

THE CODE ON THE RIGHTS OF THE CHILD

Book I

General Provisions of the Code

Chapter I - Introductory Provisions

**Article 1 - Purpose of the Code**

1. The purpose of this Code is to ensure the welfare of the child by promoting the effective implementation of the Constitution of Georgia, the Convention on the Rights of the Child, its supplementary protocols and other international legal acts recognised by the State.
2. The attainment of the purposes stipulated by paragraph 1 of this article will promote the resolution of sundry matters, including:
  - a) the exercise of the rights and freedoms of the child;
  - b) the giving of priority to the best interests of the child, the protection of dignity, the exercise and protection of the welfare, safety, life, health, education, development and other interests of the child, without exercising unequal treatment;
  - c) the ensuring of the engagement of the child, the preparation of the child to live an individual life in society, and the raising of the child to respect high moral values, in particular, the spirit of peace, and the respect of dignity, tolerance, freedom, equality and solidarity;
  - d) the encouragement of the child to respect the homeland, the native language, and the traditional cultural values of the native country;
  - e) the protection and support of the family, which is a key element of society, and in particular, an important environment in which to raise the child and for the well-being of the child;
  - f) the encouragement of the child to focus on labour and a healthy lifestyle, as an essential prerequisite for the development of society;
  - g) the focusing on the volition of the child, which is an essential element of civil activity and the development of a society of solidarity.

**Article 2 - Scope of the Code**

1. This Code determines the fundamental rights and freedoms of the child and establishes legal grounds for the functioning of a system for the protection and support of the fundamental rights and freedoms of the child.
2. This Code shall be without prejudice to other effective legislative regulations related to the rights of the child. Moreover, it shall further the commitment to aligning other legislative and subordinate normative acts of Georgia with the Constitution of Georgia, the Convention of the Rights of the Child, its supplementary protocols and other treaties of Georgia, and the commitment to ensure the interpretation and enforcement of the said acts.
3. This Code is a legislative act which serves as a guide for the state authorities of Georgia, municipal bodies, other administrative bodies, the common courts, legal entities under public and private law, and natural persons, when carrying out their activities and making decisions with regard to children and matters related thereto.

**Article 3 - Definition of the terms used in this Code**



For the purposes of this Code, the terms used herein shall have the following meanings:

a) child – a minor under the age of 18;

b) adolescent - a child from the age of 10 up to the age of 18;

c) family - a key group of the community and a natural environment in which to raise the child, for the well-being and protection of the child, which mainly consists of a child, his/her parents, a guardian, a custodian, sisters, brothers, and/or other persons responsible for raising the child;

d) parent - a child's mother and/or father;

e) child without parental care - a child who has been deprived of the daily care of his/her parent(s) or legal representative(s), for whatever reason or circumstance;

f) system for the protection and support of the fundamental rights and freedoms of the child - a combination of the national child protection system and the national child support system:

f.a) the national child protection system - the legislation of Georgia, other regulatory norms, policies and services in the systems of social welfare, education, health, safety and justice, intended to prevent and eradicate risks related to the protection of the child. The national child protection system shall support and strengthen the child and persons responsible for his/her parenting, in order to promote social inclusion and to minimise the risk of separating the child from the family. The national child protection system is intended to prevent and eradicate in the systems of education, healthcare and justice, in the family and in any other places, all forms of violence against children, including physical punishment and cruel, inhumane and degrading treatment, child exploitation, trafficking in minors, and harmful customary practices in relation to the child;

f.b) the national child support system - a combination of legislative, social, educational and other measures adopted by the State intended to increase the opportunity of the child to exercise all rights and freedoms individually, give priority to the best interests of the child, facilitate the harmonious development of the child, ensure the hearing of the opinion of the child, and ensure the participation of the child in a relevant process, without exercising any unequal treatment in respect of the child;

g) programmes for the protection and support of the rights of the child - programmes which are implemented by the state authorities of Georgia, municipal bodies, and entrepreneurial and non-entrepreneurial (non-commercial) legal entities under private law, to ensure the functioning of the national child protection system and the national child support system, which are intended to take preventive and response measures to ensure the strengthening and protection of the child, including children without parental care, children with disabilities, children with special educational needs, child victims of crime and/or violence, and children in conflict with the law, through the provision of conditions which give priority to the best interests of the child, ensure the participation of the child in relevant processes, protect the life and the physical and mental health of the child, enhance the development and education of the child, and give the child access to appropriate living conditions, social security and justice, without exercising any unequal treatment in respect of the child;

h) the best interests of the child – the welfare, safety, health, educational, developmental, social, moral and other interests of the child, which are determined by the parents of the child, as a matter of priority under this Code, the Constitution of Georgia, the Convention on the Rights of the Child, its supplementary protocols and other treaties of Georgia, and based on the individual needs of the child, with the participation of the child, and giving due account to the opinion of the child;

i) alternative care - the provision by the State of such family care to a child without parental care that shall address the individual needs of the child, and give priority to the best interests of the child, including the right to live and the right to healthy development, the hearing of the opinion of the child, the participation of the child, and other rights and freedoms of the child;

j) residential care - a form of alternative care exercised in the case of urgency and for the shortest period possible,



when it is not possible to adopt or place a child in foster care;

k) inclusive education system - an education system which provides high quality education, such as early, pre-school, general, vocational and higher education, equally for all children, given their individual needs and capabilities, through the application of reasonable adjustments and/or universal design;

l) child-friendly justice - a justice system which ensures respect for all the rights of the child and the effective exercise thereof, on the basis of the principles of the participation of the child, giving priority to the best interests of the child, respecting the dignity of the child, the inadmissibility of unequal treatment, and the supremacy of law; such justice system shall be provided by specialised professionals and shall be accessible to all children according to their age, and shall be comprehensible for the child, and accelerated, fair, consistent and tailored to the rights and needs of the child;

m) reasonable adjustments - in each particular case, the introduction of necessary and appropriate changes which do not result in disproportionate obligations and which ensure the equal exercise of the rights and freedoms of the child;

n) universal design - the design of a product, an environment, and teaching programmes and services, which makes them accessible to all children such that the adaptation and application of the design in question is not necessary. Where appropriate, universal design does not exclude the provision of a means of support depending on the needs of the child, and/or the provision of other means of support;

o) information hazardous to the child - information encouraging violence or crime, information with sexual content, information aimed at the popularisation of assigning a human to none of the biological sexes and/or to a sex different from his/her biological sex, or of the relations between representatives of the same biological sex on the basis of sexual orientation, or incest, as well as information which promotes alcoholic beverages, tobacco, drugs or gambling, or information describing scenes of violence, murder or cruel and inhumane treatment in detail. For the purposes of this subparagraph, a term 'popularisation' shall be defined in accordance with the Law of Georgia on the Protection of Family Values and Minors;

p) vulnerable child - a child under the influence of factors hindering his/her ability to understand, resist and cope with various challenges and to regain resources without appropriate support, including such factors as addiction to drugs, alcohol and/or gambling, the deprivation of child parental care in childhood, conflict with the law, violence, and other similar factual circumstances.

*Law of Georgia No 4440 of 17 September 2024 – website, 3.10.2024*

## **Chapter II – Fundamental Rights and Freedoms of the Child**

### **Article 4 - The dignity of the child**

1. The dignity of the child shall be inviolable.

2. The torture of the child, the inhumane or degrading treatment of the child, or the exercise of inhumane or degrading punishment against the child, shall be inadmissible.

### **Article 5 - Giving priority to the best interests of the child**

1. When making any decision related to the child, the child shall be entitled to have his/her best interests respected and this right shall be determined in respect of an individual child in accordance with this Code, the Constitution of Georgia, the Convention on the Rights of the Child, its supplementary protocols and other treaties of Georgia.

2. In determining the best interests of the child, the right of the personal development of the child in the family environment, the social and cultural characteristics of the child, the opportunity of the child to exercise rights and freedoms individually, and the opinions of the child, shall be taken into account.



3. It shall be a binding obligation for the legislative and executive authorities, the judiciary, and the public institutions and natural and legal persons of Georgia, to give priority to the best interests of the child when making decisions and/or taking any action in relation to the child.

4. When interpreting a legal provision, it shall be interpreted with a view to the best interests of the child in accordance with this Code, the Constitution of Georgia, the Convention on the Rights of the Child, its supplementary protocols and other treaties of Georgia.

5. The State shall take all necessary measures in order to ensure that legislative and executive authorities, the judiciary, and the natural and legal persons of Georgia, determine the best interests of the child and make any mandatory assessment in accordance with the following fundamental criteria:

a) understanding the opinion of the child and considering the child's opinion in a proper manner;

b) protecting all other rights of the child, among them, ensuring the protection of dignity, free development, education, healthcare and social security, and protection against all forms of violence, and ensuring the equal treatment the child;

c) assessing and taking account of the psychological and physical well-being, and the legal, social and economic interests, of the child, through a multidisciplinary approach with specialists.

6. Decisions affecting the rights of the child shall be made, and actions shall be carried out, on the basis of the assessment of the best interests of the child.

7. The programmes for protecting and supporting the rights of the child provided for by this Code shall be carried out in accordance with the principle of giving priority to the best interests of the child.

#### **Article 6 - Rights of the child to live a life and to individual development**

1. The child shall have the right to live a life and to individual development.

2. The State shall take all necessary measures to protect the child and create all necessary conditions for the harmonious development of the child in accordance with this Code, the Constitution of Georgia, the Convention on the Rights of the Child, its supplementary protocols, and other treaties and legal acts of Georgia.

#### **Article 7 - Right of the child to equal treatment**

1. When making any decision and/or taking any action related to the child, public institutions and natural and legal persons are obliged to respect, protect and treat each child equally, irrespective of race, skin colour, gender, language, religion, political or other opinions, national origin, ethnic or social affiliation, property, health, disability status, or the activities or other status of the child, his/her family member(s) or legal representative(s).

2. The State shall ensure equal rights and opportunities for the child and shall implement special measures in order to eradicate any inequality.

3. The State shall create conditions, including through the introduction of the principles of reasonable adjustments and universal design, in order to ensure the exercise of the rights and the protection of the interests of a child with disabilities and a child with special educational needs.

4. The State shall take all necessary administrative, social, educational and other measures to protect the child against unequal treatment, including a vulnerable child against discrimination, stigma and exclusion.

#### **Article 8 - Rights of the child to have his/her opinion heard and to participation**

1. The child shall have the right to have his/her opinion heard when resolving any matter related to or affecting any of his/her rights and to have his/her opinion taken into account in accordance with the bests interests of the child.



2. The child shall have the right always to be heard when the child is willing to express his/her opinion, either directly, or by providing due support depending on individual needs, and in the form and by any means of communication desirable and permissible for the child.

3. The restriction of the right provided for by paragraph 1 of this article on the grounds of age, disability or other circumstances, shall be inadmissible.

4. The process of interviewing the child and the process of hearing the child's opinion shall be informative, voluntary, respectful, accountable, child-friendly, inclusive and safe, and shall be conducted by specialists appropriately trained in matters related to the child.

#### **Article 9 - Right of the child to private and family life**

1. The child shall have the right to be registered upon birth, obtain nationality, know and live with his/her parents in the family, where all conditions are ensured for the harmonious raising, development and well-being of the child.

2. The child shall have the right to private space and to maintain personal correspondence.

3. The unlawful restriction of private and family life, including unreasonable and unlawful involvement in the private space, family life or personal correspondence of the child, shall be inadmissible.

4. The State shall ensure the special support and protection of a child temporarily or permanently left without parental care, as well as the special support and protection of a child where remaining in the family is against the best interests of the child.

#### **Article 10 - Right of the child to education**

1. All children shall have the right to obtain and have equal access to high-quality and inclusive education.

2. The State shall ensure that the inclusive education system is equally accessible to all children.

#### **Article 11 - Right of the child to healthcare**

1. The child shall have the right to enjoy healthcare of the highest standard.

2. The State shall ensure the exercise and protection of the right of the child to healthcare by providing access to physical and mental healthcare services and institutions, as well as by providing a safe environment for the child.

#### **Article 12 - Rights of the child to live and develop in a safe environment and to social protection**

1. The child shall have the right to live in a safe environment where all conditions are ensured for the harmonious development and well-being of the child.

2. The child shall have the right to social protection and support depending on the individual needs and status of the child and his/her custodians.

3. The child shall have the right to use a natural environment and a public space which is safe for his/her health, to receive information on environmental conditions and to participate in decision-making related to environmental protection.

#### **Article 13 - Right of the child to justice**

1. The child shall have the right to apply to a court and/or a relevant administrative body to defend his/her rights, and to use that part of the justice system which is accessible to him/her, which is appropriate for his/her age, comprehensible, accelerated, fair, consistent, tailored to his/her rights and needs, and which shows respect for



his/her dignity and private life.

2. The child shall have the right to familiarise him/herself with information in relation to him/her or other information and/or an official document in relation to him/her stored in a public institution, in accordance with the rules established by law.

