for education and welfare of children in Georgia, that adequately reflects principle consideration given to the *child's best interest*; while my colleague Ms. Tamar Tomashvili will continue with the second part of the presentation.

With your permission Mr. Chairman, I will summarize latest practical experience of Georgia as we do not want to bore the Committee with common presentation.

Civic Education

Georgia sharing international understanding that Civil Education plays key role in raising civil minded citizens from the early stage of childhood based on such tolerance and democratic values, the Government has included civil education as a subject in National Curriculum. The Extra Curriculum activities of the Civil Education Program encompasses tolerance, drama, debate, discussion and art clubs within the schools.

The Safe School Program

The Government of Georgia has launched the nationwide **Safe School Program** in 2007. The aim of the program is to reduce violence on and off school premises. The Program encompasses 21 sub-programs, such as *School-Self Assessment Review Tool*, *Parents Pedagogization*, and *Violence Reduction Program* in schools with participation of School Administration, Teachers and Students. As a matter of fact, Georgia is a pioneer country in the implementation of the Council of Europe/UNICEF Joint Program on Violence Reduction Programs in Schools. The Safe School Program is monitored and supported by the Group of Independent Experts, including psychologists', psychiatrists', school principles, practitioner teachers and social workers.

In 2007-08 academic year the separate Code of Ethics has been created for Teachers and Students. In 2008-09 academic year, the amendments are being initiated in respective Ethic Codes aimed at strengthening the pro-preventive measures via increased participatory process of school community. It is a unique opportunity for students to express their opinion and have their voiced heard.

Children Living below the Poverty Level

Despite the latest economic growth in Georgia, about 11% of students still fall below the poverty level. At the end of 2007, up to two million and a half of GEL has been allocated to schools for

Committee on the Rights of the CHILD
48th Session
20 May 2008

purchase of the textbooks for 57 699 students who have been identified as children living below poverty level.

Taking into consideration the fact that not all students can afford books to enrich their education, the Ministry of Education and Science has purchased to each and every school in Georgia 61 different books for library use.

In furtherance of access to education and improvement of physical environment at schools, following extra curricular activities have been straightened:

- provision of schools with sport goods;
- accommodation of the labs for natural sciences;

Ethnic Minorities and Internally Displaced Persons

The Government of Georgia pays particular attention to the integration of ethnic minority children as well as internally displaced children from conflict regions of Abkhazia, Georgia and South Ossetia, Georgia. In that respect, it is worth to mention the **School Partnership Program** that involved participation from the schools with ethnic minority children in order to promote their social integration within Georgian community¹. The **Civil Integration Project** comprehends:

- Georgian language courses for Azeri and Armenian students;
- Sunday Ossetian and Abkhazian Language Schools for South Ossetian and Abkhazian students;
- Conference for Integration of ethnic minority groups;
- Creation of language books in Ossetian and Abkhazian;
- Scholarships for South Ossetian students in Bachelor Degree Programs.

In addition, special Armenian Language Houses in Akhalqalaqi and Ninotsminda, as well as Akhalqalaqi Hobby School for Armenian students has been established.

In addition, Ethnic Minorities and Internally Displaced Children Benefit from Preparatory Courses for Unified National Exams, as well as they receive tuition fee waivers and a monthly stipend.

Inclusive Education

In order to promote equal access to education, in 2006 the Government prioritized Inclusive Education as the most appropriate form of education for children with disabilities. Today, the Government runs several projects in support of Inclusive Education and Children with Special Needs:

- Countrywide public awareness campaign;
- Multidisciplinary support teams for disabled pupil, schools, teachers and parents;
- Preparatory Day care centers for rehabilitation and non-formal education of disabled children;
- Early intervention programs for disabled children and their families;

¹ In 2007, 24 Georgian (2300 students), 17 Azeri (2670 students), 11 Armenian (450 students), 4 Russian (101 students), 2 Ossetian (20 students), and 1 Ukrainian schools participated in the program;

Committee on the Rights of the CHILD
48th Session
20 May 2008

- Teacher retraining.

In parallel, the Government has significantly improved conditions and financing of special education institutions and institutions for abandoned children. It shall be underlined that the latter types of institutions are considered as temporary placement before the Inclusive Education is widespread in Georgia. Currently, we are in process of finalization of Inclusive Education Strategy 2009-2011 and new finding criteria for Inclusive Schools.

Child Welfare Reform and Action Plan for 2008 – 2011

In 2004, the Government of Georgia has launched the State Child Welfare Reform. We have recognized damaging effects of Institutionalization and we have embarked to construct new family based child care system for reinforcement of child's right on family. More than 3600 children were deinstitutionalized and rescued from the abandonment. Child Welfare Reform comprises multidimensional programs, such as:

- Social Work Teams in all regions of Georgia;
- Shelter for mothers and infants;
- Daycare centers;
- Small group homes;
- Higher Education Grant programs for children deprived of care;
- Foster care;
- Prevention of child abandonment and deinstitutionalization;
- Training and retraining of human resources for service provision;
- Child care standards for all services ;

The Government's Action Plan for Children 2008-2011 has been elaborated. The Action Plan is a result of a participative policy-making process, involving the relevant target/client groups, thus creating a bottom up approach. It tackles three main problems in child welfare:

- Poverty, as hampering factor for families to provide relevant care for children;
- Child Abuse;
- Use of "large-scale" institutions.

The goal of the Action Plan is to ensure development children's full potential in safe environment.

