BRIEFING ON GEORGIA FOR THE HUMAN RIGHTS COMMITTEE,
111th session (Jul 2014)

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Note: This briefing supplements the briefing submitted to the Country Report Task Force in August 2013 in light of the Government’s response to the List of Issues adopted by the Human Rights Committee.

In light of articles 7, 23 and 24 of the International Covenant on Civil and Political Rights, the consensus under international human rights law that corporal punishment of children should be prohibited, the recommendations of the UN Secretary General’s Study on Violence against Children, the repeated recommendations to Georgia by the Committee on the Rights of the Child and during the UPR, and the current legality of corporal punishment in Georgia as described in the previous briefing from the Global Initiative, we hope the Human Rights Committee will:

- raise the issue of prohibition of corporal punishment of children in its examination of Georgia, and
- recommend that all corporal punishment of children be prohibited in all settings, including the home, as a matter of urgency.

1 The written replies of Georgia to the Human Rights Committee

1.1 In its List of Issues for Georgia, the Human Rights Committee asks for information on steps take to eradicate corporal punishment in all settings, including the home. The Government’s written reply does not include the requested information.

2 Comments from the Global Initiative

2.1 In our previous briefing to the Human Rights Committee, submitted in August 2013, we described the legality of corporal punishment of children in Georgia, in particular the fact

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1 14 November 2013, CCPR/C/GEO/Q/4, List of issues, Q14
2 28 April 2014, CCPR/C/GEO/Q/4/Add.1, Reply to list of issues
that it is not prohibited in the home or in all forms of alternative care and day care. We offer the following comments on the Government’s response to the list of issues.

2.2 In its reply to the list of issues, the Government makes no reference to corporal punishment nor to any measures aimed specifically at eradicating violent punishment of children in the home or any other setting. As in the state party’s periodic report, measures addressing domestic violence are described – but the near universal acceptance of a degree of violence in childrearing, together with deeply held views that parents and other adults have a “right” to physically punish children, mean that corporal punishment is not readily perceived as domestic violence. Legal clarity is required that all violence including when inflicted in the guise of “discipline” or “correction” is prohibited.

2.3 We note that, as reported in our previous briefing, the Government responded to recommendations to prohibit corporal punishment made during the UPR of Georgia in 2011 by stating that existing law already offers adequate protection.\(^3\) We have found no evidence to support this claim.

2.4 We hope the Human Rights Committee will strongly urge Georgia to protect all children, in law, from all corporal punishment, including within the family home.

Supplementary briefing prepared by the Global Initiative to End All Corporal Punishment of Children
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\(^3\) 31 May 2011, A/HRC/17/11/Add.1, Report of the working group: Addendum