



**Convention on the
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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-eighth session

SUMMARY RECORD OF THE 1317th MEETING

Held at the Palais Wilson, Geneva,
on 20 May 2008, at 3 p.m.

Chairperson: Ms. LEE

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Third periodic report of Georgia (continued) (CRC/C/GEO/3; CRC/C/GEO/Q/3 and Add.1)

1. At the invitation of the Chairperson, the members of the delegation of Georgia resumed places at the Committee table.
2. Mr. CITARELLA asked for confirmation that the age of criminal responsibility was due to be lowered on 1 July 2008 from 14 years to 12 years, a matter of serious concern to the Committee. Recalling that there were currently no juvenile courts, no juvenile chambers within courts and no specialist judges for juveniles, he asked for more information on the envisaged measures to improve legislation on the juvenile justice system, as mentioned in the periodic report and in response to the Committee's previous recommendations. He asked for confirmation that in some cases minors were detained with adults in detention centres, and for details of action taken by the Government to prevent maltreatment of juveniles in prisons, many cases of which had been reported. He enquired as to whether the State party could develop alternative ways of handling convicted children in order to avoid sending them to prison.
3. Ms. SMITH asked for more information on the State party's assertion that although investment in education was growing, it was not keeping pace with general economic growth. She asked whether the plans for building and renovating schools and orphanages, as outlined in paragraph 217 of the periodic report, had been implemented. She wondered whether the school computerization programme was going according to plan, and whether teachers were being retrained. She asked whether there was ongoing education for teachers, and whether they were taught about new teaching methods. Recalling article 29 of the Convention, she asked for details about the quality of teaching and how it was monitored, and for clarification as to the aim of education. She enquired as to whether the fact that early projects on human rights, initiated by UNICEF, had been dropped meant that they had been incorporated into the curriculum.
4. She requested clarification as to whether primary and secondary education was indeed free of charge given that paragraph 215 of the periodic report made reference to schools raising voluntary donations, whether households were still expected to fund educational institutions and whether there were children who were unable to attend school because of the additional costs involved. Noting that projects for the benefit of children with disabilities that had been mentioned all seemed to be pilot projects, she wondered what plans had been made to follow up such projects and whether there now existed a general trend towards inclusive education for disabled children. She asked for details of the State party's policy on minority-language instruction in primary and secondary schools. She requested an explanation as to why the completion rate provided was lower than the dropout rate. Recalling that internally displaced children were isolated and marginalized in Georgia, she asked what steps were being taken to integrate them into mainstream education.

5. Mr. PARFITT asked whether the State party had provisions in place according to which a spouse who decided to leave a family home was required to pay maintenance for the family, and, if so, whether the requirement was enforced. Noting that many of the 5,000 children that remained in alternative care despite the Government's deinstitutionalization programme were in fact classed "social orphans", whose parents could not afford to care for them but who could theoretically be reunited with their families, he asked what efforts were being made to increase the number of reunifications of such children. Given that, although the Ombudsman had reported to the Government on the poor conditions in alternative care institutions, the reports had not been discussed by Parliament, and that the Ombudsman's Office was not staffed adequately, he asked for clarification as to the status of the Ombudsman and as to what measures were being taken to address the Ombudsman's recommendations.

6. Ms. ORTIZ asked how many children were able to go to adoptive families in Georgia and how many families in Georgia were able to adopt. She asked if there existed a law that imposed a limit on how long children stayed in institutions, and, if so, how that law was applied. She wondered whether there was a comprehensive national plan for reforming all aspects of children's rights and whether census data covering all aspects of the Convention were collected for that purpose. She asked for further details on two concerns raised by the Human Rights Committee, regarding the minimum wage, which was insufficient to cover the costs of raising a family and which was often paid late, and regarding the high eviction rate.

7. Mr. POLLAR asked how the State party monitored respect for the rights of minority groups. He asked for details about provisions made and assistance given to minority groups in childcare institutions. He wondered how the State party was addressing the concern that minority groups might lose their right to education in their native languages. He asked for comments on the dilemma that Georgia was currently facing between the need to safeguard minority rights and the need to ensure that education served as a State-building tool.

