

INTRODUCTION TO THE SOCIAL SECURITY SYSTEM OF GEORGIA.

The social security system in Georgia is composed of the following schemes: „The social assistance schemes, the old age scheme, social services, the social safety net and the social compensation schemes”.

One of the main components of the social security system in Georgia is social assistance. The most disadvantaged groups who cannot escape extreme poverty by economic activities are covered by targeted social assistance schemes (s.c. social safety net). The social targeted assistance scheme is based on a needs assessment of the households. More concretely it takes into consideration the incomes, as well as the social-economic conditions of the households. Persons who live under the poverty line (registered at the special data base of vulnerable households) benefit from social assistance packages that include cash and other types of benefits (i.e. universal healthcare package). Compared to the previous social assistance system that mainly targeted defined groups of vulnerable people, the current social assistance is distributed more effectively as it is better targeted toward the most vulnerable groups of the population.

Apart from the social assistance scheme, the old age scheme is an important element in the reduction of poverty. The old age pension is flat rate and universal: it is paid to any person who reached the retirement age.

State pensions are provided for people with a disability and for the loss of a breadwinner as well.

The state promotes as well the development and the provision of a wide range of social services, from residential to alternative, community and family based social services. These services target especially the groups of disabled persons, orphans and elderly. The services include: rehabilitation services for disabled, day care centers, community based services. These services are free for the population whose score reflecting their socio-economic status is below of the defined official level. The services include also: foster care, small group homes for children without parental care, and so on. These services are free for all beneficiaries. For some groups of vulnerable population, the services can be accessed on the basis of co-financing, depending on the rating score reflecting their socio-economic status i.e. the level of the neediness.

Persons whose means are beyond the poverty, can receive specific kinds of services, depending upon their needs. (rehabilitation for the children with disabilities, aid devices for people with disabilities, etc.)

Finally there are also benefits pertaining to the compensation schemes. The latter schemes refer to numerous benefits paid to the citizens of Georgia meeting one or more criteria which relate in essence to a situation of (prior) repression. Yet some specific categories of people, such as former (highly ranked) representatives of law-enforcing units can also benefit under certain conditions from these benefits.

Other social risks (such as industrial injuries and occupational diseases, loss of income due to incapacity of work or because of sickness) are covered by the employers.

Maternity leave though is financed by the state for all employees. The state finances as well the standard health care package for people whose means are below the poverty line or who belong to defined groups (children under the age of three).

“The Constitution of Georgia” includes several provisions regarding the economic and social protection of citizens.

The constitution opens with the following phrase: “The citizens of Georgia, whose firm will is to establish a democratic social order, economic freedom, a rule-of-law based social State, to secure universally recognized human rights and freedoms, to enhance the state independence and peaceful relations with other people, bearing in mind the centuries-old traditions of the Statehood of the Georgian Nation and the basic principles of the Constitution of Georgia of 1921, proclaim nation-wide the present Constitution.”

According to article 38, “[c]itizens of Georgia shall be equal in social, economic, cultural and political life, irrespective of their national, ethnic, religious or linguistic belonging. In accordance with universally recognized principles and rules of international law, they shall have the right to develop freely, without any discrimination and interference, their culture, to use their mother tongue in private and in public.”

The social rights are guaranteed in article 37 in which it is declared that “[e]veryone shall have the right to enjoy health insurance as a means of accessible medical aid. In the cases determined in accordance with a procedure prescribed by law, free medical aid shall be provided”; and in article 30 in which it is stipulated that “[t]he protection of labour rights, fair remuneration of labour and safe, healthy working conditions and the working conditions of minors and women shall be determined by law.”

Reference to social rights is made as well in article 31 where it is declared that “[t]he state shall take care of the equal socio-economic development of the whole territory of the country. With the view of ensuring the socio-economic progress of the high mountain regions, special privileges shall be determined by law.” And Article 32 declaring “The state shall promote the unemployed citizen of Georgia to be employed. The conditions of the provision of a minimum standard of living and the status of the unemployed shall be determined by law.”

In article 42 The right to challenge decisions is mentioned: “[e]veryone has the right to apply to a court for the protection of his/her rights and freedoms.”

In addition different, specific normative acts, regulating social rights of population, condition further the procedures for appeal.

Article 22 of the law on “social assistance” provides general principles of appeal against decisions related to social assistance. Concretely, the article stipulates: „[t]o protect rights a person may apply to the court”. However, before a person can address the court, he/she should appeal to the central administrative body of social assistance and state disbursements (- LEPL Social Services Agency). The agency, as a public service is responsible to study the case and to give explanation to the applicant in 30 days, in case no additional information, is to be obtained from other agencies.