**Recommendations by UN human rights mechanisms concerning the rights of persons with disabilities with respect to Georgia**

**Main issues raised by TBs:**

* Discrimination of women and children with disabilities
* Need for data collection disaggregated by disability across all sectors
* Inclusive education of children with disabilities
* Prevention of institutionalisation of children and adults with disabilities and need for services and supports in the community
* Social protection for persons with disabilities to ensure an adequate standard of living
* Awareness raising of human rights based approach

Forthcoming-

CRC Committee recommendations on Georgia- 2017

CEDAW Committee, [CEDAW/C/GEO/CO/4-5](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fGEO%2fCO%2f4-5&Lang=en), 2014

Temporary special measures

16. The Committee is concerned about the State party’s lack of understanding of the purpose and need for temporary special measures in accordance with article 4, paragraph 1, of the Convention. In this regard, it is concerned about the absence of mandatory quotas and other measures for achieving substantive or de facto equality of women and men in all areas under the Convention as well as of temporary special measures targeting disadvantaged and marginalized women who are subjected to multiple forms of discrimination, such as rural women, women belonging to ethnic minorities, **women with disabilities**, older women, and other disadvantaged and marginalized groups of women.

17. The Committee recommends that the State party adopt temporary special measures, including statutory quotas, in accordance with article 4 (1) of the Convention and in line with the Committee’s General Recommendation No. 25 (1992), as part of a necessary strategy to accelerate the achievement of women’s substantive equality. It also recommends that the State party establish temporary special measures, targeting disadvantaged and marginalized groups of women, evaluate the impact of such measures and make its findings, including gender relevant statistics, available to the public.

Education

26. While noting the overall high enrolment rate among girls in primary, secondary and higher education, the Committee remains concerned at:

(a) The low level of school attendance among children belonging to disadvantaged and marginalized groups, such as street children, **children with disabilities**, children in foster care and children in correctional institutions.

(b) The significant drop-out rate of girls at the secondary level reportedly due to child marriage and the disproportionately low secondary school attendance rate among girls belonging to ethnic minority groups;

(c) The exclusion from education after the ninth grade of girls and boys who do not possess Georgian citizenship or identity documents;

(d) The gender imbalance among teaching professionals, the majority of teachers being women due to low salaries, while senior school administration positions are predominantly held by men; and

(e) The absence of age-appropriate sexual and reproductive health and rights education in the curricula of schools.

27. The Committee recommends that the State party:

(a) Ensure full-time attendance of schools at all levels by disadvantaged and marginalized children, including girls, in particular street children, **children with disabilities,** children in foster care and children in closed institutions;

(b) Promote school attendance by girls belonging to ethnic minority groups, in particular at the secondary level, and take measures to remove barriers to their access to education such as child marriages;

(c) Abolish the requirement for Georgian citizenship or identity documents for accessing education beyond the ninth grade;

(d) Take measures to ensure a gender balance among teaching professionals, both at the level of teachers and within the senior levels of school administration, by providing the necessary incentives, including career mobility; and

(e) Introduce age-appropriate sexual and reproductive health and rights education, including on responsible sexual behaviour, in curricula at all levels of education.

Disadvantaged groups of women

34. The Committee is concerned about

a) The lack of a gender-based approach in services provided to internally displaced persons;

b) The lack of access to adequate health, education and employment for women belonging to ethnic and religious minorities and **women with disabilities**;

c) The limited access to prolonged family visits for women detained in penitentiary institutions;

d) The lack of access to shelters and support services for older women, who have lost or have been abandoned by their families; and

e) Physical violence and harassment faced by lesbian, bisexual and transsexual women and restrictions to obtain identity documents for transgender persons.

35. The Committee calls upon the State party to:

a) Ensure a gender-based approach in all services provided to internally displaced persons, in particular women;

b) Take further measures to provide women belonging to ethnic minorities and **women with disabilities** with access to appropriate health care services, inclusive **education** and employment;

c) Provide access to prolonged family visits for women detained in penitentiary institutions;

d) Increase the number of homes and strengthen care services for older persons without family support; and

e) Take measures to address violence and harassment of lesbian, bisexual and transsexual women and abolish restrictions for transgender persons to obtain identity documents.

