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USDOS – US Department of State

Trafficking in Persons Report 2017 - 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 adopting the 2017-2018 national action plan and continuing proactive investigations and screening of vulnerable populations for trafficking indicators. The government implemented a child referral mechanism expanding the pool of actors participating in proactive victim identification and provided free identification documents to vulnerable street children. The government continued to provide comprehensive care for all identified victims and conducted robust awareness campaigns. Although the government meets the minimum standards, authorities did not increase anti-trafficking law enforcement efforts and identified fewer victims. The labor inspectorate continued to operate with an unclear mandate and restricted ability to investigate employers. Victim identification remained weak for children in exploitative situations on the street, such as those subjected to forced begging and criminality, and for individuals working in vulnerable labor sectors.

RECOMMENDATIONS FOR GEORGIA

Vigorously investigate, prosecute, and convict traffickers under article 143; improve efforts to proactively identify trafficking victims, particularly street children and Georgian and foreign victims in vulnerable labor sectors; increase law enforcement capacity to investigate complex cases; further incorporate the labor inspectorate in anti-trafficking efforts with established roles and responsibilities; 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; fully implement the law that provides street children with free government identification; create integrated, interagency strategies for reducing vulnerability and countering forced begging; and continue awareness-raising campaigns about the existence of human trafficking, legal recourse, and available protection services, targeted at vulnerable groups.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The Law on Combating Trafficking in Persons and article 143 of the criminal code prohibit all forms of trafficking and prescribe penalties ranging from seven to 20 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law defines trafficking broadly and includes illegal adoption without the purpose of exploitation. The government investigated 16 new cases, compared to 17 in 2015. Of these, 11 were sex trafficking cases, four were forced labor cases, and one case involved both, compared to 11 sex trafficking cases and six forced labor cases in 2015. The government prosecuted one defendant for sex trafficking and one defendant for forced begging, compared to two defendants for sex trafficking and one defendant for forced begging in 2015. The government convicted a total of one trafficker for forced labor, compared to three traffickers in 2015. The trafficker received a sentence of one year and six-month imprisonment for forced labor of her child. The government maintained several specialized units including the Anti-Trafficking and Illegal Migration Unit (ATIMU) within the Central Criminal Police Department, an anti-trafficking unit within the Tbilisi police, and an anti-trafficking taskforce in Batumi. Four mobile inspection units within ATIMU inspected 83 organizations involved in prostitution and the labor inspectorate inspected 99 private companies resulting in one criminal investigation for labor trafficking. 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 law enforcement efforts within the breakaway territories of Abkhazia and South Ossetia.

Prosecutor General's Office's Victim-Witness Coordinators (VWCs) provided counsel to victims during the initial stage of trafficking investigations through the end of the court proceedings. Investigators contacted VWCs to speak with victims, offering counsel and information on government assistance programs prior to and after interviews with investigators. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. Observers confirmed there were no cases of complicity in trafficking by public servants. The government trained 22 labor inspectors on forced labor issues. The government separately trained police officers, law enforcement trainers, prosecutors, and judges on various trafficking issues. The government provided legal assistance to the Turkish National Police.

PROTECTION

The government maintained protection efforts. The government identified three victims, compared to nine in 2015. All three victims were female sex trafficking victims, compared to six female sex trafficking victims and two male and one female forced labor victims in 2015. The government allocated 269,215 lari (\$101,209) to the anti-trafficking shelters in Tbilisi and Batumi and other victim assistance programs, compared to 271,000 lari (\$101,880) in 2015.

