COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

LANZAROTE COMMITTEE

Committee of the Parties to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

Replies to the thematic questionnaire

"Screening of professionals, volunteers and other persons in contact with children"

GEORGIA

Replies received by the Secretariat on 24 August 2026

Main relevant provisions of the Lanzarote Convention and previous recommendations

Article 5 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures, in conformity with their internal law, to ensure that the conditions to accede to those professions whose exercise implies regular contacts with children ensure that the candidates to these professions have not been convicted of acts of sexual exploitation or sexual abuse of children. The Explanatory Report to the Lanzarote Convention indicates that this obligation can be also applied to voluntary activities (see paragraph 57).

In the 2nd implementation report of the 1st monitoring round (2018), the Lanzarote Committee urged those Parties that limited mandatory screening to certain professionals to extend it to the recruitment of all professionals (public or private) in regular contact with children (R19) and invited Parties to encourage continuous screening of all professionals (R20) and volunteers (R21) in regular contact with children.

Article 27 paragraph 3.b of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to deny the perpetrator, temporarily or permanently, the exercise of professional or voluntary activity involving contact with children in the course of which the offence was committed.

Article 37 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to ensure that the information referred to in paragraph 1 (i.e. data related to the identity and to the genetic profile (DNA) of persons convicted of the offences established in accordance with the Convention) can be transmitted to the competent authority of another Party, in conformity with the conditions established in its internal law and the relevant international instruments.

Whenever the term "screening" is used in this questionnaire, this should be understood as "verification of criminal convictions for sexual offences against children".

In all your answers, please provide details to the extent possible and refer to specific laws, policies, programmes, measures, etc.

Please describe the legislation, policy and practice which are in force on 27 March 2026 or are in the process of adoption (in this case, please specify the planned date of entry into force).

Please indicate:

a. Your name and position – **Ketevan Tatuashvili, Administration of the Government of Georgia, Human Rights Department, Category I Senior Specialist;**

b. State Party in respect of which the questionnaire is submitted – **Georgia;**

c. Entities and bodies which have been involved in responding to this questionnaire- **Administration of the Government of Georgia.**

Persons concerned by screening requirements

1. Is the absence of criminal convictions for sexual offences against children required as a pre-condition in order to accede to professions, employment or volunteer positions whose exercise implies regular contacts with children? Please specify whether such restrictions apply to professions, employment or volunteer positions in the following sectors or areas of activities (additional details to be inserted below the table):

	Criminal conviction check for employment in public sector?	Criminal conviction check for voluntary activity?	Criminal conviction check for employment in private sector?	Criminal conviction check for self-employed professionals?	Please specify the professionals to whom this requirement applies
Education – Pre-school	**Yes**	**Not expressly regulated**	**Yes**	**Not expressly regulated**	**The requirement applies to professionals**

					working in education, childcare, healthcare, social protection, law enforcement, justice, sports, culture, leisure and other services involving contact with children. Due to the diverse nature of child-related activities, an exhaustive list of all professions falling within the scope of this requirement cannot be provided.
Education – Primary	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above

Education – Secondary	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Education – Tertiary	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Education – Extracurricular (e.g. language schools)	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Childcare (e.g. kindergartens, crèches, childminders	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Institutional or residential care (e.g. foster homes, orphanages, closed residential facilities)	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Detention	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Migration facilities (e.g. reception centres)		Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Sport	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above

Culture and leisure activities	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Entertainment sector	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Faith and religion	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Healthcare (including psychological and psychiatric services)	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Social protection services	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Law enforcement	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Judicial	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Civil society organisations	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above
Victim services (including Barnahus,	Yes	Not expressly regulated	Yes	Not expressly regulated	Please refer to the response above

domestic violence services)					
Any other sectors (please specify)					**Please refer to the response above**

Here you can insert additional details or specify any exceptions.

Under the Georgian Law on the Fight Against Crimes Against Sexual Freedom and Inviolability (2020), the absence of criminal convictions for sexual offences against children is required as a pre-condition for access to certain professions and forms of employment involving regular contact with children. According to Article 7 of the abovementioned law, institutions in which the employment of a person convicted of, or deprived of rights for, a sexual offence is prohibited are required to request a certificate on criminal record and deprivation of rights before granting a person the right to carry out the relevant activity. The law does not explicitly reference voluntary or unpaid activities as a separate category. The restrictions apply both to public and private institutions, including educational, childcare, sports, healthcare and other establishments providing services to children.

