

Report of the Government of Georgia On Activities Taken for Fulfillment Of Beijing Action Platform

Part 1: General Summary of the Activities Taken for the Purpose of Support to Female Potential and Gender Equality

The Fourth World Women's Conference of 1995 held in Beijing originated formation of the state approaches aimed at improvement of gender equality and of the condition of women.

Implementation of the action platforms and international commitments began in Georgia since 1998. Under the Decree of the President of Georgia, a Commission has been established for working out of the development policy for women. The Commission has prepared an Action Plan of Improvement of Condition of Women for 1998-2004 and an Action Plan against Violence towards Women for 2000-2004. Regardless particular progress, part of the above Action Plans has not been implemented.

In 2004, owing to efforts of the non-governmental organizations (NGOs) of women, cooperation with the Parliament, different state structures and local self-governments was improved concerning human rights, fight against trafficking and domestic violence, socio-economic state, resolution of conflicts and some other topical problems.

In 2004, the Government of Georgia defined, with consideration of the state priorities, the tasks and indicators of the millennium objectives. The third millennium objective includes two tasks: 1. observance of gender equality at employment; 2. equal accessibility to work at any level of political activities and in government.

In 2005, the Government of Georgia presented report on implementation of the millennium development objectives. The report includes the analysis of the actions taken for solving the tasks. In 2007, monitoring of reaching the millennium goals was carried out by Tbilisi municipality.

In 2005, the Government of Georgia prepared very significant document. The document entitled Priorities of Georgia under the Action Plan of European Union Neighbourhood Policy includes clear interpretation of the strategic guidelines of the country development that envisage integration of Georgia to the European and Euro-Atlantic structures.

In 2006, The United Nations Committee on the Elimination of Discrimination against Women (CEDAW) stressed during consideration of the second and third regular reports of Georgia that the trend for cooperation between the Georgian Government and the civil society for the purpose of support to equal participation of men and women in the governing bodies of the country was evident that yielded some particular positive results.

Establishment of an Advisory Council for Gender Equality at the Parliament of Georgia was also approved, though the Committee, bearing in mind the priority of gender equality, considered it expedient to establish permanent institutional instrument that would be properly equipped with both financial and human resources.

The Committee believes that significant legislative initiatives were implemented in Georgia in 2006. The Parliament adopted the Law on Elimination of Domestic Violence, Protection of and Support to its Victims as well as the Law against Trafficking.

Alongside, the Committee noted that effective steps were to be made for support to political progress of women and improvement of their socio-economic state. The Committee demanded from the Georgian authorities to strengthen state measures for protection of the victims of domestic violence, to focus on improvement of skills of law enforcement bodies and of public awareness, on preparation of educational programs and on ensuring of asylum to the victims of violence.

In 2006, a joint task force of the Advisory Council for Gender Equality and the State Commission on Gender Equality Issues prepared the National Strategy of gender equality that included three documents related to each other: State Concept on Gender Equality, Action Plan for implementation of Gender Policy in Georgia (2007-2009) and Recommendations on establishing institutional mechanism for gender equality.

In July 2007, the country authorities approved the National Plan of Action against Domestic Violence. A good job was done jointly by the executive power and the non-governmental sector, and asylums were established for the victims of domestic violence. Rehabilitation and preventive programs will be implemented for the victims. Representatives of the both law enforcement structures and the civil society are actively participating in the process. Future activities for the purpose need great support of the state.

Women's NGOs have gained a wide experience during intensive work of many years, though their activities are mostly supported by the international organizations.

In result of joint consultations of the Georgian authorities and the women's NGOs, State Concept on Gender Equality was approved by the Parliament in July 2006. Further, target policy for realization of women's and men's both rights and opportunities was to be implemented in the various fields.

The Government of Georgia approved with its Regulation No. 539 the Action Plan for Gender Equality Policy in 2007-2009. The Action Plan envisaged elaboration of the legislative basis of the gender equality, gender expert examination and improvement of the shortages in the effective legislature, implementation of the educational programs in the state structures and effective implementation of the awareness raising campaign. Unfortunately, the most significant social and economic events to be implemented were not included in the Plan that led to just criticism of the women's NGOs. Many paragraphs of the above Plan have been implemented. Some of them are worth mentioning specially, such as the legislative activities related to the issues of gender equality, improvement of awareness, improvement of Mass Media activity, educational programs and some others. It is noted in the Gender Equality Concept that funding of implementation of the Concept trends is to be ensured by the central and local budgets, but it has been implemented partially only.

The Gender Equality Council has implemented some large-scale measures with support of the international organizations that were in favour of both bringing of the gender problem in focus of attention and establishment of the public gender-oriented opinion.

Gender weeks with various events have been being held in some towns of Georgia for already two years. Mass Media became much more active. Processes under the gender topics are regularly reflected in Mass Media.

Concerning Implementation of Basic Trends under Beijing Platform

Improvement of Role of Women in Decision-Making Process

Georgia has acknowledged guarantees of participation of women in the political activities and governments of all levels as one of the central tasks under reaching the goals of millennium development, though no significant progress can be mentioned from the viewpoint. Parliamentary elections of 2008 again demonstrated lack of effectiveness of the current election law from the viewpoint of reaching the gender equality. The law is not encouraging appearing of new names of women-politicians only, but even more, it often establishes the artificial hassles.

