

# FOURTH EVALUATION ROUND

Measures to prevent and detect vulnerabilities  
to human trafficking

## EVALUATION REPORT GEORGIA

**GRETA**  
Group of Experts  
on Action against  
Trafficking in Human Beings



Implementation of the  
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## Preamble

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings (“the Convention”), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and child trafficking. The third evaluation round focused on trafficking victims’ access to justice and effective remedies.

For the fourth evaluation round of the Convention, GRETA has decided to focus on vulnerabilities to human trafficking and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. An additional focus concerns the use of information and communication technology (ICT) to commit human trafficking offences, which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of “vulnerability” appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, “by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim’s administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce.”

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as “those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked”. It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.<sup>1</sup> Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive country-specific follow-up questions related to recommendations not implemented or partially implemented after the third evaluation round.

GRETA recalls that it has adopted the use of three different verbs - “urge”, “consider”, and “invite” – which correspond to different levels of urgency for bringing the State Party’s legislation and/or practice into compliance with the Convention. Thus, GRETA uses the verb “urge” when it assesses that the national legislation or policies are not in compliance with the Convention or when it finds that, despite the existence of legal provisions and other measures, the implementation of a key obligation of the Convention is lacking. In other situations, GRETA “considers” that it is necessary to make further improvements to fully comply with an obligation of the Convention. By “inviting” a country to pursue its efforts, GRETA acknowledges that the authorities are already on the right track and encourages them to continue existing action.

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<sup>1</sup> [ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search \(bing.com\)](#)

## Executive summary

This report, covering the period from November 2020 to July 2025, evaluates the measures taken by Georgia to prevent vulnerabilities to trafficking in human beings (THB), detect and support vulnerable victims, and punish the offenders. In doing so, it pays particular attention to the use of information and communication technology (ICT) to commit human trafficking offences as well as to the use of technological innovations to prevent THB, protect victims, and prosecute traffickers. The report also evaluates progress made in selected areas examined by GRETA during previous evaluation rounds.

Over the years, the Georgian authorities have taken a series of steps to develop the legislative, policy and institutional framework for action against THB. In 2021, the Law on Combating Trafficking in Human Beings was amended to ensure that victims' access to state compensation is not conditional on failure to obtain compensation from the perpetrators. Further, legislation was passed to extend the mandate of the Labour Inspection Office and strengthen the protection of migrant workers. The Georgian authorities have regularly adopted biannual national action plans on the fight against THB.

The number of victims of trafficking identified in 2020-2024 was 49, the majority of whom were female (61%). Nearly half of the identified victims were children. Forced begging has become the predominant form of exploitation, followed by labour exploitation and sexual exploitation. Contrary to the previous reporting period, most of the identified victims were foreign nationals (73%), originating primarily from Azerbaijan, Russia, Thailand and Armenia. While less Georgian victims were identified, it is acknowledged that Georgians continue to be trafficked to other countries, such as Germany, Italy, Greece, Iran and Türkiye.

Children and young persons, particularly those in street situations, are particularly vulnerable to human trafficking in Georgia. There are reports of children dropping out of school due to their involvement in child labour. The authorities have prepared a National Strategy for the Protection from Violence of Children in Street Situations, which covers human trafficking. GRETA urges the authorities to take additional preventive measures, in particular to increase the resources of the shelters, day-care centres and mobile teams working with children in street situations, and to ensure the implementation of legal safeguards against child labour.

Members of ethnic minorities face challenges in their effective integration and inclusion which can make them vulnerable to human trafficking. Children from the Azerbaijani and Roma minorities are often detected among persons in street situations as well as in cases of child marriage. GRETA considers that the authorities should make additional efforts to prevent human trafficking of members of disadvantaged minorities, including by strengthening awareness raising and outreach work, and improving access to Georgian language classes, education, employment, housing, health care and social services, as well as birth registration. The authorities should also involve organisations representing ethnic minorities in the design and implementation of anti-trafficking policies and measures.

Further, GRETA considers that the Georgian authorities should take additional preventive measures to address the gender dimension of THB, including by strengthening efforts to prevent child and forced marriage and addressing risks of trafficking in the context of surrogacy. Another recommendation made in the report is to reduce risks of exploitation of women and girls in prostitution by abrogating the administrative offence of engaging in prostitution and developing exit programmes for persons wishing to leave prostitution.

There has been an increase in the number of persons emigrating from Georgia as well as increasing demand for foreign labour in Georgia. GRETA welcomes the measures taken by the authorities to regulate and control the activities of intermediary companies involved in the placement of migrant workers. In addition, the Labour Inspection Office has gained more powers and autonomy. Despite these efforts,

GRETA is concerned that the resources of labour inspectors are insufficient to carry out inspections, notably in rural or remote areas. It also expresses concern over reports of labour exploitation of Georgian seasonal workers sent to Germany in the framework of a labour mobility agreement. GRETA considers that the Georgian authorities should take additional measures to prevent trafficking of migrant workers, notably by increasing the resources of the Labour Inspection Office, strengthening the provision of information to migrant workers, providing further training to relevant professionals, and monitoring risks of trafficking in the framework of bilateral mobility agreements.

Internally displaced persons (IDPs) continue to face important socio-economic difficulties which can make them particularly vulnerable to THB. Measures have been taken by the Georgian authorities to improve the socio-economic situation of IDPs and their living conditions. Further, specific awareness-raising activities were implemented as part of the anti-trafficking national action plan. However, many IDPs are unemployed and numerous households earn less than GEL 300 per month (about 100 euros). GRETA invites the authorities to continue taking measures to improve the socio-economic situation of IDPs as a way of reducing their vulnerabilities to human trafficking.

According to the authorities, efforts are being made to detect vulnerable individuals as early as possible in the asylum procedure and to inform them of the risks of human trafficking. GRETA considers that the Georgian authorities should make additional efforts, including by putting in place procedures for the vulnerability/risk assessment and the detection of THB indicators among asylum seekers, refugees and irregular migrants, further developing the training of professionals on detecting vulnerabilities, and improving the social and economic integration of asylum seekers and refugees.

Georgia has adopted several laws and policies to improve the situation of persons with disabilities and reduce their vulnerabilities, in particular through deinstitutionalisation and strengthening access to employment and education. GRETA was informed of cases where the vulnerability of persons with disabilities was abused by traffickers to exploit them sexually. There have also been cases of persons with disabilities forced to beg by their family. GRETA considers that the Georgian authorities should conduct research into the vulnerabilities of persons with disabilities to human trafficking and develop preventive measures specifically aimed at this group.

GRETA is concerned that the Law on Protecting Family Values and Minors, passed in September 2024, may exacerbate the marginalisation of LGBTI persons and increase their vulnerability to THB. It considers that the authorities should guarantee the safety and right to non-discrimination of LGBTI persons, in line with international standards, and ensure that legislative and other measures adopted do not increase this vulnerability to THB.

GRETA welcomes the measures taken to improve the identification of victims of trafficking, in particular the provision of guidelines, training and other tools to the mobile groups and the Permanent Group which conduct the identification of victims of THB. However, it is concerned by the low number of victims identified by the Permanent Group and the fact that, in practice, the formal identification of victims is linked to the opening of criminal proceedings. GRETA urges the authorities to review the National Referral Mechanism in order to address the low number of referrals to the Permanent Group and the high threshold of proof to be identified as a victim of trafficking, as well as to ensure that the identification of victims of trafficking is not dependent on their willingness to co-operate in the criminal proceedings. It also urges the authorities to improve the identification of victims among migrant workers, asylum seekers and irregular migrants, and to ensure that all victims under Georgian jurisdiction can be identified, irrespective of the country of exploitation.

Positive developments since the previous evaluation by GRETA include the opening of a new state shelter for victims of human trafficking in Tbilisi in 2023 and the setting up of a division within the Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking to co-ordinate the work of shelters and crisis centres, collect data on victims and make recommendations to improve victim assistance. In addition to these efforts, GRETA considers that the authorities should increase the funding

provided to shelters and strengthen victims' economic and social integration.

The Georgian Criminal Code includes "abuse of a position of vulnerability" amongst the means for committing the offence of human trafficking. GRETA considers that the Georgian authorities should strengthen the training and guidance to investigators, prosecutors and judges on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

GRETA positively notes the efforts made to improve the investigation and prosecution of human trafficking cases and strengthen the response to cases of trafficking for the purpose of labour exploitation. A working group was set up by the Prosecutor's Office with the participation of the police, the Ministry of Justice and the Labour Inspection Office. However, cases of THB continue to be (re)qualified as other offences, and therefore GRETA calls on the Georgian authorities to ensure that all human trafficking offences are prosecuted as such rather than as lesser offences every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions.

Special protection measures for victims of trafficking are provided in the Code of Criminal Procedure, the Juvenile Justice Code and the Anti-Trafficking Law. GRETA welcomes the efforts to develop the role of victim and witness co-ordinators to assist victims of trafficking in criminal proceedings. However, GRETA was informed that even where possible, judges are reluctant to authorise the playing of video-recorded testimonies, including when children are involved. GRETA urges the authorities to amend the legislation to ensure that victims and witnesses, including children, are provided with effective protection measures during criminal proceedings, including the possibility to provide testimony through audio-visual means to avoid direct confrontation with the defendants.

ICTs are increasingly being used to recruit and exploit victims of trafficking. Efforts have been made to raise awareness of vulnerable groups on risks of trafficking facilitated by ICT, improve the capacities of law enforcement professionals, and strengthen co-operation with online service providers. While welcoming these efforts, GRETA considers that the authorities should improve the detection and proactive investigation of ICT-facilitated trafficking, including online child trafficking, and continue developing co-operation with ICT companies and Internet service providers in order to prevent ICT-facilitated trafficking.

Access to compensation from the offenders continues to be ineffective in Georgia. GRETA was informed of only one case in which four victims were compensated following a criminal court's order to confiscate the trafficker's assets. Following legislative amendments, access to state compensation can be provided to victims based on their identification and is no longer conditional on failure to obtain compensation from the offender. However, the amount of state compensation remains very low and does not take into account the damages suffered by the victim. GRETA once again urges the Georgian authorities to facilitate and guarantee access to compensation for victims of trafficking, including by increasing the amount of state compensation in order to ensure that it corresponds to the actual harm suffered by victims. GRETA also considers that the Georgian authorities should introduce a procedure through which victims are entitled to obtain a decision on compensation from the offender in the course of criminal proceedings.

GRETA expresses concern over the negative impact of recently adopted legislation on civil society organisations working with victims of trafficking and individuals vulnerable to trafficking, as well as on victims of trafficking themselves whose private data may become publicly accessible if they receive assistance from entities labelled as foreign agents. GRETA urges the Georgian authorities to take legislative and other measures to build strategic partnerships with civil society actors working with victims of trafficking and vulnerable groups, and to protect the private life and identity of victims of trafficking, including by repealing the Law on Transparency of Foreign Influence and the Law on Foreign Agents Registration.

## General information on trafficking in human beings in Georgia (covering the period from 2020 until July 2025)

|                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Entry into force of the Council of Europe Convention on Action against Trafficking in Human Beings (THB) | 1 February 2008                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Previous evaluations by GRETA                                                                            | <ul style="list-style-type: none"> <li>• <a href="#">First evaluation report</a> (published on 7 February 2012)</li> <li>• <a href="#">Second evaluation report</a> (published on 3 June 2016)</li> <li>• <a href="#">Third evaluation report</a> (published on 16 March 2021)</li> </ul>                                                                                                                                                                                                                                                                                                                                                     |
| Co-ordination of national action against THB                                                             | <ul style="list-style-type: none"> <li>• Interagency Council on Combating Human Trafficking</li> <li>• Department of International Relations and Legal Co-operation of the Ministry of Justice (provides the Secretariat of the Interagency Council)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                               |
| National Rapporteur on THB                                                                               | The role of National Rapporteur is performed by the Interagency Council on Combating Human Trafficking.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Specialised bodies                                                                                       | <ul style="list-style-type: none"> <li>• Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking</li> <li>• Division for Combating Trafficking in Human Beings and Illegal Migration of the Central Criminal Police Department</li> <li>• Anti-trafficking Task Force of the Autonomous Republic of Adjara</li> <li>• Specialised prosecutors for THB cases</li> <li>• Specialised unit for forced labour of the Labour Inspection Office</li> </ul>                                                                                                                                                            |
| National Strategy/Action Plan                                                                            | National Actions Plans for Combating Trafficking in Human Beings for <a href="#">2021-2022</a> , <a href="#">2023-2024</a> and 2025-2026.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Relevant legislation                                                                                     | <ul style="list-style-type: none"> <li>• Law on Combating Trafficking in Human Beings</li> <li>• Criminal Code: Articles 143<sup>1</sup> (trafficking in adults), 143<sup>2</sup> (child trafficking) and 143<sup>3</sup> (use of services of victims of trafficking)</li> <li>• Law on the Legal Status of Aliens and Stateless Persons</li> <li>• Rules and Procedures for Granting Compensation from the State Fund</li> </ul>                                                                                                                                                                                                             |
| National Referral Mechanism (NRM)                                                                        | <p>The NRM was established in 2011 and revised in 2014. The identification of victims is done in two phases: (1) preliminary identification by a mobile group of the Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking; (2) final identification decision by the Permanent Group of the THB Council, comprising representatives of three NGOs and two international organisations.</p> <p>Victims of THB can also be identified as “statutory victims” by law enforcement authorities in the framework of criminal proceedings.</p>                                                                       |
| Trafficking profile                                                                                      | Georgia is a country of origin and destination of victims of trafficking. The majority of the identified victims were foreign nationals (73%). Most of the identified victims were trafficked for the purpose of labour exploitation. THB for sexual exploitation was the second most frequent form of exploitation, affecting mostly women. Around 49% of the identified victims were children, exploited primarily in forced begging. While official statistics only capture the number of victims identified in Georgia, Georgian citizens are also trafficked and identified abroad, notably to Germany, Italy, Greece, Iran and Türkiye. |

## I. Introduction

1. Georgia was amongst the first countries to ratify the Council of Europe Convention on Action against Trafficking in Human Beings (“the Convention”). Over the years, the Georgian authorities have taken a series of steps to develop the legislative and institutional framework for action against trafficking in human beings (THB). These include the adoption of a comprehensive Law on Combating Trafficking in Human Beings, amendments to the Criminal Code (CC) provisions on THB and related offences, as well as the setting up of specialised units within the police and specialised prosecutors to work on trafficking cases. The Georgian authorities have regularly adopted biannual national action plans on the fight against THB. Efforts have also been made to raise awareness and prevent trafficking of vulnerable groups, notably children in street situations. However, after three rounds of evaluation, GRETA concluded that there were continuing gaps in certain areas, such as the identification of foreign victims of trafficking and victims of THB for the purpose of labour exploitation, victims' access to compensation, and the criminal justice response to THB.

2. On the basis of GRETA's third report, on 4 June 2021 the Committee of the Parties to the Convention adopted a recommendation to the Georgian authorities, requesting them to inform the Committee within a two-year period of measures taken to comply with the recommendation. The report submitted by the Georgian authorities was considered at the 32nd meeting of the Committee of the Parties (16 June 2023) and was made public.<sup>2</sup>

3. On 4 October 2023, GRETA launched the fourth round of evaluation of the Convention in respect of Georgia by sending the questionnaire for this round to the Georgian authorities. The deadline for submitting the reply to the questionnaire was 4 February 2024 and the authorities' reply was received on 13 February 2024.

4. An evaluation visit to Georgia took place from 23 to 27 September 2024 in order to hold meetings with relevant governmental and non-governmental actors, collect additional information and examine the practical implementation of adopted measures. The visit was carried out by a delegation composed of:

- Ms Tatiana Catana, member of GRETA;
- Ms Dorothea Winkler, member of GRETA;
- Ms Parvine Ghadami, Administrator in the Secretariat of the Convention.

5. During the visit, the GRETA delegation met Mr Beka Dzamashvili, Deputy Minister of Justice, and officials of the Ministry of Justice (including the Secretariat of the Inter-Agency Council on Combating Trafficking in Human Beings), the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs (including the Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking), the Ministry of Internal Affairs, the Ministry of Finance, the Ministry of Education and Science, the Labour Inspection Office, the Legal Aid Service, and the National Tourism Administration. Discussions were also held with the Prosecutor's Office of Georgia and judges of the Tbilisi City Court.

6. Furthermore, the GRETA delegation met representatives of the Public Defender (Ombudsperson). A meeting was also held with staff of the Human Rights Committee of the Parliament.

7. In addition to holding meetings in Tbilisi, the delegation travelled to Kutaisi where it met representatives of the local social services and police, as well as members of the mobile team which

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<sup>2</sup> Report submitted by the Georgian authorities on measures taken to comply with Committee of the Parties Recommendation CP/Rec(2021)03 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, available at <https://rm.coe.int/report-submitted-by-the-authorities-of-georgia-on-measures-taken-to-co/1680aba92a>.

carries out outreach work to detect children in street situation. It also had an online meeting with police officers and prosecutors of the Anti-Trafficking Task Force of the Autonomous Republic of Adjara.

8. The GRETA delegation held separate meetings with non-governmental organisations (NGOs) and representatives of the International Organization for Migration (IOM), the United Nations Children's Fund (UNICEF), the United Nations Refugee Agency (UNHCR) and the International Centre for Migration Policy Development (ICMPD).

9. In the course of the visit, the delegation visited an NGO-run shelter for victims of domestic violence and victims of trafficking, a shelter for children in street situation, a reception centre for migrants, as well as the Centre for Psychological and Social Services for Children Victims of Violence (Barnahus).

10. The list of the national authorities, NGOs and other organisations with which the delegation held consultations is set out in Appendix 3 to this report. GRETA is grateful for the information provided by them.

11. GRETA wishes to place on record the co-operation provided by the Georgian authorities and in particular by Ms Ketevan Sarajishvili, Head of International Relations and Legal Co-operation Department of the Ministry of Justice, as well as Ms Ana Ivanishvili and Mr Shota Chitanava of the same Ministry.

12. The draft version of the present report was approved by GRETA at its 53rd meeting (24-28 March 2025) and was submitted to the Georgian authorities for comments. The authorities' comments were received on 23 June 2025 and were taken into account by GRETA when adopting the final report at its 54th meeting (30 June - 4 July 2025). The report covers the situation up to 4 July 2025; developments since that date are not taken into account in the following analysis and conclusions. GRETA's conclusions and proposals for action are summarised in Appendix 2.

## II. Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

13. Georgia is a country of origin and destination for victims of trafficking. According to official statistics (see the table in Appendix I),<sup>3</sup> 49 victims of trafficking were identified in 2020-2024, which constitutes a decrease compared to the period covered by GRETA's previous report.<sup>4</sup> The number of female victims was higher than that of male victims. The proportion of child victims amongst the identified victims was 49%.

14. As regards emerging trends of human trafficking in Georgia, forced begging has become the predominant form of exploitation, followed by labour exploitation and sexual exploitation. Contrary to the previous reporting period, the majority of the identified victims were foreign nationals (about 73%), originating primarily from Azerbaijan, Russia, Thailand and Armenia. While less Georgian victims were identified, it is acknowledged that Georgians continue to be trafficked to other countries, such as Germany, Italy, Greece, Iran and Türkiye.

15. There have been several changes to the legislative framework relevant for action against trafficking in human beings. The Law on Combating Trafficking in Human Beings was amended in April 2021 to ensure that victims' access to state compensation is not conditional on failure to obtain compensation from the perpetrators (see paragraph 175). Amendments to the Code of Criminal Procedure (CCP) and the Juvenile Justice Code were passed in June 2021, allowing investigators to involve victim and witness co-ordinators from a very early stage in criminal proceedings (see paragraph 148).

16. Further, a new Labour Code and a new Law on Labour Inspection entered into force on 1 January 2021, making changes to the mandate of the Labour Inspection Office (see paragraph 64). In May 2023, the Law on Labour Migration was amended with a view to strengthening the protection of migrant workers (see paragraph 63). Other laws which have implications for anti-trafficking action are discussed later in the report (see paragraphs 45, 98 and 179-183).

17. The institutional framework for action against THB remains as described in GRETA's third report.<sup>5</sup> The Interagency Council on Combating Trafficking in Human Beings (hereinafter "THB Council"), chaired by the Minister of Justice, continues to co-ordinate national anti-trafficking action and brings together relevant ministries and agencies. The Labour Inspection Office is represented as a separate member from the Ministry of IDPs from the Occupied Territories, Labour, Health and Social Affairs. Several NGOs, international organisations (IOM, ICMPD, EU delegation) and the US Embassy are invited to take part in the meetings. While the THB Council meets once a year to adopt strategic documents, such as the national actions plans and the implementation reports (see paragraphs 21-22), thematic working groups are convened more frequently. During the reporting period, a working group on street children and a working group on awareness-raising activities were set up.

18. The Permanent Group of the THB Council remains in charge of performing the formal identification and granting the status of victim of (see paragraph 102). It continues to be composed of representatives of three NGOs (Anti-Violence Network Georgia, Tanadgoma and Georgia's Association of Young Lawyers) and two international organisations (IOM and ICMPD).

19. Following a reorganisation in 2020, the Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking took over the functions of the State Fund for the Protection and Assistance to Victims of Trafficking and the Social Services Agency and is the main provider of assistance to victims

<sup>3</sup> Official statistics and information do not cover Tskhinvali Region, Georgia, and Abkhazia, Georgia, which are not under the effective control of the Georgian authorities.

<sup>4</sup> 66 victims of trafficking were identified in 2015-2019.

<sup>5</sup> See GRETA's 3<sup>rd</sup> report on Georgia, paragraphs 14-18.

(see paragraph 117). It operates mobile teams for children in street situations as well as mobile groups for the preliminary identification of victims of trafficking (see paragraphs 36 and 102).

20. The role of National Rapporteur on THB continues to be performed by the THB Council, rather than an independent mechanism for monitoring the effectiveness of State measures against THB.<sup>6</sup> GRETA recalls its position on the need for a structural separation between monitoring and executive functions in order to have an objective evaluation of anti-trafficking law, policy and practice and considers that the Georgian authorities should examine the possibility of designating as a National Rapporteur a separate organisational entity or an already existing independent mechanism for monitoring the anti-trafficking activities of State institutions.

