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2023 Trafficking in Persons Report: Georgia

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GEORGIA (Tier 1)

The Government of Georgia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period, considering the impact of the COVID-19 pandemic, on its anti-trafficking capacity; therefore Georgia remained on Tier 1. These efforts included investigating more cases and screening more vulnerable people for indicators of trafficking. The government developed guidelines for labor inspectors on identifying labor trafficking victims and created a group of specialized labor inspectors for labor trafficking cases. The government established a new mobile group with a total of eight members to identify potential victims among vulnerable children who experienced homelessness or used the streets as a source of livelihood. The government updated procedures and questionnaires for victims to receive official victim status and increased resources to the government-run anti-trafficking shelters. Anti-trafficking coordinating bodies met consistently and adopted the 2023-2024 Anti-Trafficking NAP. Although the government meets the minimum standards, it convicted fewer traffickers and identified its lowest number of victims since 2016. Police conducted some ad hoc law enforcement actions on commercial sex establishments without a clear strategy on victim identification, and authorities continued to lack knowledge of how to investigate and collect evidence in complex cases involving financial crimes, organized crime, and digital evidence. Law enforcement required victims to remain in country through the end of the trial, likely hindering victim cooperation from foreign victims wanting to repatriate, and judges never awarded restitution in criminal cases. The government did not adequately publish public assessments or information on its efforts.

PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking crimes and convict traffickers.

Increase efforts to identify victims proactively, particularly individuals in commercial sex, child laborers and/or homeless children, and Georgian and foreign victims in vulnerable labor sectors.

Increase resources to plan intelligence and evidence-led law enforcement operations with victim-centered approaches.

Encourage victims' participation in investigations and prosecutions through victim-centered court procedures, including remote testimony or funding for travel and other expenses for victims to attend court hearings.

Implement procedures to improve the Permanent Group's ability to identify victims consistently and accurately.

Improve law enforcement's capacity to investigate complex cases, including advanced training on money laundering, organized crime, and digital evidence.

Further incorporate the Labor Inspectorate into anti-trafficking efforts and increase its capacity and training to identify victims.

Improve measures to order restitution for victims, including training prosecutors and judges on asset seizure and legal assistance.

Establish procedures to license and monitor recruitment agencies and prevent recruitment fees and other trafficking vulnerabilities.

Increase the capacity and knowledge of civil society to identify and refer trafficking victims.

Increase awareness-raising campaigns about the existence of trafficking, legal recourse, and available protection services for vulnerable groups.

Develop guidelines and procedures for victim-witness coordinators and other victim assistance providers to strengthen coordination.

Increase transparency of the inter-ministerial trafficking coordination council and regularly publish information on the government's anti-trafficking efforts.

PROSECUTION

The government maintained law enforcement efforts. Articles 143-1 and 143-2 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties ranging from seven to 12 years' imprisonment for offenses involving an adult victim, and eight to 12 years' imprisonment for offenses involving a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. Law enforcement investigated 19 new cases, compared with 18 new cases in 2021; eight were sex trafficking cases, seven labor trafficking cases, and four forced criminality cases. Law enforcement also continued to investigate eight cases from previous reporting periods. The government prosecuted five defendants, the same number as in 2021; three for forced begging and forced criminality and two for labor trafficking. Courts convicted two labor traffickers, compared with five labor traffickers in 2021. Judges sentenced the two traffickers to seven years' imprisonment and four years and six months' imprisonment, respectively. The criminal code criminalized "abuse of services of a victim of human trafficking" but authorities have never investigated a suspect, particularly because of the difficulty in proving a suspect reasonably knew or suspected a person was a trafficking victim. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes.