8. The CHAIRPERSON asked whether there was a mandatory system for reporting cases of violence against children. She requested comments as to why little progress had been made regarding children with disabilities and asked if the State party had a strategy to address the issue. Recalling that the new law on tourism and holiday resorts did not ban sex tourism involving children and that it was the most vulnerable children who were most at risk, she wondered if children were really protected from sexual exploitation and sexual violence. She asked the State party to explain why immunization levels in some regions were lower than in the rest of the country.

9. Mr. GAGNIDZE (Georgia) said that, as part of the reform of the education system, improvements were being made to infrastructure, with the construction of 20 new schools and the renovation of over 500 of the 2,000 State schools over the previous three years, and that the aim was to provide one computer per 20 students by the end of 2008.

10. Mr. SHUKAKIDZE (Georgia) said that everyone agreed that the issue of teacher training was one of the main problems of the Georgian education system, since many current teachers had been trained under the old Soviet-style system and were unfamiliar with interactive teaching methods. In a pilot programme that had been running for the previous three years, 100 centres had been established throughout the country at which teachers attended a two-day training course. In the 2008/09 academic year, there would be a new national curriculum

and a twelfth grade would be introduced. A teacher certification process was being introduced gradually, which would be fully in place by the end of the 2013/14 academic year. New principals had been appointed to assess teaching quality and clear guidelines had been provided on the standards expected, with principals being trained to assess teaching quality through methods such as classroom observation.

11. Education was indeed free of charge in Georgia, but unfortunately some principals had been collecting additional fees. Those cases were being rooted out and they were decreasing. He had not heard reports of any cases in which a student had dropped out because of lack of money.

12. On the issue of minority languages, he said that the State language division at the Ministry of Education and Science ran several programmes, including a school partnership programme, through which schools which were classed as minority schools could apply for grants. Other measures included the provision of books and language courses for minority groups, courses in minority group studies and examination preparatory courses for minority groups.

13. Civic education, including life skills, was part of the school curriculum at all ages and would play a major role in the nationwide “Stay Safe” school programme and the student tolerance programme, supported by Save the Children. Books were being provided for teachers and children on the subject.

14. On the issue of completion and dropout rates, he said that it was difficult to ascertain whether the age of a child in sixth grade was 11 or 12 years and there therefore tended to be a large discrepancy between the number of children in the grade and the overall number of children of that age in the country. A database of students would be introduced to address that issue. Although the overall dropout rate was good, research would be undertaken into why it was worse in the south of the country.

15. The fact that girls were choosing different subjects to boys in schools and universities was not due to a gender imbalance: at school boys and girls followed the same course, with elective courses being available only in the twelfth grade, and he was unaware of any such problem at universities. Since sex education was a touchy subject, it would not be included in the national curriculum. A book was available in school libraries for consultation.

16. The CHAIRPERSON asked the State party to confirm that reproductive health education was not included in the national curriculum.

17. Mr. SHUKAKIDZE (Georgia) said that he had been referring to sex education.

18. Ms. AIDOO said that sex education was part of reproductive health education. Although it was a touchy subject, it was essential for the Government to establish programmes and to work with parents to inform children and adolescents on the subject. Otherwise, adolescents were left at risk: Georgia had high pregnancy and abortion rates and no studies had been conducted into the impact of the situation on girls. No information at all had been provided on adolescent health education for boys.

19. Ms. GOLUBIANI (Georgia), on the issue of inclusive education, explained that a pilot scheme had already been launched by UNICEF and non-governmental organizations (NGOs), so that there was no need for further pilot schemes. The challenge was to create models to be copied elsewhere in the country's regions. The first stage of that process had been completed and the Government was still funding some aspects, such as the training of instructors and the creation of a task force to transform schools into an inclusive environment. It was necessary to change the mindset of people in the regions in order to make inclusive education the norm, and a strategy was being developed for 2009-2012, which should be ready by the time of the UNESCO conference on the issue in November 2008. Although the Law on General Education included a policy on inclusive education, there were gaps which the Government was working to address.