21. The authorities have continued to adopt biannual National Action Plans (NAPs) for the fight against trafficking in human beings. The NAP for 2023-2024 was adopted in December 2022 by the THB Council.<sup>7</sup> It contains 50 measures in relation to four objectives: (1) prevention of THB; (2) improvement of mechanisms for detection of THB crime and conducting effective criminal prosecution; (3) facilitation of reintegration into society of victims/statutory victims of THB; and (4) improvement of the policy on combating THB through strengthening co-ordination and co-operation mechanisms. The 2025-2026 NAP was approved on 25 March 2025. It maintains the same four objectives as the previous plan and includes 48 measures designed to achieve them. There was no dedicated state budget for the implementation of the NAP 2023-2024, but GRETA was informed that about 50% of the activities were funded under EU projects. In their comments on the draft GRETA report, the Georgian authorities noted that the activities in the NAPs are primarily implemented using funds from the state budget, with additional financial support provided by international organisations. However, GRETA notes with concern that several international organisations have interrupted the funding of projects in Georgia as a result of the recently adopted legislation (see paragraphs 97 and 179-182). GRETA considers that the Georgian authorities should ensure the allocation of adequate funding for the implementation of the National Action Plan and the provision of support to victims of trafficking.

22. The monitoring of the implementation of the NAPs falls under the responsibility of the THB Council which publishes a progress report at the end of each implementing phase. The Georgian authorities informed GRETA that the monitoring of the NAP for 2023-2024 established that 84% of the activities outlined in the plan were fully or largely implemented and that public awareness grew, criminal prosecutions increased, and more statutory victims accessed state-run services. While an external evaluation of the NAPs 2017-2018 and 2019-2020 was conducted in 2020 as part of an EU funded project, this was not the case for the following NAPs. GRETA considers that the Georgian authorities should commission an external, independent evaluation of the implementation of the National Action Plans as a tool for assessing the impact of the activities and for planning future policies and measures to combat human trafficking.

<sup>6</sup> See GRETA's 3<sup>rd</sup> report on Georgia, paragraph 19.

<sup>7</sup> <https://justice.gov.ge/files/6VpU8Z8N7J2G.pdf>

### III. Addressing vulnerabilities to trafficking in human beings

#### 1. Prevention of trafficking in human beings

##### a. Introduction

23. Prevention is crucial in combating trafficking in human beings. Article 5 of the Convention therefore requires States Parties to establish and/or strengthen effective policies and programmes to prevent THB in co-ordination between relevant public agencies, non-governmental organisations and other elements of civil society. Such policies and programmes should have a particular focus on persons vulnerable to trafficking and professionals concerned with trafficking in human beings, and shall include research, information, awareness-raising and education campaigns, social and economic initiatives and training programmes. In the development and implementation of prevention measures, States Parties are required to promote a human rights-based approach and to use gender mainstreaming and a child-sensitive approach, taking specific measures to reduce children's vulnerability to trafficking. Furthermore, Article 5 of the Convention requires States parties to take measures to enable migration to take place legally. In addition, Article 6 of the Convention places a positive obligation on Parties to adopt measures to discourage the demand that fosters all forms of exploitation of persons which leads to trafficking.

24. According to the Georgian authorities, children and young persons, notably those in street situations, are the most vulnerable to human trafficking in Georgia. Although there are no statistics disaggregated by ethnicity of victims, GRETA was informed that several possible victims detected each year belong to disadvantaged minorities, such as the Azerbaijani and Roma ethnic minorities. Disability and mental disorders are additional vulnerability factors which are abused by traffickers to exploit victims.

25. Furthermore, foreigners in search of employment or other economic opportunities in Georgia, and Georgians looking for the same opportunities abroad, are vulnerable to trafficking for the purpose of labour exploitation. Internally displaced persons (IDPs) from Tskhinvali Region, Georgia, and Abkhazia, Georgia, who are affected by poverty and unemployment, are also considered vulnerable to THB. Asylum seekers and refugees in Georgia are another vulnerable group, but no victims of trafficking have been identified among them so far.

26. Victims are mainly exploited in big cities such as Tbilisi and Batumi, and to a lesser extent in Kutaisi. The risks of THB are heightened in the Autonomous Republic of Adjara due to it being a tourist destination, generating high demand for labour as well as sexual services, as well as due to its shared border with Türkiye.

27. The NAP for 2023-2024 envisages measures to prevent trafficking, including awareness-raising in schools and higher education institutions, targeted sensitisation of vulnerable groups and information campaigns for the general public. A working group of the THB Council composed of representatives from state agencies, NGOs and international partners was established in 2024. It has been drafting an action plan on awareness-raising activities in relation to human trafficking. In addition, the National Human Rights Protection Strategy 2022-2030 and the Migration Strategy contain measures which can be of relevance for the prevention of human trafficking, notably in relation to children in street situations, child marriage, forced marriage, as well as trafficking of migrants.

28. Regarding research on trafficking in human beings conducted during the reporting period, the Georgian authorities referred to a survey ran in 2022 with over 2,000 participants to assess public awareness of migration issues, including THB. The results were reflected in the NAP for 2023-2024. Georgia has also participated in studies of the European Migration Network (EMN) on trafficking.<sup>8</sup> Stressing that research is of paramount importance to better understand the phenomenon of trafficking and to develop future policy measures, GRETA considers that the Georgian authorities should conduct and/or support research on trafficking in human beings, including on vulnerabilities to trafficking and the effectiveness of preventive measures implemented.

29. GRETA was informed that in the framework of the drafting of the National Strategy for Protection from Violence of Children in Street Situations (see paragraph 39), meetings were held with several children concerned. Noting the importance of taking into account the lived experiences and views of victims and survivors of trafficking when designing anti-trafficking policies and measures, GRETA invites the Georgian authorities to set up a trafficking survivors' advisory council. Reference is made in this context to the ODIHR Guidance on establishing and maintaining National Survivors of Trafficking Advisory Councils<sup>9</sup> and ICAT's Issue Brief on Ensuring Ethical Survivor Inclusion.<sup>10</sup>

b. Measures to prevent the vulnerability of specific groups to trafficking in human beings

30. This section examines the preventive measures taken with regard to certain vulnerable groups on the basis of the information provided by the Georgian authorities as well as non-state actors. GRETA underlines that not every individual belonging to one of these groups is vulnerable to trafficking *per se*, there are usually additional vulnerability factors involved. The different groups selected should be viewed with due regard to the complexity and intersectionality of vulnerabilities to trafficking.

i. *Children and young persons*

31. In its previous reports on Georgia, GRETA paid attention to the prevention of child trafficking, notably through awareness raising, developing a child protection referral mechanism, and supporting children in street situations.<sup>11</sup> It considered that the efforts made by the Georgian authorities in this area should be strengthened, using the results of research on new trends, sensitising and training child protection professionals, and paying increased attention to the link between child trafficking and the use of information and communication technologies (ICT).<sup>12</sup>

32. As mentioned in the third GRETA report, a child protection referral mechanism was set up in 2016, obliging all professionals working with children to identify and refer possible cases of violence against children to competent authorities, and to provide adequate response. However, during GRETA's visit, representatives of NGOs stated that the child protection referral mechanism is not sufficiently used and should be revised to ensure better co-ordination and protection of children. More generally, they noted that the child protection system suffers from a lack of social workers, notably in rural or remote areas. According to the Georgian authorities, 4,131 cases of child abuse were referred to the State Care Agency in 2022, 1,564 cases in 2023, and 1,619 cases in 2024. GRETA was informed that the state care system has 288 social workers with 34 vacancies, the education system includes 86 social workers and 6 supervisors, with 54 positions vacant, and the probation system employs 51 social workers with 9 vacant positions.

<sup>8</sup> For instance: [https://home-affairs.ec.europa.eu/document/download/5defd438-065d-43c7-a31b-89a71d6130b2\\_en?filename=EMN\\_report2022\\_trafficking-in-human-beings\\_updated\\_final.pdf](https://home-affairs.ec.europa.eu/document/download/5defd438-065d-43c7-a31b-89a71d6130b2_en?filename=EMN_report2022_trafficking-in-human-beings_updated_final.pdf)

<sup>9</sup> OSCE/ODHIR, *Guidance on establishing and maintaining National Survivors of Trafficking Advisory Councils (NSTACs)*, 2024.

<sup>10</sup> ICAT, *Ensuring Ethical Survivor Inclusion*, Issue Brief, 2025.

<sup>11</sup> See GRETA's 3<sup>rd</sup> report on Georgia, paragraphs 150-153; GRETA's 2<sup>nd</sup> report on Georgia, paragraphs 60-67.

<sup>12</sup> See GRETA's 3<sup>rd</sup> report on Georgia, paragraph 154.

33. The Georgian authorities have referred to awareness-raising activities conducted in schools and higher education institutions with a view to sensitising children, young people and educational staff to the risks of THB.<sup>13</sup> The Office of Resource Officers of Educational Institutions (ORO) has deployed resources officers, psychologists and social workers in schools with a view to preventing all forms of violence against children. GRETA was informed that staff of the ORO had received training on sexual abuse and harassment, violence against girls and women, and working with vulnerable groups. However, it is not clear to what extent ORO staff has been trained on human trafficking and whether they pay attention to risk and indicators of human trafficking.

34. The Georgian authorities have referred to several training activities on THB organised for professionals working with children.<sup>14</sup> For example, 99 child-care professionals (including social workers, psychologists and lawyers) were trained during six activities organised with the support of international organisations. Further, a training module for teachers, principals and school resource officers covering all aspects of violence against women and domestic violence and reporting obligations was developed in co-operation with UN Women. It was followed by more than 2,300 teachers, principals and school resource officers in 2022-2023. The Georgian authorities have also stated that the National Centre for Teacher Professional Development's online education portal features materials on THB, including an educational tool designed to help teachers introduce students to how to protect themselves from THB.<sup>15</sup>

35. Children and young persons in street situations continue to be particularly vulnerable to human trafficking.<sup>16</sup> It is estimated that there are around 2,500 children living and/or working in the street, mostly in Tbilisi, Kutaisi, Rustavi and Telavi, as well as Batumi during the tourist season. These children are mostly exploited in forced begging or labour, but there have also been cases of girls exploited in prostitution. GRETA was informed that most of them are Georgian, in particular from the Roma and Azerbaijani ethnic minorities, but there are also children from Azerbaijan. In 2024, the Georgian authorities arrested 15 suspects in Tbilisi, Kutaisi and Batumi in a case of forced begging of children from Azerbaijan. Seven of the suspects were arrested, including on charges of child trafficking. A guilty verdict was delivered against 14 defendants, and five children were identified as victims of trafficking. In their comments on the draft report, the Georgian authorities stated that the children had been placed in the state care system, in small family-type homes or foster care, and were receiving tailored care.

36. In the framework of the "Shelter for homeless children sub-programme" established in 2014, the Agency for State Care has set up four shelters and day-care centres for children in street situations (two in Tbilisi, one in Rustavi and one in Kutaisi).<sup>17</sup> Seven mobile teams have also been set up to conduct outreach work, including a new one in Kutaisi since 2024.<sup>18</sup> GRETA was informed that in 2016-2024, the mobile teams established contact with 3,269 children in street situations but only a portion of them agreed to be referred to the shelters or the day care centres. In 2024 alone, mobile teams established contact with 412 individuals.

37. GRETA visited the shelter and day care centre for children in street situations operated by World Vision Georgia in Kutaisi. The shelter has the capacity to accommodate up to 10 children and the day care centre can receive up to 20 children. The average length of stay in the shelter is 18 months, but in one case a child stayed there for five years. GRETA was informed that staff had received training on human trafficking.

<sup>13</sup> See the Georgian authorities' reply to the GRETA questionnaire for the 4<sup>th</sup> evaluation round, pp. 9-11.

<sup>14</sup> See the Georgian authorities' reply to the GRETA questionnaire under the 4<sup>th</sup> evaluation round, p. 13.

<sup>15</sup> More information at:

[https://educationhouse.ge/search\\_by\\_keywords?token=3AD5cyZ09cS3zXTqAGQ8rakNovxD38nFTdDFNFWO&keyword=%E1%83%A2%E1%83%A0%E1%83%94%E1%83%A4%E1%83%98](https://educationhouse.ge/search_by_keywords?token=3AD5cyZ09cS3zXTqAGQ8rakNovxD38nFTdDFNFWO&keyword=%E1%83%A2%E1%83%A0%E1%83%94%E1%83%A4%E1%83%98)

<sup>16</sup> See GRETA's 2<sup>nd</sup> report on Georgia, paragraphs 14 and 61.

<sup>17</sup> See GRETA's 2<sup>nd</sup> report on Georgia, paragraphs 61-62.

<sup>18</sup> Four mobile teams operate in Tbilisi, one in Rustavi and two in Kutaisi.

38. Further, a Juvenile Referral Centre has been operating since 2020 under the auspices of the National Agency for Crime Prevention, Execution of Non-Custodial Sentences and Probation (subordinated to the Ministry of Justice). It functions as a day-care centre and provides support to children below the minimum age of criminal responsibility and children experiencing behavioural challenges, including children living and/or working in the street. Staff of the centre includes psychologists, social workers and lawyers, and GRETA was informed that they had been trained on trafficking. As of September 2024, 550 children had been assisted by the centre, including 26 children in street situations. Among them, the centre detected two cases of children who were possibly exploited sexually, one case of a child working in the construction sector, and another one in agriculture. All cases were referred to the police. The suspicions were not confirmed and the children were not identified as victims of THB, but they nevertheless continued being assisted by the Juvenile Referral Centre.

39. Despite the efforts made to support children and young persons in street situations, GRETA was informed that the authorities and the mobile teams experience difficulties building trust with them, notably because they often do not speak Georgian. Further, the mobile teams lack financial, human and material resources, and some largest cities, such as Batumi and Telavi, do not have shelters or day care centres for children in street situations. GRETA was informed that the THB Council had finalised the drafting of the National Strategy for the Protection from Violence of Children in Street Situations, which includes protection from human trafficking. In addition, the National Action Plan on Human Rights 2024-2026 includes measures related to children in street situations and child marriage.

40. According to a report of the Public Defender published in 2021,<sup>19</sup> child labour is a “widespread practice” in Georgia due to poverty and low level of parental awareness of its prohibition. Children do work that poses risks to their age and development, in households, agriculture, seasonal work and in the streets. Some children are sent to Türkiye to work in agriculture. According to the report, there is no appropriate response mechanism nor effective control of child labour, preventive measures taken are insufficient, and the legislation is not aligned with international standards in relation to overtime work and breaks.<sup>20</sup> During the visit, GRETA was informed that educational institutions often do not comply with their obligation to record child absenteeism, and many cases of children missing or dropping out of school due to their involvement in labour are not addressed. Some officials met during the visit expressed doubts as to whether the children were being forced to work (in this context, see also paragraph 111). In their comments on the draft GRETA report, the Georgian authorities stated that there is a system in place to record student attendance in an electronic register.<sup>21</sup> According to them, the Educational Resource Centres systematically monitor the maintenance of the register and submits annual reports to the Ministry of Education. The authorities also mentioned that since 2020, there is a school drop-out monitoring mechanism, which requires teachers to investigate the reasons for the child’s absence and, after 20 days of absence, education system social workers get involved. GRETA is concerned that the school drop-out monitoring mechanism, notably the 20-day absence threshold, is not appropriate to promptly react to instances of drop-out, and there is no early warning system to prevent them.

41. The activity of the Labour Inspection Office (LIO) is insufficient in relation to child labour, notably in agriculture. Labour inspectors have limited resources and challenges persist in effectively enforcing labour standards within the agricultural sector. The sector is characterised by a high degree of informality, with many workers engaged in seasonal or temporary employment arrangements, often without formal contracts. Further, children are usually not working on farms registered as businesses, but in private households where labour inspectors cannot enter. In their comments on the draft report, the authorities indicated that in cases where there are reasonable grounds to suspect child labour, forced labour or labour exploitation, LIO may, upon a court order, enter private residences at any time without prior notice.

<sup>19</sup> Public Defender of Georgia, *Special report on child labour during the coronavirus pandemic and beyond*, 2021.

<sup>20</sup> While the Labour Code prohibits the involvement of children in heavy, harmful and hazardous work, there are a number of inaccuracies relating to working hours and conditions. According to the Labour Code, the working hours of a person between the ages of 14 and 16 shall not exceed 4 hours a day and 24 hours a week, while the working hours of persons aged between 16 and 18 shall not be more than 6 hours a day and more than 36 hours a week.

<sup>21</sup> <https://ejournal.emis.ge>

According to official statistics, violations of child labour rights were found at one workplace in 2021, 15 in 2022 (concerning 43 children), 11 in 2023 (concerning 23 children), and 9 in 2024 (concerning 30 children). However, it is not clear how many related to the agriculture sector.

42. The vulnerabilities of children to trafficking for the purpose of forced marriage as well as the risks caused by the lack of birth registration are analysed in later sections of the report (see paragraphs 49 and 54).

43. GRETA urges the Georgian authorities to take additional measures to prevent trafficking of children and young persons, including by:

- taking all necessary actions to ensure the implementation of legal safeguards against child labour, including prevention, effective control and referral of cases of child labour. The involvement of labour inspectors in preventing and combating child labour, notably in agriculture, should be increased;
- implementing prompt actions in order to prevent and address cases of school drop-out;
- increasing the human, financial and material resources of shelters, day-care centres and mobile teams working with children in street situations.

44. Further, GRETA considers that the Georgian authorities should:

- raise awareness of children, parents and foster families of the risks of human trafficking, paying particular attention to vulnerable children, such as children in street situations and children from ethnic minorities;
- continue to provide training on trafficking in human beings and its different forms to professionals working with children (in particular teachers, school staff and social workers).

*ii. Vulnerabilities related to the gender dimension of human trafficking*

45. In 2022, the Georgian authorities adopted a new National Action Plan on combating violence against women and domestic violence (2022-2024), with the support of UN Women.<sup>22</sup> While it does not contain specific measures on combating THB, the plan seeks to raise public awareness of the problems associated with violence against women in general as well as to change violent attitudes and behaviour which are often root causes of THB. Following the expiration of the plan at the end of 2024, a new one was not adopted. In April 2025, the Georgian Parliament passed a legislative package which removed from all legislation the words 'gender' and 'gender equality' and replaced them with 'women and men' or 'equality between women and men'. It also abolished the councils on gender equality at Parliament, the supreme representative bodies of the autonomous republics and municipal councils. GRETA is concerned that the disappearance of these councils may affect the obligation to promote gender equality in measures aimed at protecting victims of trafficking, pursuant to Article 17 of the Anti-Trafficking Convention.

<sup>22</sup>

Available at: <https://georgia.unwomen.org/sites/default/files/2023-04/violence-eng.pdf>.

46. Sexual exploitation of women mainly occurs in night clubs and bars in larger cities, as well as in the Autonomous Republic of Adjara during the tourist season. GRETA was informed of a case investigated in 2022 which involved three women from Thailand who had been recruited by other Thai nationals to work in Batumi (Adjara) and ended up being sexually exploited in the Imereti region. Following this investigation, in February 2024, one person was found guilty of THB by the Zestaponi District Court and sentenced to 12 years in prison. No information was available as regards any compensation granted to the victims in this case. While mobile teams of the police conduct preventive operations in areas and places at risk of sexual exploitation, the number of such operations is reportedly low and they are randomly conducted rather than based on prior intelligence and analysis. Further, insufficient efforts are made to involve the tourism sector in the prevention of trafficking for the purpose of sexual exploitation.

47. Prostitution is an administrative offence in Georgia, sanctioned by a warning or a fine of up to half the minimum wage (Article 172<sup>3</sup> of the Code of Administrative Offences) which can be imposed on individuals aged 16 and above. As explained in previous GRETA reports, victims of trafficking are exempted from liability for engaging in prostitution if they were compelled to do so, pursuant to the non-punishment principle.<sup>23</sup> GRETA underlines that sanctioning the act of prostitution significantly increases the vulnerability of persons engaged in prostitution to human trafficking by pushing the sex trade underground. This legal approach increases their dependence on exploitative intermediaries and discourages them from seeking help from the authorities due to fear of sanctions. As a result, access to essential support services diminishes and traffickers can operate with greater impunity. Furthermore, in order to reduce sexual exploitation, it is important to implement exit programmes for persons who wish to leave prostitution.

48. Georgia has legalised (commercial) surrogacy which is available to heterosexual couples, whether Georgian or foreign, and can be practised in a limited number of clinics. However, there is no law or by-law ensuring state regulation of surrogacy, and rules on surrogacy are mainly left to the discretion of the clinics (self-regulation), particularly with regard to the standards for the recruitment of surrogate mothers.<sup>24</sup> Since the full-scale invasion of Ukraine by Russia, there has reportedly been an increase in recourse to surrogacy in Georgia instead of Ukraine, leading to a shortage of surrogate mothers and some clinics recruiting surrogate mothers from Asia.<sup>25</sup> No information was provided to GRETA on measures taken by the authorities to prevent risks of trafficking in the context of surrogacy. In February 2025, an investigation was opened based on information provided to the Georgian Police by the INTERPOL National Central Bureau (NCB) for Thailand, into a possible case of trafficking of Thai women who were brought to Georgia as surrogate mothers and were forced to take part in the harvesting of oocytes, presumably intended to be sold for IVF in other countries.<sup>26</sup> According to the Georgian authorities, the police conducted searches, interviews and evidence collection. Three Thai women, who mentioned that they no longer wanted to be surrogate mothers, were taken to a shelter for victims of trafficking and later left the country. Four foreign nationals involved in bringing Thai citizens to Georgia for surrogacy were questioned and the investigation is ongoing.

<sup>23</sup> Article 15 of the Law on Combating Trafficking in Human Beings. See GRETA's 3<sup>rd</sup> report on Georgia, paragraph 83.

<sup>24</sup> Darchiashvili, M., & Gavashelishvili, E. (2023). Entanglement of the Formal and Informal in Everyday Surrogacy Negotiations: The Case of Georgia. *Studies of Transition States and Societies*, 15(1), pp. 18-31. Available at: <https://doi.org/10.58036/stss.v15i1.1145>

<sup>25</sup> <https://international.la-croix.com/ethics/surrogacy-a-booming-business-in-georgia>

<sup>26</sup> <https://www.reuters.com/world/georgia-thailand-probing-human-egg-trafficking-ring-2025-02-07/>.