The government maintained several specialized trafficking units, including the Anti-Trafficking and Illegal Migration Unit in the Central Criminal Police Department (CCPD) and its six mobile units. The General Prosecutor's Office (GPO) maintained five specialized prosecutors dedicated to trafficking cases, and the Adjara Police Department operated a task force in the Adjara Autonomous Republic with specialized investigators and prosecutors. Mobile units and the task force proactively investigated trafficking and inspected hotels, bars, bathhouses, nightclubs, casinos, and other high-risk businesses; mobile units and the task force inspected 65 businesses (130 in 2021), which led to seven potential trafficking cases. The CCPD updated an MOU between mobile units and labor inspectors to conduct joint inspections to identify forced labor. The Tbilisi City Court maintained a 10 judge panel that heard "crimes against human rights and freedom," including trafficking, and the Tbilisi Court of Appeals also maintained seven specialized judges assigned to handle "crimes against human beings," which included trafficking, but the remaining 27 courts did not have specialized judges. In response to the pandemic, courts continued a small number of remote hearings, and the GPO equipped all offices with appropriate technical equipment and software. Despite several convictions of labor traffickers, observers reported the government lacked the knowledge and

capacity to investigate forced labor, and authorities continued to require training on corroborating victim testimonies and evidence collection in complex cases involving financial crimes, organized crime, and digital evidence. Police randomly actioned some commercial sex establishments rather than conducting intelligence-led operations, and observers reported a lack of transparency after police actions, including information on what happened to the individuals involved in commercial sex. The Ministry of Internal Affairs (MOIA) operated an academy that provided trafficking courses for police and border police, and the government, with financial and technical support from international organizations (IO), trained investigators, mobile unit members, border patrol, prosecutors, and labor inspectors on various anti-trafficking issues. The government submitted one mutual legal assistance request from foreign authorities and received four mutual legal assistance requests from foreign authorities. The government extradited an Israeli suspect to Ukraine for trafficking

PROTECTION

The government increased protection efforts despite identifying very few victims. The government identified two victims – a significantly lower number compared with anecdotal trends on trafficking in Georgia – compared with four victims in 2021. Of these, one girl was a victim of forced begging and forced criminality, and one man was a victim of labor trafficking. First responders used SOPs for victim identification, including the proper treatment of victims, screening for indicators, and victim-centered interview practices. Mobile units and the task force maintained separate SOPs and guidelines and screened 456 individuals in commercial sex, begging, or employed in vulnerable sectors for trafficking indicators (444 in 2021). CCPD and labor inspectors also conducted joint inspections and interviewed an additional 60 individuals vulnerable to labor trafficking. The government created a group of specialized labor inspectors to identify labor trafficking and opened branch offices in Batumi and Kutaisi and, in cooperation with an IO, developed guidelines for labor inspectors on identifying labor trafficking victims. The Agency for State Care (ASC) operated eight mobile groups responsible for identifying potential victims among vulnerable children who were experiencing homelessness or used the streets as a source of livelihood, including a new mobile group created in September 2022 in the Adjara region; mobile groups assisted 301 children (245 in 2021). Observers reported victim identification efforts, particularly law enforcement actions on commercial sex establishments, were proven ineffective by the low number of identified victims. Observers reported most identification efforts were led by the government as civil society mostly did not work in anti-trafficking because of a lack of grants and programs.

A multidisciplinary NRM provided SOPs for official identification and referral of victims to services. Law enforcement officially recognized victims who participated in investigations, and the Permanent Group assessed and officially recognized victims who declined to participate in investigations; both recognitions granted victims access to the same protection and assistance services. The Permanent Group, composed of three local NGO and two IO representatives, was required by statute to convene and assess a potential victim within 48 hours. Law enforcement officially recognized two victims (four in 2021), but the Permanent Group did not recognize any victims in 2022 and 2021. GRETA, OSCE, and other experts reported the threshold to obtain official victim status through the Permanent Group was high and shifted the burden of proof to victims; however, the government updated the Permanent Group's procedures and questionnaires to rectify this.

