

Georgia: Children and the military

Pre-session

Submission to the Committee on the Rights of the Child on the
combined fifth and sixth periodic reports of Georgia

December 2023

Summary

- **Deficient reporting.** The State party has not replied to the Committee's request for statistics on the number of asylum-seeking and refugee children from areas affected by armed conflict and the support they may have received.
- **Child recruitment.** Despite a clear prohibition on military recruitment under the age of 18, Georgia allows military higher education institutions to enrol older children as full members of the armed forces undergoing military training.
- **Military schools.** The State party has not addressed the Committee's concerns that the curriculum includes the use of live firearms and that students have no access to an independent complaints mechanism. The disciplinary arrangements at military schools are unknown.
- **Military training in civilian schools.** Although Soviet-era military training programmes in secondary schools have now run down, the Ministry of Defence declared its intention in 2010 to 'provid[e] military trainings at schools'.
- **Military youth activities.** Georgia's 'Patriot Camps' for the military training of thousands of children have reportedly been abolished. It is unknown whether similar activities continue in another form.
- **Questions and recommendations.** The submission ends with some suggested questions and recommendations for the examination of the State party report.

Introduction

The Child Rights International Network (CRIN) and Conscience and Peace Tax International (CPTI) present these observations as part of their project to monitor

progress in implementing the Optional Protocol to the Convention on the Rights of the Child (CRC) on the involvement of children in armed conflict (OPAC).

Country situation

Context:	Following the break-up of the Soviet Union, Georgia gained independence and was admitted to UN membership in 1992. The western region of Abkhazia, supported by the Russian Federation, seceded and declared independence in 1999, which remains unrecognised by most states. In 2008, Russia invaded and occupied the Tsinkvali (South Ossetia) region. Russia maintains military bases in both contested regions. ¹
Population (2022):	4.6 million. ²
Armed forces personnel (2022):	Active strength: 20,650 (est.) ³
Military service:	Compulsory for all males from age 18. Duration: 12 months, to be reduced to six months from 2025.
Conscientious objection:	Alternative civilian service of 18 months is believed to be available but may not be implemented in practice.
OPAC ratified:	2010.
OPAC report:	CRC/C/OPAC/GEO/1 , 2017 (with list of issues CRC/C/OPAC/GEO/Q/1 and replies CRC/C/GEO/Q/1/Add.1 , both 2019). Concluding observations CRC/C/OPAC/GEO/CO/1 , 2019.
CRC reviews since OPAC report:	None.

Issues arising

Deficient reporting

In the list of issues in advance of Georgia's report, the Committee asked a single question with regard to OPAC, which requested statistics on:

- '(a) Children recruited by terrorist groups;
- (b) Asylum-seeking and refugee children entering the State party from areas

¹ Conciliation Resources, '[History of the Georgian-Abkhaz conflict](#)', n.d.

² International Institute for Strategic Studies, *The Military Balance*, 2023.

³ Ibid.

where children may have been recruited or used in hostilities;
(c) Children benefiting from physical and psychological recovery and social reintegration measures.’ (para 52)

The State party has replied only to part (a), asserting that no children have been recruited by terrorist groups.

Child recruitment

The State party’s binding OPAC declaration specifies 18 years as the minimum age for military recruitment (see Appendix), citing national legislation to the same effect.⁴ The State party’s report under OPAC repeats this (para 43).

Nonetheless, adolescent children may be recruited as members of the armed forces via higher military education institutions. Para 45 of the State party’s OPAC report reads:

‘... the Law on Military Obligations and Military Service provides the possibility for persons to learn in high military educational institution [*sic*] under 18 as an exception [to the minimum age of call-up for military service].’

Although Georgia’s OPAC report claims that students are not classified as members of the armed forces (para 47), the Law on Military Duty and Military Service states the opposite:

‘[T]he following persons registered for military service, having completed general and/or higher education, and are admitted to military schools, *are considered servicemembers* and called attendees: a) persons who have not done compulsory military service and are registered for conscription...