2. In requiring the verification of criminal convictions for sexual offences against children in order to accede to the positions listed in question 1, does your State:

a. define the level or threshold of contact with children (one-off, regular, etc.) which necessitates such a verification?

b. distinguish between direct, indirect or online contact with children?

If yes, please provide details.

The law does not explicitly distinguish between direct, indirect or online contact with children for the purpose of criminal conviction verification requirements. The restrictions and verification obligations apply generally to activities and services involving minors, irrespective of the specific form of contact.

3. Is the absence of criminal convictions for sexual offences against children required to become:

a. an adoptive parent

b. a foster parent

c. a child's legal guardian (including for unaccompanied children)?

Please provide details.

Pursuant to the Law of Georgia on Adoption and Foster Care, criminal convictions constitute a legal ground for excluding persons from adoption and foster care. In addition, Georgian Law on the Fight against Crimes against Sexual Freedom and Inviolability allows courts to deprive a convicted person of the right to live with a minor (not only the victim) where the offence was committed against a minor or involved specified sexual offences.

The suitability of a person to be appointed as a child's legal guardian is assessed by the competent authorities. Although the legislation regulating the appointment of legal guardians does not explicitly establish an obligation to conduct a criminal record check, in practice, when a guardian or custodian is appointed for a child, the relevant authorities require the applicant to provide a certificate of criminal record as part of the assessment process. This verification is conducted specifically in cases concerning children, in order to assess the person's suitability and ensure the child's safety and best interests.

4. Is the absence of criminal convictions for sexual offences against children required for the household members of:

a. persons carrying out professional activity in their home who are in contact with children

b. persons carrying out volunteering activity in their home who are in contact with children

c. persons wishing to become an adoptive parent, a foster parent, or a child's legal guardian?

Please provide details.

a. Georgian legislation does not expressly require criminal conviction checks for household members of persons carrying out professional activities in their home involving contact with children. However, child safety and risk assessments may be conducted on a case-by-case basis, particularly in childcare-related services.

b. There is no specific provision requiring criminal record checks for household members of persons carrying out voluntary activities in their home involving children.

c. For persons wishing to become adoptive parents, foster parents or legal guardians, the competent social authorities assess the overall family and living environment, including

risks posed by household members. Criminal background information concerning persons living in the household may therefore be considered during the suitability assessment in order to protect the best interests and safety of the child.

5. Does the requirement to verify the absence of criminal convictions for sexual offences against children also apply to:

a. children applying for professional or volunteer positions

b. adults in respect of criminal convictions received before the age of 18?

Please provide details.

The 2020 Law of Georgia on Combating Offences against Sexual Freedom and Inviolability does not explicitly address this scenario. Article 7 imposes a general obligation on institutions to request a criminal record certificate from anyone before granting them permission to carry out relevant activities, and no age-based exemption is provided in the text.

However, this provision must be read alongside the Juvenile Justice Code of Georgia, which stipulates that the criminal records of individuals convicted as minors are expunged upon reaching adulthood. Consequently, in practice, a child applying for a position would have no disclosable convictions on their record.

6. If a person legally changes their name, how does your State ensure that their criminal record remains linked to their new name?

Please provide details.

Under the Law of Georgia on Civil Acts Registration, a legal name change is processed through the Civil Registry Agency of the Ministry of Justice. Upon registration of the name change, the individual's national identification number (personal number) remains unchanged. This is the critical anchoring mechanism - the personal number, rather than the name, serves as the primary unique identifier across state databases.

The Law on Combating Offences against Sexual Freedom and Inviolability establishes an electronic registry maintained by the Ministry of Internal Affairs, containing personal data of convicted and rights-deprived persons. The registry is built around biometric and other identifying data - including fingerprints and other non-name identifiers - in addition to personal particulars. A name change does not break the connection between an individual and their criminal record because the registry links records to a person's unique personal number and biometric data. As the registry administrator, the Ministry of Internal Affairs

would be notified of the name change by the relevant agency through inter-agency data exchange mechanisms, and the record would be updated to reflect the new name.