#### **Article 14 - Rights of the child to freedom of expression, and freedom to use information, mass media and the Internet**

1. The child shall have the right to freedom of expression. Moreover, the child shall have the right to have his/her opinion heard when making decisions related to the child and to have his/her opinion taken into account depending on the age and the mental and physical development of the child.

2. The child shall have the right to search, obtain and disseminate information freely through various means and forms.

3. The child shall have the right to access to mass media and the Internet, and to freedom of use of the Internet.

#### **Article 15 - Right of the child to obtain information**

1. The child shall have the right to obtain information on his/her rights and freedoms, as well as other topics deemed pertinent to the physical, mental, intellectual, psychosocial and cultural development and well-being of the child.

2. Early and pre-school educational institutions and general educational institutions shall ensure that information on the rights and safeguards of the child is provided to the child according to the age and individual capabilities of the child, through a means of communication which is accessible to the child.

3. The State shall ensure that information disseminated by national and international mass media, and educational and cognitive materials, which concern psychosocial well-being, and the physical and mental health of the child, are accessible to the child.

4. In order to properly protect the rights of the child to well-being, healthcare, and other rights of the child through mass media, the State shall facilitate:

a) dissemination through mass media of information and materials containing useful information for the cultural and social development of the child, in accordance with the goals of child education, taking into account the different language needs of children;

b) international cooperation in order to exchange, disseminate and prepare information from diverse national and international sources that is pertinent to the development of the child;

c) the development and dissemination of literature for children;

d) the development and dissemination of guidelines for protecting the child from harmful information and materials.

5. The State shall ensure that information on the rights and safeguards of the child is disseminated by responsible agencies in a language which the child understands and through a means of communication which is accessible to the child.

#### **Article 16 - Freedom of faith, confession and conscience**

1. The child shall have the freedom of faith, confession and conscience.

2. A parent shall have the right to raise a child in accordance with his/her moral and religious opinions. When giving guidance and direction to the child, it shall be necessary to take account of the best interests and opinions



of the child according to the age and mental and physical development of the child.

### **Article 17 - Right of the child to freedom of association and to freedom of peaceful assembly**

All children shall have the right to freedom of association and to freedom of peaceful assembly.

### **Article 18 - Rights of the child to play and leisure**

1. The child shall have the right to a balance between study time and free time, and a parent(s) and other persons responsible for the upbringing of the child are obliged to pay proper attention to the relevant opinions and needs of the child.
2. The child shall have the right to leisure, free time, and play, and to participate in recreational events according to their interests and individual needs.
3. The child shall have the right to participate in cultural and sports activities and in different fields of art.
4. The State shall promote the creation of appropriate opportunities for the child to exercise his/her rights to play and leisure, taking into account the individual needs and interests of the child.

### **Article 19 - Rights of the child to property and heritage**

1. The child shall have the right to property and heritage.
2. The child shall have the right to enter into a transaction according to the age and the level of development of the child with the help of a legal representative, and to exercise other rights related to property in accordance with the legislation of Georgia.
3. The child shall have the right to receive from a parent for daily use cash or a plastic card with a relevant limit on it, considering the free time and private interests of the child. The amount of money shall be determined individually, in accordance with the age of the child, and on the basis of the goodwill of the parents.
4. The property of the child may be administered in accordance with the best interests of the child, in compliance with the procedures established by the legislation of Georgia.

### **Article 20 - Rights of the child to intellectual work**

1. The child shall have the right to intellectual work.
2. The child shall have copyright on works and inventions and the right to a patent.

### **Article 21 - Right of the child to participate in the development and implementation of programmes for protecting and supporting the rights of the child**

1. The child shall have the right to participate in the development and implementation of programmes for protecting and supporting the rights of the child, according to the age and the level of development of the child.
2. The State shall take all administrative, educational and other measures to ensure the full exercise of the right of the child in all fields to participate in the development and implementation of programmes for protecting and supporting the rights of the child.

### **Article 22 - Other rights of the child**

This Code shall be without prejudice to other rights of the child provided for by the Constitution of Georgia, other legislative and subordinate normative acts and international agreements of Georgia.

### **Article 23 - Principles for the protection of the rights and freedoms of the child**



1. The rights and freedoms of the child are interrelated and should be considered jointly from the viewpoint of the full and harmonious development of the child.
2. The recognition, protection and provision of all rights and freedoms of the child shall be ensured on the basis of the principles of giving priority to the best interests of the child, the participation of the child, the exercise of the rights of the child to life, the development of the child and the right of the child to equal treatment.
3. The rights of the child provided for by this Chapter shall be subject to the restrictions established by the Constitution of Georgia and other legislative acts of Georgia.

## **Book II**

### **System for the Protection and Support of the Fundamental Rights and Freedoms of the Child**

#### **Chapter III – Rights of the Child to Family Environment**

##### **Article 24 - Rights of the child to live in a family environment and to individual development**

1. The child shall have the right to live and be raised in a family where all conditions are ensured for the harmonious upbringing, development and well-being of the child.
2. A parent or a person responsible for the upbringing of the child is obliged to respect the child's personality, raise the child in accordance with the principles of peace, respect for human rights, tolerance, equality and solidarity, take care of the physical, mental, spiritual and social development of the child, prepare the child for individual social life, and to give priority to the best interests of the child.
3. Being a legal representative of the child, a parent(s) shall undertake to protect the rights and interests of the child when relating to third parties without special proxies, including in a court.
4. A parent(s) shall be prohibited from exercising parental rights, including disposing of the child's property, in a manner that damages the best interests of the child.
5. When raising the child, a parent(s) or a person(s) responsible for raising the child, may not use such methods of upbringing that involve physical punishment or other cruel, inhumane or degrading treatment and/or punishment in relation to the child.

##### **Article 25 - Obligations of upbringing of a parent and a person responsible for the upbringing of the child**

1. A parent or a person responsible for the upbringing of the child is obliged to raise the child, take care of the physical, mental, spiritual and social development of the child, raise the child as a decent member of society and as a person with high moral values.
2. A parent or a person responsible for the upbringing of the child is obliged to raise the child so as the child, according to his/her age and capabilities:
  - a) understands his/her rights and freedoms and is able to exercise such rights independently;
  - b) treats with respect his/her parent(s), other family members, a guardian, a foster parent(s) and other persons responsible for the upbringing of the child;
  - c) respects the State and the state symbols and the legislation of Georgia;
  - d) is aware of his/her duties and respects the rights and freedoms of others when exercising his/her rights and freedoms;
  - e) realises his/her right to receive primary and basic education in accordance with his/her physical and mental



development and capabilities;

f) realises his/her duty to take care of and protect the natural environment.

3. An agenda determined by a parent or a person responsible for the upbringing of the child, with the participation of the child, determining the sequence of participation of the child in educational and other processes and the enjoyment of free time by the child, shall be in conformity with the best interests of the child.

4. A parent and a person responsible for the upbringing of the child shall employ measures in raising the child which involve the protection from information that is hazardous to the child.

5. The measures in raising the child by their parents and a person responsible for the upbringing of the child shall be in conformity with the best interests of the child. The physical punishment of the child shall be inadmissible.

6. A parent, and a person responsible for the upbringing of the child, are obliged, upon the request of a person carrying out support measures as provided for by this Code in relation to the child, to actively participate in carrying out such measures within the scope of their capacity.

### **Article 26 - Inadmissibility of the separation of a child from his/her parent**

1. A child may not be separated from his/her parent against his/her will, except when such separation is necessary for the best interests of the child, on the basis of a decision of a competent authority made in accordance with the legislation of Georgia.

2. A decision on the separation of the child from his/her parent shall be made by a social worker, who shall submit a motion to a judge of the regional (city) court based on the domicile of the child. The judge shall review the motion of the social worker at his/her sole discretion, without an oral hearing, and shall make a decision within 24 hours on the separation of the child from his/her parent or on the refusal to grant the motion on the separation of the child from his/her parent.

3. Where the life, health or safety of the child is under immediate and direct threat, a social worker shall be authorised to make an immediate decision on the separation of the child from his/her parent and shall submit a relevant motion to a court to obtain consent within 24 hours. The motion of the social worker shall include necessary justification for the immediate separation of the child from his/her parent. A police officer shall participate in the assessment of the threat, whose positive or negative opinion shall be recorded in the relevant protocol.

4. In the case provided for by paragraph 3 of this article, the judge shall review the motion of the social worker at his/her sole discretion, without an oral hearing, and within 24 hours, shall make a decision on granting or refusing to grant consent in relation to the separation of the child from his/her parent.

5. A child may not be separated from his/her parent because the parent does not have adequate living conditions or financial resources, except when the carrying out of family support measures would not have a desirable effect or there are reasonable grounds to believe that the carrying out of such measures would not have a desirable effect.

6. A child with disabilities shall have the right to live in the family environment, similar to the rights of other children. The child shall not be separated from his/her parent because the child or his/her parent is a person with disabilities.

7. A decision on the separation of the child from his/her parent shall be subject to a periodic review. Returning the child to the family environment after the reasons of his/her separation from his/her parent are eradicated, shall be in conformity with the best interests of the child.

8. A child separated from his/her parent or left without an accompanying person may not be detained, arrested, or imprisoned as a measure of punishment under the procedures provided for by criminal law, on the ground of



illegal entry into the territory of the country, except for the cases provided for by the legislation of Georgia. In such cases, the child shall be provided with adequate temporary alternative care and support for the purpose of reuniting him/her with his/her family and shall be protected in accordance with his/her best interests.

*Law of Georgia No 880 of 26 June 2025 – website, 7.7.2025*

## **Article 27 - Supporting the child in preventing his/her abandonment or separation from the family**

1. The State is obliged to take appropriate measures to prevent the abandonment or the separation of the child by his/her family in order to ensure that adequate living conditions, healthcare and social protection services, inclusive education, effective mechanisms for the protection against unequal treatment and violence, and the guarantees for the protection of all other rights, are equally accessible to the child.

2. The programmes carried out for the prevention measures provided for by this article shall be integrated with the needs of the relevant municipality. A family shall be involved in the programme, taking into account the best interests of a child.

3. When providing support to a child with disabilities and his/her family, particular attention shall be paid to the effective and continuous accessibility of the child to education, including vocational education, healthcare and rehabilitation services, in order to promote the full individual development and social inclusion of the child.

4. When providing support to the child in the family environment, particular attention shall be paid to a vulnerable child.

## **Article 28 - Family support programmes**

1. An authorised state body shall set up programmes for supporting a person responsible for raising the child in order to provide material and non-material assistance. The content, volume and duration of the programmes shall be determined on the basis of the individual needs of the child and the person responsible for the upbringing of the child, and on factual circumstances.

2. Family support programmes shall not be one-time programmes. They shall be aimed at strengthening the child and the family through the sustainable securing of their individual needs.

3. In the case of long-term support, a decision on the involvement of the family/child in the family support programmes shall be made by a group of several specialists, including a social worker. The support shall be provided on the basis of an individual programme set up with the participation of the child and persons authorised to raise the child.

4. In the development and implementation of family support programmes, particular attention shall be paid to the rights of the child, the overcoming of complex challenges related to early development, the transition from adolescence to adulthood of the child, and the promotion of the positive social inclusion of the child.

5. The content, form and duration of family support programmes shall be determined individually, on the basis of the assessment of the best interests of the child and the status of his/her family. Such programmes may cover one or more activities, including:

a) information, consultation and education activities to be performed for the purposes of applying positive methods in the upbringing and development of the child, promoting non-violent means of communication with the child, and the exercise of the rights of the child;

b) targeted material and non-material support activities in the light of the individual needs of the child and the individual circumstances;

c) courses offered to strengthen positive parenting and childcare skills, and the provision of consultations during cohabitation, family disputes and divorce;



d) proposing the opportunity to obtain vocational education and employment opportunities for a parent(s);

e) supplementary social services (day centre, mediation and conciliation services in family disputes, a course of medical services for the treatment of addiction to alcohol and/or drugs, or in the case of other psychological and emotional needs, social and economic support to employed and single parents), including community-based services;

f) programmes for the early identification and individual assessment of the needs of, and adequate support programmes for, a child with disabilities, including programmes focused on the development of the skills of the child;

g) programmes for early development and adolescence support in order to facilitate adolescents in the exercise of their rights, the development of critical thinking, the preparation for individual life, and participation in social life.

6. The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall elaborate and implement programmes for supporting the child in the family environment through interagency cooperation, within the framework of the Unified State Strategy and Action Plan.

7. A municipality shall elaborate and implement programmes for supporting the child in the family environment within the powers delegated by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, in accordance with the procedures and conditions established by Article 17 of the Organic Law of Georgia on Local Self-government Code.

8. A non-governmental organisation shall carry out activities to support the child in the family within the scope of state programmes in accordance with the legislation of Georgia, on the basis of an agreement concluded with a relevant state body and/or on its own initiative and by using its own financial resources in accordance with service standards established by the State.

#### **Chapter IV - Right of the Child to Alternative Care**

##### **Article 29 - Essence of alternative care**

1. The State is obliged to ensure, temporarily or permanently, the special support and protection of a child left without parental care, as well as the special support and protection of a child where staying in the family is against the best interests of the child.