20. Mr. SHUKAKIDZE (Georgia), on education regarding freedom of expression and of assembly, said that the "Stay Safe" school programme included a programme to reduce violence in schools, for example, by enabling schools and communities to draft a code of conduct for students, teachers and school administrative staff. Students would be asked for their views, with the aim of increasing their participation. The Law on General Education provided that students must be represented on school governing bodies that reported to the board of education, with one student being selected by peers. Students should also be represented on the disciplinary committee and the committee of appeals. Students had the right to request new clubs and societies in schools: most schools had a budget allocated to the pursuit of hobbies and interests. The Government supported the idea of a student parliament. It would take some time for students to be made aware of their rights regarding the issue.

21. Mr. ZERMATTEN repeated his question as to whether the child's right to participate in civil proceedings, such as in divorce proceedings, was respected in Georgia.

22. Ms. SMITH asked whether children enjoyed autonomy on health issues, including the right to talk to a doctor, and what was being done to encourage parents to listen to their children.

23. Mr. SHUKAKIDZE (Georgia) said that the "Stay Safe" school programme included a programme for educating parents on such issues as how to teach children and how to handle bad behaviour. Since the board of education had been introduced, parent participation had been increasing. Although schools attended by internally displaced children were being provided with books and other equipment, more needed to be done to help such schools, such as renovation work. There was no significant problem in terms of internally displaced children integrating with locals.

24. Ms. TOMASHVILI (Georgia) said that internally displaced children were guaranteed equal rights to education under the law. The implementation of the new strategy on displaced persons was based on a sustainable approach, which placed emphasis on reintegration as well as their safe return. A draft action plan had also been adopted to provide specific measures, including raising the level of public awareness, to ensure that children attained the full enjoyment of their right to education.

25. She confirmed that children might participate in criminal proceedings, and that the Criminal Procedure Code of Georgia (CCG) governed the methodology and special procedures for the interrogation of children who were witnesses to crimes committed against them, with in-built guarantees that prevented children from being held criminally liable on account of a

misinterpretation of facts. Georgia's special approach to the treatment of children who were victims of trafficking released them from the obligation to cooperate in proceedings if for any reason they were reluctant to do so, without losing the protective benefits to which they were entitled, such as rehabilitation and insurance.

26. Mr. ZERMATTEN said that subjecting victims of trafficking to an obligation to cooperate with investigations set drastic limits on their participation in proceedings. It appeared that Georgia's domestic legislation in that regard was not compatible with article 12, paragraph 2, of the Convention on the Rights of the Child.

27. Mr. NALBANDOV (Georgia) said that, according to the Civil Code, children 10 years of age and above were entitled to express their opinions during civil proceedings, especially with respect to divorce, separation and adoption. Those opinions must be fully taken into account and always in the best interests of the child concerned.

28. With regard to internally displaced children in the regions of Abkhazia and South Ossetia, he reiterated the principles outlined in paragraph 227 of the third report regarding the importance of ensuring the safe and dignified return of displaced persons and refugees to their homes. He also highlighted United Nations Security Council resolution 1808 (2008) on Abkhazia and Georgia, which contained new provisions on the right of return, especially with respect to children born since the end of the conflict 15 years earlier, and drew attention to a General Assembly resolution (A/RES/62/249) of 15 May 2008, on the status of internally displaced persons and refugees from Abkhazia and their right of return within a reasonable period of time.

29. He clarified that the use of the term "returnee" with respect to the Gali district was erroneous since the population of that area was predominantly Georgian and consisted of people who either had never left or who were moving there for economic reasons. Consequently, there had been no massive or orchestrated movement of people in that district whatsoever. The children of the Gali district, to whom reference had been made, had been born to persons who had always lived in that area. Admittedly, the situation was complicated by the fact that the entire population of the region lived under an oppressive separatist regime, which denied children the right to education in their mother tongue, and actually punished them for using the Georgian language.

