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| _unlogo | **Convention on theRights of the Child** |  |

**Committee on the Rights of the Child**

 Concluding observations on the report submitted by Georgia under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict[[1]](#footnote-1)\*

 I. Introduction

1. The Committee considered the report of Georgia (CRC/C/OPAC/GEO/1) at its 2413th and 2414th meetings (see CRC/C/SR.2413 and 2414), held on 17 September 2019, and adopted the present concluding observations at its 2430th meeting, held on 27 September 2019.

2. The Committee welcomes the submission of the report of the State party and the written replies to the list of issues (CRC/C/OPAC/GEO/Q/1/Add.1). The Committee expresses appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

3. The Committee reminds the State party that the present concluding observations should be read in conjunction with the concluding observations on the combined fifth and sixth periodic reports submitted by the State party under the Convention (CRC/C/PAN/CO/5-6), adopted on 2 February 2018.

The Committee reminds the State party that the present concluding observations should be read in conjunction with the concluding observations on the report of the State party submitted under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/GEO/CO/1), also adopted on 27 September 2019.

The Committee reminds the State party that the present concluding observations should be read in conjunction with the concluding observations on the combined third and fourth periodic reports submitted by the State party under the Convention (CRC/C/SAU/CO/3-4), adopted on 30 September 2016, and on the report of the State party submitted under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/SAU/CO/1), adopted on 5 October 2018.

 II. General observations

 Positive aspects

4. The Committee welcomes the accession or ratification by the State party of:

 (a) The Arms Trade Treaty, in February 2014;

 (b) The Convention on Cluster Munitions, in November 2010;

 (c) The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, in August 2004;

 (d) The Rome Statute of the International Criminal Court, in March 2002;

 (e) The Central African Convention for the Control of Small Arms and Light Weapons, Their Ammunition and All Parts and Components That Can Be Used for Their Manufacture, Repair and Assembly, in February 2017;

 (f) The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, in July 2002;

 (g) The Worst Forms of Child Labour Convention, 1999 (No. 182), of the International Labour Organization, in June 2001.

5. The Committee also welcomes the various positive measures taken in areas relevant to the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in particular:

The Committee also welcomes the various positive measures taken in areas relevant to the implementation of the Optional Protocol, in particular:

 III. Factors and difficulties impeding the implementation of the Optional Protocol

 IV. General measures of implementation

 **Coordination**

6. **The Committee recommends that the State party establish an efficient body at a high level with sufficient authority and a strong mandate to coordinate all activities related to the implementation of the Optional Protocol at the cross-sectoral, national, provincial and local levels. The State party should ensure that such a coordinating body is provided with the human, technical and financial resources necessary for its effective operation.**

 **Comprehensive policy and strategy**

7. **The Committee recommends that the State party ensure that the national strategy on human rights and its associated national plans of action include measures aimed at addressing all issues covered under the Optional Protocol and that adequate human and financial resources are provided for their implementation.**

8. **The Committee recommends that the State party develop a comprehensive policy and strategy for the implementation of the Optional Protocol.**

 **Allocation of resources**

9. **The Committee recommends that the State party ensure that sufficient and targeted resources are allocated for the effective implementation of all areas of the Optional Protocol.**

  **Dissemination and awareness-raising**

10. **The Committee recommends that the State party enhance its efforts to make the principles and provisions of the Optional Protocol widely known to the public at large, in particular children and their families, through, inter alia, school curricula and long-term awareness-raising campaigns and training on the harmful effects of all the offences referred to in the Optional Protocol and preventive measures to combat them.**

 **Training**

11. **The Committee recommends that the Optional Protocol be systematically included in the training of all relevant professional groups, in particular the armed forces, law enforcement and immigration officers, prosecutors, lawyers, judges, social workers, medical professionals, teachers, media professionals and local officials.**

 **Data**

12. **The Committee recommends that the State party establish a mechanism for the comprehensive collection of data, disaggregated by sex, age, nationality and ethnic origin, relating to all issues under the Optional Protocol, including with respect to the number of children attending military education facilities.**

 **Independent monitoring**

13. **The Committee recommends that the State party:**

 (a) **Speed up the establishment of a specific complaints mechanism for monitoring children’s rights that is able to receive, investigate and address complaints made by children in a child-sensitive and confidential manner;**

 (b) **Ensure the independence of the National Commission on Human Rights, in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);**

 (c) **Allocate the necessary human, financial and technical resources to enable the National Commission on Human Rights to carry out its responsibilities effectively.**

 **V. Prevention**

 **Compulsory recruitment**

 **Voluntary recruitment**

 **Military education**

 **Prevention of recruitment and radicalization of children by terrorist groups**

 **Age-verification procedures**

 **Human rights and peace education**

 VI. Prohibition and related matters

 **Criminal legislation and regulations in force**

14. **The Committee recommends that the State party explicitly criminalize the recruitment, and the use in hostilities, of children below the age of 18 years by armed forces, by introducing a relevant provision in its Criminal Code with a punishment commensurate to the gravity of the crime.**

 **Prohibition of recruitment by non-State armed groups**

15. The Committee regrets that the State party’s legislation does not explicitly criminalize the recruitment and use of children in hostilities by the armed forces, non-State armed groups or private security companies. The Committee is also concerned that the recruitment of children below the age of 15 has not been defined as a war crime in the State party’s legislation.