49. Child and forced marriage remains an issue of concern in Georgia, including bride kidnappings and unregistered child marriages. It would appear that child marriages occur more frequently among certain ethnic and religious groups, such as ethnic minorities in Kvemo Kartli and Kakheti regions.<sup>27</sup> Following the ratification of the Istanbul Convention, Georgia has taken a series of measures to address child and forced marriage, including a revision of the minimum age for marriage (18 with no possibility of exceptions) and the criminalisation of forced marriage under Article 150<sup>1</sup> of the CC. The criminal justice response has been strengthened as evidenced by the increasing number of investigations and prosecutions for this crime.<sup>28</sup> A number of awareness-raising initiatives have been conducted during the reporting period, including the campaign “Do not Deprive Childhood”, and work is also underway to develop a handbook for social workers on the management of cases of child marriage.

50. GRETA considers that the Georgian authorities should take additional measures to address the gender dimension of trafficking in human beings, including by:

- continuing to raise awareness aimed at eliminating sexual and gender-based violence as an essential measure to prevent harmful practices leading to trafficking and exploitation of women and girls;
- strengthening efforts to prevent child and forced marriage, through training of relevant professionals and raising awareness, paying particular attention to ethnic and religious minorities;
- reducing risks of exploitation of women and girls in prostitution, by abrogating the administrative offence of engaging in prostitution and developing exit programmes for persons wishing to leave prostitution;
- developing cooperation with, and training for, the tourism sector to discourage demand for the services of trafficked persons, both in relation to sexual and labour exploitation;
- adopting such legislative and other measures as may be necessary to address the risks of trafficking in human beings in the context of surrogacy.

### *iii. Disadvantaged minorities*

51. According to the last available census (2014), ethnic Georgians make up about 87% of the country's population, while other ethnic groups constitute 13%. Georgia's ethnic groups are very diverse, but the two largest ones are the Azerbaijani minority, who predominantly live in the region of Kvemo Kartli, and the Armenian minority, present primarily in the Samtskhe-Javakheti region and Tbilisi.<sup>29</sup> There is also a relatively small Roma community.<sup>30</sup> Members of ethnic minorities face challenges in their effective

<sup>27</sup> See Centre for Democracy and Governance, *Harmful Practices of Early/Child Marriage in Georgia*, 2022; GREVIO's baseline report on Georgia (2022), paragraphs 263-268; Public Defender of Georgia, *Report on child, early and forced marriages in Georgia*, 2019; Georgian Young Lawyer's Association, *Forced marriage: legislation and practice*, 2020.

GRETA was informed of a case of forced marriage in 2023 in the Kakheti region, which concerned a 14-year-old girl who was killed by her husband after repeatedly trying to escape. The husband was found guilty of several criminal offences, including gender-related murder, deprivation of liberty of a minor and sexual intercourse with a person under the age of 16, and was sentenced to life imprisonment. The girl's mother and uncle were charged with forced marriage and failure to report a crime and were sentenced to, respectively, three years and three and a half years' imprisonment. The case was not prosecuted as human trafficking.

<sup>28</sup> 20 investigations for forced marriage were launched in 2021, 15 in 2022, 49 in 2023 and 51 in 2024. Further, 7 prosecutions were filed in 2020, 15 in 2021, 11 in 2022, 21 in 2023, and 11 in 2024 (data as of September 2024).

<sup>29</sup> Source: GEOSTAT. <https://www.geostat.ge/en/modules/categories/739/demographic-and-social-characteristics>

<sup>30</sup> See ECRI's report on Georgia, 2023 (footnote 55): In the 2014 General Population Census, 604 persons self-identified as Roma. However, on the basis of academic and field research, the former Ad hoc Committee of Experts on Roma and Traveller

integration and inclusion, particularly with regards to access to education, employment and housing, which can make them vulnerable to human trafficking. As stressed in paragraphs 24 and 34, children from the Azerbaijani and Roma minorities are often detected among children in street situations as well as in cases of child marriage.

52. The Georgian authorities have taken measures to prevent THB of members of ethnic minorities through awareness raising. Eight information sessions targeting members of ethnic minorities were organised, involving 234 persons. Further, information brochures on human trafficking are regularly distributed across the country, including in the languages of ethnic minorities.<sup>31</sup> However, GRETA notes that organisations representing ethnic minorities are not involved in the development and implementation of anti-trafficking policies.

53. The State Strategy for Civic Equality and Integration (2021-2030) prioritises improving knowledge of Georgian as the state language,<sup>32</sup> which is low for some minorities and hinders their integration.<sup>33</sup> As mentioned in paragraph 38, the language barrier was identified as an important challenge for members of mobile teams who conduct outreach work with children in street situations. The last report of ECRI on Georgia (2023) takes positive note of the authorities' significant efforts to improve the ethnic minorities' proficiency in Georgian and invest in bilingual education. However, it stresses remaining challenges, notably in providing access to quality education for children of ethnic minorities and sufficient hours of Georgian language teaching.<sup>34</sup>

54. According to UNHCR, there were 526 individuals registered as stateless persons in Georgia as of mid-2023.<sup>35</sup> This number only concerns persons who have applied to the stateless determination procedure while the real number is probably higher.<sup>36</sup> Statelessness affects former Soviet Union citizens who did not acquire Georgian citizenship after the dissolution of the Soviet Union, children of mixed nationality parents or those born abroad. Further, although the Roma population is small, a significant part is exposed to the risk of statelessness due to the lack of birth certificates and ID documents, and is deprived of many public services, including education, social services and economic aid. As mentioned in the third GRETA report, legislative amendments were passed in 2016 to allow children in street situations to access free-of-charge identification documents. Further, in 2022, the Georgian Public Service Development Agency, in close co-operation with UNHCR, implemented the "Door to Door Campaign" which aimed at proactively identifying and documenting stateless persons through field work. Data were collected on 762 people, 35 of whom were subsequently documented.

55. GRETA considers that the Georgian authorities should make additional efforts to prevent trafficking in human beings of members of disadvantaged minorities, including by:

- strengthening awareness raising of the risks of THB and outreach to detect vulnerabilities;
- improving their integration, including their access to Georgian language classes, education, employment, housing, health care and social services;
- continuing to improve access to birth registration and ID documents for stateless persons;

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Issues (CAHROM) of the Council of Europe estimated the overall Roma population in Georgia at 4,500 persons, or 0.12% of the total population in 2017 (see: CAHROM (2017), *Thematic visit report on the situation of Eastern Roma groups (Rom, Lom/Bosha, Dom/Garachi, Abdal) and potential policy responses to their needs*).

<sup>31</sup> See the Georgian authorities' reply to the GRETA questionnaire for the 4<sup>th</sup> evaluation round, pp. 17-19.

<sup>32</sup> Available at: <https://smr.gov.ge/en/page/31/state-strategy-for-civic-equality-and-integration-and-action-plan>.

<sup>33</sup> According to the 2014 census, 44,5% of ethnic Armenians and 73,9% of ethnic Azerbaijani had poor knowledge of the state language.

<sup>34</sup> See ECRI's report on Georgia (sixth monitoring cycle), pp. 17-19.

<sup>35</sup> UNHCR, Georgia Fact Sheet, February 2023.

<sup>36</sup> Source: <https://index.statelessness.eu/sites/default/files/Country%20briefing%20Georgia%20-%202024.pdf>.

- involving organisations representing ethnic minorities in the design and implementation of anti-trafficking policies and measures.

*iv. Migrant workers*

56. In its third report on Georgia, GRETA paid particular attention to preventing and combating trafficking for the purpose of labour exploitation. It urged the Georgian authorities to ensure that sufficient resources are made available to labour inspectors, to train relevant professionals on combating THB for the purpose of labour exploitation, and to build strategic partnerships with trade unions and the private sector.<sup>37</sup>

57. According to the Migration Strategy 2021-2030, emigration from Georgia used to be caused primarily by unstable situation and insecurity, but in recent years it has been mostly influenced by economic and social factors and search for better work and educational opportunities abroad.<sup>38</sup> The National Statistics Office of Georgia estimated that, in 2023, there were 245,064 emigrants from Georgia which corresponds to an increase of 95.6% compared to 2022.<sup>39</sup> At the same time, there is an increasing demand for foreign labour. According to the Georgian authorities, over 40,000 foreign workers from 152 countries have been registered by their employer since 2023. GRETA was informed that migrant workers originate mainly from China, Russia, Ukraine, Belarus, India, Türkiye and Iran.

58. There have been cases of Georgians identified as victims of trafficking abroad, notably in Germany, Italy, Greece and Türkiye. Further, as mentioned in paragraph 14, there has been an increase in the number of foreign victims of trafficking identified in Georgia, notably for the purpose of labour exploitation. Risk sectors include construction, agriculture, tourism and hospitality, textile and fisheries.

59. The Anti-trafficking NAP for 2022-2024 contained several measures dedicated to preventing trafficking for the purpose of labour exploitation, including enhancing co-operation with the business sector. Relevant measures can also be found in the Migration Strategy 2021-2030 and its annual action plans, such as improving labour migration management, facilitating temporary employment abroad, designing unified approaches for immigrant integration, and providing immigrants with wider opportunities for studying Georgian.

60. In 2020, Georgia concluded a bilateral labour mobility agreement with Germany in relation to seasonal workers in agriculture which provides for the granting of temporary work permits (up to 90 days) for around 1,000 Georgian nationals every year. Further, in 2023, the two countries concluded a migration agreement which broadens the job opportunities available to Georgian nationals in Germany in seasonal work and sectors such as logistics, transportation and services. Another labour mobility agreement was concluded between Georgia and Israel in relation to the care sector, but it has been suspended. Other bilateral labour mobility agreements have been signed with France and Bulgaria, and negotiations are underway with other EU countries.

61. There have been concerns regarding the implementation of the labour mobility agreement with Germany following reports of poor working conditions and refusal to pay wages by German employers. In 2021, several Georgian workers filed a lawsuit before Georgian courts against the State Employment Support Agency, which is in charge of implementing the agreement. They claimed that they had been promised 5,000 Euros per month for working for three months in a strawberry farm in Germany, but

<sup>37</sup> See GRETA's 3<sup>rd</sup> report on Georgia, paragraphs 134 and 135.

<sup>38</sup> See the Migration Strategy of Georgia 2021-2030, page 8. Available at: [https://migration.commission.ge/files/ms30\\_eng\\_web2.pdf](https://migration.commission.ge/files/ms30_eng_web2.pdf)

<sup>39</sup> Source: Geostat.

ended up being paid less than 1,500 Euros per month.<sup>40</sup> In their comments on the draft GRETA report, the Georgian authorities indicated that the decision in this case was still pending. Furthermore, in 2022, a German labour court ruled in favour of 18 Georgian agricultural seasonal workers sent to Germany under the bilateral agreement whose employer had refused to pay their full salary (several received less than 300 euros for six weeks of work).<sup>41</sup>

62. GRETA is concerned that insufficient measures have been taken by the Georgian authorities to prevent and monitor risks of exploitation in the framework of the labour mobility agreement with Germany. In particular, staff of the State Employment Support Agency have not been trained specifically on human trafficking and labour exploitation, nor provided with guidance. Their role seems to be limited to hiring Georgian workers and informing them of the working conditions in Germany, as well as offering alternative placement in case of complaint. In their comments on the draft GRETA report, the Georgian authorities indicated that employees of the State Employment Support Agency provide information on labour exploitation to labour mobility candidates.

63. Following amendments to the Law on Labour Migration adopted in 2023, intermediary companies involved in the placement of workers outside Georgia are obliged to register in the Register of Economic Activities and obtain certification from the Ministry of IDPs from the Occupied Territories, Labour, Health and Social Protection. Similarly, all foreigners working in Georgia have to be registered by their employer in an online system. Further, the conclusion of an employment contract with migrant workers is mandatory, and the law specifies the information that must be included in the contracts. Several model contracts have been prepared, notably between the worker and the intermediary company, and between the foreign employer and the intermediary company.

64. Since 2021, the Labour Inspection Office (LIO) has replaced the Labour Inspectorate Department and has acquired the status of legal entity under public law, thereby gaining more powers and autonomy. Pursuant to the Law on the Labour Inspection Office, its activities include consultation and information of employees and employers, awareness raising of the general public, receiving and reviewing complaints on possible violations of labour standards, conducting labour inspections, and drawing up of proposals to improve the labour legislation.

65. As described in the previous GRETA report, the LIO has a specific mandate in relation to forced labour, which constitutes an offence under Article 79 of the Labour Code.<sup>42</sup> The LIO has a dedicated unit comprising two inspectors specialised on forced labour, but all inspectors can participate in inspections on forced labour. According to the LIO annual reports, 221 inspections in relation to forced labour were conducted in 2022, 303 in 2023 and 202 in 2024 (data as of September 2024). Most inspections are planned or proactive, i.e. not based on a complaint from a worker or an accident at work. They concerned mainly the sectors of agriculture, construction, forestry, fish farming, mining and quarrying, and manufacturing. Following inspections, three possible cases of trafficking in human beings were identified by labour inspectors and reported to the Central Criminal Police Department.

66. Further, the amendments to the Law on Labour Migration have extended the mandate of the LIO to certifying the activities of intermediary companies, monitoring the compliance of the certification, supervising the labour rights of migrant workers, and requiring employers to register migrant workers. According to the Migration Strategy 2021-2023, an annual monitoring of intermediary agencies should be conducted by the LIO. In their comments on the draft GRETA report, the authorities indicated that five

<sup>40</sup> See information available at : <https://oc-media.org/workers-sue-georgian-government-over-degrading-conditions-in-germany-labour-programme/>.

<sup>41</sup> See information available at (in German): <https://mira-beratung.de/2022/08/05/erfolg-von-georgischen-saisonarbeiterinnen-vor-gericht/>; [https://mira-beratung.de/wp-content/uploads/2022/08/PM\\_03082022.pdf](https://mira-beratung.de/wp-content/uploads/2022/08/PM_03082022.pdf).

<sup>42</sup> Resolution n°112 of the Government of Georgia of 2016 "On the approval of the rules of state supervision for the purposes of preventing and responding to forced labour and labour exploitation". See also GRETA's 3<sup>rd</sup> report on Georgia, paragraph 129.

visits were conducted by the LIO in 2023 and 17 in 2024 in order to monitor intermediaries' compliance with certification obligations.

67. The LIO has its headquarters in Tbilisi and regional offices in the Imereti and Adjara regions. As of February 2024, there were 104 labour inspectors out of 123 available positions (compared to 65 inspectors at the end of 2021). However, it does not seem that there has been an increase in the LIO's human resources to reflect the increase in the tasks of labour inspectors in 2023. During the visit, the Georgian authorities indicated that all labour inspectors had been trained on forced labour and THB and that specialised training is being organised periodically. Further, in 2021, guidelines for labour inspectors on the identification of victims of labour exploitation were prepared and disseminated in co-operation with IOM.

68. The LIO operates a dedicated helpline (1575) to which workers can make enquiries about their rights. This helpline is available in Georgian. Out of some 6,000 calls received in 2023, only three were considered to relate to trafficking or forced labour. The LIO also has a website available in four languages (Georgian, English, Armenian and Azerbaijani), but there is very limited information on it on workers' rights. According to the Georgian authorities, the LIO has conducted numerous information activities during the reporting period, including 290 informative meetings of employers and employees. Information on access to employment is also provided to vulnerable groups (women, persons with disabilities, ethnic minorities) by the State Employment Support Agency which has 10 mobile teams operating across the country. However, it seems that little efforts are made to provide information on labour rights and risks of trafficking to migrant workers prior to arriving in Georgia.

69. All workers in Georgia, including migrant workers, can submit confidential complaints to the LIO and the number of such complaints has been increasing. In 2023, the LIO received 516 complaints concerning labour rights (which corresponds to an increase of 123% compared to 2022 and 215% compared to 2021).<sup>43</sup> Violations were found in relation to 180 complaints, for the remaining ones either a violation was not found, or it was addressed by the employer or following an agreement between the employer and the worker.

70. GRETA welcomes the amendments made to the Law on Labour Migration, the extension of the mandate of labour inspectors and the efforts made to conduct preventive inspections in relation to forced labour. However, it notes with concern that the resources of the LIO remain insufficient to carry out its increasing tasks effectively across the country, notably in rural or remote areas, preventing it from playing a proactive role in the prevention of trafficking for the purpose of labour exploitation.

71. Referring to its Guidance Note on combating trafficking for labour exploitation<sup>44</sup> and the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation,<sup>45</sup> GRETA considers that the Georgian authorities should:

- increase the human, material and financial resources of the Labour Inspectorate;
- prioritise labour inspections in sectors at high risk of trafficking and exploitation;
- provide further training on trafficking in human beings to relevant professionals, notably labour inspectors and staff of the State Employment Support Agency, with a focus on vulnerabilities that lead to THB and on early detection of cases of THB for the purpose of labour exploitation;

<sup>43</sup> Annual reports available at: <https://lio.moh.gov.ge/report.php?lang=2&id=2>.

<sup>44</sup> <https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c>.

<sup>45</sup> <https://rm.coe.int/booklet-preventing-and-combating-trafficking-in-human-beings-for-the-p/1680aa08ef>.

- strengthen the provision of information to migrant workers about labour standards, risks of trafficking for the purpose of labour exploitation, and the rights of victims of trafficking;
- build strategic partnerships with civil society, trade unions and the private sector on the prevention of trafficking for the purpose of labour exploitation;
- prevent and monitor risks of trafficking and labour exploitation in the framework of bilateral labour mobility agreements.

v. *Internally displaced persons*

72. As of January 2025, there were about 299,000 internally displaced persons (IDPs) in Georgia, which corresponds to 8% of the country's population. Most of them were displaced as a result of the conflicts in the Tskhinvali Region, Georgia, and Abkhazia, Georgia, but there are also thousands of families displaced due to natural disasters. While efforts have been taken by the Georgian authorities to provide assistance to IDPs, they continue facing important socio-economic difficulties which can make them particularly vulnerable to THB.

73. As mentioned in the previous GRETA reports, measures have been taken by the Georgian authorities to improve the socio-economic situation of IDPs and their living conditions.<sup>46</sup> Relevant measures are included in the National Action Plan on Human Rights 2024-2026 and the State Strategy on Livelihood Support for IDPs and Eco Migrants, such as the purchase of residential houses for IDPs, their transfer to newly constructed buildings, as well as the development of programmes to promote self-employment and economic independence.<sup>47</sup> Over two-thirds of IDPs live in government provided housing and receive a government financial aid of GEL 45 per month per person (about 16 Euros). In their comments on the draft GRETA report, the authorities underlined that many IDPs are also eligible for financial aid under the State Targeted Social Assistance Programme (TSA), as well as income-generating grants and state employment support. However, many IDPs are unemployed and numerous households earn less than GEL 300 per month (about 100 euros).<sup>48</sup>

74. With a view to reducing the vulnerabilities of IDPs to human trafficking, specific awareness-raising activities were organised for them as part of the Anti-trafficking NAP for 2022-2024.

75. GRETA invites the Georgian authorities to continue taking measures to improve the socio-economic situation of IDPs as a way of reducing their vulnerabilities to trafficking.

vi. *Asylum seekers, refugees and irregular migrants*

76. According to information provided by the Georgian authorities, 1,052 persons registered as asylum seekers in 2023. Applicants originated mostly from Ukraine, Türkiye and Iran. According to official statistics for 2024, there were 1,245 refugees or holders of humanitarian status in Georgia (such as Syria, Russia, Iraq, Iran, Türkiye, Yemen and Afghanistan). The number of unaccompanied asylum-seeking children is very low (14 in 2022).<sup>49</sup>

77. Following the full-scale invasion of Ukraine by Russia, between February and December 2022, 189,777 Ukrainians sought refuge in Georgia, out of whom 85% subsequently left the country. Ukrainians were allowed to stay in Georgia for one year under the visa-free regime. Recent amendments to Georgian

<sup>46</sup> See the GRETA's 2<sup>nd</sup> report on Georgia, paragraphs 70-72.

<sup>47</sup> Available at (in Georgian): <https://www.matsne.gov.ge/ka/document/view/6053557?publication=0>.

<sup>48</sup> Estonian Refugee Council, *Understanding Displacement in Georgia: An In-Depth Analysis of IDP Needs*, February 2024. <https://www.pagulasabi.ee/et/media/1315>.

<sup>49</sup> Estonia Refugee Council, *Challenges & Aspirations: A Detailed Look at Refugee Needs in Georgia*, February 2024; European Migration Network, *2023 Factsheet on Georgia*, July 2024.

legislation allow Ukrainian nationals who entered and were residing in Georgia before 24 February 2025 to extend their stay until February 2026. At the end of 2023, there were 26,660 Ukrainian nationals residing in Georgia. In 2022, the government launched a programme for Ukrainian citizens, within which families are provided with 300 GEL per family (about 100 euros), along with 45 GEL per person monthly.

78. The 2016 Law on International Protection provides a list of individuals seeking international protection “with special needs”, which includes notably children, unaccompanied children, elderly persons, persons with disabilities, pregnant women, single parents, victims of trafficking, and persons with mental or physical illness. According to the Georgian authorities, efforts are made by staff of the Department of Migration (Ministry of Internal Affairs) to detect vulnerable individuals as early as possible during the asylum procedure. GRETA was informed that staff use tools developed by the European Union Agency for Asylum (EUAA), which were in the process of being adapted to the Georgian context. Further, according to the authorities, efforts are made to inform asylum seekers and refugees of the risks of human trafficking through the dissemination of information materials in various language in key locations, such as airports, border crossing points and information points of the Ministry of Internal Affairs. However, NGOs noted the lack of procedure for the identification and referral of individuals with “special needs”.

79. According to the Law on International Protection, asylum seekers, refugees and holders of humanitarian status have access to pre-school and general education, professional and higher education, health care from the Universal Health Care Programme, as well as the right to seek employment and be accommodated in a reception centre. Further, asylum seekers have the right to interpretation and free legal aid during the asylum procedure. Like IDPs, refugees receive a monthly allowance of 45 GEL (about 16 euros),<sup>50</sup> but asylum seekers are not provided with financial aid, except for Ukrainian citizens. Access to work is therefore of paramount importance to ensure their subsistence and integration, but job opportunities are very limited due to the language barriers.<sup>51</sup>

80. GRETA visited the Asylum Seekers' Reception Centre located in the village of Martkopi (30 km from Tbilisi), which is the only government-funded centre that can accommodate asylum seekers and refugees. It is composed of two buildings, one for single men, the other for women and families. The centre can accommodate children with their parents, but not unaccompanied children. With a capacity of 125, it was accommodating 49 individuals at the time of the visit, mostly from Pakistan and Iran. GRETA was told that asylum seekers and refugees are reluctant to stay at the centre as it is difficult to access by public transport. In their reply to the draft GRETA report, the Georgian authorities argued that the location of the centre was not an impediment, since the relevant services are accessible by public transport and the duration of the journey is reasonable. Residents have access to education, legal counselling, Georgian language classes, as well as psychological support upon request. The NGO World Vision attends the centre to provide social services. GRETA was informed that staff of the centre were trained on human trafficking. Information brochures drafted with the support of ICMPD are available in different languages.<sup>52</sup> Further, in 2024 an awareness-raising meeting with asylum seekers on risks of human trafficking was conducted by the Ministry of Internal Affairs. No victim of trafficking has been identified among persons accommodated at the centre. GRETA was informed that there had been an increase in the number of African nationals arriving from Arab Gulf countries where they had been employed as domestic workers with very low salaries, however, none had declared having been trafficked.

