

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. The social targeted assistance scheme is based on a needs assessment (means test) of the households. More concretely, it takes into consideration incomes, expenses, property, assets and overall social-economic condition of a household. Persons of a household living under the poverty line threshold as defined by the government (registered at the special data base of vulnerable households) benefit from social assistance packages that include cash and other types of benefits.

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.

Other social risks (such as industrial injuries and occupational diseases, loss of income due to incapacity of work or because of sickness) are financed by the employers. Maternity leave though is financed by the state for all employees. The state finances basic health care packages for all residents. Population whose means are below the poverty line or who belong to defined groups (children, elderly) have the most comprehensive healthcare package.

Some specific categories of people, such as former (highly ranked) representatives of law-enforcing units, can benefit under certain conditions from the compensation schemes.

The state promotes 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 vulnerable groups: disabled persons, orphans, elderly etc. The services include: rehabilitation services for disabled, day care centers, community based services. These services are free for children and for those whose socio-economic status is below of the defined official level. The services include also: foster care, small group homes for children without parental care.

“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, “citizens 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 “everyone 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: “everyone 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: „to 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 explore the case and to give explanation to the applicant in 30 days, in case no additional information, it has to be obtained from other agencies.