16. **The Committee recommends that the State party:**

(a) **Explicitly criminalize the recruitment and use of children in hostilities by the armed forces, non-State armed groups and private security companies;**

(b) **Define and punish the recruitment of children under the age of 15 as a war crime and consider ratifying the Rome Statute of the International Criminal Court.**

 **Impunity**

17. **The Committee urges the State party to ensure that all allegations of unlawful attacks on children as well as recruitment and use of children in armed conflict are promptly, independently and impartially investigated and that suspected perpetrators and violators of children’s rights and norms of international humanitarian law are pursued effectively, brought to justice and given appropriate sanctions in order to prevent and combat impunity. The State party should also ensure that child victims are provided with an effective remedy.**

 **Extraterritorial jurisdiction and extradition**

 18 The Committee regrets the lack of legislation on extraterritorial jurisdiction over all offences covered by the Optional Protocol.

19. **The Committee recommends that the State party establish and exercise extraterritorial jurisdiction over all acts prohibited under the Optional Protocol, including the conscription or enlistment of children into armed forces or non-State armed groups, or the active use of children in hostilities, when the alleged offender is a Saudi national or a person who has his or her habitual residence in the State party, or when the victim is a Saudi child.**

20. The Committee acknowledges the State party’s general preparedness to conclude bilateral extradition agreements and ratify regional and international extradition instruments but regrets the lack of comprehensive legislation on extradition for all offences covered by the Optional Protocol.

21. **The Committee recommends that the State party take steps to enact comprehensive legislation regarding crimes covered by the Optional Protocol and ensure that a dual criminality requirement is not used in cases of extradition for crimes covered by the Optional Protocol, including with respect to bilateral extradition agreements.**

 VII. Protection, recovery and reintegration

 Measures adopted to protect the rights of child victims

22. **The Committee recommends that the State party:**

(a) **Strengthen the provision of systematic training on the early identification of refugee, asylum-seeking and migrant children, including unaccompanied and separated children, who enter the State party and who may have been involved in armed conflicts abroad, to all professionals working with or for children, particularly immigration personnel, law enforcement officers, judges, prosecutors, social workers and medical professionals;**

(b) **Adopt a comprehensive policy for the physical and psychological recovery and the social reintegration of all such children and allocate the necessary human, technical and financial resources for the implementation of the policy;**

(c) **Take all necessary measures to assist child victims, including careful assessment of the situation of children who may have been recruited to serve in armed conflicts, reinforcement of the legal advisory services available to them and the provision of immediate, culturally responsive, child-sensitive and multidisciplinary assistance;**

(d) **Seek technical assistance from the Office of the United Nations High Commissioner for Refugees (UNHCR) and continue to avail itself of technical assistance from the United Nations Children’s Fund (UNICEF) for the implementation of these recommendations.**

 Treatment of children associated with armed groups

23. **The Committee recommends that the State party ensure compliance with the principle of non-refoulement.**

 VIII. International assistance and cooperation

24. **The Committee recommends that the State party continue and strengthen its cooperation with the International Committee of the Red Cross and with the Special Representative of the Secretary-General for Children and Armed Conflict, and that it explore increased cooperation with the United Nations Children’s Fund(UNICEF)and other United Nations entities for the implementation of the Optional Protocol.**

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 IX. Ratification of the Optional Protocol on a communications procedure

25. **The Committee recommends that, in order to further strengthen the fulfilment of children’s rights, the State party ratify the Optional Protocol on a communications procedure.**

 X. Implementation and reporting

 A. Follow-up and dissemination

26. **The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented, including by transmitting them to relevant ministries, the Supreme Court and local authorities for appropriate consideration and further action.**

27. **The Committee recommends that the report and the written replies to the list of issues submitted by the State party and the present concluding observations be made widely available, including through the Internet, to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate on and awareness of the Optional Protocol and its implementation and monitoring.**

 B. Next periodic report

28. **In accordance with article 8 (2) of the Optional Protocol, the Committee requests the State party to include further information on the implementation of the Optional Protocol and the present concluding observations in its next periodic report to be submitted in accordance with article 44 of the Convention.**

1. \* Adopted by the Committee at its eighty-second session (9–27 September 2019). [↑](#footnote-ref-1)