<sup>50</sup> Articles 56 and 58 of the Law on International Protection.

<sup>51</sup> Estonian Refugee Council. *Challenges & Aspirations: A Detailed Look at Refugee Needs in Georgia*. 2024, February. <https://www.pagulasabi.ee/et/media/1313>.

<sup>52</sup> Armenian, Azerbaijani, English, Georgian, Russian and Turkish.

81. Further, a multi-service centre is operated in Tbilisi by World Vision International, with funding from UNHCR, in which asylum seekers, refugees, humanitarian status holders and stateless persons can access a broad range of services, including Georgian language classes, legal consultations, psychological consultations, as well as cultural and other socialising events.

82. According to non-governmental actors, asylum seekers have limited access to interpreters and information on their rights, and support services are mostly limited to Tbilisi. In their reply to the draft GRETA report, the Georgian authorities indicated that during the asylum procedure, asylum seekers are provided with free interpretation services and that the Ministry of Internal Affairs has recruited eight interpreters based on the primary countries of origin.<sup>53</sup> A contract was also signed with a professional translation service provider to meet further language needs.

83. There is one detention centre for irregular migrants in Georgia, located near Tbilisi, with a capacity of 60 places. Detained migrants originate mostly from Iran, India, Nigeria, Türkiye and Azerbaijan. According to the Georgian authorities, staff of the Department of Irregular Migrants of the Ministry of Internal Affairs use the “Manual on the identification of victims of trafficking at borders” and are periodically trained on detecting vulnerable individuals and possible victims of trafficking. From 2020 to 2024, 303 staff received training to qualify as a border control officer which covers the issue of THB. Additional training courses on trafficking have been provided in co-operation with OSCE. There are also Standard Operating Procedures during expulsion procedures, according to which if a presumed victim is identified, staff must notify the relevant units of the Ministry of Internal Affairs and the State Care Agency.

84. GRETA considers that the Georgian authorities should take further measures to address the vulnerabilities to THB in the context of migration, in particular by:

- putting in place procedures for the vulnerability/risk assessment and detection of THB indicators among asylum seekers, refugees and irregular migrants, including those in the detention centre for foreigners;
- further developing the training of relevant professionals (notably officers of the Department of Asylum and the Department of Irregular Migrants), with a focus on detecting vulnerabilities and indicators of THB;
- continuing to raise awareness of asylum seekers and refugees of the risks of human trafficking and the rights of victims of THB;
- improving the social and economic integration of asylum seekers and refugees, notably their access to language classes, education, employment and housing.

#### *vii. Georgian returnees*

85. Georgia is a source country of migrants and asylum seekers to countries such as France, Germany and Italy. Over the first four months of 2022, there were 8,075 applications for asylum submitted by Georgian citizens in EU countries, which represents an increase of 183% compared to the same period in 2021. No data is available on the number of Georgians who returned to the country following the rejection of their applications for international protection or detection as irregular migrants. However, it is acknowledged that there has been an increase of returns of Georgian nationals, and the numbers are likely to increase in the context of new readmission agreements signed with EU countries. According to a 2021 report of IOM Georgia, returnees face increased reintegration challenges, economically, psychologically and socially.<sup>54</sup>

<sup>53</sup> In English, Russian, Armenian, Turkish, Persian, Arabic, Hindi and Urdu.

<sup>54</sup> IOM Georgia, *National study of Reintegration Outcomes among returned migrants in Georgia*, Spring 2021.

86. Returnees are treated by the Georgian authorities as a particularly vulnerable group and can benefit from specific reintegration policies and measures. GRETA was informed that returnees are interviewed by border officers who look for possible indicators of human trafficking, based on the “Manual for the identification of victims of trafficking at the border”. Further, since 2015, the Government of Georgia has been implementing the State Programme on Reintegration Assistance to Returned Georgian Migrants. Assistance measures include temporary accommodation for up to six days, medical coverage and basic medicines, psychosocial rehabilitation, income generation projects and facilitation of self-employment opportunities, as well as professional training for job seekers and re-training opportunities.<sup>55</sup> Grants have also been allocated to different organisations to implement assistance measures for returnees.<sup>56</sup>

87. GRETA was not informed of cases of Georgian returnees identified as victims of trafficking. However, representatives of local authorities in the Imereti region expressed concerns about elderly Georgians who had recently returned from abroad where they were apparently exploited and remained highly vulnerable upon their return to Georgia.

88. GRETA welcomes the efforts made by the Georgian authorities to reduce the vulnerabilities of Georgian returnees and invite them to further develop their preventive efforts, including by raising awareness of the risks of trafficking of Georgian returnees and developing opportunities for their social and economic reintegration in Georgia.

#### *viii. Persons with disabilities*

89. Persons with disabilities<sup>57</sup> are not expressly mentioned in the Council of Europe Anti-Trafficking Convention, but their vulnerability to human trafficking is documented in reports issued by GRETA and other international bodies. Amongst the factors which render persons with disabilities vulnerable to THB are dependence on caregivers or support systems, limited access to information and resources, difficulty communicating or advocating for themselves, stigma and discrimination, as well as lack of or limited access to the labour market and decent work.<sup>58</sup> Reference can also be made to the CEDAW General recommendation No. 38 (2020), which states that women and girls with disabilities are a group particularly vulnerable to being trafficked, and calls on States to provide them with special economic and social support.<sup>59</sup>

90. Georgia ratified the UN Convention on the Rights of Persons with Disabilities in 2013. Since then, the country has adopted several laws and policies to improve the situation of persons with disabilities. In particular, the 2020 Law on the Rights of Persons with Disabilities represented an important step forward, providing for a shift from a medicalised model to a social model of disability.<sup>60</sup> There is no national strategy on persons with disabilities, but the National Strategy for the Protection of Human Rights 2022-2030 includes relevant priorities, such as improving deinstitutionalisation and independent living, and strengthening access to employment and education.

<sup>55</sup> Ibid

<sup>56</sup> <https://uk.mfa.gov.ge/en/reintegration-programebi>

<sup>57</sup> According to Article 1 of the UN Convention on the Rights of Persons with Disabilities, persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

<sup>58</sup> See OSCE, *Invisible Victims: The Nexus between Disabilities and Trafficking in Human Beings*, March 2022, p. 16.

<sup>59</sup> CEDAW, [General recommendation No. 38 \(2020\) on trafficking in women and girls in the context of global migration](#), paragraphs 40 and 55.

<sup>60</sup> The Law is available at: [https://disability.ge/storage/files/doc/matsne-4923984-0%20\(1\).pdf](https://disability.ge/storage/files/doc/matsne-4923984-0%20(1).pdf). The medicalised model of disability assumes that people are disabled by their impairments or differences, while the social model considers that people are disabled by barriers in society.

91. GRETA takes note of the report of the UN Special Rapporteur on the rights of persons with disabilities published in January 2024, according to which Georgia has made progress on strengthening the legal framework for protecting the rights of persons with disabilities, but numerous obstacles remained, including lack of adequately qualified staff to address their specific needs, significant difficulties in accessing the labour market, as well as the low amounts of disability cash benefit which are insufficient to secure an adequate standard of living.<sup>61</sup>

92. In their reply to GRETA's questionnaire, the Georgian authorities highlighted their efforts to reduce the vulnerabilities of persons with disabilities, in particular through deinstitutionalisation. In the framework of the state programmes for social rehabilitation and child-care, 33 family-types homes provide support to children with disabilities, including four specialised family-type homes for children with severe or profound disabilities or health problems, as well as 173 specialised foster families. Measures on improving access to inclusive education have also been taken.<sup>62</sup>

93. Despite these measures, according to officials and NGO representatives met by GRETA, persons with disabilities in Georgia are particularly vulnerable to trafficking in human beings due to their marginalisation. To date, there are neither official statistics nor research on trafficking of persons with disabilities. GRETA was informed of two cases where the vulnerability of persons with disabilities was abused by traffickers to exploit them sexually in Georgia and Türkiye. There have also been cases of persons with disabilities forced to beg by their family.

94. GRETA considers that the Georgian authorities should conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group. Access to economic, social and health services for persons with disabilities should be further developed as a way to reducing their vulnerabilities of trafficking.

#### *ix. LGBTI persons*

95. GRETA emphasises that, in general, LGBTI people are at an increased risk of becoming victims of trafficking, particularly because they are often marginalised in society and excluded from their families, making them ideal targets for traffickers looking for people with less protection. They also face difficulties in accessing the labour market, as employment opportunities are scarce for those who identify outside the traditional gender binary, leading them to work more in the informal economy (including prostitution) or even to accept abusive job offers. In addition, LGBTI people are often over-represented among children in street situations and can be victims of discrimination by the authorities and services, making them less likely to file a complaint or ask for help.<sup>63</sup>

96. There has been no research in Georgia on the vulnerability to trafficking based on sexual orientation or gender identity. The Georgian authorities do not consider LGBTI persons as a particularly vulnerable group and no cases of trafficking targeting such persons have been identified.

97. In recent years, international anti-discrimination bodies such as the European Commission against Racism and Intolerance (ECRI) have expressed concerns over the high level of hate speech against LGBTI persons in Georgia, including on privately-owned media outlets and among some politicians and public officials, noting that it does not only spread insults and negative stereotypes against this group, but also frequently incites to discrimination or even violence.<sup>64</sup>

<sup>61</sup> Report of the Special Rapporteur on the rights of persons with disabilities on Georgia, A/HRC/55/56/Add.1, January 2024. <https://docs.un.org/en/A/HRC/55/56/Add.1>.

<sup>62</sup> See the Georgian authorities' reply to the GRETA questionnaire under the 4<sup>th</sup> evaluation round, pp. 26-27.

<sup>63</sup> See: <https://lac.iom.int/en/blogs/lgbtqi-victims-human-trafficking> and <https://2017-2021.state.gov/wp-content/uploads/2019/02/272968.pdf>.

<sup>64</sup> See ECRI report on Georgia (sixth monitoring cycle), pp. 11-12.

98. In September 2024, the Georgian Parliament passed a Law on Protecting Family Values and Minors which has been criticized both in Georgia and by the international community for discriminating against individuals on the basis on their sexual orientation and gender identity, perpetuating negative stereotypes against LGBTI persons, and risking encouraging stigma, hate speech and violence against these persons.<sup>65</sup> GRETA is concerned that the law may exacerbate the marginalisation of LGBTI persons and increase their vulnerability to THB. For example, victims of THB who are of LGBTI persons may not report their exploitation to the authorities for fear of discrimination. The authorities are also less likely to take measures targeting LGBTI persons in public policies and other preventive measures. Civil society representatives met by GRETA noted that, for fear of exclusion and hate crimes, many LGBTI persons have attempted to migrate to other countries, exposing themselves to risks of exploitation along the route or in the country of destination.

99. GRETA considers that the Georgian authorities should guarantee the safety and right to non-discrimination of LGBTI persons, in line with international standards, in order to reduce their vulnerability to trafficking in human beings, and ensure that legislative and other measures adopted do not increase this vulnerability.

## 2. Measures to protect and promote the rights of victims of trafficking

100. Chapter III of the Convention provides for a series of measures to protect and promote the rights of victims. In the first place, it is of paramount importance to identify victims of trafficking correctly as identification enables them to benefit from the other measures and rights contained in the Convention. Pursuant to Article 10 of the Convention, States Parties shall ensure that the authorities competent to identify victims of trafficking have persons trained and qualified to perform the identification, and that these authorities collaborate with relevant support organisations in the identification process. Further, Article 12 of the Convention sets out the assistance measures which States Parties must provide to trafficking victims. Paragraph 7 of this article requires Parties to ensure that services are provided taking due account of the special needs of persons in a vulnerable position as well as the rights of children. Given the relevance of victim identification and assistance to the thematic focus of the fourth evaluation round of the Convention, this part of the report examines the application of these two provisions. Other provisions of Chapter III of the Convention, which have been examined in detail by GRETA during the previous evaluation rounds, are discussed in the chapter of the report entitled “Follow-up issues”.

### a. Identification of victims of THB

101. In its third report on Georgia, GRETA urged the authorities to take further steps to proactively identify victims of trafficking in human beings, including by improving the selection and training of the members of the Permanent Group of the THB Council responsible for granting victim status, ensuring that the identification procedure is victim oriented, and increasing efforts to identify victims of trafficking for the purpose of labour exploitation, as well as victims amongst foreign workers, asylum seekers and persons placed in immigration detention centres.<sup>66</sup>

102. The victim identification procedure remains as described in the previous GRETA reports.<sup>67</sup> Namely, according to the National Referral Mechanism (NRM) adopted in 2014,<sup>68</sup> the identification process consists of two phases: (i) preliminary identification, which is carried out four special mobile groups (comprising

<sup>65</sup> See CoE Commissioner for Human Rights, [letter](#) to the Chairman of the Georgian Parliament, 6 September 2024; [Memorandum](#) on the human rights situation in Georgia, 26 March 2024; UN [Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#) and others, [press-release](#), 26 September 2024.

<sup>66</sup> See GRETA's 3<sup>rd</sup> report on Georgia, paragraph 147.

<sup>67</sup> See GRETA's 3<sup>rd</sup> report on Georgia, paragraph 137, and GRETA's 2<sup>nd</sup> report on Georgia, paragraphs 92-94.

<sup>68</sup> Governmental Decree No. 284 of 11 April 2014 on approval of unified standards for identification of victims of human trafficking.

a social worker and a lawyer) of the Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking, based on an interview with the victim; (ii) decision by the Permanent Group of the THB Council (see paragraphs 1819) to grant victim status. Any government agency, body or NGO can refer presumed victims to the four mobile groups. In a separate process, police officers and prosecutors can identify “statutory victims” in the framework of criminal proceedings for the offence of THB, provided that the victim agrees to co-operate in the proceedings.

103. Since the previous GRETA evaluation, several measures have been taken to improve the identification of victims of trafficking. In 2021, Guidelines on the identification of victims were issued to members of the mobile groups and the Permanent Group, in co-operation with ICMPD. They provide detailed information on the international and national legislative frameworks, the elements of the crime of THB and its differences with other offences, the identification procedure, including how to prepare and conduct interviews with victims, as well as how to refer victims to assistance. A training on the identification procedure was also provided in 2021 to members of the mobile groups and the Permanent Group. Further, a new questionnaire for the identification interview was prepared in 2023.

104. The trend highlighted in GRETA's third report of a decreasing number of victims being granted official victim status by the Permanent Group has continued. Only four presumed victims of THB were referred to the Permanent Group during the reporting period, of whom three were formally identified and one was denied victim status. According to representatives of civil society and international organisations, the identification procedure lacks a victim-centred approach. GRETA is concerned that a high threshold of proof continues being applied by the Permanent Group and the burden of proof is shifted to the victim.<sup>69</sup>

105. In practice, the majority of victims of THB are identified by the police when criminal offences are detected or reported. For example, GRETA was informed that whenever the mobile group for children in street situations in Kutaisi detects a possible victim of trafficking, it would refer the victim to the Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking, which in turn would refer the case to the police rather than to the Permanent Group, except if the victim indicated that he/she does not want to co-operate with the police. According to the Georgian authorities, most victims are willing to co-operate with the police, which is why the Permanent Group is not contacted.

106. GRETA stresses that a person's identification as a victim of human trafficking should not depend on the presence of elements necessary to initiate a criminal case or the person's co-operation with the law enforcement authorities. It might sometimes be difficult for victims to justify one of the elements of THB, e.g. the purpose of exploitation, prior to a criminal investigation, which is why it is important to apply operational indicators of THB. The threshold to start a criminal investigation for trafficking should not be the same as the threshold to be identified as a victim of trafficking. GRETA refers to its Guidance Note on the recovery and reflection period according to which victims should be properly and fully informed, in a language they understand, of their right to the recovery and reflection period, the implication of their co-operation with the criminal proceedings and the protection available, in order to take an informed decision on their co-operation.<sup>70</sup>

107. The police mobile groups of the Division for Combating Trafficking in Human Beings and Illegal Migration of the Central Criminal Police Department and the Task Force of the Autonomous Republic of Adjara carry out outreach work to identify victims of THB (see also paragraph 138). The number of police mobile groups has increased from four to six. They operate on the basis of Standard Operating Procedures adopted in 2015 and carry out checks in locations at risk of trafficking, such as hotels, bars and night clubs. They also monitor persons and organisations employing or facilitating the employment or travel of migrant workers in or outside Georgia.

<sup>69</sup> See GRETA's 3<sup>rd</sup> report on Georgia, paragraph 137.

<sup>70</sup> GRETA, Guidance note on the recovery and reflection period, THB-GRETA(2024)14, September 2024.

108. In 2022 and 2023, two simulation-based training sessions on THB were organised by the Ministry of Justice, in co-operation with OSCE, for investigators, prosecutors, labour inspectors, psychologists, social workers, border police and staff of the Migration Department. Some 40 professionals participated in the first training, which focused on inter-agency co-ordination, and 50 professionals in the second training, which focused on trafficking for the purposes of forced begging and forced criminality.

109. As noted in paragraph 142, there has been a decrease in the number of identified victims of trafficking for the purpose of sexual exploitation. Both officials and civil society representatives underlined that identifying cases of sexual exploitation has become more difficult since the COVID-19 pandemic and the increased use of ICTs to recruit and exploit victims (see also paragraph 158).

110. With a view to identifying victims of trafficking for the purpose of labour exploitation, the Georgian authorities have implemented the 2020 Memorandum of Co-operation between the Ministry of Internal Affairs and the Ministry of IDPs from the Occupied Territories, Labour, Health and Social Affairs, which allows for joint inspections involving the police and the LIO. GRETA was informed that in the period 2021-2024, 858 facilities were jointly inspected and that as a result, two cases of labour exploitation were identified: a case of forced begging in 2023 with 2 potential victims, and a case of forced labour on a chicken farm in the Kakheti region, with 4 potential victims. Guidelines for labour inspectors on the identification of victims of trafficking were issued in 2021, in co-operation with IOM. Further, there is a working group of the Prosecutor's Office on improving the identification and investigation of cases of labour exploitation, with the involvement of the LIO. However, as explained in paragraph 70, there are concerns with regard to the human resources of the LIO which limit its capacity to detect possible victims of THB.

111. As mentioned in paragraph 36, the Agency for State Care has established seven mobile teams working with children in street situations. GRETA was informed that children are rarely identified as victims of trafficking unless there are elements of coercion, as there is a widespread perception that begging and street work are part of the "culture" of the family or the community (see also paragraph 40). Among the children assisted by the shelter for street children run by World Vision in Kutaisi, only two children were granted THB victim status, in 2016 and 2018, and none during the reporting period. GRETA recalls that under Article 4 of the Convention, in the case of child trafficking, it is irrelevant whether coercion or other abusive means have been used. It is also irrelevant whether or not the child consents to be exploited.

112. As noted in paragraph 14, there has been an increase in the number of foreigners identified as victims of THB in Georgia. GRETA was informed that Border Police officers follow the Guidelines on the Identification of Victims of Trafficking at Borders and have received training on the issue.<sup>71</sup> However, there are no guidelines for identifying victims among asylum seekers or refugees. As noted in paragraph 78, there is a lack of referral mechanism for asylum seekers with "specific needs", including victims of trafficking. In the Asylum Seekers Reception Centre visited by GRETA (see paragraph 80), no resident had been identified as a presumed victim of trafficking.

113. GRETA notes that according to the new Guidelines on the identification of victims of trafficking by mobile groups and the Permanent Group (see paragraph 103), the status of victims of trafficking can only be granted to a foreigner if the exploitation began, continued or ended in Georgia. This means that foreign victims who have been trafficked abroad and seek protection in Georgia risk not being identified as victims of trafficking. GRETA stresses that victims of trafficking should be identified by the authorities of the country where they are detected, irrespective of the country of exploitation.

114. While welcoming the provision of guidance and training on the identification of victims of THB to relevant professionals, as well as the proactive work conducted by the police mobile groups and the mobile for children in street situations, GRETA is concerned by the low victim identification rate by the

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<sup>71</sup>See the Georgian authorities' reply to the GRETA 4<sup>th</sup> round questionnaire, p. 39.

Permanent Group, as a result of which the formal identification of victims of THB is linked to the opening of criminal proceedings and their willingness to co-operate in them.

115. GRETA once again urges the Georgian authorities to take further steps to improve the identification of victims of trafficking in human beings, including by:

- reviewing the National Referral Mechanism (Government Decree No. 284 of 11 April 2014) in order to address the low number of referrals to the Permanent Group and the high threshold of proof to be identified as a victim of trafficking, as well as to ensure that the identification of victims of trafficking is not dependent on their willingness to co-operate in the criminal proceedings and is based on a victim-centred and trauma-informed approach;
- strengthening the identification of victims of THB among children in street situations by ensuring that coercion or any other means are not required for the identification of child victims of trafficking;
- improving the identification of victims of trafficking among migrants workers, asylum seekers, refugees and irregular migrants;
- ensuring that all victims under Georgian jurisdiction can be identified and referred to assistance, irrespective of the country where the exploitation took place, in compliance with Articles 10 and 12 of the Convention.

116. Further, GRETA considers that the Georgian authorities should continue providing systematic and updated training on the identification of victims of trafficking to relevant professionals, including police officers, asylum officials, labour inspectors, child protection officers, educational staff, social workers, health-care professionals and members of the mobile teams for children in street situations.