‘Attendees are granted an entry-level military rank of private...

‘An attendee... *is considered to be a servicemember in contracted (professional) service*’⁵ [emphasis added]

We do not know whether, as servicemembers, children enrolled at the school could be mobilised in a time of war.

As far as can be traced, the **David Aghmashenebeli National Defence Academy** (widely known by its Georgian abbreviation, ETA) is the only higher military educational institution in this category. Founded in 1919 as the Junker Infantry School, its students were deployed in 1921 against the Russian Red Army. Since then, the institution has been rebranded several times.⁶

⁴ For the OPAC Declaration text, see Appendix.

⁵ [Law of Georgia on Military Duty and Military Service](#), art. 10.1-10.2.

⁶ David Aghmashenebeli National Defence Academy, ‘[A Brief History of National Defence Academy](#)’, 2023.

The purpose of military training at ETA is to ‘transform the Georgian citizen... into a service member’.⁷ Together with their academic programme, students, known as ‘junkers’, complete full military training in preparation for an officer role in the armed forces, including drill, combat training and the use of weapons.⁸ For example, they ‘take part in administrative marches under appropriate plans’ and ‘in order to perform troop service... practically perform the functions of a unit duty officer, assistant of duty officer, and guard’.⁹

On graduation, students are expected to continue service in the armed forces. They ‘*should* sign the contract to realize the features of military service’, according to the State party’s OPAC report (para 45, emphasis added). We do not know whether students have the right to decline or, if they do, whether they are penalised, such as with a requirement to repay scholarship funds. It may be useful to put this question to the State party delegation.

Entry under the age of 18 is conditional on parental consent, a birth certificate, identification card, and a ‘certificate of general education’ (para 45). We do not know how many children are enrolled at ETA.

Military schools

Since disbanding its Soviet-era military schools,¹⁰ Georgia has instituted two new schools. One of these, the **Giorgi Mazniashvili Military Lyceum** in Tbilisi, is currently under construction on a design for 400 male and female ‘cadets’.¹¹

The other school is **Giorgi Kvinitadze Military Lyceum** in Kutaisi. At the time of Georgia’s OPAC report, the school took children in their early teens who had completed nine years of education. It had 185 ‘cadets’ enrolled (143 boys and 42 girls).¹²

While children at the school are not classified as members of the armed forces, the Committee has expressed serious concern regarding the militarisation of children through training, citing information from the State party to the effect that:

‘...children in that institution undergo basic military training, including training on firearms with the use of live ammunition at 16 years.’¹³

The Committee also recorded the lack of an independent mechanism for raising a complaint and recommended that one be established.¹⁴

⁷ David Aghmashenebeli National Defence Academy, [‘Basic combat training course’](#), 2023.

⁸ David Aghmashenebeli National Defence Academy, [‘Junkers way of life’](#), 2023.

⁹ Ibid.

¹⁰ Child Soldiers International, [‘Child Soldiers Global Report 2008: Georgia’](#), 2008.

¹¹ Agenda.ge, [‘Georgian PM launches construction of military lyceum in Tbilisi’](#), 2023.

¹² CRC, Replies of Georgia to the List of Issues under OPAC, 2019.

¹³ CRC, Concluding observations on the report of Georgia under OPAC, 2019, para 22.

¹⁴ Ibid.

In the present reporting cycle, the State has not offered evidence to show that these concerns have been addressed.

Military training in civilian schools

In civilian schools, compulsory military training programmes for children from age 14 were once the norm, including 'mass defence activities' on one day per year.¹⁵ By 2008 the programme was in decline,¹⁶ but in 2010 the planning priorities of the ministry of defence included 'providing military trainings at schools', with no further details given.¹⁷ We have no information to offer the Committee on the situation today.

