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USDOS – US Department of State

Trafficking in Persons Report 2018 - Country Narratives - Georgia

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; therefore Georgia remained on Tier 1. The government demonstrated serious and sustained efforts by updating law enforcement guidelines for victim identification, including on the treatment of victims, screening for indicators at border posts, and victim-centered interview practices. The government identified more victims and continued to provide comprehensive care. During the year, the government created and issued a grant for an NGO to organize awareness-raising activities in 10 cities and separately provided a new allocation to two NGOs to identify and support the reintegration of street children. Although the government meets the minimum standards, victim identification remained inadequate for children in exploitative situations on the street and Georgian and foreign workers in vulnerable labor sectors. As in previous years, the labor inspectorate operated with an unclear mandate, which inhibited inspectors' ability to effectively investigate employers. No trafficking victims have ever received restitution from their traffickers and observers reported the government lacked public transparency, as it did not provide public assessments of its own anti-trafficking efforts.

RECOMMENDATIONS FOR GEORGIA

Improve efforts to proactively identify trafficking victims, particularly street children and Georgian and foreign victims in vulnerable labor sectors; further incorporate the labor inspectorate in anti-trafficking efforts with a clear mandate that establishes roles and responsibilities and enables unannounced inspections of employers; vigorously investigate, prosecute, and convict traffickers under article 143; increase law enforcement capacity to investigate complex cases, including advanced training for money laundering, organized crime, and digital evidence; improve measures to guarantee victims' access to compensation, including asset seizure, informing victims of their rights to compensation, and legal assistance; increase transparency of the inter-ministerial trafficking coordination council and provide public assessments; fully implement the law that provides street children with free government identification;

create interagency strategies for reducing vulnerability and countering forced begging; and target awareness-raising campaigns about the existence of human trafficking, legal recourse, and available protection services to vulnerable groups.

PROSECUTION

The government maintained law enforcement efforts. The Law on Combating Trafficking in Persons and article 143 of the criminal code criminalized all forms of trafficking and prescribed penalties ranging from seven to 20 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The law defined trafficking broadly to include illegal adoption without the purpose of exploitation. The government investigated 23 new cases (16 in 2016). The government prosecuted four defendants, all for sex trafficking, compared to one for sex trafficking and one for forced begging in 2016. The government convicted four traffickers (one in 2016); traffickers received sentences between 10 and 13 years imprisonment. In addition, the government extradited two alleged traffickers.

The government maintained several specialized units, including the Anti-Trafficking and Illegal Migration Unit within the Central Criminal Police Department and four mobile groups and task forces under the Ministry of Internal Affairs (MOIA). Observers reported the task force in Adjara was understaffed, faced regular staff turnover, and lacked experienced investigators and female investigators. Experts reported the government continued to develop capabilities to investigate trafficking cases but required additional advanced training for complex cases involving money laundering, organized crime, and digital evidence. The government reported the inability to conduct anti-trafficking efforts within the breakaway territories of Abkhazia and South Ossetia. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. All police cadets received basic training on trafficking issues.

PROTECTION

The government slightly increased protection efforts. The government identified 12 victims (three victims in 2016); 10 victims of sex trafficking and two victims of forced labor (three sex trafficking victims in 2016); all victims were female in 2016 and 2017; and one was a child. The government updated law enforcement guidelines for victim identification, including the treatment of victims, screening for indicators at border posts, and victim-centered interview practices. Mobile groups and task forces screened 682 individuals working at hotels, bars, nightclubs, and bathhouses for trafficking indicators and another 55 individuals deemed as “high-risk” from working at businesses that violated labor standards. Authorities also screened 3,085 Georgian nationals deported from other countries for trafficking indicators at the international airport and border crossings. A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures for identifying and referring 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. The Permanent Group comprised a five-member board of non-governmental and international organization representatives and was required by statute to convene and assess a potential victim within 48 hours. An NGO provided initial psychological care and temporary shelter for potential victims awaiting official victim status, but an international organization reported an increase in identified victims would cause delays in the 48-hour identification period and constraints in accommodating potential victims. Observers reported the NRM worked effectively and demonstrated strong cooperation between law enforcement and victim assistance agencies; however, victim identification of children in exploitative situations on the street and Georgian and foreign workers in vulnerable labor sectors remained inadequate.