#### b. Assistance to victims

117. As described in previous GRETA reports, victims of THB are entitled to a range of assistance measures including accommodation, psycho-social assistance, medical care, legal assistance, interpretation, assistance in family and community reintegration, food and other material benefits, as well as state compensation (see paragraph 174).<sup>72</sup> The Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking remains the main provider of victim assistance. To ensure that assistance is provided based on the victim's needs, upon referral of the victim a social worker develops individual short-term and long-term reintegration plans, in consultation with the victim.<sup>73</sup>

118. According to official statistics (see Appendix I), 7 newly identified victims of trafficking received assistance in 2020, 6 in 2021, 2 in 2022, 11 in 2023 and 11 in 2024. Further, 3 victims were assisted in the voluntary return to their countries of origin. GRETA notes that the overall number of victims assisted is lower than the number of victims identified. According to the authorities, this is because not all identified victims wish to receive assistance from the Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking.

<sup>72</sup> See GRETA's 2<sup>nd</sup> report on Georgia, paragraphs 109-115; GRETA's 3<sup>rd</sup> report on Georgia, paragraphs 145-146.  
<sup>73</sup> Article 18 of the Law on Combating Trafficking in Human Beings.

119. There are currently three state shelters for victims of trafficking and domestic violence in Georgia: two in Tbilisi and one in Batumi. In addition, there are three state shelters for victims of violence which can accommodate victims of trafficking, and seven crisis centres functioning mainly as day-care centres.<sup>74</sup> Further, the NGO Anti-Violence Network Georgia can in principle accommodate female victims of trafficking in its shelter, but this has not been the case during the reporting period.

120. A second state-run shelter for victims of THB was opened in 2023 in Tbilisi, in addition to the one that already existed.<sup>75</sup> The new shelter can accommodate up to 10 victims, in five double bedrooms equipped with individual bathrooms. One of the bedrooms is accessible for persons with disabilities. Five victims of THB were accommodated in the shelter in 2024.

121. The shelters employ social workers, psychologists, security guards and nurses. The maximum duration of the stay is 10 months. If they lose their victim status (e.g. when the police investigation concluded that the case is not THB), victims must leave the shelter and are referred to local services for vulnerable persons (if they are Georgians) or the Temporary Reception Centre for foreigners. According to the authorities, cases of persons losing their victim status rarely happen.

122. The shelters provide accommodation to women, men and children. The number of men accommodated in the shelters has been low (e.g. 11 in 2023).<sup>76</sup> GRETA notes that the needs of female and male victims often differ and the assistance offered to them should take into account their specific needs, bearing in mind the type of exploitation to which they are subjected. Vulnerable women should not be housed with men they do not know or random acquaintances. International best practice suggests that persons who have experienced trafficking for the purpose of sexual exploitation should be accommodated in specialised shelters.<sup>77</sup> GRETA also refers to GREVIO's report on Georgia, according to which the gender-neutral approach to shelters raises safety concerns for women as well as questions concerning the empowerment of the women victims of violence who have different needs than men.<sup>78</sup>

123. The last monitoring report of the Public Defender of Georgia underlines the need to undertake renovation work and improve material conditions in some of the shelters.<sup>79</sup> According to the authorities, efforts are being made to improve the shelters and the capacity of their staff. To this end, in 2024, the Division for Services to Victims of Trafficking and Violence was established under the Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking. Composed of three staff, its primary role is to co-ordinate the work of the shelters and crisis centres, collect data on victims in these facilities, and provide relevant recommendations to improve service delivery.

124. Due to the lack of financial and human resources, insufficient support is provided to victims of THB aimed at their reintegration, particularly in terms of access to work and education. In addition, access to assistance, including psychological support, is hampered by the lack of interpreters in shelters. GRETA was informed that three foreign victims who stayed at the Kutaisi shelter for several months in 2023 did not have access to interpreters and communicated with staff by using language apps. Further, GRETA is concerned by the negative impact of recent legislative developments on NGOs providing support to victims and persons at risks of human trafficking (see paragraph 183).

<sup>74</sup> Shelters for victims of violence are located in Kutaisi, Gori and Signaghi. Crisis centres are located in Tbilisi (2), Gori, Kutaisi, Ozurgeti, Marneuli and Telavi. Only one of the crisis centres in Tbilisi can provide accommodation.

<sup>75</sup> See GRETA's 3rd report on Georgia, paragraph 145; GRETA's 2nd report on Georgia, paragraph 114.

<sup>76</sup> According to the 2023 monitoring report of the Public Defender of Georgia, 139 female victims were accommodated in shelters in 2023, compared to 11 male victims.

<sup>77</sup> See GRETA's 8th General Report, paragraph 118.

<sup>78</sup> See GREVIO's baseline report on Georgia, 2022, paragraphs 176-186.

<sup>79</sup> Report available at: <https://www.ombudsman.ge/eng/spetsialuri-angarishebi/dzaladobisa-da-trefikingis-mskhverplta-momsakhurebis-datsesebulebebis-monitoringis-angarishi>.

125. GRETA considers that the Georgian authorities should make additional efforts to improve the assistance provided to victims of trafficking, in particular by:

- increasing the funding provided to the shelters for victims of trafficking to enable the provision of specialised assistance and interpretation;
- strengthening victims' access to work, vocational training, education and other measures aimed at the economic and social integration of victims;
- providing adequate, safe and, where appropriate separate, accommodation to women, men and children who are victims of trafficking.

### 3. Substantive criminal law and procedural law

126. The Convention places on States Parties a series of obligations aimed at enabling the effective prosecution of traffickers and ensuring that they are punished in a proportionate and dissuasive manner. As the implementation of these provisions of the Convention was examined in detail by GRETA during the preceding evaluation rounds, given the focus of the fourth round, particular attention is paid to the notion of "abuse of a position of vulnerability" and its application in case-law. Further, GRETA has decided to examine as part of the fourth evaluation round the application of Article 19 of the Convention on the criminalisation of the use of services of victims of trafficking.

#### a. Notion of "abuse of a position of vulnerability" in the law and case-law

127. Abuse of a position of vulnerability is an integral part of the international legal definition of trafficking in human beings and is central to any understanding of trafficking.<sup>80</sup> It is one of the means by which trafficking acts are committed and is relevant to all forms of trafficking and all exploitative purposes. Abuse of a position of vulnerability occurs when "an individual's personal, situational or circumstantial vulnerability is intentionally used or otherwise taken advantage of, to recruit, transport, transfer, harbour or receive that person for the purpose of exploiting him or her, such that the person believes that submitting to the will of the abuser is the only real or acceptable option available to him or her, and that belief is reasonable in light of the victim's situation."<sup>81</sup>

128. Article 143<sup>1</sup> of the CC of Georgia, which criminalises trafficking in adults, includes "abusing a position of vulnerability" amongst the means for committing the offence. The criminalisation of trafficking in children (Article 143<sup>2</sup> of the CC) does not contain this concept as the use of means is not required when the victim is a child.

129. The vulnerability of the victim can also be considered as an aggravating factor when determining the sentence of the offender. Both Articles 143<sup>1</sup> and 143<sup>2</sup> of the CC include as aggravating circumstances the fact that the offence was committed against a "helpless person" or a person financially dependent of the perpetrator.<sup>82</sup>

130. The CC does not define the notion of "abuse of a position of vulnerability". The Georgian authorities indicated that this notion should be read in light of the Law on Combating Trafficking in Human Beings, which defines it as "a state when a person is materially or otherwise dependent on another person; when

<sup>80</sup> See UNODC Issue Paper *Abuse of a position of vulnerability and other "means" within the definition of trafficking in persons*, United Nations, April 2013, p. 3.

<sup>81</sup> UNODC [Guidance Note](#) on "abuse of a position of vulnerability" as a means of trafficking in persons in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>82</sup> Article 50 of the CC.

a person is not able to realistically assess the existing situation due to his/her physical or mental defect; and when a person has no option other than to obey violence used against him/her”.

131. The Georgian authorities indicated that the notion of abuse of a position of vulnerability is covered in the training of criminal justice professionals as well as the 2017 Guidelines for Law Enforcement on the investigation and prosecution of THB cases.

132. The authorities referred to two cases in which the defendants exploited in forced begging adults with physical or mental disabilities or in a situation of extreme poverty. The defendants were convicted of THB with the aggravated circumstance of committing the offence against helpless persons. GRETA notes that criminal justice professionals should also take into account the abuse of vulnerability of adult victims as one of the means for committing the offence of trafficking.

133. GRETA considers that the Georgian authorities should strengthen the training and guidance to investigators, prosecutors and judges on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

#### b. Investigation, prosecution and sanctions

134. In its third report on Georgia, GRETA urged the authorities to ensure that trafficking cases lead to effective, proportionate and dissuasive sanctions and are not re-qualified as other offences. Further, it considered that the authorities should ensure that all forms of exploitation are proactively and promptly investigated.<sup>83</sup>

135. There have been no changes to the criminalisation of trafficking in adults under Article 143<sup>1</sup> of the CC and trafficking in children under Article 143<sup>2</sup> of the CC.<sup>84</sup>

136. As described in the previous GRETA report, investigators of the Division for Combating Trafficking in Human Beings and Illegal Migration of the Central Criminal Police Department have jurisdiction over THB offences across the country. In addition, in the Autonomous Republic of Adjara, there is an Anti-Trafficking Unit within the Adjara Police Department.<sup>85</sup> Further, there continue to be five specialised prosecutors dealing with trafficking cases for the entire country.

137. Improving the investigation and prosecution of human trafficking cases was one of the priorities of the anti-trafficking NAP 2023-2024, which included several measures to achieve this goal, including strengthening co-operation between the LIO and the Central Criminal Police Department, conducting studies on new trends, as well as providing training to investigators, prosecutors, judges and other relevant professionals. Strengthening the prosecution of trafficking cases is also a priority of the 2022-2027 Strategy of the General Prosecutor's Office.<sup>86</sup>

138. As mentioned in paragraph 0, the six mobile groups of the Central Criminal Police Department and the Task Force of the Autonomous Republic of Adjara conduct proactive investigations of cases of human trafficking. GRETA was informed that police members of the Adjara Task Force are no longer coming from the Adjara territorial police department, but from the Central Criminal Police Department in Tbilisi. According to the police, this change has been beneficial because the officers of the Central Department are more specialised on handling THB. However, according to NGOs, the Adjara Task Force has become less active.

<sup>83</sup> See GRETA's 3<sup>rd</sup> report on Georgia, paragraphs 80-81 and 94.

<sup>84</sup> See GRETA's 2<sup>nd</sup> report on Georgia, paragraphs 159 and 160.

<sup>85</sup> Exceptionally, other departments conduct investigations of trafficking offences in case urgent actions need to be taken and there is no time to transfer the case to the specialised department/unit. For example, in one case of forced begging of children, the investigation was carried out by the Border Police as urgent actions needed to be taken to protect the children, but it co-operated with the specialised unit of the Central Criminal Police Department.

<sup>86</sup> Strategy available (in Georgian) at: [https://pog.gov.ge/uploads\\_script/resources/tmp/php6EGZ3a.pdf](https://pog.gov.ge/uploads_script/resources/tmp/php6EGZ3a.pdf).

139. Training on THB has continued to be provided to criminal justice professionals.<sup>87</sup> An online course on combating THB was developed by the Academy of the Ministry of Internal Affairs in 2023. It is intended for representatives of the Central Police Department, Territorial Police Departments and the Patrol Police, and covers new trends in the investigation and identification of victims, as well as how to engage with victims. Further, in 2021-2023, the Prosecutor's Office organised 30 training activities related to THB in which 100 prosecutors participated.

140. The number of investigations into cases of THB has been relatively stable, with 13 to 19 investigations per year (see Appendix I).<sup>88</sup> With regard to prosecutions and convictions, in 2020-2024, 25 cases of trafficking (concerning 44 defendants) were sent to courts and 25 convictions (concerning 43 perpetrators) were handed down. Sanctions ranged from three to 20 years' imprisonment, with an average of 8 years. Cases of THB can be terminated by a plea-bargaining agreement, but no data is available on the use of plea bargaining during the reporting period.<sup>89</sup>

141. GRETA was also provided with statistics on the number of investigations, prosecutions and convictions in 2020-2024 for offences which could be related to THB, such as forced marriage<sup>90</sup> (145 investigations and 65 prosecutions), illegal adoption<sup>91</sup> (62 investigations, 17 prosecutions and 17 convictions), and involving a child in anti-social activities<sup>92</sup> (8 investigations, 2 prosecutions and 2 convictions).<sup>93</sup>

142. GRETA positively notes the efforts made to strengthen the investigation and prosecution of cases of trafficking for the purpose of labour exploitation. A working group on the detection of cases of labour exploitation was set up by the Prosecutor's Office with the participation of the police, the Ministry of Justice and the LIO. There has been an increase in the number of convictions for trafficking for the purpose of labour exploitation (8 in 2020-2023, compared to none in the period 2015-2018). In contrast, the number of investigations and convictions for THB for the purpose of sexual exploitation has decreased: there were 24 investigations and 3 convictions in 2020-2023.<sup>94</sup> GRETA stresses that efforts made in relation to combating THB for the purpose of labour exploitation should not be at the expense of the attention paid to other forms of exploitation.

<sup>87</sup> See the Georgian authorities' reply to GRETA's 4<sup>th</sup> round questionnaire, pp. 40 and 54.

<sup>88</sup> During the previous reporting period, 18 investigations were opened in 2015, 20 in 2016, 21 in 2017 and 21 in 2018. See GRETA's 3<sup>rd</sup> report on Georgia, paragraph 80.

<sup>89</sup> The plea-bargaining procedure is regulated by Articles 209-219 of the CCP. The rights of victims during the plea-bargaining procedure are described in Article 217, namely the prosecutor shall consult the victim prior to entering a plea bargain and notify the victim of the conclusion of the agreement. When the court approves the plea bargain, the victim can provide information in writing or orally on the damage suffered. The CCP also indicates that the plea bargain shall not deprive the victim of the right to file a civil claim.

<sup>90</sup> Article 150<sup>1</sup> of the CC.

<sup>91</sup> Article 172 of the CC.

<sup>92</sup> Article 171 of the CC which includes forced begging and child prostitution.

<sup>93</sup> Data as of September 2024.

<sup>94</sup> There were 54 investigations and 7 convictions for THB of the purpose of sexual exploitation in 2015-2018.

143. The Georgian authorities provided GRETA with several recent judgements in THB cases. In one of them, a child had been forced to beg and sell items on the streets of Tbilisi from 2015 to 2021 by a family member who used coercion, violence and threats and kept the money collected by the victim. In a judgment of September 2021, the trafficker was convicted of the offence of child trafficking for the purpose of labour exploitation and sentenced to 15 years' imprisonment. In another case, a victim had been recruited by two Georgian men to work in Kazakhstan. The two recruiters owed a debt to a man in Iran and agreed with him that he would keep and exploit the victim until the debt was paid. In Iran, the victim was kept in conditions similar to slavery. He managed to escape with the help of his family and the Georgian police. In a judgment of June 2023, the two Georgian perpetrators were convicted of trafficking and sentenced each to 14 years' imprisonment. In their comments on the draft report, the Georgian authorities also provided information about a case of trafficking for the purpose of labour exploitation on a farm, involving 4 victims, which was detected by the LIO and resulted in a sentence of 8 years' imprisonment. The victims managed to obtain compensation (see paragraph 173).

144. According to the annual analyses of human trafficking cases published by the General Prosecutor's Office,<sup>95</sup> it is difficult to differentiate between human trafficking and other criminal offences. Another challenge relates to the territorial distribution of cases as most of them are prosecuted in Tbilisi. GRETA notes that no prosecution for human trafficking has occurred in the Autonomous Republic of Adjara during the reporting period although it is one of the main risk areas for human trafficking for the purpose of sexual exploitation in Georgia.

145. Representatives of civil society and international organisations met during the visit noted that cases of THB continue to be (re)qualified as other offences, such as child labour, involving a child in anti-social activities or forced labour.<sup>96</sup> According to NGOs, cases of child exploitation are often overlooked if it appeared that the child had consented to the acts (see also paragraphs 40 and 111). GRETA is concerned that criminal justice professionals have a narrow interpretation of the offence of trafficking. The fact that other criminal or administrative offences which carry lesser penalties contain elements similar to those of the offence of trafficking may blur the distinction between them. GRETA notes that the (re)qualification of cases of trafficking under other offences does not only have consequences on the length of imprisonment imposed on perpetrators, but also on the rights of victims to assistance and state compensation. According to the Georgian authorities, the qualification of a criminal case is changed only if the case of child trafficking is not revealed, and it is established that a different crime has been committed.

146. GRETA once again urges the Georgian authorities to ensure that all human trafficking offences are prosecuted as such rather than as lesser offences every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted.

147. Further, GRETA considers that the Georgian authorities should take additional measures to:

- ensure that human trafficking offences for any form of exploitation are promptly and proactively investigated, regardless of whether a complaint is filed by the victim, and using all available evidence, including evidence gathered through special investigative techniques, suspicious activity reports, documents and digital evidence, rather than relying solely on the testimony of victims or witnesses;

<sup>95</sup> Analyses available at: <https://pog.gov.ge/human-trafficking>.

<sup>96</sup> Article 170<sup>1</sup> of the CC (child labour), Article 171 of the CC (involving a child in anti-social activities), Article 79 of the Labour Code (forced labour).

- further develop the training of investigators, prosecutors and judges on the offence of trafficking in human beings, in particular its different constituent elements and differences with other related offences, and measure the impact of the training conducted.

c. Protection of victims and witnesses in criminal proceedings

148. As described in the third GRETA report, special protection measures for victims of trafficking are provided in the CCP, the Juvenile Justice Code and the Anti-Trafficking Law.<sup>97</sup> Victim and witness co-ordinators have been appointed in Prosecutor's Offices since 2011, and in the police (Ministry of Internal Affairs) since 2019, with a view to providing support to victims or witnesses, preventing their secondary victimisation, ensuring their awareness and information, and co-ordinating with the investigative or prosecuting authorities. Following amendments to the CCP in 2022, investigators can decide to involve witness and victim co-ordinators at an early stage of the proceedings, before the case has been brought to a court. Since September 2024, prosecutors are obliged to involve witness and victim co-ordinators in THB cases. In total, during 2022-2024, co-ordinators supported 22 victims, including 12 children, in 13 cases. GRETA welcomes the efforts made by the authorities to develop the role of victim and witness co-ordinators.

149. Specific protection measures are taken for child victims. The assistance of a lawyer is mandatory and the Legal Aid Office has a group of lawyers specialised in juvenile justice. There are child friendly interview rooms in some police stations and courts, and plans have been made to extend their number. Further, in 2022 the authorities set up the Centre for Psychological and Social Services for Children in Tbilisi, with the support of external donors. GRETA visited this centre, which is based on the Barnahus model and provides integrated services to children who are victims of sexual abuses, including trafficking for the purpose of sexual exploitation. Since 2022, 352 child victims have been supported by the centre (data as of March 2025), but none of them had been identified as victims of trafficking. GRETA was informed that the authorities plan to open a similar centre in Kutaisi.

150. The 2017 Guidelines for Law Enforcement on THB provide guidance on how to interview victims of trafficking and protect them from secondary victimisation. However, they have not been updated and therefore do not mention the possibility for investigators to involve victim and witness co-ordinators. In 2021, the Prosecutor's Office developed guidelines on the standards and methodology for engaging with persons with disabilities. Further, in the framework of a Council of Europe project, social workers, police officers, prosecutors and judges have been trained on the psychological aspects of interviewing child victims or witnesses of child sexual exploitation and abuse.<sup>98</sup>

151. Pursuant to the Juvenile Justice Code, judges can authorise child victims to testify remotely, use video-recorded testimonies in court and remove the perpetrator from the court room when the child is testifying.<sup>99</sup> In the case of adult victims, video-recorded testimonies can only be played in court in cases when the victim has died, is outside of Georgia or cannot be located,<sup>100</sup> and it is not possible to remove the accused from the court room except in cases of domestic violence. GRETA was informed that even where possible, judges are reluctant to authorise the playing of video-recorded testimonies, including when children are involved. According to the Georgian authorities, the existing legal framework offers multiple safeguards to uphold victims' rights and minimise risks of secondary victimisation.

152. GRETA urges the Georgian authorities to amend the legislation to ensure that victims and witnesses of human trafficking, including children, are provided with effective protection from potential retaliation, intimidation and retraumatisation, including the

<sup>97</sup> See GRETA's 3<sup>rd</sup> report on Georgia, paragraphs 88-93.

<sup>98</sup> <https://www.coe.int/en/web/tbilisi/-/training-on-psychological-aspects-of-interviewing-child-victims/witnesses-of-csea>.

<sup>99</sup> Article 24 of the Juvenile Justice Code.

<sup>100</sup> Article 243 of the Code of Criminal Procedure.

possibility to provide testimony through audio-visual means to avoid direct confrontation with the defendants.

153. GRETA also considers that the Georgian authorities should provide further guidance and training to professionals on the different protection measures available to victims of THB and on conducting child-friendly interviews.

#### d. Criminalisation of the use of services of a victim

154. The use of services of victims of trafficking, with the knowledge that the person is a victim, is criminalised pursuant to Article 143<sup>3</sup> of the CC,<sup>101</sup> and is punishable by three to five years' imprisonment. In case of aggravated circumstances, notably if the victim is a pregnant woman or a "helpless person", the offence is punishable by five to seven years' imprisonment. In order to encourage the reporting of trafficking cases, the CC provides that users of services of trafficked persons shall be released from criminal liability if they voluntarily provided information about the crime to the investigative authorities, contributed to the conduct of the investigation and their actions do not contain elements of any other crime.

155. GRETA was informed that Article 143<sup>3</sup> of the CC had never been applied because no cases of use of services of victims of trafficking were identified.

156. GRETA considers that Georgian authorities should carry out targeted information campaigns to raise awareness of the criminalisation of the use of services of victims of THB.

### IV. Addressing human trafficking facilitated by information and communication technology (ICT)

157. Countries monitored by GRETA have reported an increased use of information communication technologies (ICT) for recruiting and controlling victims of trafficking. In 2022, GRETA conducted a study to assess the extent to which technology impacts trafficking and explore the operational and legal challenges that states face in detecting, investigating and prosecuting online and ICT-facilitated trafficking.<sup>102</sup> As highlighted by the study, the impact of technology is particularly acute in relation to the recruitment and exploitation of victims, including their control throughout the different stages of the trafficking process. This study highlighted a number of challenges to the identification, investigation and prosecution of THB cases due to the high volume of online activities and the associated high volume of digital evidence, the use of encrypted communications, nicknames and aliases, and the time-consuming process of acquiring evidence from private companies and/or other jurisdictions. At the same time, anti-trafficking stakeholders are using technological innovations to prevent human trafficking, protect victims, and prosecute traffickers. It is therefore essential to invest in human capital and technological tools to harness the potential of ICT for effectively combating human trafficking.