2. If it is necessary to place a child in alternative care, and the form of alternative care fully conforms to both international and Georgian standards concerning the protection of the rights of the child and childcare, an authorised body shall make a decision, with the participation of the child, on the placement of the child in alternative care on the basis of the assessment and recommendation of a multidisciplinary group composed of professionals, and in accordance with procedures tailored to the interests of the child.

3. The multidisciplinary group referred to in paragraph 2 of this article shall approve the child's individual development plan aiming at protecting the physical and mental health, the harmonious development, the social inclusion and the effective exercise of all the rights and freedoms of the child.

4. An authorised administrative body shall examine and monitor the placement of the child in alternative care.

5. The placement of the child in alternative care shall be an urgent measure. The main goal of such placement shall be to promote the returning of the child to the family environment, and if returning is not possible, to provide continuous care, in particular, to ensure the adoption of the child. If adoption is not in the best interests of the child, the State shall ensure their placement in foster care. The rules and conditions of the adoption and foster care of the child shall be determined by the Law of Georgia on Adoption and Foster Care.

6. If the placement in foster care or the adoption of the child is not possible, small family-type residential care shall be employed as an urgent necessity, provided that the residential care facility fully meets childcare standards,



and residential care is required and promotes the development of the child and the exercise of the best interests of the child. The rules and conditions of residential care shall be determined by this Code and the Law of Georgia on Licensing of Educational Activities.

7. Alternative care in any form shall be in conformity with the best interests of the child and with alternative childcare standards, as well as with the standards provided for by the Constitution of Georgia, the Convention on the Rights of the Child, its supplementary protocols and other treaties of Georgia, and the requirements of this Code.

8. All children placed in alternative care, including children with disabilities, shall be fully integrated in the unified state education, healthcare and social protection systems. Children with disabilities shall also have access to justice similar to the rights of all other children.

9. The State shall take care of persons who, upon attaining the age of majority, leave alternative care facilities and need support during the transitional period.

10. In the case provided for by paragraph 9 of this article, the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall develop special programmes.

### **Article 30 - Grounds for alternative care**

1. The State shall determine unified childcare standards and licence conditions for the registration of foster parents and residential care facilities.

2. Unified alternative care standards established by the State shall be in conformity with alternative care standards established by the United Nations Organisation and shall take account of various matters, including the following key matters:

a) the appropriate professional qualifications, criteria of selection, professional training and supervision of natural and legal persons providing alternative care;

b) specification of the role and functions of natural and legal persons providing alternative care and the provision of information thereon to the child and his/her family;

c) support of the child in maintaining relationships with family members, relatives and friends for the protection of the child and in accordance with the best interests of the child, unless such maintenance is against the best interests of the child;

d) provision of high-quality nutrition to the child in accordance with nutritional standards for children;

e) accessibility to education, including formal and informal education, and vocational education;

f) the provision of safety, healthcare, nutrition, and harmonious development in light of the special needs of the child;

g) respect for the private life and private space of the child;

h) the protection of the child against violence, including the prohibition of disciplinary methods restricting the child from contacting his/her family and the outer world, and involving the torture, coercion, physical punishment or cruel, inhumane or degrading treatment or the application of punishment against the child;

i) the preparation of the child for individual life, and the protection of the child from stigma during alternative care and after leaving alternative care facilities;

j) ensuring the free contact of the child with a trusted person assigned in agreement with the child by an authorised body. The child shall be made aware of the cases and legal and ethical standards which may become grounds for a breach of confidentiality of information disclosed by the child to the trusted person;



k) the accessibility of the child to an effective mechanism enabling him/her to provide information on alternative care conditions or conditions of his/her treatment, or to file a complaint in that regard. The mechanism shall be independent from an alternative care facility and a state supervisory agency in order to ensure an effective and impartial response and the protection of the interests of the child.

3. When providing alternative care, it shall be prohibited to apply disciplinary measures and methods for controlling conduct that involve physical punishment, or other cruel, inhumane or degrading treatment against the child, including confinement, the limitation of contact with parents or other family members, or the outer world, or other types of physical or psychological violence.

### **Article 31 - Binding nature of the Single National Standards for Childcare**

1. It shall not be permitted to provide the child with an alternative care service that does not comply with the Single National Standards for Childcare and is not licensed in accordance with the law, except in cases of foster care and adoption.

2. The Single National Standards for Childcare shall determine the criteria and mechanisms of administration, and the provision, quality assessment and monitoring of childcare services that are focused on the care of the child in the family environment. The Single National Standards for Childcare shall be based on the principle of the exercise of the rights of the child, and shall reduce the need for residential care, establish child-friendly approaches of case management, and provide a high quality childcare service.

3. Alternative care providers shall meet professional standards established by the legislation of Georgia, including the standards of professional ethics, and perform their activities in accordance with a multidisciplinary approach.

4. The Single National Standards for Childcare shall be binding for public and private institutions of any form providing alternative care that implement short-term and long-term childcare programmes, including:

a) 24-hour residential care institutions, including centres for children with disabilities or other psychosocial needs;

b) resource schools and boarding schools, in the part of care service.

5. The State shall ensure that standards for placement in foster care are established in accordance with the Law of Georgia on Adoption and Foster Care.

6. The Single National Standards for Childcare shall also be binding during the implementation of family support, and medical, psychosocial assistance, educational, sports and fitness, and other cultural and recreational programmes, when childcare is provided temporarily, during a particular period of the day, during a day or during 24 hours, in the following institutions:

a) day centres;

b) shelters for victims of trafficking in minors and/or child victims of exploitation of various forms, and inpatient care facilities related to children's departments or individual services for children;

c) children's camps, in the part of care services;

d) other institutions, including the provision of supplementary childcare services provided at the place of employment of the parent, which is designed to provide childcare services.

7. The Single National Standards for Childcare shall not apply to cases where a child, of his/her own free will, spends some time with relatives or friends for recreational purposes and which is not related to the absence of the ability or desire of his/her parent(s) to take adequate care of the child. The Single National Standards for Childcare shall also not apply to cases of adoption from the moment of delivering a final decision by a court, since the child is no longer deemed to be a child without parental care.



8. Caregiver status (the status of a nanny) involving giving care to a child or several children (not more than 5 children) in return of remuneration in or outside the house of a legal representative of the child/children shall be subject to voluntary certification. A certified caregiver (nanny) shall have the right to be supported by a social worker in matters related to the upbringing of a child/children.

9. The care and support of a child placed in a detention facility shall be provided in accordance with the Juvenile Justice Code and other relevant laws, as well as the Convention of the Rights of the Child, its supplementary protocols and other treaties of Georgia.

### **Article 32 - Additional specific requirements for residential care facilities**

1. It shall be inadmissible to establish a residential care facility which is not of a small family type, the necessity of which is not substantiated on the basis of the assessment of an authorised state body and which does not meet the Single National Standards for Childcare.

2. The carrying out of activities by any public or private residential care facility shall be permitted only if it has obtained a licence in accordance with the Law of Georgia on the Licensing of Educational Activities.

3. The licensing of a residential care facility and licensing conditions shall be regularly examined by an authorised administrative body. The violation of licence conditions specified by the legislation of Georgia and the procedure for activities shall result in the imposition of liability in accordance with the procedures of the legislation of Georgia.

4. Matters related to the extension of the validity of a licence of an existing residential care facility and to the establishment of a new residential care facility shall be resolved in accordance with the single national deinstitutionalisation strategy and an action plan.

5. The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia and a municipality shall establish a residential care facility in the form of a non-entrepreneurial (non-commercial) legal entity, or shall select, on the basis of a competition, an individual implementing the national child support programmes.

6. For the purposes of deinstitutionalisation, the State shall carry out all necessary legislative and administrative measures which involve the gradual substitution of the residential care of children, including children with disabilities, by foster care and other family-based and community-based services. For this purpose, the Government of Georgia shall develop and implement a single national strategy and an action plan to ensure that large residential care facilities are gradually closed.

### **Article 33 - Legal representative of a child placed in alternative care**

1. An authorised body shall designate a person for a child placed in alternative care who shall make decisions concerning the child in accordance with the best interests of the child; such decisions shall be made with the participation of the child.

2. The person designated as a legal representative of the child placed in alternative care shall have a good reputation, the knowledge and skills necessary to communicate with the child, and shall have undertaken mandatory training.

3. The authorised body shall be accountable for the activities of the person designated as a legal representative of the child placed in alternative care and, accordingly, shall provide adequate professional support and supervision of the child.

### **Article 34 - Periodic control of alternative care**

1. A child placed in a facility for the purposes of childcare, protection or medical treatment, shall be subject to mandatory periodic control, in particular, an inspection at least once in every three months, which will consider



how he/she is treated in the facility, how necessary it is for him/her to stay in the facility, and other circumstances.

2. A relevant state body, with the participation of the child and his/her guardian, custodian or supporter, shall carry out a periodic inspection of the needs and conditions for the continuation of alternative care of the child, and monitor compliance with the Single National Standards for Childcare and with the procedures established by the legislation of Georgia.

3. Legal and natural persons shall be prohibited from seeking to place, or placing, a child in an alternative care facility for financial benefit if the child can be returned to the family or provided with family-based care.

4. The monitoring of compliance with the Single National Standards for Childcare and the quality of service shall be provided by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia within the scope of its authority.

## **Chapter V - Right of the Child to Education**

### **Article 35 - Right of the child to receive education**

1. The child shall have the right to receive quality education.

2. The State shall ensure that early, pre-school, general, vocational and higher education is equally accessible to all children, by means of introducing an inclusive education system and harmonising the education system of the country with the international education field.

3. In order to fully exercise the right of the child to education, the State shall provide the following conditions in accordance with the principles of inclusive education:

a) accessibility of the child to quality, early, pre-school and general education, considering his/her individual capabilities and needs;

b) accessibility of the child to vocational education considering his/her individual capabilities and needs, including by providing adequate financial support;

c) accessibility of the child to information on the education system, the stages, forms and procedures of education, and on other important and useful matters;

d) facilitating the return of a child to school who had previously been left out of school, and the carrying out of appropriate measures to prevent the child from leaving school;

e) facilitating the introduction of the latest academic and sectoral knowledge and contemporary child-friendly teaching methods and technologies at all stages of education;

f) facilitating the exercise of the rights of the child to participate in all stages of education when making decisions both directly in the educational process and in an educational institution.

### **Article 36 - Goals of child education**

1. Child education in the formal education system, as well as the informal education of the child, shall serve the following key goals:

a) the complete development of personality, talent, critical thinking and capabilities of the child;

b) the development of a sense of respect for fundamental human rights and freedoms and the ability to communicate non-violently;

c) the development in the child of a sense of respect for the homeland, the native language, the traditional cultural



values of the native country, and for different cultures and civilisations;

d) the development of a sense of responsibility in the child and the preparation of the child for individual life, in the spirit of mutual understanding, peace, tolerance, equality and friendship between people, groups and nations who differ by ethnicity, nationality, religion and other features;

e) the development of a sense of responsibility for the protection of the natural environment and cultural heritage and a sense of respect for the natural environment and cultural heritage.

2. This article shall not prejudice the rights of the child to receive education for the purposes which are not directly referred to in paragraph 1 of this article and which may emerge as a result of advances in technological development, or social, cultural or other factors, and which are not in conflict with the goals provided for by this article.

### **Article 37 - Inclusive education system support programmes**

1. The introduction of inclusive education system support programmes shall be aimed at:

a) ensuring the conformity of educational programmes, educational resources, logistical bases and human resources in educational institutions, with the education goals of the child;

b) introducing an inclusive educational system which, within the process of education equally accessible to all children, shall ensure the provision of education in accordance with their individual educational needs and abilities;

c) creating a national professional development system for teachers and special teachers of early and pre-school educational institutions, teachers and other key personnel of general educational and vocational educational institutions, which is a necessary precondition for the provision of quality inclusive education;

d) introducing appropriate services and programmes for students with special educational needs in order to support inclusive education; developing and introducing modules of necessary programmes at the higher education stage.

2. The State shall take all necessary administrative, social and other measures to ensure that the existing infrastructure and programmes of educational institutions are reasonably adapted to the individual capabilities and needs of the child, and that new infrastructure and programmes are designed with due regard to the universal design principle.

3. The Ministry of Education, Science and Youth of Georgia shall develop and implement child education support programmes in cooperation with municipalities, within the framework of the Single National Strategy and Action Plan.

4. While developing and making decisions on policy matters related to the protection and development of the natural environment, and the reduction and management of risks of natural and man-made disasters, the Ministry of Environment Protection and Agriculture of Georgia shall take appropriate measures to give priority to the best interests of the child, to provide appropriate information to the child, and to secure his/her right to participation.

5. A municipality shall implement child education support programmes within the powers delegated by the Ministry of Education, Science and Youth of Georgia in accordance with the rules and conditions established by Article 17 of the Organic Law of Georgia on Local Self-Government Code.

6. A non-governmental organisation shall implement child education support measures within the framework of its own programmes or state programmes in accordance with the legislation of Georgia, on the basis of the agreement concluded with the Ministry of Education, Science and Youth of Georgia.

