

Violence Against Children in GEORGIA

Relevant extracts from an NGO alternative report presented to the UN Committee on the Rights of the Child

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CLARITAS - English

www.crin.org/docs/resources/treaties/crc.34/georgia_ngo_report.doc

[...]

Despite of ratification of the CRC in Georgia (1994) children's rights are not protected and proper legislative acts are not realized. The economic crisis and conflicts taking place in the country since 1993 caused fragmentation of the community, weakness of social protection system and destruction of social services. Despite of the government's efforts to adopt new legislative acts and revise compliance of the existing laws with the Convention, countries legislation does not reflect the CRC principles and provisions. The supremacy of children's rights are not fully considered in legislative, administrative and juridical processes, as well as in state policy and programs on children.

Due to the above-mentioned realities the children's population turned out to be marginalized and impoverished; the frequency of child right violations has increased; the number of institutionalized and street children, the cases of child discrimination and juvenile delinquency keeps growing.

[...]

Existing social-economic situation in the country creates supportive environment for child discrimination. Children of impoverished and vulnerable families especially suffer from economic hardship and exploitation, sexual abuse in this contingent is more frequently met.

Not every child is provided with food. Extremely impoverished families sometimes force their children to earn their living by begging, carry out unsuitable work of markets or nightclubs. Absence of possibility of hormonal development is the form of discrimination for such children. The circles of art, music foreign languages, sport clubs are paid.

Children are unable to study in their native language in uncontrolled territories of Samachablo and Abkhazia. The study proceeds in Russian. There are several schools, where only primary education (1-5 classes) is in Ossetian and Abkhazian. Education in Georgian in those areas is impossible.

[...]

NGO JUVENCO conducted the study, which revealed that in the legislative basis of Georgia there is not a law on child rights protection. It's not regulated legal mechanism, which will envisage child's opinion in case of his/her placing in social institutions. There is not any law, which will guarantee freedom of expression of child's opinion.

[...]

Art 17 of CRC states that state should take measures for protection of children from harmful information.

Despite of the enacting law "On Protection of minor from harmful information" since 2002, it is hardly realized, there is not mechanism, which will ensure differentiate of provision of information and products by age groups.

TV and mass media are flooded by harmful information for children, such as war, violence, murder, sadism, documental and feature films on torture, sex, erotic, various types of violence, among them deviated forms. According to the data provided by the Ministry of Labor, Health and Social affairs, child witnesses 400 000 scenes of murder and 200 000 – violence by mass media.

[...]

There are several types of institutions in Georgia:

- Institutions of children deprived of parental care;
- Boarding-school;
- Children's villages;
- Asylum.

Nowadays there are 41 institutions. Among them 10 children home's, 3 - boarding houses of orphans or children deprived of parental care, 3- kinder garters, for orphans or children deprived of parental care, 1 - rehabilitation center, 1 - specialized boarding house, 18 - special boarding schools for children having mental or physical defect. 2 - musical boarding houses, where approx. 6 000 children are placed. 87 % of the contingent was given to the institutions by their parents. The situation is more frequent in the cases when the child has only one parent. The reason is economic shortage.

[...]

State resources allocated for protection and care of institutionalized children is insufficient. These children have not possibility to keep their personal things, enter their bedrooms any time and rest. Problem of child feeding is somehow arranged, though heating, hot water, personal hygiene is not accessible. The observation of NGO, international fund - "world for children " revealed the facts of misappropriation of funds and material resources determined for children.

[...]

According to the art.19 of CRC the committee gives recommendation to the state to ensure research and study of the cases of family violence, maltreatment, physical, sexual and psychical abuse of children; In such cases the state should secure: friendly environment to child while legal proceeding, supremacy of child's rights, arrangement of educational campaign, promoting improvement of discipline in schools, families, without use of violence.

There are some cases of family violence, physical, sexual, psychical abuse of children, though they are not massive.