158. The Georgian authorities have noted an increase in the use of ICT to recruit and exploit victims of trafficking. This is particularly noticeable since the COVID-19 pandemic, as traffickers have adjusted their modus operandi.

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<sup>101</sup> See GRETA's 2<sup>nd</sup> report on Georgia, paragraph 165.

<sup>102</sup> Paolo Campana, *Online and Technology-Facilitated Trafficking in Human Beings*, Council of Europe, April 2022, available at: <https://rm.coe.int/online-and-technology-facilitated-trafficking-in-human-beings-full-rep/1680a73e49>.

159. Cyber security and online safety are one of the priorities of the Georgian authorities. Since the ratification of the Council of Europe Convention on Cybercrime (Budapest Convention) in 2012, the country has adopted several National Strategies and Action Plans on Cyber Security. The third Strategy and Action Plan, which cover the period 2021-2024, have four priority goals: 1) developing cyberculture and strengthening the capabilities of the information society and organisations to deal with threats and incidents in cyberspace; 2) developing the skills and improving the level of education needed for schoolchildren and students to operate safely and securely in cyberspace; 3) developing cyber capabilities with strong human resources and appropriate technical support; 4) strengthening Georgia's role as a safe and secure country in the international cybersecurity arena. Work is underway to adopt the fourth National Strategy and Action Plan on Cyber Security (2025-2030).

160. As mentioned in paragraph 27, a new action plan on awareness raising activities in relation to human trafficking is being prepared by the THB Council. Further, efforts have been made to raise awareness of children on online safety and media literacy.<sup>103</sup> The Digital Governance Agency (DGA), which was created in 2020 as a legal entity under public law of the Ministry of Justice, plays a significant role in this regard and has a specific Cybersecurity Awareness Raising Strategy and Action Plan.<sup>104</sup> It has produced several e-learning courses for the general public,<sup>105</sup> as well as a specific course for secondary school teachers. Further, the DGA has been implementing a large-scale information campaign on online safety. Additional awareness activities are implemented during the Safer Internet Day (11 February) and the Cybersecurity Awareness Month (October).

161. Cases of trafficking facilitated by ICTs are investigated by the Division for Combating Trafficking in Human Beings and Illegal Migration (see paragraph 136). It conducts all operational works, including data processing, and where necessary applies to the Communications Commission to block websites (e.g. advertising prostitution). There is a specialised cybercrime unit in the Central Criminal Police Department which is responsible for investigating criminal offences specified in the Budapest Convention and provides support to other police departments in the investigation of crimes committed in the cyberspace. GRETA was informed that the cybercrime unit and the Division for Combating Trafficking in Human Beings and Illegal Migration co-operate regularly.

162. Several cases of human trafficking facilitated by ICTs were investigated during the reporting period. In one of them, three victims had been recruited online in Thailand under the false promise of a job in a beauty salon in Batumi (see also paragraph 46). In another case, the victim was sexually exploited by her older sister, who used adult service websites to find customers. GRETA was informed that it remains particularly challenging to collect evidence in such cases.

163. A large-scale online child trafficking case was investigated by the Georgian authorities in 2019, in co-operation with Australia and the United States, and with the support of Europol.<sup>106</sup> It concerned 30 child victims who had been exploited for the production of child sexual abuse materials, with the involvement of their parents. Nearly 20 perpetrators were sentenced to terms of imprisonment of up to 20 years.

164. GRETA notes that the Lanzarote Committee, in the framework of its second monitoring round, requested Georgia to set up a victim identification function within law enforcement in charge of combating ICT facilitated sexual offences against children and to ensure effective investigation and prosecution of such cases.<sup>107</sup> According to the Georgian authorities, the police is working on the proactive identification

<sup>103</sup> See the Georgian authorities' reply to the GRETA questionnaire for the 4<sup>th</sup> round of evaluation, pp. 9-11.

<sup>104</sup> The last one covers the period 2025-2030.

<sup>105</sup> [www.elearning.gov.ge](http://www.elearning.gov.ge)

<sup>106</sup> See more information at: <https://www.europol.europa.eu/media-press/newsroom/news/11-arrested-in-child-abuse-network-crackdown-in-georgia>.

<sup>107</sup> Lanzarote Committee, Factsheet on Georgia, May 2023. Available at: <https://rm.coe.int/factsheet-georgia-the-protection-of-children-against-sexual-exploitation/1680acde47>.

of online child trafficking cases, including through the monitoring of websites and social networks, and since 2021 uses INTERPOL's International Child Sexual Exploitation (ICSE) database.

165. Measures are being taken to improve the capacities of law enforcement professionals to tackle THB facilitated by ICTs.<sup>108</sup> Reference can be made to a training organised in 2021 with the support of the US authorities and IOM on optimising the fight against sexual exploitation through the use of technologies, and another one in 2023 on the recruitment of children through digital platforms and social media. In addition, in 2021, Georgia joined Interpol's Child Sexual Exploitation database, which is an intelligence and investigative tool allowing specialised investigators to share data on cases of child sexual abuse.<sup>109</sup>

166. Efforts are also being made to strengthen co-operation with multinational online service providers, particularly regarding the disclosure of data for criminal investigation purposes.<sup>110</sup> Requests for disclosure of data are made through the Prosecutor's Office of Georgia which is the designated national point of contact for foreign providers, except in emergency situations where investigators may reach providers directly. The Prosecutor's Office has prepared data request templates and national guidelines for law enforcement officers. According to the Georgian authorities, there is a high success rate in requests for data disclosure,<sup>111</sup> but there is no information available on whether any of them concerned THB cases.

167. In June 2024, Georgia signed the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence, but has not ratified it yet.

168. While welcoming the efforts made to strengthen online safety and improve investigations in cases of trafficking facilitated by ICTs, GRETA considers that the Georgian authority should:

- improve the detection and proactive investigation of ICT-facilitated trafficking, including online child trafficking, by investing in capacity building and digital tools. This should involve training of law enforcement officers and financial police officers in the areas of Internet monitoring and online investigation, such as cyber-patrolling, undercover online investigation, and social network analysis, in order to identify victims of human trafficking recruited and/or exploited online;
- continue developing the co-operation with ICT companies and Internet service providers (ISPs) in order to prevent ICT-facilitated trafficking, as well as to identify victims of human trafficking and collect electronic evidence. This could involve the development of data-sharing procedures with companies holding relevant data and co-operation protocols with private companies, including social network and gig-economy companies as well as rental platforms, to foster the timely provision of information.

169. Further, GRETA invites the Georgian authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence.

<sup>108</sup> See the Georgian authorities' reply to GRETA's 4<sup>th</sup> round questionnaire, pp. 40-41 and 57.

<sup>109</sup> <https://www.interpol.int/en/Crimes/Crimes-against-children/International-Child-Sexual-Exploitation-database>.

<sup>110</sup> See the Georgian authorities' reply to GRETA's 4<sup>th</sup> round questionnaire, p. 42.

<sup>111</sup> According to the META transparency reports: 93.62% success rate in January-June 2023, 87.5% in July-December 2023, and 76.7% in January-June 2024.

## V. Follow-up topics specific to Georgia

### 1. Compensation

170. In its third report on Georgia, GRETA urged the authorities to facilitate and guarantee access to compensation for victims of human trafficking.<sup>112</sup>

171. There have been no changes to the legal framework on victims' access to compensation from offenders.<sup>113</sup> Victims can only claim compensation from the offenders by engaging civil proceedings after a criminal conviction. According to criminal judges met by GRETA, an effort is made to specify in the criminal court decisions the extent of damages suffered by victims with a view to supporting future civil claims. However, none of the decisions provided to GRETA referred to victim damages. According to official statistics, no victims of trafficking have been granted compensation by civil courts since 2020.

172. The NAP for combating THB in 2023-2024 did not contain any measures in relation to the compensation of victims of trafficking, and GRETA was not informed of any training on this issue provided to relevant professionals.

173. Pursuant to Article 81 of the CCP, confiscated assets can be used to compensate victims. The authorities informed GRETA that, on the basis of this provision and a request from the public prosecutor, criminal judges may allocate all or part of the confiscated sums to compensate victims. With a view to strengthening the identification and confiscation of criminal assets, training on conducting parallel financial investigations was provided to investigators and prosecutors in 2021 and 2023, and the Prosecutor's Office issued detailed guidelines in September 2022. According to the authorities, in 2024, in the case of trafficking for the purpose of labour exploitation on a farm mentioned in paragraph 143, the court confiscated 38,000 GEL (about 1,000 euros) and this amount was distributed as compensation to the four victims. Further, GRETA was informed that in 2025, in a case of trafficking pending trial, the court froze the defendant's banks accounts and seized valuables during the investigative phase.

174. Following the adoption of amendments to the Law on Combating Trafficking in Human Beings and the Rules on the Procedure for providing one-off compensation to victims and survivors of human trafficking in April 2021,<sup>114</sup> access to state compensation can be provided to victims based on their identification and is no longer conditional on failure to obtain compensation from the offender. However, there has been no change to the amount of state compensation (1,000 GEL, about 343 euros). According to official data, 27 victims received state compensation in 2020-2024.<sup>115</sup>

175. GRETA is concerned that access to compensation from the offenders continues to be ineffective in Georgia. Victims are mainly treated as witnesses and not as injured parties entitled to compensation. The fact that damages cannot be claimed in criminal proceedings considerably limits victims' ability to receive compensation from the offenders. In practice, very few victims engage civil proceedings against their traffickers as the burden of proof of the damage is on the victim and the proceedings take many years. GRETA refers to the Committee of Ministers' recommendation on rights, services and support for victims of crime according to which "when claiming compensation from the offender in the course of criminal proceedings is irreconcilable with the national legal system, member States should provide for alternative ways through other legal proceedings to structurally safeguard the victims' right to obtain such a decision." In the case of Georgia, civil proceedings are not effective for victims of trafficking.

<sup>112</sup> See GRETA's third report on Georgia, paragraph 64.

<sup>113</sup> See GRETA's third report on Georgia, paragraphs 54-58.

<sup>114</sup> Law of 30 March 2021 on Amendments to the Law on Combating Human Trafficking.

<sup>115</sup> See the Georgian authorities' reply to GRETA's 4<sup>th</sup> round questionnaire, p. 65.

176. While welcoming the revision of the conditions for accessing state compensation, GRETA notes that it did not lead to an increase in the number of victims who received it compared to the previous reporting period. Further, the amount of state compensation remains very low (see paragraph 174) and does not take into account the damages suffered, making it more of a financial aid than a proper state compensation scheme. GRETA refers to the Committee of Ministers' Recommendation on rights, services and support for victims of crime, according to which the level of the compensation award should take into account, at a minimum, costs relating to treatment and rehabilitation for physical and psychological injuries, loss of income, and funeral expenses and loss of maintenance for dependents.<sup>116</sup>

177. GRETA once again urges the Georgian authorities to facilitate and guarantee access to compensation for victims of trafficking, including by:

- ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation, is part of the criminal investigations with a view to supporting compensation claims in civil court;
- ensuring that victims can obtain a decision on compensation from the offender within a reasonable time;
- providing training to lawyers, investigators, prosecutors and judges on their role in supporting victims' claims for compensation;
- increasing the amount of state compensation in order to ensure that it corresponds to the actual harm suffered by victims.

178. Further, GRETA considers that the Georgian authorities should introduce a procedure through which victims are entitled to obtain a decision on compensation from the offender in the course of criminal proceedings.

## 2. Co-operation with civil society

179. In May 2024, the Parliament of Georgia adopted the Law on Transparency of Foreign Influence,<sup>117</sup> which obliges non-commercial legal entities, such as NGOs and the media, which receive more than 20% of their annual income from a foreign individual or entity, to register with the National Agency of Public Registry as an "organisation pursuing the interests of a foreign power" and to submit an annual financial declaration. In case of failure to comply with the obligations, fines ranging from 5,000 GEL (about 1,700 €) to 25,000 GEL (about 8,500 €) can be imposed by the Ministry of Justice. The law applies, *inter alia*, to NGOs working with victims of trafficking, all of which receive funding from foreign donors. In response to the adoption of the law, several NGOs decided to suspend their co-operation with the authorities in the area of combating THB, notably their membership in the Permanent Group (see paragraphs 18 and 102).

180. Pursuant to the Law on Transparency of Foreign Influence and its implementing order, NGOs which fall within the remit of the law must provide the personal data of their employees, beneficiaries, contractors and any other person who receives money from the NGO. This requirement can violate the right to privacy and put at risk the safety of victims of THB supported by NGOs as confidential information becomes publicly accessible. On 20 September 2024, the Ministry of Justice issued amendments to the law's implementing order, according to which organisations will not be required to provide ID numbers and bank details of persons concerned. However, the obligation to provide their names remains. Furthermore, the law puts a considerable administrative burden on NGOs working with victims of

<sup>116</sup> Recommendation CM/Rec(2023)2 of the Committee of Ministers to member States on rights, services and support for victims of crime, Article 14, paragraph 13.

<sup>117</sup> Available at: <https://matsne.gov.ge/en/document/view/6171895?publication=0>.

trafficking due to the amount of information needed to be collected and provided for the financial declaration.

181. The discussion of the draft Law on Transparency of Foreign Influence in Parliament and its adoption have been strongly criticised at national and international levels. The Public Defender of Georgia expressed concerns that the law disproportionality affects the right to association and creates a basis for collecting a large amount of personal data about any persons in relationships with NGOs.<sup>118</sup> In a letter of April 2024, the Commissioner for Human Rights of the Council of Europe expressed concerns about the compatibility of the law with the freedoms of association and expression, and the chilling effect its adoption may have on the work of media outlets and civil society organisations.<sup>119</sup> Furthermore, the Venice Commission issued an urgent opinion in June 2024 expressing deep concern about the lack of meaningful consultation on the draft law, concluding that the restrictions imposed do not meet the requirements of legality, legitimacy, necessity in a democratic society and proportionality, as well as the principle of non-discrimination, and recommending to repeal the Law in its current form.<sup>120</sup> GRETA notes that a review of the constitutionality of the law is ongoing before the Constitutional Court of Georgia, but the court declined the request to temporarily suspend the application of the law as an interim measure. A case has also been submitted to the European Court of Human Rights and has been communicated to the Georgian government in March 2025.<sup>121</sup>

182. Following a visit of the Secretary General of the Council of Europe to Georgia in December 2024, the authorities committed themselves to amending the law and setting up a working group to identify relevant changes. However, in February 2025 the Georgian authorities stated that “due to changed circumstances”, the government was no longer willing to participate in a joint working group nor to amend the Law on Transparency of Foreign Influence.<sup>122</sup> On 1 April 2025, the Georgian Parliament passed the Law on Foreign Agents Registration Act (FARA) which entered into force on 31 May 2025. According to this law, the obligation to register as foreign agents applies not only to organisations, but also to individuals who receive funding from foreign donors, and the lack of registration can lead to criminal sanctions (five years of imprisonment). Further, the Law on Grants was amended, obliging donors to ask the Anti-Corruption Bureau for approval prior to issuing grants and imposing fines on recipients accepting grants that did not follow this procedure. In June 2025, several Georgian NGOs were compelled by a court to provide information to the Anti-Corruption Bureau, including on grant agreements, financial and activity records, and personal data of beneficiaries, as part of an inquiry into possible violations of the FARA law, the Law on Grants and other legislation. The Commissioner for Human Rights of the Council of Europe expressed concerns over these developments considering that they put pressure not only on NGOs, but also on their beneficiaries and close partners, and represent significant escalation in the pressure being applied to civil society in Georgia.<sup>123</sup>

183. GRETA is concerned by the negative impact of the above-mentioned legislation on civil society organisations working with victims of trafficking and individuals vulnerable to trafficking, as well as on victims of trafficking themselves whose private data may become publicly accessible if they receive assistance from entities labelled as foreign agents. GRETA recalls that pursuant to Article 11 of the Convention, States Parties shall protect the private life and identity of victims. Despite GRETA's request, the Georgian authorities did not provide information on measures taken to ensure the protection of the private data of victims of trafficking assisted by entities subjected to the Law on Transparency of Foreign Influence, the FARA law and other legislations. Further, GRETA stressed that under Article 35 of the Convention, State Parties shall build strategic partnership with civil society actors with a view to achieving the purpose of the Convention. This not only applies to NGOs assisting victims of trafficking, but any

<sup>118</sup> Public Defender of Georgia, [Statement](#), 11 April 2024.

<sup>119</sup> CoE Commissioner for Human Rights, [Letter](#) to the Chairman of the Parliament of Georgia,

<sup>120</sup> Venice Commission, [Urgent opinion](#) CDL-PI(2024)013, May 2024 .

<sup>121</sup> [https://hudoc.echr.coe.int/eng/#{%22itemid%22:\[%22001-242877%22\]}](https://hudoc.echr.coe.int/eng/#{%22itemid%22:[%22001-242877%22]}).

<sup>122</sup> See the [statement](#) of the Secretary General of the Council of Europe, 7 February 2025.

<sup>123</sup> CoE Commissioner for Human Rights, [Statement](#), 1 July 2025.

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NGOs working with vulnerable individuals given their important role in the prevention of human trafficking and the identification of victims.

184. GRETA urges the Georgian authorities to take legislative and other measures to build strategic partnerships with civil society actors working with victims of trafficking and vulnerable groups, and to protect the private life and identity of victims of trafficking, in compliance with Articles 11 and 35 of the Convention, including by repealing the Law on Transparency of Foreign Influence and the Law on Foreign Agents Registration.

## VI. Conclusions

185. Since the publication of GRETA's third report on Georgia on 16 March 2021, progress has been made in a number of areas covered by that report.

186. The Law on Combating Trafficking in Human Beings was amended to ensure that victims' access to state compensation is not conditional on failure to obtain compensation from the perpetrators. Moreover, legislations were passed to extend the mandate of the Labour Inspection Office (LIO) and strengthen the protection of migrant workers. In 2023, a second state shelter for victims of trafficking was opened in Tbilisi. Further, a new division was established within the Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking, to co-ordinate the work of shelters and crisis centres, collect data on victims and make recommendations to improve victim assistance. Efforts were also made to strengthen the investigation and prosecution of cases of trafficking for the purpose of labour exploitation, including the setting up of a working group by the Prosecutor's Office with the participation of the police, the Ministry of Justice and the LIO. Training on THB was provided to relevant professionals, as well as guidelines on the identification of victims of trafficking and a standard questionnaire for the identification interview were issued.

187. GRETA welcomes these positive developments in Georgia. However, despite the progress achieved, several issues continue to give rise to concern. A certain number of recommendations made repeatedly by GRETA in its preceding reports have not been implemented or have been only partially implemented. In this report, GRETA once again urges the Georgian authorities to take action in the following areas:

- Identification of victims (Article 10 of the Convention). The Georgian authorities should review the National Referral Mechanism (Government Decree No. 284 of 11 April 2014) to address the low number of referrals to the Permanent Group and the high threshold of proof to be identified as a victim of trafficking, as well as to ensure that identification is not dependent on the victim's willingness to co-operate in the criminal proceedings and is based on a victim-centred and trauma-informed approach. The authorities should also strengthen the identification of victims among children in street situations, migrant workers, asylum seekers, refugees and irregular migrants.
- Compensation (Article 15 of the Convention). The Georgian authorities should facilitate and guarantee access to compensation for victims of trafficking, including by ensuring that victims can obtain a decision on compensation from the offender, and that the collection of evidence about the harm the victim has suffered is part of the criminal investigations. Further, the authorities should increase the amount of state compensation to ensure that it corresponds to the actual harm suffered by victims.
- Prosecution and sanctions (Articles 23 and 27 of the Convention). The Georgian authorities should ensure that human trafficking offences are prosecuted as such, rather than as lesser offences, every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted.

188. Given that these recommendations have been made repeatedly, their priority implementation is requested and will be followed up as part of the monitoring of the implementation of the Convention.

189. GRETA also urges the Georgian authorities to take legislative and other measures to build strategic partnerships with civil society actors working with victims of trafficking and other vulnerable groups, and to protect the private life and identity of victims of trafficking, in compliance with Articles 11 and 35 of the Convention, including by repealing the Law on Transparency of Foreign Influence and the Law on Foreign Agents Registration.

190. As regards the thematic focus of the fourth evaluation round, which is on vulnerabilities to trafficking in human beings, the Georgian authorities consider that children and young persons, notably those in street situations, are the main vulnerable group to human trafficking in Georgia. There are other vulnerability factors abused by traffickers, such as belonging to marginalised ethnic minorities, disability and mental disorders, unemployment and immigration status.

191. The Georgian authorities have taken measures to prevent human trafficking including through awareness-raising in schools and higher education institutions, targeted sensitisation of vulnerable groups and information campaigns for the general public. However, GRETA has identified a number of areas of concern which require further action. The following issues should be addressed as a matter of priority:

- ensure the implementation of legal safeguards against child labour and increase the resources of shelters, day-care centres and mobile teams working with children in street situations;
- increase the resources of the LIO, strengthen the provision of information to migrant workers, and prevent and monitor risks of human trafficking in the framework of labour mobility agreements;
- address the vulnerabilities to THB in the context of migration, including by putting in place procedures for the vulnerability/risk assessment and detection of THB indicators among asylum seekers, refugees and irregular migrants;
- guarantee the safety and right to non-discrimination of LGBTI persons in order to reduce their vulnerability to trafficking, and ensure that legislative and other measures adopted do not increase their vulnerabilities.

192. GRETA welcomes the efforts made to strengthen online safety, prevent trafficking in human beings facilitated by ICT and develop the specialisation of investigators on cybercrime. In order to address the routine use of ICT to recruit and exploit victims of trafficking, the Georgian authorities should strengthen the detection and proactive investigation of ICT-facilitated trafficking, including online child trafficking, by investing in capacity building and digital tools, and continue developing co-operation with ICT companies and Internet service providers.

193. GRETA invites the Georgian authorities to keep it regularly informed of developments as regards the implementation of the Convention. GRETA trusts that there will continue to be a political commitment in Georgia to sustain the efforts to combat human trafficking by following the human-rights based approach of the Convention, and looks forward to continuing the dialogue with the Georgian authorities and civil society.