*Law of Georgia No 346 of 16 March 2021 – website, 18.3.2021*



**Article 38 - Inadmissibility of violence against the child in the education system**

1. The implementation of child education support programmes shall promote the eradication of violence against the child and violence between children, including the bullying between children and the neglecting of the legitimate interests of children.
2. The use of any form of violence, including physical punishment or other cruel or degrading treatment or punishment as a disciplinary measure, shall be inadmissible in an educational institution.
3. Educational institutions shall introduce programmes and mechanisms to prevent and adequately respond to incidences of violence against the child and between children, including bullying between children.
4. In order to report an incidence of violence against a child, early and pre-school educational institutions, and general and vocational educational institutions, shall operate a hot line service.
5. An educational institution shall designate a coordinator who is responsible for matters related to child violence.
6. Programmes for preventing and adequately responding to the relevant facts of violence against the child and violence between children, including bullying between children, in pre-school educational institutions and general educational institutions, shall be developed by the Ministry of Education, Science and Youth of Georgia within the scope of its powers, taking this Code into consideration.

*Law of Georgia No 346 of 16 March 2021 – website, 18.3.2021*

*Law of Georgia No 3832 of 30 November 2023 – website, 15.12.2023*

**Article 39 - The right of the child to independent grievance mechanisms**

1. In early and pre-school educational institutions, and general and vocational educational institutions, there shall exist independent and impartial grievance mechanisms for the child. The mechanisms shall not encourage the child to behave dishonestly, shall be aimed at establishing objective facts, and shall ensure the respect and the protection of the rights of the child and others.
2. The child shall receive information on grievance mechanisms.
3. The child shall be given support in the grievance process, in particular by introducing suitable instruments for communication and expression, and for giving due consideration to opinions.
4. Independent grievance mechanisms for the child in a general educational institution shall be developed by the Ministry of Education, Science and Youth of Georgia.

*Law of Georgia No 346 of 16 March 2021 – website, 18.3.2021*

*Law of Georgia No 3832 of 30 November 2023 – website, 15.12.2023*

**Article 40 - Prohibition of the provision of information hazardous to the child**

1. It shall be prohibited to provide hazardous information to the child.
2. The failure to fulfil the obligation provided for by this article shall entail liability as established by the legislation of Georgia.

**Chapter VI - Right of the Child to Healthcare**



## **Article 41 - Right of the child to high standard healthcare**

1. Each child shall have the right to use high standard healthcare for the protection of physical and psychological health, including the right to have geographical and financial access to healthcare services (including primary healthcare, inpatient services, and rehabilitation).

2. The State shall carry out all necessary administrative, social and educational activities to ensure that no children, including children with disabilities and/or vulnerable children, are restricted from the right provided for by paragraph 1 of this article, throughout the territory of the country. These activities shall cover measures to:

a) reduce child mortality;

b) provide preventive, counselling and emergency outpatient services oriented to the development of the child and appropriate immunisation programmes for all children;

c) provide standards-compliant food and clean water to all children;

d) provide all children with food enriched with necessary minerals in order to reduce the negative effects of environmental pollution and/or to compensate for the deficiency of natural minerals;

e) ensure the access of women to prenatal and postnatal healthcare services;

f) provide information to the public, in particular to children and parents, on child healthcare, healthy nutrition, the advantages of breastfeeding, hygiene, and on matters related to environmental protection, and the prevention of disaster and accidents;

g) develop preventive healthcare sectors;

h) establish an identification system for the timely identification of and early intervention into the needs of a child in terms of healthcare;

i) eradicate traditional approaches harmful to the health of the child.

3. Specific healthcare measures shall be taken to protect the health of the vulnerable child.

4. The State shall ensure that the policy for the exercise of the right of the child to high standard healthcare is developed on the basis of this Code, within the framework of the single national system, in accordance with the Convention on the Rights of the Child, its supplementary protocols and other treaties of Georgia.

5. Within the framework of the Single National Standards for Childcare, through interagency coordination and in cooperation with municipalities, the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall ensure the development of a strategy and action plan on the rights of the child to high standard healthcare.

6. A municipality shall perform child healthcare and support activities within the powers delegated by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, in accordance with the rules and conditions of Article 17 of the Organic Law of Georgia on Local Self-government Code.

7. A non-governmental organisation shall perform child healthcare and support activities within the framework of its own programmes or state programmes in accordance with the legislation of Georgia, on the basis of the agreement concluded with the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.

## **Article 42 - Supporting the right of the child to healthcare in education, alternative care and penitentiary institutions**



1. Within the framework of the unified healthcare system, the physical and psychic support of the child shall be ensured in education, alternative care and penitentiary institutions, including through the provision of physical education, appropriate infrastructure and healthy food, and the introduction of informational, counselling and referral services.

2. All early and pre-school education, general education and vocational education, alternative care and penitentiary institutions are obliged to ensure the introduction of mechanisms for the management of physical education, and natural and man-made disasters, including for the preparation for and reduction of risk.

#### **Article 43 - Healthcare activities for children who are victims of crime, victims and witnesses**

1. Within the framework of the unified child healthcare system, the State shall ensure that children who are victims of crime, victims of various forms of violence and those who are witnesses, including children with disabilities, are provided with physical and psychic healthcare and psychosocial rehabilitation in healthy and decent conditions. The content, form and duration of the programme shall be determined according to the individual needs and the best interests of the child.

2. Within the framework of the Single National Standards for Childcare, the State shall ensure that children who are victims of armed conflicts and natural and man-made disasters are provided with physical and psychic healthcare and psychosocial rehabilitation in healthy and decent conditions.

#### **Article 44 - Inadmissibility of taking involuntary or coercive medical measures in relation to the child**

1. A child may not be subject to psychiatric treatment without his/her participation and his/her opinion being heard, taking into consideration the individual capabilities and the best interests of the child.

2. The involuntary inpatient psychiatric treatment of the child shall be permitted for the shortest period possible, and only by a court decision. The decision shall be subject to a periodic review. The involuntary psychiatric treatment of a child shall be continued in accordance with procedures established by the legislation of Georgia.

3. The use of medication or other medical treatment measures shall be based on therapeutic needs. Such treatment measure shall not be used unless assessed and prescribed by a specialist.

4. When a court delivers a decision provided for by paragraph 2 of this article, the direct participation of the child in the process and the due consideration of the opinion of the child during the process shall be required, as well as the participation of an independent and impartial body for determining and protecting the best interests of the child.

5. The child shall have the right to apply to a confidential and impartial body, directly and/or through his/her representative, concerning the violation of his/her rights during his/her stay in a relevant institution. The body shall be accessible to the child and be independent from the treatment provider or its superior agency.

6. The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall provide the involuntary or coercive psychiatric treatment and medical examination of the child in accordance with this Code and other legislative and subordinate normative acts of Georgia.

#### **Article 45 - Compliance of child healthcare services with standards**

All public and private institutions and organisations providing any child healthcare services are obliged to carry out their activities, in particular with regard to security, the quality of healthcare services, the professional qualifications of personnel, and ethics and monitoring mechanisms, in accordance with the standards established by the legislation of Georgia.

### **Chapter VII - Rights of the Child to Social Protection, Adequate Living Conditions and Development**

#### **Article 46 - Right of the child to social protection**



1. The child shall have the right to enjoy social protection and social services depending on his/her status and the status of his/her custodians, his/her age, individual capabilities and needs.
2. The child shall have the right to such living standards which meet his/her needs for physical, mental, spiritual, moral and social development. Where appropriate, the State shall provide targeted material and immaterial support to the parent oriented to the development of the child, and shall carry out support programmes, in particular for the purposes of providing food, clothes and living conditions.
3. The State shall take all administrative, social and educational measures to protect a child with disabilities from concealment, abandonment, neglect and segregation.
4. The amount, type and duration of the targeted social support of the child shall be determined on the basis of the assessment of the individual needs of the child and his/her family and the relevant circumstances.
5. The targeted social support of the child shall not be one-off support and shall include stable provision of a complex of education, healthcare, rehabilitation, and social integration related to the individual needs of the child.
6. The State shall ensure that a social policy for the protection of the child, and a unified national strategy and action plan, are developed on the basis of this Code, in accordance with the Constitution of Georgia, the Convention on the Rights of the Child, its supplementary protocols and other treaties of Georgia.
7. The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall develop social protection programmes for the child in accordance with the unified national strategy and the action plan and shall implement them in cooperation with the supreme bodies of the public authorities of Georgia through interagency coordination, and in cooperation with municipal bodies.
8. A municipality shall develop social protection programmes for the child in accordance with the unified national strategy and action plan within the powers delegated by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, in accordance with the rules and conditions established by Article 17 of the Organic Law of Georgia on Local Self-Government Code.
9. A non-governmental organisation shall implement social protection activities for the child within the framework of state programmes in accordance with the legislation of Georgia, on the basis of an agreement concluded with the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia and/or on its own initiative and with its financial resources, in accordance with the service standards established by the State.

#### **Article 47 - Right of the child to adequate living standards**

1. The child shall have the right to be raised in a family environment where his/her personality is respected and loved and where there is mutual understanding.
2. The child shall have the right to enjoy living conditions that contribute to his/her full physical, intellectual, mental, social and moral development.
3. An adequate living standard of the child shall include the provision of the child with minimum food, clean drinking water, an ecologically clean living environment, access to primary healthcare, basic information on a healthy lifestyle, the protection from disasters and accidents and appropriate safety mechanisms.
4. A child with disabilities shall have the same right to adequate living standards as any other child. The standard shall provide for the principles of reasonable adjustments and universal design, in order to promote the inclusive development of the child.
5. An authorised state body of Georgia shall ensure that the standards for the observance of the adequate living conditions of the child are developed and implemented in cooperation with interagency and municipality bodies.
6. The Ministry of Environmental Protection and Agriculture of Georgia shall take appropriate measures through



interagency coordination and in cooperation with municipalities in order to ensure a safe and healthy environment for the child, to protect the environment, and to protect the child from disaster and accident.

7. An authorised state body and a municipality shall have the obligation to take account of the adequate living standards of the child while making decisions on urban planning, urban development, the issuance of construction permits, and reconstruction projects.

8. A state body and a municipality shall create legal mechanisms and take appropriate measures in order to ensure the participation of the child in playing, leisure, recreational, cultural and artistic activities.

#### **Article 48 - Supporting the social development of the child**

1. An appropriate programme designed for supporting the social development of the child shall cover social activities, social inclusion activities and activities promoting the volunteering of the child.

2. As for the content and methodology, the child's social development programme shall be in conformity with the best interests of the child, and shall be implemented with the participation of the child. It should assist the child in acquiring the ability to exercise his/her rights independently and to respect the rights of others.

#### **Article 49 - Social work for protecting and supporting the rights of the child**

For the purposes of protecting and supporting the rights of the child, basic principles of social work in different fields, and the functions, rights and duties of social workers, as well as the activities to be performed by social workers, shall be determined by the Law of Georgia on Social Work.

#### **Article 50 - Promoting the social activity of the child**

1. The child shall be offered such social activity programmes as are accessible to the child for his/her development.

2. In regards to content and methodology, a child's social activity programme shall be in conformity with the best interests of the child and shall be implemented with the participation of the child. It shall assist the child in acquiring the ability to make independent decisions and to develop a sense of responsibility in relation to society.

3. The child's social activity programme shall include individual, general (open) and group activities focused on the child involved in a relevant process.

4. A child's social activity programme should include the following:

a) informal education in general, political, social, cultural, cognitive, technical, ecological and healthcare fields;

b) sporting and entertainment activities promoting mental development and physical activity;

c) activities relating to school, or labour obligations, and the family environment;

d) international youth programmes;

e) child leisure programmes;

f) child counselling programmes;

g) cultural and artistic programmes;

h) programmes developing pre-professional skills.

5. The child's social activity state programme shall be developed and implemented by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia in cooperation with the Ministry of Education, Science and Youth of Georgia and municipalities.



6. The child's social activity programme to be implemented in a general educational institution shall be determined by an order of the Minister of Education, Science and Youth of Georgia in accordance with this Code.

7. A municipality shall take child social activity measures, within the framework of a municipal programme, or within the powers delegated by the relevant ministry in accordance with the rules and conditions established by Article 17 of the Organic Law of Georgia on Local Self-government Code.

8. A non-governmental organisation shall take child social activity measures within the framework of its own programme or child social activity state programmes/municipal programmes, in accordance with the legislation of Georgia, on the basis of an agreement concluded with the relevant ministry/municipality.

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*Law of Georgia No 3832 of 30 November 2023 – website, 15.12.2023*

### **Article 51 - Promoting the social inclusion of the child**

1. The child's social inclusion programme shall support the equal participation of all children in public life, including through educational, informational, sport, cultural and professional activities, on the basis of equal treatment. The aim of social inclusion is to recognise that all children are valuable and important, and to provide equal access, opportunity and the right to participation for all children, without exercising unequal treatment or creating barriers.