ASC-run crisis centers in five cities and NGOs provided initial psychological care, medical assistance, legal support, and temporary shelter for potential victims awaiting official victim status. In addition, the ASC operated anti-trafficking shelters in Tbilisi and Batumi that provided victim assistance programs for official victims. The government allocated 1,004,201 lari (\$376,810) to the government-run anti-trafficking shelters, a significant increase compared with 400,000 lari (\$150,100) in 2021. ASC-run shelters provided medical aid, psycho-social support, legal assistance, childcare services, reintegration support, and a one-time financial payment of 1,000 lari (\$375) to victims; two victims received support and cash assistance. In April 2021, the government amended the law to remove a clause that denied victims the 1,000 lari (\$375) cash assistance if they received restitution. Child victims received the same specialized assistance, in addition to custodial care, education, and family reintegration programs. ASC-run shelters were staffed by a nurse and psychologist and offered separate areas for men, women, and children. Victims can initially stay at the shelter for three months, which authorities may extend upon the victim's request; the government-run shelters accommodated seven victims (nine in 2021). Shelter staff chaperoned victims when leaving the shelter, but victims could request to leave the shelter unchaperoned. ASC-run shelters provided personal protective equipment, disinfectants, and COVID-19 tests and adopted social distancing measures, including a space for victims to quarantine for 14 days before moving to the shelter. In 2021, ASC-run shelters also organized an epidemiologist to train staff members on victim assistance during the pandemic and created an online platform to offer virtual legal and psychological assistance. In previous years, experts reported an inability to assess the quality of services at ASC-run shelters because of a lack of independent evaluations of the operations and conditions, but experts reported ASC-run shelters focused more on victims of domestic violence because of the low number of identified trafficking

victims. The ASC also operated six shelters and seven crisis centers for vulnerable children who experienced homelessness or used the streets as a source of livelihood.

Authorities screened 1,274 Georgian nationals deported from other countries for trafficking indicators at the international airport and border crossings (624 in 2021). The government provided equal services for Georgian citizen and foreign national victims and granted foreign victims renewable one-year residence permits with the ability to seek legal employment; no victims required residence permits in 2022 or 2021. The government could provide repatriation assistance to Georgian victims returning to Georgia and foreign victims wishing to leave Georgia; no victims required repatriation assistance in 2022 or 2021. The law required closed-door sessions for court proceedings and allowed victims pending trial to leave the country; however, experts reported, in practice, law enforcement required victims to remain in the country through the end of the trial, likely hindering victim cooperation, particularly from foreign victims wanting to repatriate because of slow court proceedings. One victim assisted law enforcement (nine in 2021). The GPO maintained 14 victim-witness coordinators that supported victims during proceedings, including legal and logistical assistance and measures to prevent re-traumatization. In addition, the government amended the criminal code in June 2021 to allow investigators to assign MOIA's victim-witness coordinators to victims from the onset of an investigation; GPO and MOIA victim-witness coordinators assisted two victims and eight witnesses (eight victims and 10 witnesses in 2021). However, an IO reported the lack of standardized interactions among MOIA and GPO victim-witness coordinators, the ASC, and other interlocutors likely created coordination issues. The government established a social service center for child victims of sexual violence, including trafficking, that provided child-friendly assistance during investigations and court proceedings. The law allowed recorded testimony or testimony by other technological means; no witnesses testified remotely (seven witnesses testified remotely in 2021). The law also allowed the possibility of placing a victim into the state's witness protection program; no victims required the use of witness protection in 2022 or 2021. Victims could obtain restitution through criminal proceedings or compensation through civil suits; however, judges have never awarded restitution in criminal cases and only awarded compensation in civil suits to three victims to date. Observers highlighted the failure to freeze and seize criminal assets as an obstacle to pursuing restitution from traffickers.