7. Is access to public funds for projects implying contact with children conditional on the absence of criminal convictions for sexual offences against children for persons employed in or volunteering for such projects?

   Please provide details.

   Georgian legislation does not contain a explicit provision directly conditioning access to public funds on the absence of criminal convictions for sexual offences against children. However, a coherent safeguarding framework emerges from the intersection of child protection and Law of Georgia on Public Procurement.
   Information included in screening

8. Does the criminal record check include criminal convictions for:

a. sexual abuse of a child (Article 18 of the Lanzarote Convention) - Yes

b. sexual exploitation of a child ("child prostitution" Article 19 of the Lanzarote Convention) - Yes

c. acts involving child sexual abuse material ("child pornography" Article 20 of the Lanzarote Convention) - Yes

d. offences related to the participation of children in pornographic performances (Article 21 of the Lanzarote Convention) - Yes

e. corruption of a child (causing a child to witness sexual activities) (Article 22 of the Lanzarote Convention) - Georgian law does not contain a distinct criminal offence explicitly corresponding to 'corruption of a child' as set out in Article 22 of the Lanzarote Convention. Nevertheless, conduct that exposes a child to sexual activity may fall under other provisions of the Criminal Code criminalising sexual offences against children (for example Lewd act).

f. solicitation of a child for sexual purposes ("grooming"), including online (Article 23 of the Lanzarote Convention) - Yes

g. aiding and abetting or attempting the above offences (Article 24 of the Lanzarote Convention) – Yes

h. any other convictions (please specify)? - The 2020 Law extends the check to the following additional categories: Article 143¹ and Article 143² (human trafficking; child trafficking); Article 144¹(3)(a) (torture involving a sexual dimension);

Please provide details.

9. Does the screening of persons applying for roles or positions specified in questions 1 and 3 above extend beyond criminal convictions for sexual offences against children to:

a. relevant administrative or disciplinary sanctions

b. other information available to the authorities (e.g. judicial decisions in civil proceedings)?

Please provide details.

The screening of persons applying for roles or positions involving contact with children primarily focuses on criminal convictions for sexual offences against children. It does not systematically extend to administrative or disciplinary sanctions or to civil judicial decisions, unless such information is specifically required for the position.

10. If restrictions on the exercise of the relevant activities apply as a result of a criminal conviction for sexual offences against children, in line with Article 27 paragraph 3.b:

a. are they life-long?

b. if they are not life-long, please specify the time-limits applicable

c. are they applied only to activities in the public sector?

Please provide details.

Under the Law on Combating Offences against Sexual Freedom and Inviolability, the restrictions imposed upon conviction are not automatically life-long. They are imposed for a fixed term, determined by the gravity of the offence. The decision is made by the court.

Article 3(6) of the above mentioned law establishes a three-tier system of restriction periods, determined by the category of the offence:

- Less serious crimes - restrictions imposed for up to five years;
- Serious crimes - restrictions imposed for a period of five to ten years;
- Particularly serious crimes - restrictions imposed for a period of ten to fifteen years.

The restrictions apply to both the public and private sectors.

11. Does the criminal record check verify the existence of an expunged or spent criminal conviction for sexual offences against children for persons applying for roles or positions specified in questions 1 and 3?

Please provide details.

For adult offenders, spent convictions for sexual offences against children remain partially visible through the sex offender registry for the duration of the applicable restriction period. However, once the restriction period have elapsed, there is no mechanism ensuring continued disclosure. For juvenile offenders, expungement under the Juvenile Justice Code effectively removes the conviction from the screening process entirely, with no child-protection exception in place.

Screening procedure

12. How is the screening procedure set out in your legal framework (in a single piece of legislation, sector-specific legislation, or other)?

Please provide details.

The screening procedure in Georgia is not consolidated in a single piece of legislation. Rather, it emerges from a combination of a cross-sectoral framework law, sector-specific legislative instruments, and subordinate regulatory acts. The resulting architecture is fragmented, with varying degrees of specificity and consistency across sectors.

13. If screening is required, who is required to act?

a. the employer, volunteer recruiter or child protection authority is expected to obtain the necessary information directly from the authorities
b. the candidate must provide proof of absence of convictions
c. another scenario. Please specify

Please provide details.

