

Trafficking in Persons Report 2010

Georgia

Georgia is primarily a source country for women and girls subjected to trafficking in persons, specifically conditions of forced prostitution, and for men and women in conditions of forced labor. In 2009, women and girls from Georgia were subjected to forced prostitution within the country and also in Turkey, the United Arab Emirates, and Greece. In recent years, cases of forced prostitution of Georgian victims were also documented in Russia, Germany, and Austria. Men and women are subjected to conditions of forced labor within Georgia and also in Libya and Turkey. Men from Turkey are subjected to conditions of forced labor in the breakaway region of Abkhazia, which was outside of the Georgian government's control.

The Government of Georgia fully complies with the minimum standards for the elimination of trafficking. The government demonstrated strong efforts to identify and assist victims of trafficking and again increased its victim assistance funding to \$312,000. The government also demonstrated impressive law enforcement success, significantly increasing the number of individuals convicted of trafficking, and again ensuring all convicted trafficking offenders served some time in prison. The Georgian government also demonstrated strong prevention efforts and continued its close partnership with anti-trafficking NGOs in both victim assistance and prevention efforts.

Recommendations for Georgia: Continue strong funding for victim assistance programs; continue to increase the number of victims identified and referred for assistance; continue to ensure victims are not fined or otherwise penalized for unlawful acts committed as a direct result of being trafficked; and continue strong efforts to investigate, prosecute, and convict both labor and sex trafficking offenders.

Prosecution

The Government of Georgia demonstrated increased law enforcement efforts during the reporting period. Georgia prohibits all forms of trafficking in persons through Article 143 of its criminal code, which prescribes penalties ranging from seven to 20 years, imprisonment. These penalties are sufficiently stringent and are commensurate with those for other serious crimes, such as rape. In 2009, the government investigated 33 trafficking cases, compared with 14 investigations in 2008. Authorities prosecuted 40 individuals for trafficking (including three individuals for forced labor) compared with 10 individuals prosecuted for sex trafficking in 2008. Thirty-seven trafficking offenders were convicted in 2009, a significant increase from 10 convicted offenders in 2008. All 37 convicted trafficking offenders were sentenced to time in prison; none received a suspended sentence. The average sentence was 21 years, imprisonment. There were no reports of trafficking-related complicity of law enforcement personnel from either

NGOs or the government. In 2009, the government relied on partnerships with local NGOs and international organizations to provide trafficking training to approximately 170 prosecutors and judges. The training concentrated on mechanisms for proactive victim identification, special methods for investigation and the collection of evidence, and prosecution techniques, and highlighted the importance of partnerships with NGOs, social workers, and psychologists during victim interviews.

Protection

The Georgian government maintained its significant victim assistance efforts over the reporting period. The government allocated a total of \$312,000 for victim assistance during the reporting period; of that, it provided \$150,000 to fully fund two government-run trafficking shelters, the same amount as funded in 2008. These shelters provided comprehensive victim assistance, including medical aid, psychological counseling, and legal assistance. Victim assistance was not conditional upon cooperating with law enforcement. The government continued to implement a formal mechanism for its officials to identify and refer victims for assistance. The government identified 48 victims in 2009 and referred 15 victims for assistance, an increase from 21 trafficking victims identified in 2008. The government provided shelter and comprehensive assistance to 15 victims, compared with 10 victims in 2008. The government also made available one-time compensation payments of \$650 to trafficking victims in 2009. However, no victims applied for the funds during the reporting period. Five victims were given \$600 each in 2008. Georgian authorities provided foreign victims legal alternatives to their removal to countries where they would face hardship or retribution; the Law on Legal Status of Foreigners provided a foreign person suspected of being a victim of trafficking the right to a residence permit even if authorities could not prove beyond a reasonable doubt that the person was a victim. In 2009, no foreign victims requested a residence permit. The government cooperated with IOM and fully funded the repatriation of one foreign victim during the reporting period. Victims were encouraged to assist law enforcement with trafficking investigations and prosecutions; 18 victims assisted law enforcement during the reporting period. There were no reports that victims were penalized for unlawful acts committed as a direct result of being trafficked.

Prevention

The Government of Georgia sustained its efforts to prevent trafficking during the reporting period. The government produced and broadcast during the first six months of 2009 a short television public service announcement explaining the nature and danger of human trafficking. The Ministry of Education and Science produced a short television announcement targeting school-age children entitled “Do Not Trade Freedom for Slavery”, which was regularly aired on television. The government reportedly distributed 20,000 informational pamphlets to four

regions of the country and at the Tbilisi international airport. The regions targeted were high risk areas for migration and thus vulnerable to trafficking: Imereti (near the Russian border and the Georgian separatist region of Abkhazia), Ajara (bordering Turkey), Rustavi (near Azerbaijan), and Guria (near Turkey).

The pamphlets were distributed through the Offices of the Civil Registry Agency of the Ministry of Justice, and through a program involving students in a public awareness campaign. The government sustained close partnerships with NGOs to jointly conduct several trafficking awareness and prevention campaigns during the year. The government demonstrated efforts to reduce the demand for both commercial sex acts and forced labor by informing the public through television ads and media interviews with government officials of Georgia's law punishing "clients" who benefit from the services of trafficking victims.

--Since 2008, each TIP Report narrative has contained specific recommendations for a government to consider for implementation over the coming year. This year, in addition to the recommendations within the TIP Report assessment of your country, the Department of State is providing your government with a short "action plan" that is derived from these recommendations. The Department of States wishes to emphasize the importance of this action plan as a key metric in determining the extent of anti-trafficking progress for the upcoming 2011 TIP Report. Both the action plan and related recommendations are aimed at providing countries with guidance to achieve compliance with the minimum standards outlined in the Trafficking Victims Protection Act.

2010-2011 TIP Action Plan for Georgia Recommendations for a favorable tier ranking in the 2011 TIP Report:

--Continue to increase the number of victims identified and referred for assistance. The Report views increased numbers of victims identified and assisted by government officials as an indicator of progress.

--Continue strong funding for victim assistance programs, and encourage more victims to apply for the one-time compensation payments available for victims of trafficking.

--Continue to ensure that victims are not fined or otherwise penalized for unlawful acts committed as a direct result of being trafficked.

--Continue strong efforts to investigate, prosecute, and convict both labor and sex trafficking offenders.

--Continue to foster partnerships with NGOS and international organizations to provide

prosecutors, judges, law enforcement, and other relevant government officials with training on mechanisms for proactive victim identification, special methods for investigation, collection of evidence, and prosecution techniques.