The government operated two specialized shelters and provided medical aid, psychological counseling, legal assistance, childcare services, reintegration support, and a one-time financial payment of 1,000 lari (\$380) to victims. Child trafficking victims received the same assistance specialized for minors, in addition to custodial care, education, and family reintegration programs. The government allocated 211,600 lari (\$81,070) to the anti-trafficking shelters in Tbilisi and Batumi and other victim assistance programs, compared to 269,220 lari (\$103,150) in 2016. Victims could initially stay at the shelter for three months, which could be extended upon the victim's request; the government-run shelters accommodated two victims identified in 2017. The government-run shelters staffed a nurse, social worker, lawyer, and psychologist and offered separate sections for men, women, and children. Shelter staff chaperoned victims when leaving the shelter but victims could request to leave the shelter unchaperoned. In addition to equal services for domestic and foreign victims, the government reported foreign trafficking victims were eligible for renewable one-year residence permits with the ability to seek legal employment. The law prohibited penalizing trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking; the government reported no such penalization in 2017. The government provided repatriation assistance to Georgian victims returning to Georgia and foreign victims wishing to leave Georgia; three victims received repatriation assistance to return to their home countries in 2017.

The government reported encouraging victims to assist law enforcement with investigations and prosecutions, although their assistance was not required to receive government support; eight victims assisted law enforcement (three in 2016). The Prosecutor General's Office's Victim-Witness Coordinators provided counsel to victims from the beginning of the investigation through the end of the court proceedings. Observers reported prosecutors and judges applied victim-centered approaches to prevent re-traumatization during trial. The law allowed recorded testimony or testimony by other technological means; the Ministry of Justice (MOJ) reported none of the trials required such measures in 2017. Victims could pursue financial restitution through civil suits but no trafficking victims have ever received restitution from their traffickers. Observers highlighted the failure to freeze and seize criminal assets as an obstacle to pursuing restitution from traffickers.

PREVENTION

The government increased prevention efforts. The Interagency Council on Combating Trafficking in Persons (TIP Council) monitored implementation of the 2017-2018 national action plan, but observers reported the TIP Council did not provide public assessments and lacked public transparency. In October, the government created and issued a 25,000 lari (\$9,580) grant to an NGO to organize awareness-raising activities in 10 cities. The government continued to disseminate leaflets on various trafficking issues at border crossings, tourism information centers, metro stations, and public service halls throughout the country. Government officials funded and participated in a number of television, radio, and print media programs to raise awareness. The government organized anti-trafficking information meetings in villages and towns, presenting to different target groups, including primary school and university students, minorities, internally displaced persons, and journalists. The government continued to fund an anti-trafficking hotline operated by MOIA and another hotline operated by the State Fund that received calls from trafficking victims. The hotlines received 118 calls in 2017 and led to the identification of one victim.

MOJ provided 54,000 lari (\$20,690) to two NGOs to identify and support the reintegration of street children; the NGOs identified 105 children living on the streets. Authorities provided three street children with government identification, as authorized in a June 2016 law providing free identification documents to street children, which allowed them to receive public assistance, including health and education services for children who are undocumented foreign citizens. MOJ issued 13 temporary identification documents to homeless children, one permanent identity card and five passports to known or suspected trafficking victims. The Law on Labor Migration regulated the operation of labor recruitment agencies; however, the labor inspectorate continued to have an unclear mandate due to a lack of substantive labor laws and unclear authority to conduct unannounced inspections. The labor inspectorate inspected 64 businesses and fined 610 foreign laborer recruiters for failing to provide information on the Georgian citizens assisted to find work outside the country and hosted three meetings with private businesses to explain signs of trafficking, legal consequences, and other forced labor issues. The government did not report efforts to reduce the demand for commercial sex and forced labor. The government provided anti-trafficking training for its diplomatic personnel and its armed forces prior to deployment as peacekeepers.

TRAFFICKING PROFILE

As reported over the past five years, Georgia is a source, transit, and destination country for women and girls subjected to sex trafficking and men, women, and children subjected to forced labor. Traffickers recruit victims with false promises of well-paying jobs in tea processing plants, hospitals, salons, restaurants, and hotels. The majority of identified trafficking victims are young, foreign women seeking employment. Women and girls from Georgia are subjected to sex trafficking within the country, in Turkey, and, to a lesser extent, in China and the United Arab Emirates. Georgia is also a transit

country for women from Kyrgyzstan, Tajikistan, and Uzbekistan exploited in Turkey. Women from Azerbaijan and Central Asia are subjected to forced prostitution 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 subjected to forced labor within Georgia and in Turkey, United Arab Emirates, Egypt, Cyprus, and Iraq. Georgian, Romani, and Kurdish children are subjected to forced begging and coerced into criminality in Georgia. No information was available about the presence of human trafficking in the separatist regions of Abkhazia and South Ossetia; however, the government and NGOs consider internally displaced persons from these occupied territories particularly vulnerable to trafficking.

ecoi.net summary:

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