30. For those reasons, he urged the international community to facilitate the establishment of an independent human rights office in the Gali district. There was only one human rights officer in the area who, for understandable reasons, was unable to exert much influence. He expressed a similar need for strengthened human rights mechanisms in the Abkhazia region in order to ensure the effective protection of its inhabitants, irrespective of their ethnic origin.

31. Ms. VUCKOVIC-SAHOVIC (Alternate Country Rapporteur) asked whether the Government of Georgia was interested in obtaining a report from the human rights agency operating in that region, and proposed that the Committee could intercede on behalf of the Government if necessary.

32. Mr. NALBANDOV (Georgia) said that his delegation would greatly appreciate such assistance and that the Government's close cooperation with the agency had so far been based on goodwill, which would be further enhanced by the institutionalization of that relationship.

33. Ms. VUCKOVIC-SAHOVIC (Alternate Country Rapporteur) suggested that the agency should be asked to provide information on the implementation of the Convention in the region within its jurisdiction.

34. Mr. NALBANDOV (Georgia), expressing his appreciation, reiterated that the Government had never had any territorial reservation with respect to the application of the Convention. He further elaborated on the complexity of the situation in South Ossetia, which had a checkered geography and demographics, and where Georgian and Ossetian villages with populations of mixed ethnicity lay side by side. The temporary Ossetian administration worked mainly on social issues, and in tandem with that administration, the Georgian Government made an effort to improve the situation of the population within its official control. Moreover, the Government's economic rehabilitation programme comprised all aspects of development for the entire population, including in the territory under separatist control. In that context, along with its international partners, Georgia made considerable financial contributions to projects benefiting the population as a whole.

35. Ms. GOLUBIANI (Georgia), describing the two action plans on education, said that the 2004 child welfare reform was aimed at phasing out the previous system of placing children in institutions in favour of community or home-based care. The Government faced the challenge of having to finance two systems in the current transitional period combined with a shortage of trained local personnel, but was encouraged by the 51 per cent decline in the number of children in institutions since 2004. Total funding for alternative care had increased by 38 per cent, and the role of social work, especially with respect to assessment and decision-making practices, had been formalized. She also explained that current legislation ensured that decisions on the placement of children were always based on expert assessment.

36. Mr. ZERMATTEN recognized the challenges involved in providing alternative care and, referring to paragraph 31 of the third periodic report, asked whether social workers and members of the judiciary were being offered training, and if so, where.

37. Ms. ORTIZ asked whether the Government had plans to decentralize services and reinforce local capacity. She wondered whether there was a statutory requirement for the periodic examination of the conditions of schooling, statistics on the number of children given up for adoption, guidance for families interested in adopting children, or regulations governing adoption agencies.

38. Mr. PARFITT asked the delegation to comment on the extent to which children were given up for adoption solely on the basis of their parent's degree of poverty.

39. The CHAIRPERSON asked for an assessment of the extent to which lowered rates of institutionalization, a drop in fertility and the population decline had affected conditions for the broader population.

40. Ms. GOLUBIANI (Georgia) explained, with regard to training, that degrees and shorter certification courses in social work were currently being offered by Georgia's academic institutions to persons working in that field. Decentralization of services was a matter of great importance to the Government. In that context, she said that decisions were made locally by social work teams, panels and personnel in resource centres throughout Georgia.

41. Regulations on adoption had expanded greatly over the previous four years. A 2007 law on adoption contained provisions on a mandatory assessment by social workers prior to conclusion of the adoption process, the punishment of illegal adoption practices, and permission for the adoption of abandoned children. The number of adoptions had increased drastically. She said that although it was unfortunate that Georgian families were reluctant to adopt children who had disabilities or health problems, a significant number of foreigners had been willing to do so.

42. She briefly outlined arrangements for alternative child care, educational grants for children from difficult backgrounds, special projects for reintegration, and financial assistance, especially for families living in poverty who might otherwise hand over their children for adoption.

