



The situation of children with disabilities in the Republic of Georgia

EDF written input to the CRC Committee

European Disability Forum | April 2024

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Introduction

The European Disability Forum

The European Disability Forum (EDF) is an umbrella organisation of persons with disabilities that advocates for the rights of over 100 million persons with disabilities in Europe.

EDF is an independent non-governmental organisation that brings together representative organisations of persons with disabilities (OPDs/DPOs) from across Europe. EDF currently has 101 members, including European-wide organisations representing various disability groups, and national council of persons with disabilities. Taking into account our members' memberships, EDF gathers over 3000 organisations. EDF is run by persons with disabilities and their families.

Methodology and limitations

Information for the written input was gathered through desk research, input from EDF partners in Georgia, and a field visit supported by the UN Partnership on the Rights of Persons with Disabilities (PRPD) in December 2023.

The main limitation of this written input is the lack of accurate data about children and adults with disabilities and high support needs (HSN) in Georgia, and where they live – in institutions, foster family care or with their families.

Background and overview

According to 2017 data from the Ministry of Labor, Health, and Social Affairs, there are 10,052 children with disabilities receiving social assistance in Georgia.¹ The 2014 census reports 5,172 children with disabilities.² 3% of the population—including 1.4% of children—have the official status of person with disabilities³

There is a discrepancy between data sources in Georgia for cases of children with disabilities. “The lack of data constrains Georgia in monitoring and evaluating its commitments to gender and disability-inclusive development. It also challenges the country to effectively plan and take action based on evidence. The lack of data makes it impossible to discern the real extent of disability in Georgia and, accordingly, the specific needs of persons with disabilities and their families. The lack of statistical data was raised repeatedly in a report on the implementation of nearly every article of the CRPD, especially article 31 on statistics and data collection.”⁴

Deinstitutionalisation has been a priority of government and civil society for 20 years and there has been significant progress. Georgia has closed all large institutions for children and

¹ Data Analysis on persons with disabilities living in Georgia. <https://idfi.ge/en>. (2018). https://idfi.ge/en/data_analysis%20on_persons_with_disabilities_living_in_georgia

² 2014 General Population Census. (2016, 28 April). National Statistics Office of Georgia. https://migration.commission.ge/files/census_release_eng_2016.pdf

³

<https://www.unicef.org/georgia/media/8421/file/The%20Cost%20of%20Raising%20a%20Child%20with%20Disabilities%20in%20Georgia.pdf>

⁴ UNWOMEN. (2021). Mapping gender and disability data in Georgia: Recommended indicators and actions. [unwomen.org. https://georgia.unwomen.org/en/digital-library/publications/2021/04/mapping-gender-and-disability-data-in-georgia-recommended-indicators-and-actions#view](https://georgia.unwomen.org/en/digital-library/publications/2021/04/mapping-gender-and-disability-data-in-georgia-recommended-indicators-and-actions#view)

reduced the number of children in large institutions to zero. In 2022, the children from the remaining large state institutions moved to small group homes/family-type homes (max 10 children), foster care (maximum of 4 children, including biological), biological family care, 24-hour emergency shelters (for children living on the street), and adoption.⁵

Small group homes

According to interviews with government officials, as of 2023, Georgia had 38 small group homes for children. Four of the homes are specialized for children with high support needs, housing 28 children. The remaining 34 homes house 233 children with and without disabilities. According to interviews with state officials, the maximum number of children in each small group home is 10.

Foster care

According to interviews with government, in 2023, there were 1,654 children in foster care in Georgia. Foster care is broken into three categories: regular, kinship, and specialized foster care. Foster families are permitted to have no more than four children in the home, including biological children.

- Regular foster care: 351 families for 1,122 children with and without disabilities
- Kinship foster care: 97 families for 150 children
- Specialised foster care: 182 families for 382 children

Unregulated institutions

In a 2018 report, UNICEF found 38 unregulated institutions in Georgia with 924 children. These institutions are managed by various NGOs and faith-based groups including the Georgian Orthodox Church and the Muslim Community. Parents often leave the child in the private institution because according to the law of Georgia, if a parent wants to put their child in state care, they must give up parental rights.⁶

⁵ OHCHR. (2023, April 18). CEDAW/c/geo/CO/6: Concluding observations on the Sixth Periodic Report of Georgia | ohchr. OHCHR.org. <https://www.ohchr.org/en/documents/concluding-observations/cedawcgeoco6-concluding-observations-sixth-periodic-report>

⁶ Child protection. UNICEF Georgia. (2018). <https://www.unicef.org/georgia/child-protection-0>

According to interviews with the DI committee, private institutions are not under the control of the government and not in line with state policy. A 2019 monitoring report of childcare systems by the Ombudsman of Georgia found that the Social Service Agency is not involved in children's enrollment and discharge from these institutions and does not control educational conditions and environment in the boarding schools. Entry and exit of the institutions is carried out without the involvement of responsible state entities. The report found that underage individuals of these institutions are absolutely unprotected.⁷

A 2021 monitoring report of one private institution by the Ombudsman of Georgia found that the institution failed to protect the health of children, care for their psycho emotional condition, provide proper food, ensure age-appropriate development, and ensure education. In addition, the report found systemic violations of the rights of children and behavior that may be equated with torture, degrading, and humiliating treatment of children. Children were virtually isolated from the outside world, which made them particularly vulnerable to violence and neglect and affected the aspects of their readiness for independent living.⁸

There is no reliable data on how many children in these unregulated institutions have disabilities.