## Appendix 1

### Table with statistics on victims and cases of THB in Georgia in 2020-2024

The data presented in the table is not directly comparable across States Parties to the Convention due to variations in the methodologies used for data collection.

| Indicators                          |                          | Years                   |                        |                        |                        |                          |
|-------------------------------------|--------------------------|-------------------------|------------------------|------------------------|------------------------|--------------------------|
|                                     |                          | 2020                    | 2021                   | 2022                   | 2023                   | 2024                     |
| Number of identified victims of THB |                          | 3                       | 8                      | 3                      | 16                     | 19                       |
| Gender                              | Female                   | 3                       | 2                      | 2                      | 10                     | 12                       |
|                                     | Male                     | 0                       | 6                      | 1                      | 6                      | 7                        |
| Age group                           | Adult                    | 0                       | 5                      | 2                      | 10                     | 8                        |
|                                     | Children                 | 3                       | 3                      | 1                      | 6                      | 11                       |
| Nationality                         | Georgian                 | 3                       | 0                      | 1                      | 1                      | 8                        |
|                                     | Foreigner                | 0                       | 8                      | 2                      | 15                     | 11                       |
| Type of exploitation                | Sexual                   | 1                       | 0                      | 0                      | 3                      | 4                        |
|                                     | Labour                   | 0                       | 6                      | 0                      | 3                      | 4                        |
|                                     | Forced begging           | 2                       | 2                      | 0                      | 8                      | 11                       |
|                                     | Forced criminality       | 0                       | 0                      | 1                      | 0                      | 0                        |
|                                     | Other*                   | 0                       | 0                      | 2                      | 2                      | 0                        |
| Number of assisted victims of THB   |                          | 7                       | 6                      | 2                      | 11                     | 11                       |
| Gender                              | Female                   | 6                       | 1                      | 1                      | 9                      | n.a                      |
|                                     | Male                     | 1                       | 5                      | 1                      | 2                      | n.a                      |
| Age group                           | Adult                    | 4                       | 3                      | 1                      | 7                      | n.a                      |
|                                     | Children                 | 3                       | 3                      | 1                      | 4                      | n.a                      |
| Nationality                         | Georgian                 | 4                       | 3                      | 1                      | 0                      | n.a                      |
|                                     | Foreigner                | 3                       | 3                      | 1                      | 11                     | n.a                      |
| Type of exploitation                | Sexual                   | 3                       | 0                      | 0                      | 3                      | n.a                      |
|                                     | Labour                   | 1                       | 4                      | 0                      | 8                      | n.a                      |
|                                     | Forced begging           | 3                       | 2                      | 0                      | 0                      | n.a                      |
|                                     | Forced criminality       | 0                       | 0                      | 2                      | 0                      | n.a                      |
| Number of investigations for THB    |                          | 15 cases                | 19 cases               | 16 cases               | 17 cases               | 13 cases                 |
| Type of exploitation                | Sexual                   | 8                       | 6                      | 3                      | 7                      | n.a                      |
|                                     | Labour or forced begging | 5                       | 9                      | 5                      | 6                      | n.a                      |
|                                     | Forced criminality       | 0                       | 2                      | 1                      | 0                      | n.a                      |
|                                     | Other**                  | 2                       | 2                      | 7                      | 4                      | n.a                      |
| Number of prosecutions for THB      |                          | 2 cases                 | 5 cases                | 4 cases                | 7 cases                | 7 cases                  |
| Victims                             |                          | 3                       | 8                      | 3                      | 16                     | 19                       |
| Defendants                          |                          | 4                       | 7                      | 5                      | 15                     | 13                       |
| Number of convictions for THB       |                          | 6<br>Against 29 persons | 4<br>Against 5 persons | 2<br>Against 2 persons | 4<br>Against 9 persons | 11<br>Against 18 persons |
| Type of exploitation                | Sexual exploitation      | 4                       | 0                      | 0                      | 0                      | 1                        |
|                                     | Labour exploitation      | 0                       | 1                      | 0                      | 0                      | 2                        |
|                                     | Forced begging           | 2                       | 3                      | 0                      | 1                      | 7                        |
|                                     | Forced criminality       | 0                       | 0                      | 0                      | 1                      | 0                        |
|                                     | Unspecified              | 0                       | 0                      | 2                      | 2                      | 1                        |

\* "Other" includes sale of persons under Article 143<sup>1</sup> of the Criminal Code. It can include victims of trafficking for the purpose of labour exploitation, but no comprehensive disaggregated data was provided that is why it is included in a separate line.  
n.a: not available.

## Appendix 2

### List of GRETA's conclusions and proposals for action

The position of the proposals for action in the text of the report is shown in parentheses.

## Topics related to the fourth evaluation round of the Convention

### *Prevention of trafficking in human beings*

- GRETA considers that the Georgian authorities should conduct and/or support research on trafficking in human beings, including on vulnerabilities to trafficking and the effectiveness of preventive measures implemented (paragraph 28);
- Noting the importance of taking into account the lived experiences and views of victims and survivors of trafficking when designing anti-trafficking policies and measures, GRETA invites the Georgian authorities to set up a trafficking survivors' advisory council (paragraph 29).

### *Measures to prevent the vulnerability of specific groups to trafficking in human beings*

#### *Children and young persons*

- GRETA urges the Georgian authorities to take additional measures to prevent trafficking of children and young persons, including by:
  - taking all necessary actions to ensure the implementation of legal safeguards against child labour, including prevention, effective control and referral of cases of child labour. The involvement of labour inspectors in preventing and combating child labour, notably in agriculture, should be increased;
  - implementing prompt actions in order to prevent and address cases of school drop-out;
  - increasing the human, financial and material resources of shelters, day-care centres and mobile teams working with children in street situations (paragraph 43);
- GRETA considers that the Georgian authorities should:
  - raise awareness of children, parents and foster families of the risks of human trafficking, paying particular attention to vulnerable children, such as children in street situations and children from ethnic minorities;
  - continue to provide training on trafficking in human beings and its different forms to professionals working with children (in particular teachers, school staff and social workers) (paragraph 44).

#### *Vulnerabilities related to the gender dimension of human trafficking*

- GRETA considers that the Georgian authorities should take additional measures to address the gender dimension of trafficking in human beings, including by:

- continuing to raise awareness aimed at eliminating sexual and gender-based violence as an essential measure to prevent harmful practices leading to trafficking and exploitation of women and girls;
- strengthening efforts to prevent child and forced marriage, through training of relevant professionals and raising awareness, paying particular attention to ethnic and religious minorities;
- reducing risks of exploitation of women and girls in prostitution, by abrogating the administrative offence of engaging in prostitution and developing exit programmes for persons wishing to leave prostitution;
- developing cooperation with, and training for, the tourism sector to discourage demand for the services of trafficked persons, both in relation to sexual and labour exploitation;
- adopting such legislative and other measures as may be necessary to address the risks of trafficking in human beings in the context of surrogacy (paragraph 50).

### *Disadvantaged minorities*

- GRETA considers that the Georgian authorities should make additional efforts to prevent trafficking in human beings of members of disadvantaged minorities, including by:
  - strengthening awareness raising of the risks of THB and outreach to detect vulnerabilities;
  - improving their integration, including their access to Georgian language classes, education, employment, housing, health care and social services;
  - continuing to improve access to birth registration and ID documents for stateless persons;
  - involving organisations representing ethnic minorities in the design and implementation of anti-trafficking policies and measures (paragraph 55).

### *Migrant workers*

- Referring to its Guidance Note on combating trafficking for labour exploitation and the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation, GRETA considers that the Georgian authorities should:
  - increase the human, material and financial resources of the Labour Inspectorate;
  - prioritise labour inspections in sectors at high risk of trafficking and exploitation;
  - provide further training on trafficking in human beings to relevant professionals, notably labour inspectors and staff of the State Employment Support Agency, with a focus on vulnerabilities that lead to THB and on early detection of cases of THB for the purpose of labour exploitation;
  - strengthen the provision of information to migrant workers about labour standards, risks of trafficking for the purpose of labour exploitation, and the rights of victims of trafficking;
  - build strategic partnerships with civil society, trade unions and the private sector on the prevention of trafficking for the purpose of labour exploitation;
  - prevent and monitor risks of trafficking and labour exploitation in the framework of bilateral labour mobility agreements (paragraph 71).

### *Internally displaced persons*

- GRETA invites the Georgian authorities to continue taking measures to improve the socio-economic situation of IDPs as a way of reducing their vulnerabilities to trafficking (paragraph 75).

*Asylum seekers, refugees and irregular migrants*

- GRETA considers that the Georgian authorities should take further measures to address the vulnerabilities to THB in the context of migration, in particular by:
  - putting in place procedures for the vulnerability/risk assessment and detection of THB indicators among asylum seekers, refugees and irregular migrants, including those in the detention centre for foreigners;
  - further developing the training of relevant professionals (notably officers of the Department of Asylum and the Department of Irregular Migrants), with a focus on detecting vulnerabilities and indicators of THB;
  - continuing to raise awareness of asylum seekers and refugees of the risks of human trafficking and the rights of victims of THB;
  - improving the social and economic integration of asylum seekers and refugees, notably their access to language classes, education, employment and housing (paragraph 84).

*Georgian returnees*

- GRETA welcomes the efforts made by the Georgian authorities to reduce the vulnerabilities of Georgian returnees and invite them to further develop their preventive efforts, including by raising awareness of the risks of trafficking of Georgian returnees and developing opportunities for their social and economic reintegration in Georgia (paragraph 88).

*Persons with disabilities*

- GRETA considers that the Georgian authorities should conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group. Access to economic, social and health services for persons with disabilities should be further developed as a way to reducing their vulnerabilities of trafficking (paragraph 94).

*LGBTI persons*

- GRETA considers that the Georgian authorities should guarantee the safety and right to non-discrimination of LGBTI persons, in line with international standards, in order to reduce their vulnerability to trafficking in human beings, and ensure that legislative and other measures adopted do not increase this vulnerability (paragraph 99).

*Identification of victims of THB*

- GRETA once again urges the Georgian authorities to take further steps to improve the identification of victims of trafficking in human beings, including by:
  - reviewing the National Referral Mechanism (Government Decree No. 284 of 11 April 2014) in order to address the low number of referrals to the Permanent Group and the high threshold of proof to be identified as a victim of trafficking, as well as to ensure that the identification of victims of trafficking is not dependent on their willingness to co-operate in the criminal proceedings and is based on a victim-centred and trauma-informed approach;
  - strengthening the identification of victims of THB among children in street situations by ensuring that coercion or any other means are not required for the identification of child victims of trafficking;
  - improving the identification of victims of trafficking among migrants workers, asylum seekers, refugees and irregular migrants;

- ensuring that all victims under Georgian jurisdiction can be identified and referred to assistance, irrespective of the country where the exploitation took place, in compliance with Articles 10 and 12 of the Convention (paragraph 115);
- GRETA considers that the Georgian authorities should continue providing systematic and updated training on the identification of victims of trafficking to relevant professionals, including police officers, asylum officials, labour inspectors, child protection officers, educational staff, social workers, health-care professionals and members of the mobile teams for children in street situations (paragraph 116).

### *Assistance to victims*

- GRETA considers that the Georgian authorities should make additional efforts to improve the assistance provided to victims of trafficking, in particular by:
  - increasing the funding provided to the shelters for victims of trafficking to enable the provision of specialised assistance and interpretation;
  - strengthening victims' access to work, vocational training, education and other measures aimed at the economic and social integration of victims;
  - providing adequate, safe and, where appropriate separate, accommodation to women, men and children who are victims of trafficking (paragraph 125).

### *Notion of "abuse of a position of vulnerability" in the law and case-law*

- GRETA considers that the Georgian authorities should strengthen the training and guidance to investigators, prosecutors and judges on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking (paragraph 133).

### *Investigation, prosecution and sanctions*

- GRETA once again urges the Georgian authorities to ensure that all human trafficking offences are prosecuted as such rather than as lesser offences every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted (paragraph 146);
- GRETA considers that the Georgian authorities should take additional measures to:
  - ensure that human trafficking offences for any form of exploitation are promptly and proactively investigated, regardless of whether a complaint is filed by the victim, and using all available evidence, including evidence gathered through special investigative techniques, suspicious activity reports, documents and digital evidence, rather than relying solely on the testimony of victims or witnesses;
  - further develop the training of investigators, prosecutors and judges on the offence of trafficking in human beings, in particular its different constituent elements and differences with other related offences, and measure the impact of the training conducted (paragraph 147).

### *Protection of victims and witnesses in criminal proceedings*

- GRETA urges the Georgian authorities to amend the legislation to ensure that victims and witnesses of human trafficking, including children, are provided with effective protection from potential retaliation, intimidation and retraumatisation, including the possibility to provide testimony through audio-visual means to avoid direct confrontation with the defendants (paragraph 152);
- GRETA considers that the Georgian authorities should provide further guidance and training to professionals on the different protection measures available to victims of THB and on conducting child-friendly interviews (paragraph 153).

### *Criminalisation of the use of services of a victim*

- GRETA considers that Georgian authorities should carry out targeted information campaigns to raise awareness of the criminalisation of the use of services of victims of THB (paragraph 156).

### *Addressing human trafficking facilitated by information and communication technology (ICT)*

- While welcoming the efforts made to strengthen online safety and improve investigations in cases of trafficking facilitated by ICTs, GRETA considers that the Georgian authority should:
  - improve the detection and proactive investigation of ICT-facilitated trafficking, including online child trafficking, by investing in capacity building and digital tools. This should involve training of law enforcement officers and financial police officers in the areas of Internet monitoring and online investigation, such as cyber-patrolling, undercover online investigation, and social network analysis, in order to identify victims of human trafficking recruited and/or exploited online;
  - continue developing the co-operation with ICT companies and Internet service providers (ISPs) in order to prevent ICT-facilitated trafficking, as well as to identify victims of victims of human trafficking and collect electronic evidence. This could involve the development of data-sharing procedures with companies holding relevant data and co-operation protocols with private companies, including social network and gig-economy companies as well as rental platforms, to foster the timely provision of information (paragraph 168);
- GRETA invites the Georgian authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence (paragraph 169).

## Follow-up topics specific to Georgia

### *Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking*

- GRETA considers that the Georgian authorities should examine the possibility of designating as a National Rapporteur a separate organisational entity or an already existing independent mechanism for monitoring the anti-trafficking activities of State institutions (paragraph 20);
- GRETA considers that the Georgian authorities should ensure the allocation of adequate funding for the implementation of the National Action Plan and the provision of support to victims of trafficking (paragraph 21);
- GRETA considers that the Georgian authorities should commission an external, independent evaluation of the implementation of the National Action Plans as a tool for assessing the impact of the activities and for planning future policies and measures to combat human trafficking (paragraph 22).

### *Compensation*

- GRETA once again urges the Georgian authorities to facilitate and guarantee access to compensation for victims of trafficking, including by:
  - ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation, is part of the criminal investigations with a view to supporting compensation claims in civil court;
  - ensuring that victims can obtain a decision on compensation from the offender within a reasonable time;
  - providing training to lawyers, investigators, prosecutors and judges on their role in supporting victims' claims for compensation;
  - increasing the amount of state compensation in order to ensure that it corresponds to the actual harm suffered by victims (paragraph 177);
- GRETA considers that the Georgian authorities should introduce a procedure through which victims are entitled to obtain a decision on compensation from the offender in the course of criminal proceedings (paragraph 178).

### *Co-operation with civil society*

- GRETA urges the Georgian authorities to take legislative and other measures to build strategic partnerships with civil society actors working with victims of trafficking and vulnerable groups, and to protect the private life and identity of victims of trafficking, in compliance with Articles 11 and 35 of the Convention, including by repealing the Law on Transparency of Foreign Influence and the Law on Foreign Agents Registration (paragraph 184).

## Appendix 3

### List of public bodies, intergovernmental organisations and civil society organisations with which GRETA held consultations

#### Public bodies

- Ministry of Economy and Sustainable Development
  - o Labour Inspection Office
  - o National Tourism Administration
- Ministry of Education, Science and Youth
- Ministry of Finance, Financial Investigation Unit
- Ministry of Internal Affairs
  - o Border Police Department
  - o Central Criminal Police Department
  - o Human Rights Protection Department
  - o Migration Department
- Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social:
  - o Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking
  - o Division for Legal Migration Issues
  - o State Employment Support Agency
- Ministry of Justice
- Prosecution's Service of Georgia
- Tbilisi City Court
- Legal Aid Service
- National Agency for Crime Prevention, Enforcement of Non-Custodial Sentences and Probation
- Parliament of Georgia
- Public Defender's Office
- Anti-Trafficking Task force of the Adjara Autonomous Republic
- Imereti Regional Centre, Social Service

#### Intergovernmental organisations

- ICMPD
- IOM
- UNHCR
- UNICEF

#### NGOs and other civil society organisations

- Alliance of Women with Disabilities
- Georgian's Young Lawyer Association
- Platform for New Opportunities
- Tanadgoma
- World Vision Georgia

## Government's comments

The following comments do not form part of GRETA's analysis concerning the situation in Georgia

GRETA engaged in a dialogue with the Georgian authorities on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version.

The Convention requires that “the report and conclusions of GRETA shall be made public as from their adoption, together with eventual comments by the Party concerned.” GRETA transmitted its final report to the Georgian authorities on 28 July 2025 and invited them to submit any final comments. The comments of the authorities, submitted on 25 September 2025, are reproduced hereafter.

Comments of the Government of Georgia to the report developed by the Group of Experts on Action against Trafficking in Human Beings (GRETA) under the 4<sup>th</sup> evaluation round

September 24, 2025

1. The Government of Georgia (GoG) welcomes the report prepared by the Group of Experts on Action against Trafficking in Human Beings (GRETA) under the 4<sup>th</sup> evaluation round on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings in Georgia, as well as its findings
2. The GoG welcomes the fact that additional information submitted in response to the provisional draft report on July 23, 2025 was duly considered and incorporated in the final report.
3. The GoG would like to note that the draft report of the GRETA, as per its recommendations, was distributed to all the relevant national authorities, departments, and institutions, including but not limited to those specified in the report.
4. The assessment and recommendations provided by GRETA are considered highly valuable and will contribute significantly to the further development of Georgia's counter-trafficking policy.
5. GoG hereby provides final comments on the report.

II. Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

*Para 20. The role of National Rapporteur on THB continues to be performed by the THB Council, rather than an independent mechanism for monitoring the effectiveness of State measures against THB. GRETA recalls its position on the need for a structural separation between monitoring and executive functions in order to have an objective evaluation of anti-trafficking law, policy and practice and considers that the Georgian authorities should examine the possibility of designating as a National Rapporteur a separate organisational entity or an already existing independent mechanism for monitoring the anti-trafficking activities of State institutions.*

1. In response to the Para 20 of the Report the GoG notes that the efficiency of Anti-Trafficking efforts is assessed through multiple monitoring mechanisms. Specifically, issues related to trafficking in human beings (THB) are addressed by the Public Defender in its Parliamentary and Special Reports; the Administration of the Government of Georgia, within the framework of the National Human Rights Strategy and Action Plan, analyses the outcomes of the measures undertaken to combat THB; and, lastly, the Inter-Agency Council on Combatting THB (Anti-THB Council) monitors the implementation of the Anti-Trafficking National Action Plans and evaluates the results of the activities carried out.

*Para 21. In their comments on the draft GRETA report, the Georgian authorities noted that the activities in the NAPs are primarily implemented using funds from the state budget, with additional financial support provided by international organisations. However, GRETA notes with concern that several international organisations have interrupted the funding of projects in Georgia as a result of the recently adopted legislation. GRETA considers that the Georgian authorities should ensure the allocation of adequate funding for the implementation of the National Action Plan and the provision of support to victims of trafficking.*

*Comments also apply to Paras 180-185 of the Report.*

2. Actions under the National Action Plan continue to be implemented through funding from the state budget.

3. As for the potential impact of the application of the Law on Transparency of Foreign Influence, GoG clarifies, that since its adoption 385 organizations are registered in National Agency of Public Registry. The number of entities that have registered significantly exceeds the number of non-governmental organizations (NGOs) that have opposed the law or refused to register. It is also noteworthy, that no fines have been imposed on NGOs under the law and None of those NGOs who have been registered, have been terminated their performance after the registration.
4. These 385 registered NGOs are active across diverse sectors, including education, environmental protection, regional development, support for minorities and other vulnerable groups, sports, and more. Among them at least 99 NGOs (26%) operate in the field of human rights. All the registered NGOs continue to freely render their services to their respective beneficiaries despite their registered status. Therefore, concerns that the Law on Transparency of Foreign Influence would significantly hinder the operations of civil society organizations appear to be overstated.
5. When it comes to the Governmental efforts to support the civil society and ensure its financial sustainability, GoG established the State Grant Management Agency on April 15, 2025. The purpose of this Agency is to support civic organizations registered and operating in Georgia through the issuance of state funds, as well as to promote their institutional and financial sustainability. On July 21, the LEPL State Grant Management Agency announced a public call for small grants. In the upcoming weeks, the agency will announce a second call for institutional development grants, providing more opportunities for civic organizations to obtain state funds to implement civic initiatives and ensure institutional sustainability.
6. As already mentioned in the report, on April 1<sup>st</sup>, 2025 Parliament of Georgia adopted Law of Georgia - "Foreign Agents Registration Act" (Georgia's FARA), which came into force on 31<sup>st</sup> May 2025. The Anti-Corruption Bureau has been mandated to enforce the law. This law represents an important step toward strengthening transparency and accountability in public life and closely reflects established international practice.
7. To administer the effective enforcement of the law, a website has been created (<https://fara.acb.gov.ge/>), which fully replicates the structure and content of the FARA website of the U.S. Department of Justice (<https://www.justice.gov/nsd-fara>), while the registration forms used on the Georgian platform are direct copies of the corresponding U.S. forms.
8. In the context of activity of the State Grant Management Agency, it should be underlined that Anti-Corruption Bureau's role is strictly limited to monitoring those foreign grants received without the consent of the Government of Georgia, and it does not have the authority to make decisions regarding the issuance of a grant. The purpose of the legislative amendments is not to restrict the activities of organizations in any manner, and within the framework of enforcing the law, the Bureau will make every effort to simplify the process for organizations.
9. A continuation of this policy is the platform – <https://grants.acb.gov.ge/>, which enables interested parties to complete a simple registration form on the website regarding the grant agreement. The platform was created to ensure transparency in grant-related processes and allows grant recipients to upload supporting documentation.
10. Its purpose is to simplify and enhance the flexibility of the Bureau's monitoring process. In monitoring the issuance and receipt of grants without the required Government approval, as provided by the Law of Georgia on Grants, the Anti-Corruption Bureau will rely specifically on the information voluntarily uploaded through this platform by the grant recipients – a so-called simplified monitoring process. It should be noted that documents submitted by organizations to the platform will not be made public.