43. Mr. PARFITT asked whether there were institutions that were not operated by the State, and, if so, how many children there were in such establishments.

44. Ms. GOLUBIANI (Georgia) said that some private institutions were run by churches and local NGOs and that all private entities would eventually be regulated by the new legislation. Approximately 1,200 children lived in such institutions.

The meeting was suspended at 4.40 p.m. and resumed at 4.52 p.m.

45. Ms. MIRZIKASHVILI (Georgia) described the health care reform that had been launched at the end of 2006, aimed at improving access and equity in high-quality health-care delivery. Under the new system, a public-private partnership provided health insurance that covered services to the population living below the poverty line.

46. She identified some key areas of priority for the Government, namely, mental health policy, maternal and child care, which was a priority area under Georgia's Millennium Development Goal strategy, early childhood development and adolescent care, and reproductive health. With regard to neonatal mortality, she acknowledged that the rate was particularly high in the rural areas, especially in southern Georgia where religious beliefs and customs favoured home deliveries. Such influences were also at play with respect to immunization, and the Government was making an effort to raise awareness on the importance of preventive care.

47. Sex education was not included as such in the Georgian school curriculum, but the subject would be promoted within the framework of efforts undertaken to boost awareness on reproductive health. As regards the statistics on adolescent pregnancy and teenage abortion, she said that it was not entirely accurate to state that the abortion rate had doubled, despite appearances to that effect. She explained that the improved methods of data collection had provided more credible statistics than previously, when there was a greater incidence of underreporting.

48. Ms. AIDOO said that notwithstanding the fact that improvements had been made in data collection, it was evident that the rates of abortion and adolescent pregnancy were rather high. The Committee was therefore interested in having more information on the effectiveness of the Government's policies and programmes on reproductive health education.
49. Ms. MIRZIKASHVILI (Georgia) said that several NGO surveys on effectiveness had been conducted and that she would convey the results to the Committee in due course.
50. The CHAIRPERSON was of the opinion that it would be in the interest of the State to conduct such surveys itself rather than leave them to civil society.
51. Ms. ORTIZ, commenting on the discrepancy in the rate of neonatal mortality between rural and urban areas and the cultural and religious reasons cited, said that the health services should be adapted to make access to health care culturally acceptable to the populations in rural areas, in order to compensate for their inhibitions. She asked how the health system was going to lower the mortality rate.
52. Ms. MIRZIKASHVILI (Georgia) reiterated the fact that access by all Georgian nationals to health care remained the main goal of the reform strategy and that the concerns expressed by Ms. Ortiz were indeed being incorporated into the formulation of the Government's programme on quality health care.
53. Mr. PURAS (Country Rapporteur), thanking the delegation for the clarifications provided on health policy, including mental health, said that a model mental health policy must focus on the promotion of positive mental health for parents and children as well as on psychiatric care. He therefore hoped that such focus would be integrated into primary, community, paediatric and school medical care.
54. Ms. MIRZIKASHVILI (Georgia) assured the Committee that mental health issues were included in the curriculum offered in the training of general practitioners so that at the primary level those practitioners could provide basic services in mental health until patients were referred to hospitals.
55. With reference to the query on confidentiality and the possibility for children to visit doctors of their own accord, she said that the 1998 Law on the Rights of the Patient provided the possibility for adolescents over the age of 16 years to consult physicians and to make decisions regarding their health, without the knowledge or consent of their parents.
56. The CHAIRPERSON said that one of the factors contributing to teenage pregnancies and the high abortion rate might be that children under the age of 16 were unable to consult a doctor in private; public health policy needed to address that issue.
57. Ms. MIRZIKASHVILI (Georgia) said that, with the assistance of UNICEF, Georgia had developed many excellent programmes in the area of health care, including immunization. Also, under the umbrella of the reproductive health programme, it promoted breastfeeding, including through mother-to-mother support groups.
58. Mr. KAKACHIA (Georgia) said that, in 2004, about 47 per cent of the population were living below the poverty line, while 32 per cent lived in extreme poverty. The social security

system had been modified in 2005 and all households living below the poverty line could register with the social security agency. Currently, 125,000 households, representing about 300,000 people, received cash benefits and 700,000 people were given medical insurance by the Government. It was difficult to provide specific measures for the most vulnerable groups and the focus currently was on the whole population. It would be necessary to concentrate on children in the future, although they did benefit from some additional programmes provided by the Ministry of Education and Science.