2. Child social inclusion activities shall take into account the individual capabilities and needs of the child and shall focus on the promotion of the child's participation, the establishment of diverse social relationships, the development of social skills and the making of choices and decisions individually.

3. Child social inclusion state programmes shall be developed and implemented by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia in cooperation with the Ministry of Education, Science and Youth of Georgia, other state agencies and municipalities.

4. A municipality shall implement child social inclusion activities within the powers delegated by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, in accordance with the rules and conditions of Article 17 of the Organic Law of Georgia on Local Self-Government Code.

5. A non-governmental organisation shall implement child social inclusion activities within the framework of its own programme or a state programme in accordance with the legislation of Georgia, on the basis of an agreement concluded with the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.

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### **Article 52 - Promoting the volunteering of the child**

1. In order to support the child's social activities, programmes promoting the volunteering of the child shall be developed.

2. The child's volunteering activity shall involve the voluntary and gratis performance by the child of activities useful for society, within the framework of the programme provided for by paragraph 1 of this article, which shall not prevent the child from completely exercising his/her other rights, in particular the rights to education, healthcare, protection from violence and harmful influence.

3. Child volunteering promotion programmes shall be developed and implemented by the Ministry of Internally



Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, the Ministry of Education, Science and Youth of Georgia and municipalities in cooperation with the private sector and non-governmental organisations.

4. The Ministry of Education, Science and Youth of Georgia shall establish legal grounds for encouraging the child to participate in child volunteering promotion programmes, within the framework of general, vocational and higher education.

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*Law of Georgia No 3832 of 30 November 2023 – website, 15.12.2023*

## **Chapter VIII - Right of the Child to be Protected from Violence**

### **Article 53 - Protecting the child from violence**

1. The child shall have the right to be protected from physical and psychological violence, bullying, coercion, injury, the disregarding of their opinion, negligent treatment, torture, exploitation, child trafficking and any other forms of violence in the family, at school, or in any other place or area, including the Internet.

2. The physical punishment, torture, or other cruel, inhumane or degrading treatment of a child in the family, in a pre-school educational institution or a general educational institution, when providing alternative care services, in a medical institution and/or psychiatric institution, a penitentiary institution or any other place shall be prohibited. Such actions shall entail the liability in accordance with the legislation of Georgia.

3. It shall be prohibited to use methods for the performance of traditional rituals in relation to the child, which involve physical or psychological coercion, torture, or other cruel, inhumane or degrading treatment against the child (including genital mutilation, surgery or the manipulation of a girl to impair reproduction ability), irrespective of the consent of the child and/or his/her legal representative(s).

4. It shall be prohibited to use methods of medical aid or treatment (including active biological (shock, convulsive, etc., methods) in relation to the child, which involve the physical or psychological coercion of the child and contravene the best interests of the child.

5. The traditional religious ritual of christening shall not be deemed a practice as provided for by paragraph 3 of this article.

6. In order to protect the child from any form of violence, the State is obliged to take appropriate administrative, social and educational measures, including to establish effective mechanisms to support the child and his/her family, prevent and detect any form of violence against the child or between children, report, appeal, refer and investigate such violence, in order to carry out other necessary measures for the physical and psychological rehabilitation of the victim child and for the restoration of his/her rights.

### **Article 54 - Protecting the child from harmful forms of labour**

1. The child shall have the right to be protected from work which prevents him/her from obtaining education or is harmful to his/her health or physical, mental, moral, emotional and social development.

2. In order to protect the child from hazardous, hard, harmful and dangerous work, the State shall take appropriate administrative, social and educational measures, including:

a) draw up a list of work deemed hazardous, hard, harmful or dangerous for the child, which is subject to periodic updating;

b) establish a procedure for the identification of forms and places of works deemed hazardous, hard, harmful or dangerous for the child, and measures to be implemented, and for the identification of a responsible agency;



c) specify the minimum age of employment, working hours and mandatory standards of working conditions for the child;

d) designate a labour inspection agency to which the child may apply in the case of a violation of his/her rights.

### **Article 55 - Protecting the child from all forms of economic exploitation**

1. The economic exploitation of the child shall be inadmissible, namely the child may not be forced to perform any act or to provide any service to obtain monetary or other benefits, nor may the child be put into slavery or in a condition similar to slavery. It shall be inadmissible to remove the organs of the child or to otherwise use the child by force, blackmail, deception, incitement, or violence, or by any other means.

2. It shall be prohibited to force a child to beg or to perform other antisocial actions by force, blackmail, deception, incitement, by using his/her disability, or by any other means.

3. It shall be inadmissible to force, incite, persuade or use a child to perform work or to involve him/her in the performance of work which prevents him/her from receiving education or is harmful to his/her health or physical, mental, moral, emotional and/or social development.

4. The State shall take appropriate administrative, social and educational measures to protect the child from all forms of economic exploitation.

### **Article 56 - Protecting the child from all forms of sexual exploitation**

1. The child shall have the right to be protected from sexual exploitation and any other forms of sexual violence.

2. It shall be prohibited to force a child to be engaged in any sexual activity.

3. It shall be prohibited to engage a child in prostitution and other sexual activity.

4. It shall be prohibited to engage a child in a pornographic activity, in the production, promotion, distribution, transfer, receipt, export and import of pornographic materials and trading in such materials.

5. The State shall take appropriate administrative, social and educational measures to protect all children, including girls and children with disabilities, from sexual exploitation or other forms of sexual violence.

### **Article 57 - Prohibition of child trafficking**

1. Child trafficking, i.e., the transfer of a child by a person or a group of persons to another person or another group of persons, in exchange for money or for any other benefit, shall be prohibited.

2. The child may not be offered, transferred or received in any form for sexual or labour exploitation, organ transplantation or for other benefit.

[2. The child may not be offered, transferred or received in any form for sexual or labour exploitation, organ transplantation, illegal use of tissues or cells, or for other benefit. *(Shall become effective from 1 September 2026)*]

3. It shall be prohibited to trade in a child for adoption purposes or to persuade a person through a mediator to give consent to place a child for adoption in violation of the Law of Georgia on Adoption and Foster Care and relevant international legal norms.

4. The State shall take all administrative, social and educational measures in order to prevent and eradicate child trafficking.

*Law of Georgia No 3621 of 1 November 2023 – website, 22.11.2023*



### **Article 58 - Protecting the child from trafficking**

1. It shall be prohibited to seek to transport or transfer the child, or to transfer or receive or place the child, by menace, force or the use of other forms of coercion, abduction, forgery, deception, abuse of power, use of helplessness of the victim, or to obtain the consent of a person who is under the influence of a person giving or receiving money or for transferring or obtaining other benefits in order to obtain such consent under coercion, for exploitation purposes.

2. The State shall take all administrative, social and educational measures to protect a child from trafficking.

### **Article 59 - Protection of the child from participation in armed conflict**

1. The child shall have the right to be protected from participation in an armed conflict.

2. In order to protect the child from participation in an armed conflict, the State shall take all necessary administrative, social and educational measures.

3. The State shall take all measures for releasing a child involved or engaged in an armed conflict, and for their physical and psychological rehabilitation and social reintegration.

### **Article 60 - Prevention of violence against the child**

1. The State shall take appropriate administrative, social and educational measures to effectively prevent child exploitation, child trafficking, child prostitution, child pornography and all forms of violence harmful to the harmonious development of the child.

2. The State shall take all necessary administrative, social and educational measures to eradicate the practice of physical punishment of a child, or other cruel, inhumane or degrading treatment or punishment of the child.

3. In order to eradicate all forms of violence against the child, various measures shall be taken, including to:

a) improve the legal basis by prohibiting all forms of violence against the child, protecting the child from harmful influence and creating other specific legal guarantees;

b) support a parent and other person responsible for the upbringing of the child by developing positive, non-violent parenting practices and skills, socio-economic support, consultations and providing information;

c) provide specialised training for and inform persons engaged in issues related to the child in the fields of education, health and social care, sports, culture and justice, including creating safe and violence-free environments for children and changing social norms which involve violence;

d) take educational measures, including on the Internet, concerning the risks of violence against the child, non-violent communication with the child, peaceful resolution of conflicts and mechanisms for protecting the child from violence;

e) promote the participation of the child in the development and implementation of policy documents, programmes and initiatives, in order to eradicate various forms of violence;

f) promote the participation of the private sector including tourism, banking and financial institutions in the development and implementation of policy preventing various forms of child exploitation and violence;

g) promote the active participation of media in the coverage of child exploitation and all aspects of other forms of violence and in the dissemination of relevant information while protecting the private life of a child, and meeting the principle of confidentiality and other ethical standards;



h) provide non-governmental organisations with state support, including financial resources, in order to prevent violence against children and implement child rights protection programmes by these organisations.

4. The State shall undertake appropriate activities in order to eradicate factors promoting violence against children, including various kinds of social danger, poverty, and unequal treatment of children.

5. The State shall develop and implement medical and psychosocial therapy and counselling programmes intended to prevent violence, change abusive attitudes of violators, and eradicate the causes of violent behaviour.

#### **Article 61 - Protection, support and rehabilitation of crime victims, victims of violence and witnesses**

1. The State shall provide short-term and long-term programmes and services accessible to children who are crime victims and/or victims of violence for their physical and psychosocial rehabilitation, and mechanisms for protecting children from humiliation, repeated traumas and damage, and for providing accessibility to justice, appeal and compensation for damage.

2. A child who is a crime victim and/or a victim of violence and/or a child who is an alleged victim shall have the right to receive compensation from the State, including compensation for financial loss, through rapid procedures, when it is not possible to receive such compensation from an offender.

3. The State shall ensure the protection of the rights and prevention of the secondary victimisation of children who are crime victims and crime witnesses, as well as the prevention of the secondary victimisation of a child who is a crime victim, at all stages of rendering justice, in accordance with the legislation of Georgia, including the Juvenile Justice Code of Georgia.

4. The State shall ensure mandatory training/specialisation for all persons working in a public institution and dealing with children who are witnesses and/or victims of violence, in accordance with established standards.

### **Chapter IX – Right of the Child to Be Protected from Harmful Influence**

#### **Article 62 - The essence of the right to protect the child from harmful influence**

The protection of a child from harmful influence shall involve the protection of the child from negative factors in the social environment and information hazardous to a child, on the basis of creating appropriate legal grounds and undertaking state and municipal programmes and activities.

#### **Article 63 - Protection of the child from alcoholic, narcotic, psychotropic, toxic and other harmful substances**

1. Providing a child with alcoholic, narcotic, psychotropic, toxic and other intoxicating drugs, alcoholic beverages, tobacco and nicotine-containing products, or capsules, free of charge or in exchange of money, except where the child takes narcotic and psychotropic drugs prescribed by a doctor, shall be prohibited.

2. The child may not perform labour in a facility where alcoholic beverages, erotic products, toxic substances, narcotic and psychotropic drugs permitted to be used for medical purposes and/or tobacco products, are produced, stored or sold, or in a facility that operates as a gambling facility or a night entertainment facility.

3. The violation of the requirements of this article by an institution shall entail liability under the legislation of Georgia.

4. For the purposes of protecting a child from the influence of harmful substances provided for by paragraph 1 of this article, preventive measures shall be taken by a relevant municipal office responsible for the protection and support of the child, within the scope of its competence. The fulfilment of the liability referred to in paragraph 2 of this article shall be controlled by a state body responsible for the supervision of the compliance with labour legislation and the terms of labour.

#### **Article 64 - Protection of the child from the harmful effects of gambling**



The admission of a child to casinos and/or gambling clubs and/or slot machine salons for gambling, and/or the participation of a child in games of chance, and/or in games of chance and/or prize games organised in the systemic-electronic form, shall be governed by the Law of Georgia on Organising Lotteries, Games of Chance and Prize Games.

*Law of Georgia No 2593 of 9 February 2023 – website, 24.2.2023*

#### **Article 65 - Admission of the child to public entertainment dance centres (night clubs)**

1. The child shall not be admitted to public entertainment dance centres (night clubs).
2. The limitation referred to in paragraph 1 of this article shall not apply when a dance event has a cultural feature and is agreed upon with an educational institution.
3. The Municipal Service for Child Protection and Support shall implement preventive measures and responsive measures for relevant offences, in order to fulfil its obligations under this article.
4. The violation of the requirements of this article shall entail liability under the Administrative Offences Code of Georgia.