Law enforcement and the Permanent Group officially identified victims: law enforcement granted “statutory victim” status for victims who participated in investigations and the Permanent Group assessed and officially recognized victims who declined to participate in investigations. The Permanent Group comprises a five member board of NGO and international organization representatives and is required by statute to convene and assess a potential victim within 48 hours. A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures for identifying and referring victims to services. The government implemented a new child referral mechanism, which expanded the list of actors responsible for victim identification efforts of children, including schools, medical providers, art academies, and sports institutions. ATIMU mobile units screened 375 individuals working at organizations involved in prostitution for indicators of trafficking. Authorities also screened for trafficking indicators amongst 2,213 foreign nationals deported from Georgia and 442 Georgians deported from Turkey. These screening efforts resulted in eight trafficking investigations, one prosecution, and the identification of a victim. The government provided all police cadets victim identification training and trained border police on victim identification at border crossings and airports. The government trained 16 VWCs on the NRM and standard operating procedures. 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, child care services, and a one-time financial payment of 1,000 lari (\$376) to victims. The government-run shelters accommodated all three of the statutory victims identified in 2016. The government-run shelters staffed a nurse, social worker, lawyer, and psychologist and offered separate sections for males, females, and children. The government chaperoned victims when leaving the shelter but victims could request to leave the shelter unchaperoned. The government provided equal services for domestic and foreign victims. The government reported foreign trafficking victims were eligible for temporary, one-year residence permits; one statutory victim received a residency permit in 2016. The law prohibits detaining, arresting, incarcerating, fining, or otherwise penalizing trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking; and no such acts were reported in 2016. The government reported it encouraged victims to assist law enforcement with investigations and prosecutions, although their assistance was not required to receive government protection or shelter services; three statutory victims assisted law enforcement. Victims can pursue financial restitution through civil suits; however, no trafficking victims have ever received restitution from their trafficker. Observers highlighted the failure to freeze and seize criminal assets as an obstacle to pursuing restitution from traffickers.

PREVENTION

The government increased trafficking prevention efforts. The Inter-Agency Council on Combating Trafficking in Persons (TIP Council) approved the 2017-2018 national action plan. The TIP Council monitored implementation of the 2016 national action plan but did not provide public assessments. The TIP Council created an NGO working group to further integrate NGOs in anti-trafficking efforts. The government disseminated approximately 35,000 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 an increased number of television, radio, and print media programs to raise awareness. The government organized anti-trafficking information meetings in villages and towns in nearly every region of Georgia, presenting to more than 1,100 audience members from different target groups, including primary school and university students, minorities, IDPs, and journalists. The government continued to fund an anti-trafficking hotline operated by police from the anti-trafficking division and another hotline operated by the State Fund that received calls from trafficking victims. In 2016, the anti-trafficking hotline received calls from 114 persons and the state fund hotline received 116 calls, which led to the identification of no victims and initiation of 18 investigations.

The government continued to fund, in partnership with the EU, and develop a system to support the rehabilitation and re-socialization of children living and working on the street. The government provided 49,000 lari (\$18,421) to a local NGO that presented the most effective plan to identify homeless children and map their locations during nonworking hours. In June 2016, the government approved legislation authorizing free government identification documents to street children allowing them to receive government services and assistance, including health and education services for children who are undocumented foreign citizens. The Law on Labor Migration regulates 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 government, in cooperation with foreign law enforcement, interviewed 117 Georgians employed outside of the country to screen for labor exploitation. The government demonstrated efforts to reduce the demand for commercial sex and forced labor. A number of teenage girls alleged they were sexually abused by peacekeepers, including Georgian troops, posted in the Central African Republic; it was unclear whether trafficking crimes may have occurred. The government conducted a comprehensive investigation by speaking with victims and witnesses and announced there was no evidence of sexual abuse by Georgian peacekeepers; however, the government did not yet release the final report. 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. 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 Central Asia exploited

in Turkey. Women from Azerbaijan and Central Asia are subjected to forced prostitution in the tourist areas of the Adjara region and in saunas, strip clubs, casinos, and hotels. The majority of identified trafficking victims are young, foreign women seeking employment. 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 or 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 IDPs from these occupied territories particularly vulnerable to trafficking.

ecoi.net summary:

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