59. On the issue of working conditions for women, the Labour Code guaranteed non-discrimination for all workers and granted all women, in both the public and the private sector, maternity leave of 477 days, 126 of which were paid. It also provided for shorter working hours for the first year after the birth of a child. There were special provisions to ensure that women and adolescents under the age of 18 did not engage in harmful work.

60. Georgia had ratified the International Labour Organization (ILO) Conventions No. 138 (Minimum Age) and No. 182 (Worst Forms of Child Labour). A study conducted in 2000 had reported that 45 per cent of Georgian children were involved in child labour. However, a recently completed rapid assessment had found that 20 per cent of children performed domestic work in the household, which was not considered a problem provided that it did not interfere with access to educational and recreational activities. With regard to street children, some NGOs were providing special programmes in response to that issue.

61. Ms. AIDOO said that it would be useful to know the current status of the programme to eliminate poverty and the priority given to children. Improving the income of adults did not always help children and, unless there were special programmes for them, child poverty might not be reduced.

62. Ms. KHATTAB said that the Committee had been informed that 21.5 per cent of Georgian children were involved in child labour and asked whether Georgia intended to ratify ILO Convention No. 183 concerning the revision of the Maternity Protection Convention.

63. Mr. ZERMATTEN, referring to the issue of street children, said that children often left home to escape family violence and asked whether the problem had been studied, since it was necessary to gather relevant information in order to take appropriate measures.

64. Mr. KAKACHIA (Georgia) said that for five years Georgia had been endeavouring to address the issue of poverty by targeting households. However, it had not been possible to solve all the problems in that lapse of time.

65. Mr. SHUKAKIDZE (Georgia) said that approximately 60,000 students were living below the poverty line. In 2007, by presidential decree, the Government had made supplementary funds available to provide students with textbooks, which would be recycled at the end of the school year. It had also introduced social science laboratories and many different types of sports equipment for both public and private schools. Another special programme targeted the physical environment in schools and helped build gymnasiums and improve sports fields.

66. Mr. KRAPPMANN said that experience in many countries showed that the empowerment of children should start at a very early age. Preschool education provided excellent opportunities to help children escape poverty, and investing in early childhood was very important. He asked whether Georgia had programmes addressing the issue of young children and poverty.

67. Ms. GOLUBIANI (Georgia), referring to poverty and early childhood development, said that Georgia had a new policy document, containing an action plan for 2008-2011, that moved away from institutionalization towards a more modern welfare system addressing poverty and abuse. It had been elaborated using a participative policy-making approach involving parents, children, vulnerable groups and NGOs.

68. An effort was being made to tackle the issue of street children. UNICEF and Save the Children were helping the Government develop research instruments and studies had been conducted in major towns. The final results would not be ready until July, but already it could be seen that the children came from different backgrounds and had different problems, all related to poverty. Special services would be developed on the basis of the findings.

69. Regarding early childhood development and preschool education, an early childhood alliance had been created, coordinated by the parliamentary social committee, as well as a policy and an action plan focussing on education and health. The document could be provided and it covered all the questions raised by the Committee.

70. The CHAIRPERSON said that the Committee would be interested to know more about the juvenile justice system, the zero-tolerance policy and the minimum age of criminal responsibility.

71. Mr. MESKHORADZE (Georgia) said that the new law reducing the age of criminal responsibility from 14 years to 12 years was supposed to come into force on 1 July 2008. However, the national budget had not provided funding to build establishments for the detention of young offenders and the law contained a reservation that it should not come into force until such places existed. Regarding zero tolerance, the Government had launched a policy that had helped improve the situation in Georgia. Nevertheless, it was necessary to increase non-custodial measures, and focus on the rehabilitation and reinsertion of juveniles in conflict with the law.