The Georgian framework establishes a hybrid model in which the legal obligation rests with the institution, but the practical burden of producing documentary evidence falls on the candidate. The institution is required to demand and verify the certificate; the candidate is required to obtain and present it.

14. If screening is required, who bears the costs of screening procedures?

    Please provide details.

    Under the current Georgian framework, the costs of the screening procedure are borne in practice by the candidate, who is responsible for obtaining and presenting the criminal record certificate at their own expense.

15. How does your State monitor that employers, volunteer recruiters or child protection authorities comply with the relevant regulations on screening?

    Please provide details.

    Georgian legislation establishes a decentralised, multi-agency monitoring framework for compliance with the screening obligations under the Law on Combating Offences against Sexual Freedom and Inviolability. Article 7 distributes monitoring responsibilities across several ministries and local self-government bodies, each operating within their respective sphere of competence. There is no single centralised authority responsible for overseeing compliance across all sectors simultaneously.

16. If screening is required, are there sanctions foreseen for failure to comply with it? If yes, what type of sanctions?

    Please provide details.

    The Law of Georgia on Combating Offences against Sexual Freedom and Inviolability expressly provides that failure to comply with the screening obligation established under Article 7 entails liability under Georgian law.

    A key implementing instrument is Government Decree No. 463 of 23 July 2020 on Approving the Rules for the Implementation and Monitoring of the Law of Georgia on Combating Offences against Sexual Freedom and Inviolability. The Decree establishes a monitoring mechanism and provides that, where the competent authority identifies the employment of a person convicted of a sexual offence in violation of the law, it shall initiate the appropriate administrative proceedings and ensure the imposition of the relevant administrative sanction. Information on the measures taken, including the administrative response and the dismissal of the convicted person, must be communicated to the Ministry of Internal Affairs of Georgia.

Furthermore, where the monitoring authority identifies that an institution has employed a person who has been deprived of the right to carry out the relevant activity, it shall take the measures provided for under Georgian legislation and immediately notify the Ministry of Internal Affairs of Georgia in order to facilitate a response to a potential criminal offence.

Administrative liability is governed by Articles 173^{14} and 173^{15} of the Code of Administrative Offences of Georgia. Article 173^{14} establishes liability for employing a person convicted of an offence against sexual freedom and inviolability, allowing such a person to continue carrying out prohibited activities, or granting them the right to engage in such activities. Article 173^{15} establishes liability for a convicted person or a person deprived of the right to perform the relevant activity who fails to comply with the obligations imposed by law.

Criminal liability may arise under Article 381 of the Criminal Code of Georgia where a court decision prohibiting a person from carrying out a particular activity is not enforced. The provision criminalises the failure to execute a judgment or other court decision, as well as the obstruction of its execution.

17. Is regular screening, beyond the initial recruitment process, required, for:

a. professionals in contact with children

b. volunteers in contact with children

c. foster parents and legal guardians?

If regular screening is required, please specify its frequency and provide other details.

Georgian legislation does not establish an explicit obligation for periodic re-screening of professionals, volunteers, foster parents or legal guardians after the initial screening process.

However, Government of Georgia Decree No. 463 of 23 July 2020 on Approving the Rules for the Implementation and Monitoring of the Law of Georgia on Combating Offences against Sexual Freedom and Inviolability establishes a monitoring mechanism to ensure compliance with the legal restrictions applicable to persons convicted of sexual offences against children.

Within the framework of this monitoring mechanism, the competent authorities may request information from relevant institutions regarding the employment or engagement of persons convicted of relevant offences or persons deprived of the right to perform certain activities, up to three times per year, or establish mechanisms enabling access to such information.

18. Where a person working or volunteering in contact with children is under investigation for a sexual offence against a child, are law enforcement or other authorities allowed to inform the employer or volunteer organisation about the ongoing investigation? If yes, what is the consequence?

    Please provide details.

    Georgian legislation does not establish a general obligation or an explicit authority for law enforcement authorities or other competent bodies to inform an employer or volunteer organisation about an ongoing investigation against a person working or volunteering in contact with children for a sexual offence against a child. Disclosure of information concerning an ongoing investigation is subject to the general rules of criminal procedure and personal data protection and requires a specific legal basis.