Lastly, among recent developments in the legislative sphere, let me mention adoption of the Law on the Foster Care, the Law on Adoption and the Law on Social Aid. In addition, positive amendments entered into the Civil Code of Georgia regarding adoption process and issues related to parent's rights and responsibilities. Meanwhile, the institutional developments have been witnessed in the field of social work, family support and family substitute services.

Committee on the Rights of Child
48th Session
3rd Periodic Report of Georgia

Opening Speech (2nd Part) – Delegation of Georgia
Ms. Tamar Tomashvili, Legal Consultant of the Permanent Mission of
Georgia to the UN Office and Other International Organizations at Geneva

Mr. Chairperson, Members of the Committee, Ladies and Gentlemen,

I am delighted to be here today as a member of Georgian delegation to report on the progress made in implementation of the Convention on the Rights of the Child.

Due to Georgia's extraordinary experience in the fight against corruption and organized crime, as well as due to considerable economic growth, during the last 2 years we have managed to direct particular attention, human and monetary resources to the justice system, promotion and furtherance of human rights values as a true member of the UN and CoE family.

The aim of the Government has been to realize our aspirations in practice. In that respect, I would direct your attention towards the area of juvenile justice system in Georgia which for the present moment is undergoing significant reforms aimed at establishing an administration of juvenile justice in compliance with the Convention. As recently emphasized by the Committee in General Comment No. 10 "many states parties still have a long way to go in achieving full compliance with the CRC". We as a state have embarked on that long way, understanding *inter alia* that key priority shall be given to the promotion of alternative measures of detention and using deprivation of liberty only as a measure of last resort, as well as developing the implementation of measures properly dealing with children in conflict with law.

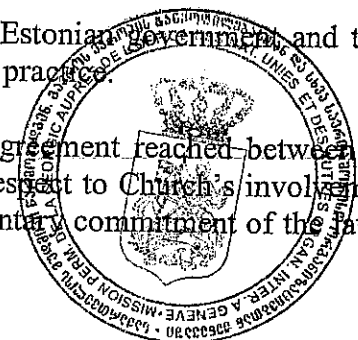
New system of Juvenile Justice is being designed by Georgian government to tailor the specific needs of children in conflict with law. It is oriented on the rehabilitation and resocialization of juveniles through different programs that have been adopted within the Penitentiary by the Ministry of Justice of Georgia since 2006, in close coordination with international and national organizations, such as psycho-social rehabilitation, therapy, professional skills and sport activities.

The logical continuation of the said success would be to shift criminal law policy to a new stage that will ensure increase of non-custodial measures of punishment, rehabilitation and reintegration of criminals in social life. Bearing all this in mind strengthening the probation system and increasing its efficiency is put on the agenda. For this reason following steps have been initiated:

- With support to UNICEF the draft *Juvenile Justice Strategy* is being elaborated;
- With support to UNICEF *two year diversion project* will be launched for juvenile probationers in Batumi and Kutaisi. The program aims to:
 - address the needs of juveniles and their offending behaviour in a holistic manner;
 - ensure that wherever possible young people are able to continue to live with their families during the rehabilitative process.

As another example, one can cite close cooperation with the Estonian government and their experts on the probation system aimed at sharing experience and practice.

As a particular example, let me direct your attention to the agreement reached between the Ministry of Justice and the Orthodox Church of Georgia with respect to Church's involvement in the probation system/non-violent offenders based on the voluntary commitment of the latter.



Committee on the Rights of Child

48th Session

3rd Periodic Report of Georgia

It shall be noted that the relevant authorities are ready to cooperation in the similar manner with other religious institutions and respectful organizations as well.

Of particular important is the *Anti-Torture Action Plan* alobarated by the Inter-Agency Council composed of representatives of governmental as well as non-governmental bodies and has been submitted for adoption to the President of Georgia.

Action Plan intorduces in detail manner improvements to be taken in the course of the Criminal Justice System of Georgia, in particlar for juvenile offenders and those at risk of offending. Namely, an improved probation system for juvenile offenders shall be achieved, one again guaranting and underlying that custody is used as a measure of last resort and shortest possible period of time. Consequently, action plan forsees continuation of growing trend of using alternatives to imprisonment.

Thu, we are aiming to create a comprehensive legal and institutional reforms to sophisticate existing penitentiary framework in general and with respect to juveniles in particular.

With respect to education in juvenile system in 2007, the new concept of secondary program in penitentiary system has been elaborated, which is fully in line with existing educational standards in Georgia. New educational program will be launched in September, 2008 under the supervision and coordination of the Ministry of Science and Education. With a view to education of prisoners the libraries of the penitentiary establishments were renewed and provided with modern literature. Meanwhile, draft penitentiary code of Georgia is a ground for developing of the high education within the penitentiary system.

Members of the Committee, let me conclude my speech by the fact that the Penitentiary Reform in general is directed towards service delivery in healthcare system and increase of budgetary expenditures on the food and nutrition yearly.

Particularly, system of insurance of inmates has been introduced. Under the contract between insurance company Aldagi-BCI and the Penitentiary Department, the former became responsible for medical treatment of prisoners. The contract and therefore the insurance regime became operational since 1 November 2007. As an example, in the very same year (2007) food expenditure item in the budget of the Department of Prisons increased by 247% reaching GEL 10.800.000. The relevant governmental authorities are oriented in outsourcing of the Service. In October 2007, the winner company "Mega-Food" was revealed as a result of an open tender. This company will be responsible for nutrition of prisoners.

Let me conclude by greatly welcome the opportunity presented by this process. There are challenges in setting our agenda for future and in ensuring that good policies already developed are implemented on the ground. Change will not happen overtime but we have a clear commitment and clarity of purpose.

Thank you, Mr. Chairperson.