Inclusive education

In 2018, the government reported 2084 public school buildings. Of those, 120 public school buildings are fully adapted and 690 are partially adapted to become accessible for children with disabilities.⁹

⁷ Public Defender of Georgia. (2019b). Monitoring of Child Care System – Effectiveness of Alternative Care. ombudsman.ge. <https://www.ombudsman.ge/res/docs/2019051418581765162.pdf>

⁸ Public Defender of Georgia. (2021). MONITORING REPORT ON SPECIALIZED FACILITIES FOR CHILDREN/PERSONS WITH DISABILITIES. ombudsman.ge. <https://www.ombudsman.ge/res/docs/2021091609440324621.pdf>

⁹ Inclusive Education in Pilot Public Schools . ombudsman.ge. (2019). <https://www.ombudsman.ge/res/docs/2019062019103121729.pdf>

Recommendations

Significant progress has been made in the deinstitutionalization process for children, but it cannot be considered complete. Although all large state institutions have closed, there are still children in unregulated institutions, outside state regulations, and at significant risk of harm. Georgia should enact a moratorium on the building, development or opening of new residential institutions for children or adults with disabilities and institute regulations so no children with disabilities can be admitted to institutions without state authorization. They should ensure all institutions are officially regulated; subject to the same rules as state services; and regularly monitored.

An unknown number of children with and without disabilities live in unregulated institutions in Georgia. Reports from international and government organisations show the harm caused by these institutions. Georgia should develop a DI strategy for all remaining non-state institutions for children.

Georgia has had success in foster family care, but there is a high incidence of violence and abuse, as well as a lack of access to assistive devices and other necessary services for children with disabilities.¹⁰ In 2019, UNICEF and the Ombudsman's office reported that "when it comes to beneficiaries with disabilities, there is a serious problem of providing adjusted environment and assistive devices to them. Some 32% of beneficiaries lacked necessary assistive devices while in foster families and 8.3% of beneficiaries with disabilities could not move outside the house."¹¹ In addition, 24.2% of minors report physical or psychological violence from foster parents. Georgia should evaluate the DI process for children and review current services, including:

- Review processes for selecting, remunerating, training, supporting and monitoring foster families – strengthen where necessary
- Ensure training of foster families is based on the specific needs and rights of the children they will care for, particularly in the case of children with disabilities
- Ensure provision of all necessary assistive devices, adaptations to homes

¹⁰ UNICEF. (2019). Monitoring of Child Care System – Effectiveness of Alternative Care. Ombudsman.ge. <https://ombudsman.ge/res/docs/2019051418581765162.pdf>

¹¹ UNICEF. (2019). Monitoring of Child Care System – Effectiveness of Alternative Care. Ombudsman.ge. <https://ombudsman.ge/res/docs/2019051418581765162.pdf>

There continues to be an over-reliance on small group homes for children, particularly for children with high support needs (HSN). Some young children continue to be placed in small group homes and there is insufficient support for children with disabilities and HSN. The small group homes are not providing adequate services to meet all children's needs, help them develop their talents, and get ready for adult life included in the community.

Monitoring visits to the small group homes found that children with HSN were lying in bed for long periods and lacked stimulation and access to education. It appears that the practices from the institutions transferred across to the small group homes.

Georgia should review small group homes for children, strengthen support for their education and development of their talents, improve safeguarding, and end the use of inappropriate behaviour control methods. Georgia should prioritise the development of family reunification and foster family care for young children and children with disabilities currently living in SGHs, as they are likely to suffer greater harm as a result of institutionalization than their peers without disabilities.¹²

Georgia should develop a system for centralized data collection on all children in institutions and other care/support services including state, non-state, and unregulated. Data should be disaggregated by age; gender; disability and type of disability and should include information on costs and outcomes.

Georgia should carry out a comprehensive financial analysis of the system of services for children with disabilities – and use that data to redirect resources away from residential care to family-based care for children with disabilities.

Georgia should prioritise development of a proper programme of education, development, and rehabilitation for children with disabilities and HSN and ensure all children are included in formal education – especially those with high support needs.

¹² Marinus H van IJzendoorn, Marian J Bakermans-Kranenburg, Robbie Duschinsky,, Nathan A Fox, Philip S Goldman, Megan R Gunnar, Dana E Johnson, Charles A Nelson, Sophie Rejman, Guy C M Skinner, Charles H Zeanah, Edmund J S Sonuga-Barke (2020) Institutionalisation and Deinstitutionalisation of children 1: a systematic and integrative review of evidence regarding effects on development. The Lancet.

Georgia should be making all efforts to ensure families are supported to stay together. They should review and strengthen support services for vulnerable families in order to prevent new admissions to care.

Document credits

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