CRC Committee, CRC/C/GEO/CO/3, 2008

**Data collection**

The Committee, while noting that the State Department for Statistics under the Ministry of Economic Development is responsible for comprehensive data collection, remains concerned that the lack of reliable statistics on children are hampering effective follow-up or evaluation of the implementation of the Convention.The Committee is particularly concerned that disaggregated data and analytic information in important areas of the Convention are not available such as on **children with disabilities**, refugee and internally displaced children, child abuse and neglect, children who are victims of sexual exploitation, including prostitution, pornography and trafficking, substance abuse and children working and/or living in streets.

**The Committee reiterates its recommendation that the State party continue and strengthen its efforts to develop a comprehensive system of collection of data on the implementation of the Convention. The data should cover all children below the age of 18 years and be disaggregated by sex, with particular attention to groups of children who are in need of special protection. The Committee encourages the State party to further its cooperation with the United Nations Children's Fund (UNICEF) in this regard.**

**Non-discrimination**

The Committee is concerned that, despite the Constitutional and other guarantees, the principle of non-discrimination is not fully respected in practice with certain groups of children, including, inter alia*,* for children belonging to minorities; **children with disabilities**; refugee and asylum-seeking children; children who are internally displaced; children of disadvantaged families; street children; children in juvenile justice system and children living in rural or remote areas*.* The Committee also notes with concern that girls in particular are disproportionately affected, due to gender discrimination,

**The Committee recommends that the State party increase its efforts to monitor and ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention. It also recommends the collection of appropriate disaggregated data to enable monitoring of discrimination against children, including those belonging to the above-mentioned vulnerable groups, and in particular, girls, with a view to developing comprehensive strategies aimed at ending all forms of discrimination.**

The Committee recommends that the State party continue with its efforts and provide appropriate professional and financial resources with a view to strengthening programmes related to adoption, its promotion and its respective control, by, inter alia:

Strengthening the central authority on adoption, so that it successfully performs all the functions mandated by the national legislation and the 1993 Hague Convention, through*,* inter alia, programmes, regulations and instruments to facilitate training and monitoring the performance of all actors involved in adoption;

Raising public awareness about adoption and the conditions for adopting. In this connection, special attention should be given to the identification of prospective adoptive families for children who may have particular difficulties in being adopted, including: older children; groups of siblings; children with disabilities; and children belonging to minority groups; and

**Children with disabilities**

The Committee, while welcoming the various measures aimed at promoting inclusive education for children with disabilities with a view to using the model in all schools, regrets the lack of a comprehensive government policy for children with disabilities which takes into account their overall developmental needs, including their right not to be discriminated against, the right to education and the right to health.

**The Committee recommends that the State party, taking into account the general comment No. 9 (2006) on the rights of children with disabilities:**

**Consider ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol;**

**Pursue efforts to ensure that children with disabilities may exercise their right to education to the maximum extent possible;**

**Undertake awareness-raising campaigns to sensitize the public, and parents in particular, on the rights of children with disabilities, including those with mental health concerns; and**

**Undertake greater efforts to make available the necessary professional (i.e. disability specialists ) and financial resources, especially at the local level and to promote and expand community-based rehabilitation programmes, including parent support groups.**

CESCR Committee, E/C.12/1/Add.83, 2002

23.The Committee expresses concern about the poor living conditions of the majority of the State party’s population, including an inadequate supply of water and irregular provision of electricity and heating, which particularly affect the most disadvantaged and marginalized groups of society, such as older persons, **persons with disabilities,** internally displaced persons, prisoners and persons living in poverty.

25.The Committee is especially concerned about the situation of persons with mental illnesses, who, in addition to suffering social stigmatization, often spend a long time in psychiatric facilities where they live in sub‑standard conditions and receive sub‑standard treatment and care.

40.The Committee urges the State party to continue its efforts to improve the living conditions of its population, in particular by ensuring that the infrastructure for water, energy provision and heating is improved, and by paying priority attention to the needs of the most disadvantaged and marginalized groups of society, such as older persons, **persons with disabilities**, internally displaced persons, prisoners and persons living in poverty.