PREVENTION

The government slightly increased prevention efforts. The Inter-Agency Council on Combating Trafficking in Persons (TIP Council), composed of representatives from various ministries, the international community, and civil society, coordinated anti-trafficking efforts; the TIP Council met three times. The TIP Council also drafted and adopted the 2023-2024 NAP and approved the “Governmental Strategy to Protect Homeless Children from Violence, including Trafficking in Persons.” The TIP Council published information and statistics on anti-trafficking efforts on the Ministry of Justice’s website; however, observers continued to report the TIP Council did not provide public assessments of government efforts and lacked transparency. The government organized awareness campaigns targeting Georgians in rural areas, the public, and students. The GPO maintained a working group on forced labor, which met once in 2022 and 2021. The MOIA continued to operate an anti-trafficking hotline, and the ASC also operated an anti-trafficking hotline; the MOIA hotline received 14 calls related to trafficking, and the ASC hotline received 19 calls (24 in 2021).

The Law on Labor Safety entered into force in September 2019 and expanded occupational safety, health standards, and regulations, including unannounced inspections. In January 2021, the government established the Labor Inspection Service and increased the number of inspectors to 123 from 109 in 2021. Labor inspectors conducted 830 inspections (140 in 2021) but did not identify any cases of forced labor (one in 2021). The government did not have a work permit system for migrant workers, nor did it license and monitor recruitment agencies or prohibit recruitment fees. The Ministry of Internally Displaced Persons, Labor, and Health and Social Affairs required intermediary companies in Georgia, assisting Georgian citizens in finding employment abroad, to submit annual reports and register activities. The government issued a fine of 1000 lari (\$325) to intermediary companies that did not register an activity, and a fine of 300 lari (\$100) for failing to submit an annual report; 11 companies were fined in 2022 and in 2021. The government did not reduce the demand for commercial sex acts.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Georgia, and traffickers exploit victims from Georgia abroad. Traffickers recruit victims with false promises of well-paying jobs in tea processing plants, hospitals, salons, restaurants, and hotels. Traffickers exploit women and girls from Georgia in sex trafficking inside the country and in Cyprus, Egypt, Türkiye, and the UAE. Georgia is also a transit country for women from Kyrgyzstan, Tajikistan, and Uzbekistan exploited in Türkiye. Traffickers exploit women from Central Asia, particularly Kyrgyzstan and Uzbekistan, in sex trafficking in the tourist areas of

the Adjara region and larger cities like Tbilisi and Batumi in saunas, brothels, bars, strip clubs, casinos, and hotels. Georgian men and women are exploited in forced labor in Georgia and in Cyprus, Egypt, Türkiye, and the UAE. Georgian, Romani, and Kurdish children are subjected to forced begging and are sometimes coerced into criminality in Georgia. Traffickers adapted operations to the impacts of the pandemic and shifted recruitment and advertisement tactics to online means, such as communicating through chats and establishing websites and advertisements for escort services. In addition, traffickers exploited victims in private apartments, rather than public facilities, such as brothels and strip clubs, because of pandemic mitigation measures. Women from the People's Republic of China working in the commercial sex industry and Southeast Asian women working in massage parlors are vulnerable to sex trafficking. Georgian, Romani, and Kurdish children, in addition to children of Armenian refugees and children of IDPs from South Ossetia and Abkhazia, who are homeless or use the streets as a source of livelihood, are vulnerable to trafficking, particularly forced begging. Ukrainian refugees fleeing Russia's war against Ukraine and Russians fleeing conscription are also vulnerable to trafficking.

RUSSIA-OCCUPIED REGIONS OF ABKHAZIA AND SOUTH OSSETIA

The Russia-occupied regions of Abkhazia and South Ossetia remained outside Georgian government control and were supported by Russian forces. Russia and Abkhaz representatives limited the ability of IOs to operate in Abkhazia, although IOs had greater ability to operate there than in South Ossetia. As a result, no information was available about the presence of trafficking or the Abkhaz and South Ossetian representatives' efforts to combat trafficking. However, NGOs consider IDPs in Georgian-controlled territory from Russia-occupied territories particularly vulnerable to trafficking. Separately, some observers reported anecdotal evidence of migrants being subjected to forced labor, and workers from the Democratic People's Republic of Korea (DPRK) in Abkhazia may have been forced to work by the DPRK government.

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