#### **Article 66 - Protection of the child from information hazardous to the child**

1. A broadcaster is obliged to ensure that a child is protected from the effect of information hazardous to the child. A broadcaster is also obliged to use classification criteria of broadcasting programmes for the purposes of establishing the categories of these programmes and place these programmes into a broadcasting grid in accordance with the rules laid down in the Law of Georgia on Broadcasting.
2. A child shall be admitted to a public film show only if the film in question is marked as 'informational' or 'educational' or the age limit is indicated thereon in accordance with the requirements of paragraph 1 of this article.
3. It shall be inadmissible to sell, give as a gift or otherwise provide access of a child to newspapers, magazines and other print media publications containing information hazardous to the child.
4. It shall be inadmissible to sell, give as a gift or otherwise provide access of a child to movies, computer games or other audio-visual products containing information hazardous to the child.
5. A programmed storage device or a photographic film of a recorded movie or a game which may be shown, transmitted and reproduced may become accessible to a child only if it is marked as 'children'.
6. The mark referred to in paragraph 5 of this article shall be clearly presented in the lower left corner of the front label of the information carrier in a 1200 mm<sup>2</sup> area, and for a photographic film in 250 mm<sup>2</sup> area. An authorised body may specify norms governing the content, size, shape and colour of markings and set exceptions to these norms.
7. A child may not stay in an internet salon or an internet cafe without a parent or a legal representative from 22:00 to 8:00. Complete restriction shall apply when a child is not restricted from having access to pornographic or other information having a hazardous effect on the child in the said space.
8. Information shall be posted on the website in accordance with the broadcasting programmes classification criteria and the rules for placing these programmes into a broadcasting grid.
9. An internet service provider (ISP) is obliged to develop mechanisms enabling the blocking of the access of a child to information hazardous to the child, upon the request of a user.

10. The internet network may be accessible to a child in a general educational institution, a library or a specialised childcare institution, only if such institution has introduced appropriate technical means for blocking information



hazardous to the child.

11. The information disseminated through broadcasting, as well as the control of dissemination of information hazardous to a child on the Internet and programmed network storage devices (the Internet) for recorded movies and games, shall be controlled by the Georgian National Communications Commission.

12. For the purposes of observing rules for the accessibility of the Internet, newspapers and magazines and other printed media, public film shows, access to programmed storage devices of recorded movies and games and non-prize electronic gaming machines in internet salons, general educational institutions, libraries and specialised childcare institutions, a relevant municipal service for child protection and support shall take preventive and responsive measures in relation to relevant offences.

13. The posting of information hazardous to the child on the Internet shall be regulated by a subordinate act issued by the Georgian National Communications Commission.

#### **Article 67 – Maintaining the child's safety when participating in a public event**

1. An organiser of the participation of a child in a public event is obliged to provide full information to the child and his/her legal representative on the purpose of the event, the planned activities and the rights and duties of the parties.

2. An organiser of the participation of a child in a public event shall have complete information on the participants of the event, including information on the special needs of the child, an instructor of the event, a child supervisor and the qualifications of a carrier, the condition of vehicles and the evacuation plan for the location where the child will be placed.

3. If an organiser has not provided a 24-hour service of a doctor or a nurse in places of temporary accommodation for children during their collective transportation and in organised groups, among the persons taking responsibility for the safety of the children there should be at least one legally competent adult who has undertaken an emergency medical aid course.

4. While transporting children, a driver of a vehicle should observe sanitary conditions when transporting food intended for the nutrition of children. The procedure for monitoring the compliance with the sanitary rules during the transportation of food products and the responsibility of a violator of these rules shall be determined by the legislation of Georgia.

5. A food facility used during a public event shall observe nutrition and hygiene norms. Food products shall be safe and in compliance with the quality and safety hygiene norms of food products, as established by the legislation of Georgia. The procedure for monitoring the compliance of a food facility with sanitary rules and the responsibility of a violator of these rules shall be determined by the legislation of Georgia.

6. A municipal service for the protection and support of the child shall control the compliance of the organiser of the participation of a child in a public event with the obligation provided for by this article. The violation of the requirements of this article by an organiser of the participation of a child in a public event shall entail liability as established by the Administrative Offences Code of Georgia.

7. A driver of vehicle is obliged to meet the requirements of the Law of Georgia on Road Traffic. The violation of the legislation of Georgia in the field of road traffic and road traffic organisation shall entail civil, criminal and administrative liability in accordance with the rules established by the legislation of Georgia.

#### **Article 68 - Guarantees for the protection of the child from harmful influence**

1. The national and municipal social policy shall be aimed at creating a cultural environment appropriate for the raising of children and the popularising of a healthy lifestyle for children.

2. The State shall promote public television and radio broadcasting to make programmes at reasonable intervals for



popularising a healthy lifestyle for children.

3. The protection of children from alcoholic, narcotic, psychotropic, toxic and other harmful substances, gambling and from information hazardous to children, as well as the protection of children in public spaces and in the media space, shall be regulated by this Code and other relevant legislative and subordinate acts.

## **Chapter X – Right of the Child to Justice**

### **Article 69 - Basic principles of justice adapted to the child**

1. Justice adapted to the child shall ensure that all the rights of the child are respected and effectively exercised on the basis of the principles of child participation, giving priority to the best interests of the child, respecting the dignity of the child, and based on the inadmissibility of unequal treatment and the principles of the rule of law.

2. The child shall have the right to enjoy a system of justice provided by specialised professionals, and one that is accessible to the child, appropriate to his/her age and easily understandable to the child, which is accelerated, fair, consistent, adapted to the rights and needs of the child, and which expresses respect for the dignity and the private life of the child.

3. The State shall take all necessary administrative and other measures to enable the exercise of the rights of the child in the field of justice adapted to the child in accordance with this Code, the Convention on the Rights of the Child, its supplementary protocols and other treaties of Georgia.

4. In order to enable the exercise of the right of the child to justice, the State shall provide the following main guarantees:

a) access of a child to information, counselling and legal aid in an adapted form, including the use of a hotline, websites and other means of social media;

b) procedures and mechanisms adapted for children, including communication means and adapted forms for applying to the Public Defender of Georgia and for filing administrative complaints and applications, appeals and applications on administrative and civil disputes to be submitted to a court;

c) rights of the child to participate in administrative proceedings and court hearing proceedings directly and/or through a representative chosen by him/her in accordance with the procedures established by the legislation of Georgia;

d) execution of the child-related decisions of an administrative body or a court in accordance with child-friendly procedures tailored to the child;

e) adapted mechanisms and procedures for appealing an act or a decision of a legal entity under public or private law or any natural person, through an appeal using administrative and/or judicial procedures, and for seeking damages;

f) protection of the personal data and family life of a child at all stages of administrative proceedings and the exercise of justice by a court.

5. The provisions of this Chapter shall apply to child-related administrative procedures, administrative and civil proceedings in courts, including family disputes. Criminal and administrative proceedings shall be regulated by the Juvenile Justice Code.

### **Article 70 - Information and counselling**

1. The State shall take all appropriate administrative, social and educational measures in order to provide society, in particular, a child and his/her family, with information on the protection of the rights of the child and the mechanisms for the protection of such rights, in accordance with this Code, the Constitution of Georgia, the Convention on the Rights of the Child, its supplementary protocols and other international legal acts.



2. Given the capabilities of the child, a parent or other person responsible for the upbringing of the child, shall provide the child with information and advice on the rights of the child, the safeguards in the case of violation of such rights, and on the respect of the rights of others.

3. In pre-school, general educational and professional educational systems, and when providing all services of alternative care, a child shall receive information on his/her rights, and confidential counselling, support and appeal procedures, and mechanisms available in the case of violation of such rights, and information on respecting the rights of others.

4. Upon the first contact of a child with the justice system on criminal, administrative or civil law issues, an authorised body is obliged to provide the child with information on justice procedures, and the participation of the child in this process, and on support and appeal mechanisms, including information on:

a) the rights and role of the child in a judicial or administrative process;

b) support mechanisms for participating in the process;

c) the possible outcomes of the process;

d) the place and date of the process, when the child is a direct participant in the process;

e) the mechanisms for appealing decisions;

f) the possibility to obtain compensation from a violator or the State, through a court or other alternative ways;

g) the possibility to receive ancillary services (healthcare services, psychosocial support services, interpreter's services, etc.) or urgent financial support.

5. Information and counselling shall be provided to a child, taking into account his/her cultural sensitivity, his/her age, gender, and individual capabilities, in a language understandable to him/her and/or through other auxiliary means of communication.

6. The Public Defender of Georgia shall perform informational and educational activities in the field of the rights and freedoms of the child, in particular a vulnerable child, in accordance with the Organic Law of Georgia on the Public Defender of Georgia.

## **Article 71 - Protection of personal data of the child**

1. The personal data of the child involved in administrative proceedings or a judicial process may not be disclosed in any form, including by media, which may disclose or indirectly indicate the identity of the child (an image, a detailed description of the child or his/her family members, names, addresses, audio and video recordings and similar information).

2. It shall be inadmissible to disclose in any form, including by media, a document or a record containing the personal data of a child, which is related to the use of disciplinary measures against the child, violence committed against or by the child, the health status of the child, the participation of the child in programmes of social assistance or charity programmes for children with disabilities or for poor families, and other information of similar content related to the child.

3. The processing of the personal data of a child shall be permitted only in accordance with the legislation of Georgia.

4. The State shall ensure the legislative regulation of the personal data of the child and shall establish uniform standards for matters related to the rights of the child in the fields of education, healthcare, social protection, justice and other fields, in accordance with international legal acts, the Constitution of Georgia, this Code and the Law of Georgia on Personal Data Protection.



## **Article 72 - Multidisciplinary approach**

1. Administrative proceedings and a judicial process on civil and administrative law cases with the participation of a child and/or on any child-related issues should be provided in accordance with a multidisciplinary approach in order to assess the psychological, social, emotional and physical health of the child and to identify his/her best interests.
2. An appropriate administrative body and a court shall apply a multidisciplinary approach in accordance with the procedure for formal cooperation between the specialists of public agencies, invited experts and/or organisations dealing with child-related issues.
3. A multidisciplinary approach shall be applied in a single space to children who are affected by crime, crime witnesses and crime victims, with the joint participation of social workers, forensic experts, medical experts, psychologists, paediatricians, police officers, prosecutors and lawyers, in order to conduct a repeated inquiry and to prevent the secondary victimisation of the children.

## **Article 73 - Specialisation of professionals**

1. The State shall take measures to ensure the personal and professional compliance of persons (professionals) working with children in the fields of education, healthcare and social protection, law, law enforcement, sport, culture and recreation, in order to prevent risks of any form of violence in the relevant field and hazards to the child.
2. A professional person working with children shall undertake necessary interdisciplinary training on matters related to the rights of the child, the needs of children of different ages, and matters related to child-friendly justice. In addition, a professional person working with children shall be retrained in the field of communication methods used with children of any age and level of development, in particular with vulnerable children.
3. Any person participating in an administrative procedure or civil and administrative proceedings in courts related to the rights of the child shall be specialised in accordance with the specialisation standards established by a relevant law.
4. The institutional system of specialisation of professionals shall provide quality control and ethical standards in the selection, training and continuous training, professional development, career promotion and activities of lawyers, prosecutors, police officers, judges, mediators, social workers, psychologists and other specialists working with children and on child related matters.

## **Article 74 - Child-friendly process**

1. Each child shall have equal rights to have his/her case heard fairly and in accordance with all principles implied under such rights (including the principles of legality, proportionality, presumption of innocence), as well as the rights to apply and appeal to a court, and the rights to receive legal aid and legal advice.
2. The rights of the child to fair trial shall apply to disciplinary and/or administrative procedures, as well as to criminal, administrative and civil proceedings in a court. Such rights may not be restricted by reference to the protection of the best interests of the child.
3. The child shall have the right to invite a lawyer. The State shall provide the child with legal aid free of charge where the child does not have an appointed lawyer.

## **Article 75 - The right of the child to apply to an administrative body or a court, and basic procedural guarantees**

1. A child shall have the right to apply to an administrative body or a court directly or through his/her representative, in order to protect his/her rights and freedoms and/or to appeal any decision or action related to him/her.



2. Child-friendly justice shall be provided in conformity with the best interests of the child, which means procedures accessible and understandable to the child at all stages of the exercise of justice.
3. Before or after filing an appeal, a court shall be authorised to make a decision, on the basis of a petition of the parties, on the application of provisional measures towards a defendant in order to avoid potential irreparable damage to a claimant.
4. A case of violence of any form committed by an adult against a child shall not be subject to judicial mediation or settlement.

#### **Article 76 - Priority hearing of the case of the child**

1. An administrative body and a court shall give priority to the hearing of a mediation, complaint or appeal related to the child.
2. A court shall review the matters related to the provision of the rights and interests of the child in accordance with the rules and time limits laid down by the legislation of Georgia.
3. The law shall determine a mechanism for the preferential execution of child-related decisions made by an administrative body or a court where this is required in the best interests of the child.

#### **Article 77 - Limitation period**

In the case of sexual, economic, domestic or other forms of violence against a child, the limitation period for applying to a court to seek damages shall be suspended until the child attains majority or applies to a court before attaining majority.

#### **Article 78 - Rights of the child to express his/her opinion and to have such opinion duly considered**

1. During administrative procedures and court proceedings related to the child, the child shall be guaranteed the opportunity to express his/her opinion regarding the case at any stage of the hearing of the case.
2. The right of the child to have his/her opinion heard may not be prejudiced by reference to age or other circumstances. The child shall be given the opportunity to express his/her opinion in the desired form.
3. Appropriate conditions necessary to express his/her opinion shall be created for a child with disabilities.
4. The child shall express his/her opinion without the influence of an administrative body or other third parties.
5. The process of expressing his/her opinion by the child shall not take the form of an examination. It shall take place in a friendly environment in the form of free dialogue. The dialogue shall be supportive rather than contentious.