Youth military activities

Georgia has a history of militarised voluntary activities for young people. In the early 2000s, for example, 'Patriot Camps' enrolled children from age 15 for a ten-day residential military training programme including automatic firearm training delivered by military personnel.¹⁸ In 2006, 30,000 children and young people took part in the camps, which have since been reportedly abolished.¹⁹

In view of Georgia's long history of military youth activities, we encourage the Committee to ask the delegation whether the government still sponsors military youth programmes, and if so what activities are involved.

Questions and recommendations

Suggested questions

1. **Participation in hostilities.** Does domestic legislation expressly prohibit the mobilisation of all persons under the age of 18 in a time of war, including those undergoing military training at the National Defence Academy and other military education institutions?
2. **Military schools.**
 - a. How many children are currently enrolled at a) the National Defence Academy and b) Giorgi Kvinitadze Military Lyceum? At what age do children join? Are they free to leave at any time without penalty and may they graduate without further obligations of continuing military service?
 - b. Are adolescent children at military education institutions subject to military discipline? Does the disciplinary regime involve corporal punishment?

¹⁵ Coalition to Stop the Use of Child Soldiers, '[Child Soldiers Global Report 2004: Georgia](#)', 2004.

¹⁶ Child Soldiers International, '[Child Soldiers Global Report 2008: Georgia](#)', 2008.

¹⁷ Georgia, Ministry of Defence, '[Minister's Vision 2010](#)', 2010, p. 8.

¹⁸ Child Soldiers International, '[Child Soldiers Global Report 2008: Georgia](#)', 2008.

¹⁹ Ibid.

- c. Has any action been taken to implement the Committee's recommendations that children at military schools not be trained in the use of firearms and not be subject to military discipline, and that they have access to an independent complaints mechanism?
3. **Military training in civilian schools.** Can the State party confirm that all elements of military training have now been removed from civilian schools?
4. **Military youth activities.** Do any military youth activities, such as summer camps, still enrol children?
5. **Children affected by armed conflict.** Further to the Committee's request for statistics on a) asylum-seeking and refugee children entering the State party from areas affected by armed conflict, and b) children benefiting from recovery and reintegration measures (LOIPR, para 52), can the State party supply the information requested?

Suggested recommendations

1. Repeal article 10.8 of the Law on Military Duty and Military Service to ensure that persons aged under 18 may not be enrolled for military service at military education institutions.
2. Amend legislation to ensure that all children in military education institutions retain their civilian status and may not be mobilised in a time of war, and that the disciplinary regime excludes corporal punishment and is consistent with the rights and dignity of the child. Remove firearms training from the curriculum.
3. In the State party's next report, provide statistics on children enrolled in military education institutions, disaggregated by gender, age, socio-economic background, and institution.
4. In the State party's next report, provide statistics on a) asylum-seeking and refugee children entering the State party from areas affected by armed conflict, and b) the number of such children benefiting from recovery and reintegration measures.

Appendix

Georgia's OPAC Declaration:

'[...] in according with Article 3 (2) of the additional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict [the] Government of Georgia declares that according to the legislation of Georgia the minimum age for the recruitment of a citizen of Georgia in the Armed Forces is clearly defined. According to the paragraph 2 of article 21 of Georgian Law on "Military Obligations and Military Service", the decision concerning the recruitment of the citizens into the obligatory military service shall be made only upon they have reached 18 years of age. According to the Georgian Law on 'Military Obligation and Military Service', for the recruitment in the capital of Georgia is established regional recruiting commission and on the local level – municipality commission. A citizen can appeal the decision of the recruiting commission in the central recruiting commission established by the decree of the President of Georgia or in the Court. In that case the decision of the recruiting commission will be suspended until the decision of the central recruiting commission is declared or Court's decision enters into force (Article 184 of the Administrative Code of Georgia and article 29 of the Administrative Procedure Code of Georgia). In case the essential violation of the human rights is caused by illegal recruitment, the action of the official or equivalent shall be qualified as an [excess] of authority and be subject of criminal responsibility (Article 333 of Criminal Code of Georgia).'

²⁰

²⁰ UN Treaty Collection, [Chapter IV: Human Rights \(11b\)](#), 2023.