72. Mr. CITARELLA said he understood that the Government policy to lower the age of criminal responsibility to 12 years was based on the increase in delinquency among juveniles. He suggested that it would be preferable to intensify preventive rather than punitive measures.

73. Mr. ZERMATTEN said he believed that Georgia would have an economic interest in developing a whole arsenal of different measures to combat juvenile crime. Currently, it appeared to be taking a coercive rather than a persuasive approach. Inexpensive measures had been tried out elsewhere, and organizations existed that would be able to help Georgia in that area.

74. Ms. TOMASHVILI (Georgia) said that the issue of the minimum age of criminal responsibility was still under discussion among both national and international experts. The budget was established by the Legislature and it was due not to lack of interest that funds had not been provided, but rather to the existence of other priorities.

75. Georgia could provide the anti-torture action plan to the Committee. It contained all the aspects that the Government and the NGOs had agreed to implement and included specific actions in the area of zero tolerance and the policy towards law enforcement authorities who had been involved in torture, abuse of power, or the excessive use of force. The Government was considering alternative measures to detention, which would lead to rehabilitation and reinsertion. However, the new laws would not be successful unless they took good governance and best practices into consideration, especially as regards juvenile justice.

76. Mr. FILALI said that he did not understand how a reservation could block a law that reduced the minimum age of criminal responsibility, since, if the law had been published, the judges would have had to apply it.

77. Mr. MESKHORADZE (Georgia) said that the amendment would not be retroactive. Also, the planned establishments would not be prisons, but rather correctional and educational institutions for juveniles who had committed violent crimes involving serious injury to health (death) or less serious injury to health (injury).

78. Ms. TOMASHVILI said that the law could not enter into force unless all the requirements were fulfilled.

79. Mr. MESKHORADZE said that, currently, no juveniles were in prison with adults; strict separation was observed.

80. Ms. MIKHELIDZE (Georgia), referring to the issue of the minimum age of criminal responsibility, said that the Government's measure was a logical consequence of policy in response to the rise in violent crime by youths of 12 years of age and older. However, the law was linked to the existence of correctional institutions and should be considered in relation to article 88 of the Criminal Code, which stipulated that deprivation of liberty for juveniles from 12 to 14 years of age should be used only as a measure of last resort for very grave crimes and should never last more than seven years.

81. The zero tolerance policy had been successful in improving the situation. Extensive reforms to the criminal justice system had commenced in 2004; by 2007, there had been a 12 per cent reduction in the crime rate, and a 55 per cent reduction in the rate of violent organized crime. The juvenile justice system was currently on the agenda and improvements were being devised and implemented. With assistance from UNICEF, judges and investigators were receiving training in a child-oriented juvenile justice system. Relatively few juvenile offenders were in prison; nevertheless, non-custodial measures were preferable and the rate of non-custodial measures, such as bail, had increased by 62 per cent in 2007.

82. Mr. PURAS (Country Rapporteur) thanked the delegation for the very constructive dialogue, which had focused on the most sensitive and critical issues of juvenile justice and vulnerable children. Georgia had enormous resources and human capital that could be better used by strengthening the mutual trust and cooperation between the different stakeholders. Evidently, the availability of financial resources depended on the Government's priorities. The Committee would be providing the delegation with its concluding observations and recommendations, which it hoped would assist the Georgian leadership, civil society and children. Meanwhile, he expressed the Committee's solidarity with the Georgian people and children.

83. Ms. VUCKOVIC-SAHOVIC (Alternate Country Rapporteur) thanked the delegation for the frank dialogue and said she trusted that, with the Committee's assistance, Georgia would be able to implement its recommendations.

84. Mr. GAGNIDZE said that Georgia hoped to continue the constructive dialogue with the Committee.

85. The CHAIRPERSON, on behalf of the Committee, thanked the members of the delegation for their detailed answers to some difficult questions.

The meeting rose at 6.00 p.m.