#### **Article 79 - Rights of the child to legal aid**

1. The child shall have the right to receive consistent and qualified legal advice and/or legal aid in a language understandable to him/her through appropriate means of communication at the expense of the State, considering his/her age, individual capabilities and needs, and in accordance with the rules established by this Code.
2. LEPL Legal Aid Service shall ensure that a child and/or a parent or other person responsible for the upbringing of a child is provided with legal advice and/or legal aid free of charge on matters related to the rights of the child, in accordance with the rules established by the legislation of Georgia.
3. LEPL Legal Aid Service shall ensure that legal advice and/or legal aid is accessible to a child by telephone, adapted websites, printed media and other means.
4. LEPL Legal Aid Service shall ensure that infrastructure, referral forms and all other services are available in



accordance with child-friendly justice standards.

### **Article 80 - Right of the child to representation**

1. The child shall have the right to participate in administrative proceedings or judicial processes directly and/or through his/her representative, who may be the legal representative of the child or other procedural representative chosen by the child.

2. Where a representative is chosen by a child, particular attention should be paid to cases where the parent, other family member, or person responsible for providing alternative care of the child, is an alleged violator.

### **Article 81 - Grounds for the substantiation of a decision**

1. When making a decision and presenting arguments regarding the case related to the rights of the child, an administrative body shall give priority to the best interests of the child.

2. When making a decision and presenting arguments regarding the case related to the rights of the child, a court shall give priority to the best interests of the child.

3. In order to give priority to the best interests of a child, a decision taken by an administrative body or a court shall be substantiated according to the following basic criteria:

a) the physical and psychological protection and safety of a child;

b) the continuous access of the child to education, health and social care, psychosocial support and rehabilitation;

c) the prevention of humiliation and danger or any form of violence against a child;

d) the promotion of the harmonious development of a child, and respect for his/her personality, individual capabilities and interests;

e) the opinion of a child;

f) the relationship between a child and his/her parent or other person responsible for the upbringing of the child;

g) the possibility of maintaining or restoring the relationship of a child with both parents;

h) particular measures for the prevention of potential damage to a child in the process of the enforcement of a decision that has been taken in the best interests of the child;

i) other matters directly or indirectly affecting the rights of a child and the settlement of the case on the basis of the principles of a fair trial.

## **Book III**

### **Institutional Guarantees for the Protection and Support of the Fundamental Rights and Freedoms of the Child**

#### **Chapter XI - General Grounds**

### **Article 82 - Mechanisms for the legal status impact assessment of the child**

1. Through the application of the principle of giving priority to the best interests of the child, the State shall ensure that the mechanism for the legal status impact assessment of the child is introduced in the development of state policy, the adoption of law, the planning of the State Budget of Georgia, and the development and implementation of state and municipal programmes.

2. The mechanism for the legal status impact assessment of the child shall imply the preliminary assessment of the



expected effects of a decision on the rights of a child or a group of children, before making such decision, and the provision of regular monitoring after the execution of such decision.

3. The State is obliged to take all necessary administrative and other measures to introduce a mechanism for the legal status impact assessment of the child:

a) regarding any issues when adopting a new law and/or introducing a legislative amendment by the Parliament of Georgia and planning the State Budget of Georgia, which will have a direct or indirect effect on the rights of a child or a group of children;

b) in the process of drafting a law or a subordinate act by the Government of Georgia, which will have a direct or indirect effect on the rights of a child or a group of children;

c) in the process of drafting a subordinate legislative act of local importance by municipality bodies, which will have direct or indirect effect on the rights of a child or a group of children.

### **Article 83 - Accountability, coordination and monitoring**

1. State policy and state programmes should be developed and implemented through coordination between the fields of education, healthcare and social care, and the field of justice, and through interagency cooperation, with the participation of children and representatives of academic circles, civic organisations and media.

2. The monitoring and assessment of the protection of the rights and freedoms of the child in the territory of Georgia shall be provided by the Parliament of Georgia, appropriate commissions on interagency cooperation established by the Government of Georgia, municipalities, the Public Defender of Georgia, and local and international non-governmental organisations.

3. In order to ensure cooperation between the state and municipal bodies for the achievement of the goals set in this Code, the Government of Georgia shall establish an institutional inter-agency coordination mechanism. The regulations regarding the institutional inter-agency coordination mechanism shall be approved by the Government of Georgia.

*Law of Georgia No 2924 of 17 May 2023 – website, 25.5.2023*

### **Article 84 - Data collection and analysis**

1. In order to ensure the efficiency of an institutional inter-agency coordination mechanism provided for by Article 83(3) of this Code, in accordance with the personal data protection legislation, the State shall set up a unified electronic system for data collection and analysis, covering the collection and analysis of statistical data reflecting the exercise of the rights of the child in various fields, including data on the unequal treatment of children, the causes and effects of violence against children, the number of cases of conviction, and the effectiveness of appropriate preventive and responsive measures. The instructions for the unified electronic system for data collection and analysis and for the protection of personal data of the child shall be approved by the Government of Georgia.

2. The Government shall collect data according to indicators developed in relation to all rights of the child and shall develop an informed state policy for the protection of the rights of the child, taking into account the results of data analysis.

2<sup>1</sup>. For the functioning of an institutional inter-agency coordination mechanism, the personal data of the child may be processed for the purposes of identifying and/or managing any cases involving harm or foreseeable risk to the life, health or safety of the child, and/or to the best interests or rights of the child, and within the framework of those purposes, in accordance with the Law of Georgia on Personal Data Protection.

3. The State shall ensure the provision of information on statistical indicators and research results to the public.



4. The State shall take appropriate measures, including with the participation of a panel of experts, to discuss matters related to the prevention and eradication of violence against the child within the framework of international cooperation.

5. The authority determined by this article shall be exercised by the Government of Georgia.

*Law of Georgia No 2924 of 17 May 2023 – website, 25.5.2023*

### **Article 85 - Provision of the protection of the rights of the child**

1. In order to ensure the effective protection and support of the rights of the child as provided for by this Code, an authorised state body shall develop child protection and support programmes.

2. The objectives of the development and implementation by relevant state and municipal bodies of programmes for the protection and support of the rights of the child shall be:

- a) the promotion of the social development of the child;
- b) the promotion of the education of the child;
- c) the protection of the health of the child;
- d) the promotion of childcare;
- e) the promotion of meeting the individual needs of a child with disabilities;
- f) the provision of the functioning of a childcare institution.

3. A child support programme shall be implemented by an authorised state body. In addition, the programme may be implemented by a municipality and entrepreneurial and non-entrepreneurial (non-commercial) legal entities under private law within the framework of a programme developed by an authorised state body, in accordance with the procedures established by the legislation of Georgia.

4. The implementation of child support activities by a legal entity under private law shall be permitted only if it complies with the requirements of the legislation of Georgia and is in conformity with the best interests of the child.

5. The implementation of child support activities by a legal entity under private law shall be coordinated with the relevant activities of a public institution.

6. A child support programme shall be developed by an authorised ministry and approved by the Government of Georgia.

### **Article 86 - Promotion of the child support organisation**

1. A state body and municipal bodies shall promote the activities of a non-governmental organisation working on child-related matters and the organisation shall implement a child support programme in accordance with the principle of independence provided for by the charter of the organisation and the requirements of the legislation of Georgia.

2. A child protection non-governmental organisation, with due responsibility, shall develop and implement a child support programme independently or in cooperation with other non-governmental organisations working on child-related matters and in coordination with state and municipal bodies.

3. The activities of a child protection non-governmental organisation shall be based on the principles and requirements determined by this Code; in addition, the compliance with and respect for these principles and requirements shall be publicly expressed, including in the charter of the organisation.



## **Article 87 - Forms of organisational structure of child support**

1. Bodies providing child support shall be set up by state or municipal bodies or shall function in the form of entrepreneurial and non-entrepreneurial (non-commercial) legal entities under private law working in the field of child support.
2. A state body and a municipality shall set up a child protection and support institution provided for by this Code in the form of a non-entrepreneurial (non-commercial) legal entity or shall select individuals for the implementation of state and municipal child protection and support programmes through a competition.
3. For the purposes of managing the system for the protection and support of the fundamental rights and freedoms of the child, a municipality, within the scope of its competence, shall determine a relevant service (structural unit) with appropriate responsibility which shall develop programmes for the protection and support of the rights of the child and ensure the management and control of the implementation of the programmes within the scope of its authority or delegated powers.
4. The legal forms of legal entities under private law implementing the support of the child shall be determined by their articles of association.
5. When elaborating a child support policy, a state body shall give priority to the implementation of child support programme on the basis of the selection of private institutions providing child support through the competition.

## **Article 88 - Professional development standards for persons providing child support**

1. Professional development standards for persons employed in the field of child protection and support, as well as voluntary certification procedures for child care givers (nannies), and the legal grounds for their activities, shall be determined by the regulation on 'Standards for the Professional Development of Persons Employed in the Field of Child Protection and Support', which shall be drafted and approved by the Government of Georgia.
2. The voluntary certification of child care givers (nannies) shall be organised and a Registry of certified child care givers (nannies) shall be maintained by the Ministry of Education, Science and Youth of Georgia.

*Law of Georgia No 346 of 16 March 2021 – website, 18.3.2021*

*Law of Georgia No 3832 of 30 November 2023 – website, 15.12.2023*

## **Chapter XII - Powers in the Field of the Protection of Child Rights and Support**

### **Article 89 - Powers of the Parliament of Georgia**

1. In accordance with this Code, the Constitution of Georgia, the Convention on the Rights of the Child, its supplementary protocols and other legislative and subordinate normative acts of Georgia, the Parliament of Georgia shall specify the main areas of state policy in the field of the protection of the rights of the child, and shall ensure the creation and development of an appropriate legislative framework, examine and approve relevant state strategies, and control the activities of bodies accountable before the Parliament of Georgia for exercising and protecting the rights of the child.
2. The Parliament of Georgia shall ensure that the rights and best interests of the child are given priority when supervising legislative activity, the activity of other bodies accountable before the Government of Georgia and the Parliament of Georgia, supervising the adoption and execution of the State Budget of Georgia, by means of the introduction of a mechanism for the assessment of the impact on the legal status of the child.
3. (Deleted – 13.5.2025, No 542).

*Law of Georgia No 542 of 13 May 2025 – website, 14.5.2025*



## **Article 90 - Powers of the Government of Georgia**

1. In order to fulfil international commitments for the protection of the rights of the child and to enforce the provisions of this Code, the Government of Georgia shall perform legal, administrative, social, educational and other activities, including the activities to:

- a) ensure the implementation of state policy on the recognition, exercising and protection of the rights of the child through the development and implementation of an appropriate action plan;
- b) introduce legislative initiatives and develop subordinate acts;
- c) develop and approve targeted state programmes for the exercise, protection and support of the rights of the child, within the scope of its authority;
- d) take other necessary measures to protect the rights and freedoms of the child.

2. When making any decision and/or performing any act related to the rights of the child provided for by this article, the Government of Georgia shall apply the principle of giving priority to the best interests of the child or a group of children, for which it shall create a formal mechanism for the legal status impact assessment of the child in accordance with this Code.

3. An interagency council of human rights for developing and implementing the unified state policy of the Government of Georgia in the field of human rights, including in the field of the child rights, shall be established.

4. An interagency commission working on the implementation of the United Nations Convention on the Rights of the Child and on Child Related Issues shall coordinate the fulfilment of the international commitments of Georgia on the protection of the rights of the child and the enforcement of this Code, and the development and implementation of a relevant governmental action plan.

## **Article 91 - Powers of the Ministry of Justice of Georgia**

1. Within its authority, the Ministry of Justice of Georgia shall carry out law-drafting in accordance with the unified state policy and shall provide legal reviews of draft normative acts in accordance with international legal acts on the rights of the child, the Constitution of Georgia and this Code.

2. The Ministry of Justice of Georgia shall ensure that principles of child-friendly justice are introduced in administrative procedures and legal proceedings carried out by administrative bodies subordinate to the Ministry.

3. Within the scope of its powers, the Ministry of Justice of Georgia shall take measures for the protection of the rights of the child provided for by the national strategy for the protection of human rights and the action plan of Georgia, in accordance with the legislation of Georgia, and other measures for the prevention of crime against and between children, and the re-socialisation and rehabilitation of a child.

## **Article 92 - Powers of the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia**

1. Within the scope of its powers, the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall implement appropriate programmes and take measures in accordance with the unified state policy, for the purposes of the welfare, health and social care, and protection of the child against violence, and for other purposes, in accordance with this Code and other legal acts of Georgia.

2. Within the scope of its powers, the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall exercise the powers determined by this Code, in accordance with the unified state policy, in cooperation with state and municipal bodies and with the participation of legal entities under private law and other specialists.

3. The Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs



of Georgia shall ensure the introduction of principles of child-friendly justice in administrative procedures carried out by administrative bodies subordinate to the Ministry.