The existence of most cases are significantly determined by social-economic hardship of the community.

The child's right to receive immediate juridical assistance is infringed. Though there works hot-line service, it seems insufficient for children.

[...]

Society treats handicapped children with pity and sorrow, and has no conscious and equal attitude towards them. Both sides shall have to be prepared as required for mutual relationship.

Integration of disabled children into social life should begin from school period, through the inclusive way of study. It implies admittance of mentally disabled children to secondary schools. Unfortunately, the "Law on Education" has no indication related to inclusive study, integrations of mentally disabled children at regular secondary schools; currently there are only few schools (e.g. classic school 6, secondary schools N.24, 180 and 10) as well as a couple of kindergartens where groups/classes with mentally disabled children function). Nevertheless, even in the indicated cases, there is neither relevant environment there, as say teaching staff, nor proper technical facilities; It should be noticed negative attitude of teachers as well as parents to inclusive study of mentally disabled children. It is the school environment that has to adopt such children and not the other way round. Children should be adopted to school environment through introduction of required special programs; social and psychological activities, on the one hand, shall have to be carried out in education institutions, and on the other hand, directly with disabled children in their families.

There are no relevant resources for a state support of disabled children and their families. Handicapped children are frequently sent to specialized institutions. On the one hand, it is caused by remained communist mentality, and on the other hand, it may happen due to poverty.

There is no state support with relevant resources for disabled children and their families, as well as there are not enough institutions to protect such children and no item of state budget is allocated to take care of them.

[...]

In line with par.27 of the Convention, the Committee recommends that a state shall apply efforts to assist impoverished families and provide an adequate way of life for a child, excluding completely begging.

Regardless of measures that have been taken by the state to eradicate it, this problem is still alive. There is a large gap between minimum salary and pension and what is required for existence. Minimum salary is 20 GL, and pension does not exceed 14 GL a month, meanwhile the monthly minimum of existence is 115 GL. Unemployment is high. This disables families to support their children in adequate conditions. Families, which no longer stick to traditional values and guarantees, have to bring up the children without required environment for development. There are many under age children in Georgia who support themselves by begging. Among them many children from impoverished families, whose parents let them go "begging".

[...]

Georgian Law (Law on Education) doesn't stipulate that school-children shall be provided with free text-books, thus socially unprotected children are put in unequal situation, for that reason education of children from poor families is practically impossible, and for street children no chance at all.

In high mountain areas, the schools are difficult to get to, thus it reduces educating opportunities for children.

Salary of teachers is low, although a 30% salary increase has been mentioned. Salaries are delayed to be paid for a long period, especially in provinces. As consequence, there are many low-qualified teachers and education standards are low.

[...]

Still there are certain problems in the school. Such as payments to "School Fund" or "Class Fund" is required for school. In certain cases such payments are legally asked additional charges to be made by parents, but considering poor economic situation, these financial aspects put children under stress, and may cause negative emotions, that in several cases may lead to a child's motivation and decision to quit the school.

Study of Convention for Children's Rights is continued by teaching program at the secondary schools, which is aimed at spreading and implementing of Convention for protection of children's rights. Qualified teachers have been trained in this aspect.

There are not programs envisaging integration of mentally disabled children to the state schools (inclusive education). In accordance with school's home set of rules, the teachers are required to teach such children by giving them lessons at home, but practically it rarely happens.

Children participation in school life is minimal. Children are rarely asked for to express their opinion and viewpoint on issues concerning school. To a certain extent children are restricted to do so by law. Georgian law doesn't stipulated minimal age for children association, as well as conditions to set up children's organization. The same law doesn't envisage children's rights to set up school-children council and making decision on local issues.

[...]