### III. Addressing vulnerabilities to trafficking in human beings

#### 1. PREVENTION OF TRAFFICKING IN HUMAN BEINGS

##### *b. Measures to prevent the vulnerability of specific groups to trafficking in human beings*

#### Para 41 and 43. *The mandate and activity of the Labour Inspection Office (LIO)*

11. Based on the Law of Georgia "On Labor Inspection", the main goal of the LEPL Labor Inspection Office is to effectively enforce labor norms. For this purpose, Labor Inspection Office (LIO) uses various mechanisms, including scheduled (based on a defined list of facilities) or unscheduled (based on a complaint/ upon own

initiative/occupational accidents) inspections of the activities of the institution, while the Resolution No. 99 of the Government of Georgia “On the Approval of the Rules and Conditions for Entry and Inspection of Facilities Subject to Inspection” (Annex 1 - <https://lio.moh.gov.ge/llow.php?id=133>) determines the rules and procedures for inspections. According to the domestic legislation, the LIO is authorized to conduct an inspection at any time of the day or night without prior notice in any workplace or work space, as well as, upon the court - is entitled to enter any private space/private residence owned by a natural person at any time of the day or night without prior notice, if there is reasonable suspicion of forced labor or labor exploitation.

12. As mentioned, LIO conducts scheduled or unscheduled inspections. Unscheduled inspections are carried out immediately upon receipt of a complaint (with or without confidentiality) or is conducted by the LIO upon its own initiative. During the inspection, the building, workplace, working space and all the conditions where the work process is carried out are inspected. If it turns out that the labor rights of an employed minor are violated at the workplace, LIO imposes a double fine. In the event of dangerous work being performed by minors, LIO has the right to suspend the working process. In addition, if a minor is employed in a place not permitted by law and/or his or her labor rights are violated (such as the absence of a contract, violation of working hours, absence of rest and breaks, non-payment of wages, excessive overtime work and lack of compensation for it, etc.), LIO immediately carries out an inspection.
13. It should also be noted that LIO uses a referral mechanism in the cases of child labor, both internally (between the Departments of Occupational Safety Supervision and the Department of the Labor Rights Supervision) and externally (with trafficking and social service agencies). It is also noteworthy that guidelines for labor inspectors on identifying victims of labor exploitation were prepared in cooperation with the International Organization for Migration (IOM).<sup>124</sup> All inspectors were retrained based on these guidelines. It should also be noted that these guidelines include international practice on the sectoral specificity of trafficking, which is taken into account in Georgian practice and, according to the Resolution No. 112 of the Government of Georgia (Annex 2), is used as one of the indicators for compiling a list of facilities for the planned inspections.
14. Since 2016, the following main criteria have been used when drawing up the inspection plan: the size of the enterprise, the number of employees and the high probability of forced labor and labor exploitation, in particular sectors such as: Construction, Agriculture, Mining, Timber production, household services, textile production, entertainment industry (including beauty and spa salons, as well as local branches of foreign companies in coastal and resort areas), fishing.
15. The agricultural sector is controlled not only in terms of forced labor, but also in terms of Occupational safety, labor rights and labor migration, where appropriate liability will be imposed on the employer if signs of child labor or forced labor are detected.
16. In addition as it was mentioned, LIO has the mandate to check the signs of child labor, labor exploitation in both direction of inspections (labor rights supervision direction and Occupational Safety supervision direction) and all inspectors in both directions are trained and periodically retrained in order to effectively reveal the signs of forced labor, labor exploitation, child labor.

Para 48. *In February 2025, an investigation was opened based on information provided to the Georgian Police by the INTERPOL National Central Bureau (NCB) for Thailand, into a possible case of trafficking of Thai women who were brought to Georgia as surrogate mothers and were forced to take part in the harvesting of oocytes, presumably intended to be sold for IVF in other countries. According to the Georgian authorities, the police conducted searches, interviews and evidence collection. Three Thai women, who mentioned that they no longer wanted to be surrogate mothers, were taken to a shelter for victims of trafficking and later left the country. Four foreign nationals involved in bringing Thai citizens to Georgia for surrogacy were questioned and the investigation is ongoing.*

17. At this point, the investigation and evidence collected have not proven the fact of trafficking, nor has the fact of forced and/or fraudulent oocytes collection from Thai women has been proven. Dozens of witnesses

<sup>124</sup> The Guideline is available on the following link: <https://lio.moh.gov.ge/editor/upload/20230109050247-saxelmzgvanelo-IOM-2112.pdf>

have been interviewed in this case and dozens of investigative actions have been conducted. The investigation is currently ongoing.

Para 49. *Child and forced marriage remains an issue of concern in Georgia, including bride kidnappings and unregistered child marriages. It would appear that child marriages occur more frequently among certain ethnic and religious groups, such as ethnic minorities in Kvemo Kartli and Kakheti regions. Following the ratification of the Istanbul Convention, Georgia has taken a series of measures to address child and forced marriage, including a revision of the minimum age for marriage (18 with no possibility of exceptions) and the criminalisation of forced marriage under Article 150<sup>1</sup> of the CC. The criminal justice response has been strengthened as evidenced by the increasing number of investigations and prosecutions for this crime.*

18. The fight against early marriage is one of the most important and priority directions for the GoG, and for this purpose, it actively implements both response and preventive measures on an ongoing basis.

Para 61. *There have been concerns regarding the implementation of the labour mobility agreement with Germany following reports of poor working conditions and refusal to pay wages by German employers. In 2021, several Georgian workers filed a lawsuit before Georgian courts against the State Employment Support Agency, which is in charge of implementing the agreement. They claimed that they had been promised 5,000 Euros per month for working for three months in a strawberry farm in Germany, but ended up being paid less than 1,500 Euros per month. In their comments on the draft GRETA report, the Georgian authorities indicated that the decision in this case was still pending. Furthermore, in 2022, a German labour court ruled in favour of 18 Georgian agricultural seasonal workers sent to Germany under the bilateral agreement whose employer had refused to pay their full salary (several received less than 300 euros for six weeks of work).*

19. The GoG draws the attention of the GRETA that the present draft report includes a factual mistake, noting that the employees „[...] had been promised 5,000 Euros per month [...]“. The GoG informs that agreements between the countries do not specify an amount of salary per month. The amount of the salary depends on various aspects, specifically two: 1. salary is paid per hour (in 2021 it was 9.50 EURO and in 2025 it is 12.82); 2. performance of the employee itself and etc. Approximate number of working hours as well as minimum salary per hour is defined by the contract between the employee and employer. Thus, *State Employment Support Agency* (SESA) consultants would not be in a position to promise a specific amount of salary per month. It is also worth mentioning that each and every employee is going through pre departure orientation training, where they are provided with the specifics of the particular contract prior to departure and maintain the right to refuse to the offered conditions.

Para 62. *GRETA is concerned that insufficient measures have been taken by the Georgian authorities to prevent and monitor risks of exploitation in the framework of the labour mobility agreement with Germany. In particular, staff of the State Employment Support Agency have not been trained specifically on human trafficking and labour exploitation, nor provided with guidance. Their role seems to be limited to hiring Georgian workers and informing them of the working conditions in Germany, as well as offering alternative placement in case of complaint. In their comments on the draft GRETA report, the Georgian authorities indicated that employees of the State Employment Support Agency provide information on labour exploitation to labour mobility candidates.*

20. Core goal of the intergovernmental agreements is to prevent irregular migration and to allow citizens of Georgia to gain a safe working experience abroad and it is the priority of the GoG to conclude such agreements with the states with developed economies and high labor standards. It is inaccurate, to note that the role of the State Employment Support Agency (SESA) and their staff is limited to solely hiring workers and informing them about working conditions in Germany or offering alternative placement in case of complaint. It is obvious that the final decision about the employment is made by the employer, registered and monitored by the partner organization “bundesagentur für arbeit”. All of the complaints are immediately communicated with the above-mentioned German state intuition (BA) and mostly are resolved, or alternative offers are made. Furthermore, in the framework of pre departure orientation training SESA’s consultants provide employees with all contact information about the special institutions in Germany whom they can address in case of violation of their working rights.

Para 67. *The LIO has its headquarters in Tbilisi and regional offices in the Imereti and Adjara regions. As of February 2024, there were 104 labour inspectors out of 123 available positions (compared to 65 inspectors at the end of 2021). However, it does not seem that there has been an increase in the LIO's human resources to reflect the increase in the tasks of labour inspectors in 2023.*

21. The GoG would like to additionally inform that in 2025 LIO underwent a reorganization, on the basis of which the Forced Labor and Labor Exploitation (Trafficking) Supervision unit was transformed into a secondary structural unit - a Division, and the number of inspectors was also increased from 2 units to 13 units. These inspectors are specifically mandated and specialized in detecting and responding to facts of labor trafficking.

Para 90. *Georgia ratified the UN Convention on the Rights of Persons with Disabilities in 2013. Since then, the country has adopted several laws and policies to improve the situation of persons with disabilities. In particular, the 2020 Law on the Rights of Persons with Disabilities represented an important step forward, providing for a shift from a medicalised model to a social model of disability. There is no national strategy on persons with disabilities, but the National Strategy for the Protection of Human Rights 2022-2030 includes relevant priorities, such as improving deinstitutionalisation and independent living, and strengthening access to employment and education.*

22. The legal structure and conceptual framework of the Interagency Coordination Committee on the Rights of Persons with Disabilities have been developed in partnership with the Public Defender's Office, the local non-governmental and international organizations. The National Coordination Mechanism enhances the coordination between state entities and partners in the on-going and future work for protecting the rights of Persons with Disabilities. All interested non-governmental organizations can take part in the working process of the council through thematic consultation working groups.
23. The committee is accountable to the Government of Georgia and ensures implementation of international and national obligations regarding the protection of the rights of persons with disabilities, including the recommendations of the UN Committee on the Rights of Persons with Disabilities. In order to ensure the active engagement of the persons with disabilities, PDOs (Organizations of persons with disabilities) and the organizations representing persons with disabilities, the Committee established the Consultative Council. The members are selected based on their work experience on the rights of persons with disabilities. In addition to the representatives of the Georgian government administration, the open call commission also included the Deputy Public Defender of Georgia, a representative of the United Nations Development Program (UNDP) and a representative of the EU Delegation to Georgia.
24. It is noteworthy that the administration of the government of Georgia, annually prepares National report on the implementation of "measures to ensure the realization of fundamental rights and freedoms of persons with disabilities, including social rights." The annual report consists of thematic chapters and summarizes the activities implemented by responsible administrative bodies, including chapter on the realization of civil and economic rights. The consolidated report reflects implementation of the obligations set out in the UN Convention on the Rights of Persons with Disabilities and Georgia's Law on the Rights of Persons with Disabilities.

Para 93. *Despite these measures, according to officials and NGO representatives met by GRETA, persons with disabilities in Georgia are particularly vulnerable to trafficking in human beings due to their marginalisation. To date, there are neither official statistics nor research on trafficking of persons with disabilities. GRETA was informed of two cases where the vulnerability of persons with disabilities was abused by traffickers to exploit them sexually in Georgia and Türkiye. There have also been cases of persons with disabilities forced to beg by their family.*

25. GoG shares the view that persons with disabilities could be considered vulnerable to trafficking not only in Georgia but worldwide. For this reason, special legislation has been developed at the national level, aimed at protecting vulnerable group from the crime.
26. According to Part 1 of Article 53 prima of the Criminal Code of Georgia, committing a crime on the grounds of intolerance on the grounds of disability is an aggravating circumstance for all relevant crimes provided for by this Code.

27. In 2023, in accordance with the terms of the Memorandum signed between the Ministry of Internal Affairs of Georgia, the Prosecutor General's Office, the Supreme Court and the National Statistics Service (Geostat), the Human Rights Protection Department of the Ministry of Internal Affairs will monitor criminal cases and publish statistical data on the number of criminal cases in which crimes on the grounds of intolerance on the grounds of disability are (have been) allegedly committed.

## 2. MEASURES TO PROTECT AND PROMOTE THE RIGHTS OF VICTIMS OF TRAFFICKING

### a. Identification of victims of THB

Para 106. GRETA stresses that a person's identification as a victim of human trafficking should not depend on the presence of elements necessary to initiate a criminal case or the person's co-operation with the law enforcement authorities. It might sometimes be difficult for victims to justify one of the elements of THB, e.g. the purpose of exploitation, prior to a criminal investigation, which is why it is important to apply operational indicators of THB. The threshold to start a criminal investigation for trafficking should not be the same as the threshold to be identified as a victim of trafficking.

28. GoG concurs with the view expressed in the paragraph that the granting of the status of a identifying victim of human trafficking should not be contingent upon criminal proceedings and should be subject to a lower standard of proof.
29. For that reason, National Referral Mechanism ensures two possible ways in order a person to be involved in state run services. Georgian law differentiates status of victim of trafficking and status of statutory victim of trafficking. The status of victim of trafficking is granted to the person by Permanent Group (consists of 3 local NGOs and 2 international organizations (IOM and ICMPD) of Inter-Agency Council within 48 hours based on the special questionnaire of mobile group of the Agency for State Care while the status of statutory victim of trafficking is granted by law enforcement authorities in accordance with Criminal Procedure Code of Georgia. A person enjoys the services of Agency for State Care after he/she is granted the status of victim/statutory victim.
30. Under Article 101 (1) of the Criminal Procedure Code of Georgia (CPCG), the basis for initiating an investigation is information about a crime provided to the investigator or prosecutor, revealed during the criminal proceedings and/or published in the mass media. According to Article 100 of the aforementioned Code, upon receipt of information about a crime, the investigator or prosecutor is obliged to initiate an investigation.
31. Also, the National Action Plan to Combat Human Trafficking provides for a separate activity and additional attention is paid to those criminal cases in which the investigation has been initiated proactively, in the absence of victims' testimony.
32. The Ministry of Internal Affairs conducts investigations of trafficking crimes proactively, without waiting for the victim to contact the police. According to statistical indicators, the majority of investigations initiated by the Ministry of Internal Affairs are initiated precisely on proactively identified cases. The investigation is conducted within a tight timeframe and in every way to obtain evidence to arrest the perpetrators. It is not necessary for the victim to cooperate with the investigation in order to detain a person. The decision to detain a person is made precisely on the basis of other evidence obtained, simply the victim's testimony is additional evidence, although not the only one.

### 3. SUBSTANTIVE CRIMINAL LAW AND PROCEDURAL LAW

#### *b. Investigation, prosecution and sanctions*

*Para 136. As described in the previous GRETA report, investigators of the Division for Combating Trafficking in Human Beings and Illegal Migration of the Central Criminal Police Department have jurisdiction over THB offences across the country. In addition, in the Autonomous Republic of Adjara, there is an Anti-Trafficking Unit within the Adjara Police Department. Further, there continue to be five specialised prosecutors dealing with trafficking cases for the entire country.*

33. The jurisdiction of the Anti-Trafficking and Illegal Migration Division of the Main Division for Combating Organized Crime of the Central Criminal Police Department of the Ministry of Internal Affairs extends throughout the country, including the Adjara region. However, an additional Anti-Trafficking Division operates in the Adjara region, which is part of the Adjara Police Department of the Ministry of Internal Affairs. This does not exclude the possibility of employees of the Anti-Trafficking and Illegal Migration Division of the Central Criminal Police Department of the Ministry of Internal Affairs investigating facts of trafficking in the Adjara region, especially since there are many examples of this and investigations have been initiated into a number of criminal cases. Moreover, all territorial police Departments have jurisdiction over the THB offences.

*Para 144. According to the annual analyses of human trafficking cases published by the General Prosecutor's Office, it is difficult to differentiate between human trafficking and other criminal offences. Another challenge relates to the territorial distribution of cases as most of them are prosecuted in Tbilisi. GRETA notes that no prosecution for human trafficking has occurred in the Autonomous Republic of Adjara during the reporting period although it is one of the main risk areas for human trafficking for the purpose of sexual exploitation in Georgia.*

34. Annually, the Prosecutor's Office of Georgia pays particular attention to the research of trafficking trends and criminological aspects. The Human Rights Protection Department of the General Prosecutor's Office examines human trafficking cases on a daily basis, studying the dynamics, trends and challenges.<sup>125</sup> In the reporting period, analyses of human trafficking cases were prepared for 2020, 2021, 2022, 2023 and 2024. The facts of child trafficking and adult trafficking, forms of exploitation, aspects of launching prosecution, territorial distribution of the crime, personal characteristics of the defendants and the victims were analysed.

*Para 146. GRETA once again urges the Georgian authorities to ensure that all human trafficking offences are prosecuted as such rather than as lesser offences every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted.*

35. The GoG clarifies that all cases where exploitation is detected are qualified under human trafficking provisions of Criminal Code of Georgia. None of the cases where signs of exploitation were identified were qualified under a less strict article of the Criminal Code. Furthermore, in cases of exploitation of minors, the consent of the minor is not taken into account for the purpose of qualifying the act as child trafficking under criminal law. As for punishment, a plea agreement is concluded with defendants only in consideration of the interests of the victim and at their request (e.g., they refuse to testify, they have been reimbursed for damages and received compensation, and to protect them from repeated victimization).

*Para 147. Further, GRETA considers that the Georgian authorities should take additional measures to: - ensure that human trafficking offences for any form of exploitation are promptly and proactively investigated, regardless of whether a complaint is filed by the victim, and using all available evidence, including evidence gathered through special investigative techniques, suspicious activity reports, documents and digital evidence, rather than relying solely on the testimony of victims or witnesses.*

<sup>125</sup> <https://pog.gov.ge/human-trafficking>; <https://pog.gov.ge/human-trafficking?lng=eng>

36. The GoG clarifies that according to Georgian legislation, the initiation of an investigation and the prosecution of those responsible for trafficking, as well as other crimes, does not depend on the victim's submission of formal complaint. According to Article 100 of the CPCG, law enforcement agencies are obligated to initiate an investigation when notified of the commission of a crime. The prosecutor is required to initiate or continue prosecution based on public interest, even if the victim refuses to testify or alters their testimony. In the guidelines for prosecutors and investigators of the Prosecutor's Office, on the investigation, prosecution of human trafficking crime and treatment of trafficking (statutory) victims, attention is focused on the mandatory initiation of an investigation by law enforcement agencies on a case of human trafficking as soon as they receive information about a potential fact of human trafficking.
37. Furthermore, the importance of proactive investigation is emphasized, which means that law enforcement agencies shall not remain passive and wait for a report from a victim or other person but rather conduct proactive measures.
38. The guidelines also highlight important issues such as thorough investigation, timely collection of significant evidence, immediate recognition of a person as a victim, rights of victims and potential victims, standards for law enforcement officers' interactions with them, offering state services to relevant individuals and the importance of coordination in cases involving female victims.

#### V. Follow-up topics specific to Georgia

##### General Comment on the Compensation

Within the framework of ongoing investigations on human trafficking cases, the investigative agencies obtain information about the property, income and bank accounts of the person of human trafficking in each specific case.

In order to secure the seizure and probable confiscation of property, the prosecutor files a motion to the court in accordance with Article 136 (Request for a Document or Information) of the Criminal Procedure Code of Georgia to obtain information about the defendant's property, income, or bank accounts. The court issues a ruling enabling the authorities to request the following information:

- From various financial/banking institutions - information or documentation about transactions made using accounts held in the name of the defendant(s), account numbers held in their names, transactions made on these accounts including indicating the full demographic data of the persons carrying out these transactions, as well as information about the account balances. In addition, information about deposits in defendant's name, information about balances on deposits, etc. may also be requested;
- From the LEPL Revenue Service - information or documentation about the income of the defendant(s);
- From the LEPL National Agency of Public Registry - information or documentation on the property/properties registered in the name of the defendant(s) and the transactions carried out on those properties; also, information on registration and activities carried out as an entrepreneurial entity, transactions carried by the entity and so on.

The investigative bodies send court ruling(s) requesting information or documentation to the relevant institution(s) for mandatory execution; upon receiving the ruling, relevant institutions submit the information requested by the ruling regarding the defendant's property, income, or bank accounts to the investigative bodies based on special protocol on "requesting the information".

In addition, according to Article 119 of the Criminal Procedure Code of Georgia (CPCG), if there is a probable cause, a search can be conducted for the purpose of uncovering and seizing an item, a document, substance or any other object containing information that is essential to the case, for example money obtained through illegal activities. According to Article 120 of the CPCG, based on a court ruling authorising search or seizure or, in the case of urgent necessity, based on a decree of an investigator, an investigator can enter a storage facility, a dwelling place, a storage room or other property to locate and seize an item, a document, substance or any other object containing information. Accordingly, an investigator is authorised to conduct an investigative action, seize the money obtained through criminal activities and attach it to the criminal case as material evidence.

Based on the evidence and information obtained, as well as Article 151 §1 of the Criminal Procedure Code of Georgia, to ensure the possible forfeiture of property, as a coercive measure in criminal proceedings, the prosecutor files a motion to the court to seize the property, including bank accounts, of the defendant and/or of the person related to the defendant, if there is information to suggest that the property will be concealed or destroyed, and/or the property has been obtained through criminal activities. According to Article 151 §3<sup>1</sup> of the CPCG, court may also seize property if there is sufficient evidence to believe that a crime has been committed with respect to the property in question, and/or if this property has been obtained through criminal activities.

According to Article 152 §1 of the CPCG, the seizure of property prohibits its owner or possessor from administering that property, and when necessary, from using the property as well.

According to Article 158 of the CPCG, property is seized until a judgment is enforced or a criminal prosecution and/or an investigation is terminated.

According to Article 81 §1 “d” of CPCG, in a judgment / in a decision on the termination of criminal prosecution and/or investigation, the issue of material evidence shall be resolved in the following manner: ...

d) income/property obtained through criminal activities shall be used for reimbursement of damage inflicted as a result of a crime, or to indemnify procedural costs after the damage has been compensated, or shall be transferred to the State Budget of Georgia if the person who has incurred the damage has not been identified;

In addition, the rules on compensation for damage under the criminal law do not deprive the victim of the right to claim compensation for damage caused as a result of the crime under the civil law.