### **Article 93 - Powers of the Ministry of Education, Science and Youth of Georgia**

1. Within the scope of its powers, the Ministry of Education, Science and Youth of Georgia shall implement appropriate programmes and carry out appropriate activities, in accordance with the unified state policy, for the purposes of the development of an inclusive education system, the equal accessibility of all children to inclusive education, the protection of the child from violence in the education system, the strengthening of social work, the support of adolescents and the development of the juvenile, and in cooperation with the Ministry of Culture of Georgia and the Ministry of Sport of Georgia, for the purposes of the establishment of a healthy lifestyle of the child, the full participation of the child in the fields of culture and sport, and the exercise of other rights of the child, in accordance with this Code and other legislative and subordinate normative acts of Georgia.

2. Within the scope of its powers, the Ministry of Education, Science and Youth of Georgia shall exercise the powers determined by this Code, in accordance with the unified state policy, in cooperation with state and municipal bodies and with the participation of legal entities under private law and other specialists.

3. The Ministry of Education, Science and Youth of Georgia shall ensure the introduction of principles of child-friendly justice in administrative procedures carried out by administrative bodies subordinate to the said Ministry.

*Law of Georgia No 346 of 16 March 2021 – website, 18.3.2021*

*Law of Georgia No 3832 of 30 November 2023 – website, 15.12.2023*

*Law of Georgia No 90 of 12 December 2024 – website, 28.12.2024*

### **Article 94 - The Ministry of Environmental Protection and Agriculture of Georgia**

1. Within the scope of its powers, the Ministry of Environmental Protection and Agriculture of Georgia shall take appropriate measures in accordance with the unified state policy for the purposes of giving priority to the best interests of the child, the participation of the child, providing the child with information and counselling in the process of the development and implementation of environmental policy, legislation, strategies and action plans, in accordance with this Code and other legislative and subordinate normative acts of Georgia.

2. The Ministry of Environmental Protection and Agriculture of Georgia shall take appropriate measures to ensure that environmental information is available to the child, and the improvement of the level of environmental education and environmental awareness-raising of the child is promoted.

3. Within the scope of its powers, the Ministry of Environmental Protection and Agriculture of Georgia shall exercise the powers determined by this Code, in accordance with the unified state policy, in cooperation with state and municipal bodies and with the participation of legal entities under private law and other specialists.

4. The Ministry of Environmental Protection and Agriculture of Georgia shall ensure the introduction of principles of child-friendly justice in administrative procedures carried out by administrative bodies subordinate to the Ministry.

### **Article 95 - Powers of common courts of Georgia**

1. The common courts of Georgia shall ensure the conduct of criminal, civil and administrative proceedings on issues related to the rights of the child, taking into account the principles of child-friendly justice which are recognised by the treaties of Georgia on the rights of the child and are established by this Code.

2. In order to coordinate the process of the introduction of child-friendly justice in the system of common courts of Georgia, the High Council of Justice of Georgia shall carry out various activities, including activities to:

a) draft appropriate proposals;



- b) provide the professional retraining of judges in the field of the protection of the rights of the child and establish a standard for the specialisation of judges;
- c) manage the creation of infrastructure necessary for rendering child-friendly justice at all levels of the system of the common courts of Georgia;
- d) manage the adaptation of the forms of trials, procedures for appealing to a court, and the rules of legal proceedings necessary for rendering child-friendly justice at all levels of the system of common courts of Georgia;
- e) coordinate the introduction of information and counselling services and the implementation of other measures supporting the full participation of the child in cases related to the rights of the child in the common courts of Georgia.

3. The Supreme Court of Georgia shall promote the introduction of principles of child-friendly justice into the common courts of Georgia through the legal assessment of the legislation related to the rights of the child, the promotion of the introduction of uniform judicial practice, and by means of other necessary measures provided for by the legislation of Georgia.

4. The common courts of Georgia shall ensure the introduction of information and counselling services and the taking of other measures supporting the full participation of the child in cases related to the rights of the child in accordance with the Law.

#### **Article 96 - Powers of municipality bodies**

1. Municipality bodies shall take all necessary legal, administrative and other measures to introduce the legal status impact assessment of the child in the process of drafting a legal act of local significance and/or making a decision on any issue which may have a direct or indirect impact on the rights of the child or a group of children.

2. Municipality bodies shall promote the equal and effective participation of children in municipality activities and shall ensure the introduction of principles of child-friendly justice in administrative procedures carried out by municipality bodies.

3. For the purposes of managing a system for the protection and support of the fundamental rights and freedoms of the child, a municipality, within the scope of its competence, shall designate a relevant office (a structural unit) for developing programmes for the protection and support of the rights of the child and shall ensure that the rights of the child are managed, and that the exercise of such rights is controlled within the scope of the powers or the delegated powers of the municipality.

4. The activities of the relevant office (a structural unit) of the municipality shall cover the fields of services involving the protection and support of the rights of the child. The tasks and functions of the relevant office of a municipality in the fields of services involving the protection and support of the rights of the child shall be:

- a) the development of municipal programmes for the protection of the rights of the child, the coordination of their implementation, and the monitoring and assessment of their implementation process;
- b) the establishment of a network of social workers implementing the protection and support of the child in the territory of the municipality and the determination of their jurisdiction;
- c) coordinated work with relevant institutions for implementing state programmes for the protection and support of the child;
- d) the coordination of the implementation of programmes for the protection and support of the rights of the child by non-governmental and international organisations;
- e) relationships with state institutions, non-governmental and international organisations, and legal and natural persons, both inside and outside the country;



f) the selection and registration of appropriate legal entities under private law and the determination of relevant contractual provisions for the implementation of municipal programmes for the protection of the rights of the child;

g) the keeping of statistics pursuant to approved programmes for the protection and support of the child, and the creation of a unified database on the protection and support of the child;

j) the exercise of other powers provided for by the legislation of Georgia and its own regulation.

5. A relevant municipality office shall take preventive and appropriate responsive measures on the basis of the technical regulation on the protection of the child, which shall be elaborated and approved by the Government of Georgia on the basis of Article 18 of the Organic Law of Georgia on the Local Self-Government Code, for the purposes of protecting the child in the public space, observing rules for the collective transportation of children during their participation in public events, and for the fulfilment of obligations by a person supervising a child (an organiser of the event), abiding by legal restrictions on the access of a child to print media, public screenings and public entertainment dance centres (nightclubs), and the accessibility of a child to a recorded movie, observing rules for providing a child with alcoholic, narcotic, psychotropic, toxic and other substances, alcoholic beverages, tobacco or nicotine-containing products and capsules, free of charge or in exchange of money.

6. A relevant municipality office shall have appropriately qualified personnel to exercise its own and delegated powers. Employees of a relevant municipality office shall, as a minimum, be composed of a child and a social worker of the family, a child psychologist, a child healthcare management specialist, and a legal aid specialist for the child.

7. A relevant municipality office shall be financed from the budget of a relevant municipality. A child support programme implemented within the scope of delegated powers shall be financed from the budget of a relevant programme or international grants and other financial means permitted by the legislation of Georgia.

#### **Article 97 - Powers of the Public Defender of Georgia**

1. When exercising his/her powers, the Public Defender of Georgia shall be guided by the Constitution of Georgia, the relevant treaties of Georgia, the Organic Law of Georgia on Public Defender of Georgia, the regulation of the Office of the Public Defender of Georgia, this Code and other legislative acts of Georgia.

2. The Public Defender of Georgia shall exercise the powers delegated to him/her, through a structural unit subordinate to him/her which is responsible for the protection of the rights of the child.

3. The powers of the Public Defender of Georgia shall be to:

a) monitor compliance with this Code and other legislative acts of Georgia in the field of the protection of the rights of the child, the Convention on the Rights of the Child and other international legal acts;

b) identify, investigate and appropriately respond to the facts of violation of the rights of the child, in accordance with this Code and other legislative and subordinate normative acts of Georgia;

c) review and appropriately respond to applications and complaints of citizens about alleged violations of the rights of the child, in accordance with this Code and other legislative and subordinate normative acts of Georgia;

d) carry out educational activities in order to popularise fundamental rights and freedoms of the child and to raise public awareness in the relevant field;

e) request documents and information from public institutions and legal entities under private law carrying out activities for the protection and support of the rights of the child.

4. The Public Defender of Georgia, on his/her own initiative, or upon the request of another person, shall oversee the execution of this Code by state bodies, municipalities and legal entities under public and private law.



5. In the case provided for by paragraph 4 of this article, the Public Defender of Georgia shall give recommendations to state bodies, municipalities and legal entities under public and private law.

6. The Office of the Public Defender of Georgia shall receive calls for any issue related to the violation of the rights of the child, through a special hotline service, 24 hours a day (24/7), on a continuous basis, and shall record the violations and provide information to a relevant structural unit for a response.

7. The failure to comply with the legal requirement of the Public Defender of Georgia shall result in liability as established by the Administrative Offences Code of Georgia.

## **Article 98 - Powers of LEPL Legal Aid Service**

LEPL Legal Aid Service shall ensure the equal access of all children to legal advice and legal aid on the basis of the Convention on the Rights of the Child, its supplementary protocols and other treaties of Georgia, as well as on the basis of the principles of child-friendly justice provided for by this Code.

## **Book IV -**

### **Transitional and Final Provisions**

#### **Chapter XIII - Transitional Provisions**

## **Article 99 - Measures to be taken with regard to the entry of this Code into force**

1. The Parliament of Georgia shall ensure:

a) the development of an implementation plan of this Code before 1 November 2019;

b) the updating of the national strategy of Georgia for human rights protection on the basis of this Code, before 1 January 2020.

2. Before 1 March 2020, the Government of Georgia shall:

a) draft and approve:

a.a) the regulation on Standards for the Professional Development of Persons Employed in the Field of Child Protection and Support;

a.b) technical regulations on child protection;

a.c) the unified national strategy and action plan on de-institutionalisation;

b) draft and submit to the Parliament of Georgia for approval a strategy and an action plan for preventing violence against and between children and effectively responding to violence;

c) set up a unified electronic system of data collection and analysis.

2<sup>1</sup>. Before 1 October 2026, the Government of Georgia shall:

a) approve the instructions for the unified electronic system for data collection and analysis and for the protection of personal data of the child, as submitted by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia;

b) for the purpose of protection of the rights of the child, approve the regulations regarding the institutional inter-agency coordination mechanism, as submitted by the Administration of the Government of Georgia.



3. Before 1 March 2020, the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, shall draft and submit to the Government of Georgia for approval:

- a) child social activity programmes;
- b) child social development programmes;
- c) child volunteering promotion programmes;
- d) educational programmes for the protection of the child;
- e) child healthcare support programmes;
- f) programmes for the support of the child in the family;
- g) the support programme for persons who have left alternative care.

4. Before 1 March 2020, the Ministry of Education, Science, Culture and Sport of Georgia shall draft and submit to the Government of Georgia for approval:

- a) child education promotion programmes;
- b) child social activity programmes;
- c) child volunteering promotion programmes;
- d) child physical activity and sport promotion programmes;
- e) programmes for preventing violence against children in educational institutions subordinated to the Ministry, and for responding to violence.

5. Before 1 March 2020, the Georgian National Communications Commission shall draft and approve the Regulation on the Rules of Placement of Information Hazardous to the Child on the Internet.

6. Before 1 March 2020, municipality bodies shall ensure that municipality offices for child protection and support are designated.

7. Before 1 June 2020, the High Council of Justice of Georgia shall take all necessary measures to introduce principles of child-friendly justice in the common courts of Georgia.

8. Before 1 June 2020, the Public Defender of Georgia shall take all necessary measures to fulfil the obligations provided for by this Code.

9. Before 1 June 2020, LEPL Legal Aid Service shall take all necessary measures to introduce principles of child-friendly justice in providing services.

*Law of Georgia No 2924 of 17 May 2023 – website, 25.5.2023*

*Law of Georgia No 259 of 6 February 2025 – website, 6.2.2025*

## **Chapter XIV – Final Provisions**

### **Article 100 - Invalidated normative act**

From 1 September 2020, the Law of Georgia of 28 September 2001 on the Protection of Minors from Harmful Influence shall be declared invalid (Legislative Herald of Georgia, No 28, 15.10.2001, Art., 113).



*Law of Georgia No 5904 of 21 May 2020 – website, 25.5.2020*

**Article 101 - Entry of this Code into force**

1. This Code, except for Articles 1-98 of this Code, shall enter into force upon its promulgation.
2. Article 89 (3) of this Code shall enter into force from 1 November 2019.
3. Articles 1-60, Articles 62-88, Article 89(1)(2) and Articles 90-98 of this Code shall enter into force from 1 September 2020.
4. Article 61 of this Code shall enter into force from 1 January 2022.
5. The application of Article 83(3) and Article 84(1) and (2<sup>1</sup>) of this Code shall be suspended until 1 January 2027.

*Law of Georgia No 5904 of 21 May 2020 – website, 25.5.2020*

*Law of Georgia No 259 of 6 February 2025 – website, 6.2.2025*

**President of Georgia**

**Salome Zourabichvili**

**Tbilisi,**

**20 September 2019**

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