The Committee recommends the state to apply utmost measures to protect interests of refugee, asylum seeking and IDP children, as well as ensure them with accommodation, education, health care and other social services. Also to investigate and find out whether children are victims of maltreatment, humiliation, economic mistreatment, sexual abuse, slave trading, kidnapping, abandoning, offence and negligence. After war conflict in Abkhazia and Samachablo, the mentioned territories have been separated de-facto (Tskhinvali region from 1992 and Abkhazia from 1993). In accordance with data provided by Georgian Ministry for Refugees and Residence, 300 000 of native Abkhazian population was forced to leave it, meanwhile the Tskhinvali region was left by 12 000 (among them 84 000 children).

Forced migration has put these families in hardships of poverty, social extremity. Regardless of its importance, life threat forced refugees to leave their localities. Versatility of problems concerning territorial integrity, still remain as the most critical and bitter, and up to now not solved, thus placing IDP and refugees under enormous psychological burden.

[...]

There are 29 schools in Gali region (located in conflict area) attended by 3973 school children, but not all children have possibility to be taught in their native language. Majority of school subjects is

taught in Russian and Abkhazian languages, regardless of the fact that more than 90% of school children are ethnic Georgians. Only in 2 schools: #7 and #11, located in Gali region, subjects are taught in Georgian. The 1st secondary school in Gali (392 school-children) has every subject taught only in Russian. In Gali school 2 (40 school-children), Russian is spoken and taught in classes from the 1st year till 6th year; meanwhile Georgian is spoken and taught from 7th till 11th year.

Abkhazian language and literature is an obligatory school subject. Situation varies also in Tskhinvali region – there is only one special subject in school – “Mother language and literature” –, which is taught, in Ossetian language.

[...]

In accordance with data provided by Abkhazian Health Ministry, the disease rate among refugee children is higher than that in entire Republic, which can be explained by several factors, including burden of social, economic and everyday life conditions, unsatisfactory sanitary conditions at compact populated refugee areas and so on; and particularly, the rate of tuberculosis patients is higher among refugees. Fortunately it can be specified by recent downward trend.

Very alarming look processes of negative demographic dynamics. Birth rate among refugees is almost twice lower to compare with the rest of the country. Death rate among children less than 1 year old (bearing in mind that registration data is not complete) is as well twice as much as compared to average throughout the country.

Situation is extremely alarming at occupied territories in Abkhazia. Children from IDP refugee families are frequently specified by behavior and psychological defects, which have been caused and inflicted by war and eviction followed after that. Majority of refugee families suffer from food deficiency. As consequence, rate of anemia, iron deficiency is high among those children. Many IDP and refugee families live in a single room.

Children have not their own beds and are compelled to share same bed with parent. As a result of it and due to lack of food, such children are frequently suffering disturbances caused by improper development of skeleton and joint system.

[...]

There are many under age children in Georgia who make their living by begging. Among them are children both from poor families and children whose parents let them go to the streets “to make money”, as well as so-called “street children” – children living completely independent and always in search of shelter. There are, officially registered nearly 4000 of them, but based on unofficial sources their number, as a minimum is twice as much. This category of children are specified by the same problems that are inherent to entire society, although their social condition is very hard and their rights are more frequently violated.

[...]

The law doesn't restrict children's sex-tourism. All these make promoting area for commercial exploitation of children, abduction, trafficking, especially in the existing severe economic situation. Un-accompanied, un-supervised adults, being at loss or difficulties often become the victims of organized crime – trafficking for prostitution;

The data provided by JHU hot line service affirms extreme situation concerning the prostitution among adolescents in the country: half (50%) of total prostitution is represented by the prostitution in adolescents.

Abduction of children from wealthy families is frequent. (It's also confirmed by facts provided by the Ministry of Internal Affairs given in the state report).

[...]

Problem of juvenile delinquency is still pressing in Georgia. Actually nobody care of the children being in penitential system despite of their special need for psychical and medical rehabilitation. It's necessary to start working with them in penitential system for easy re-integration of these children in society and saving them for the country.

The system of juvenile legislation is not in compliance with the convention; especially it concerns the Criminal Code.

[...]