    Cross-border screening

19. If the candidate for roles or positions specified in questions 1 and 3 has previously resided or worked in different countries, is it required to verify the absence of criminal convictions for sexual offences against children in each of those countries in respect of:

a. professionals
b. volunteers
c. persons wishing to become an adoptive parent, a foster parent or a child's legal guardian?

    Please provide details.

    The existing legislation does not formally require active verification in countries where a person has previously lived or worked. The national criminal record certificate is the only formal mechanism available.

20. Is there a mechanism to:

a. request data about a person's criminal convictions for sexual offences against children from the competent authority of another State outside the context of criminal proceedings[1] (please specify)

b. provide data about a person's criminal convictions for sexual offences against children to the competent authority of another State outside the context of criminal proceedings (please specify)?

Please provide details.

a. Requesting data from another State

Georgian legislation does not establish a specific mechanism allowing authorities to request information on a person's criminal convictions for sexual offences against children from the competent authority of another State outside the context of criminal proceedings. Such requests may be possible only through applicable international cooperation mechanisms and in accordance with relevant international agreements and domestic legislation.

b. Providing data to another State

Georgian legislation does not establish an obligation to provide data on a person's criminal convictions for sexual offences against children to the competent authority of another State outside the context of criminal proceedings. Any exchange of such information may take place only within the framework of applicable international cooperation mechanisms, in accordance with domestic legislation, international agreements and personal data protection requirements.

21. Is there an obligation to provide data about a person's criminal convictions for sexual offences against children at the request of the competent authority of another State outside the context of criminal proceedings?

Please provide details.

No specific obligation exists. Disclosure depends on applicable international cooperation mechanisms and legal safeguards.

Additional details and reflections

[1] For purposes of recruitment, volunteering, adoption, foster care or guardianship.

22. Please add any further details regarding the modalities of the screening procedures applicable in your State, if relevant.

    Please provide details.

    In Georgia, screening is governed by a combination of legislation and regulatory mechanisms aimed at safeguarding children against risks arising from individuals who could pose a threat to their safety and well-being. This framework covers multiple sectors where contact with children occurs and is implemented in accordance with the relevant legal obligations, institutional responsibilities, and safeguards in place.

23. What challenges related to the screening for criminal convictions for sexual offences against children of professionals, volunteers and persons wishing to become adoptive parents, foster parents or a child's legal guardian exist in your State in practice (e.g. administrative costs, delays, cross-border co-operation)?

    The specific characteristics of volunteer engagement may give rise to practical considerations. Volunteer activities are often characterised by their flexible and diverse nature. Unlike regular employment relationships, volunteering may involve short-term, seasonal or occasional involvement, such as participation in specific projects, events or activities organised within a limited timeframe. In such cases, the period between identifying a volunteer and the commencement of the activity may be relatively short, which may limit the time available for completing relevant screening procedures before the activity begins. Furthermore, the diverse forms and modalities of volunteer engagement may make it inherently more challenging to establish uniform regulatory approaches applicable to all volunteering contexts.

24. What promising practices, if any, would your State like to highlight in the screening of professionals, volunteers and other persons in contact with children?

    Please provide details.

    A promising practice in Georgia is the adoption of a Georgian Law on the Fight Against Crimes Against Sexual Freedom and Inviolability (2020), which significantly strengthened the legal framework for the protection of children and other vulnerable persons from sexual violence. In addition, the Government of Georgia's Decree No. 463 of 23 July 2020, On Approving the Rules for the Implementation and Monitoring of the Law of Georgia On

Combating Offences Against Sexual Freedom and Inviolability, as well as the establishment of an electronic database within the Ministry of Internal Affairs, further reinforced the practical enforcement and monitoring mechanisms of the legislation.

The law introduced a more comprehensive and systematic approach to the prevention, detection, and prosecution of sexual offences. It strengthened criminal liability for crimes against sexual inviolability and improved the classification and scope of such offences, ensuring better alignment with international standards.

The law also reinforced preventive measures, including restrictions on certain activities and employment for persons convicted of relevant offences. These safeguards aim to reduce the risk of reoffending and enhance the protection of children in practice.

Overall, the adoption of the law represents an important step towards a more effective, victim-centred and prevention-oriented response to sexual offences, contributing to stronger protection of children's rights and safety.