Amendments to the election law made prior to the elections influenced the final results of the elections very much. The number of mandates of the Members of Parliament (MPs) was reduced from 235 to 150; the election barrier was lowered from 7% to 5%, election of 75 MPs took place on the ground of majority election system in one-mandate majority districts /only parties had the right of nomination of a majority candidate/. The above factors conditioned significant reduction of number of women in the Parliament. Regardless evident political will for improvement of the gender balance, real results are less evident from the above viewpoint.

Parliamentary elections of 2008 only aggravated the gender imbalance in the Parliament. In 2008, there are only 7 women among the MPs, while 132 Deputies are men. /5,4%/. Participation of women in the local self-government bodies makes 11%. There are no women among the heads of regional administrations.

According to the data of 2009, there are no women-ministers in the Georgian Government, though women work as Deputy Ministers in actually all the Ministries. Women occupy the posts of Vice Speaker, Secretary of the Security Council and Head of the Presidential Administration. As for posts in the Presidential Administration, 80 of them are occupied by women and 61 – by men, while in the machinery of the Governmental Chancellery of Georgia – 136 staffs are women and 188 – men. According to the data of Justice Ministry, the number of occupation of posts in the judicial bodies by women was increased in 2007. 140 women and 144 men work as judges.

Under the initiative of the coalition of women's NGOs, many events were planned during the period preceding the elections. The Gender Council as well as the international organizations supported the events. Program of support to women-candidates was implemented for the purpose of shaping positive public opinion. Group of women's NGOs has appeared with the legislative initiative concerning implementation of temporary special measures and amendments to be made to the Election Code and the Law on Political Parties. However, no particular results were yielded from the activities. The number of women was still less in the access lists of the political parties. Political parties have been failed to be encouraged from the viewpoint of gender quotas. Women's Party was established in that period headed by the woman, former MP of Georgia. The Party has failed to get even one mandate. On the ground of 32,400 signatures of the electors, the legislative initiative related to the issues was submitted in the Parliament of Georgia on 8 May 2008.

After the elections, social survey "Participation of Women in the Georgian Politics and Attitude of the Society to Gender Issues" has been carried out. The results have confirmed again that the arguments in favour of acceptance of the Law on Gender Equality were right.

Under the initiative of the Advisory Council for Gender Equality, the draft Law on Gender Equality has been prepared. Discussion of it is underway in the Georgia Parliament. The draft Law on Gender Equality prepared with consideration of both political and economic realities in Georgia as well as on the ground of the world experience in the field will be a step forward towards restoration of the gender balance in the country. Implementation of the law will be in favour of strengthening of democratic government as well as in favour of consideration and clearing of interests and opportunities of both women and men under the process.

Women and Armed Conflicts

After independence of Georgia was acknowledged in 1992 and political orientation of the country was fixed, Georgia had to face serious challenges that influenced a lot the process of democratic development.

Since 1993, Georgia has suffered from grave political and economic cataclysms. In result of the armed conflicts and ethnic cleansing, half a million of citizens became Internally Displaced Persons (IDPs). They have lost their homes, and women and children make the majority of the victims of violence.

Russian aggression against Georgia in 2008 as well as unprecedented scale of the violence has revealed with all possible evidence the importance of human rights protection and fight against violence. The world community has expressed great support to Georgia from the political, economic and human viewpoints.

During the period of war, the Advisory Council for Gender Equality at the Parliament of Georgia propagated an address worldwide, where it was stressed concerning the unprecedented aggression that violence against women contradicted establishment of equality and peace and that it represented the major hassle for security of the people and democracy in the world. During the post-war period, the Gender Equality Council, by means of mobilization of the international organizations and the civil society, provided urgent assistance to the women and children who appeared IDPs.

Under the initiative of the Advisory Council for Gender Equality and with support of the UN Agencies, Resource Centre for Gender Equality was established in the town of Gori for the purposes of support to the victims and suppression of any type of violence in the conflict zone. The Gender Equality Resource Centre ensures any type of coordination of different events for the purpose of active support to the victims of aggression and violence. Hot line is available for Gori residents and those of nearby villages; staff of the Centre studies situation in the villages located in the buffer zone. Psychological and social rehabilitation of the victims of violence is in focus of attention that is obligatory especially in the situation, where the people have to adapt to the new environment. Special attention was paid to employment of the IDPs, special program of micro-loans have been prepared for the purpose of employment in the fields of agriculture, trade and service. Women employed at small farms have the privilege. Gender Equality Resource Centre in Gori ensures business consulting and training for them.

In cooperation with the local self-governments in the conflict regions, participation of women in the decision-making process, encouraging of business activities and availability of the educational programs were in focus of attention. Forum of Georgian women, members of Sakrebulo, is actively participating in the peace regulation process, monitoring of support to the IDPs as well as in preparation of the legislative initiatives and shaping of the gender-sensitive local policy.

Violence against Women

Domestic violence is a social problem, and it is rather widespread in Georgia. It prevents women from active joining the current political and socio-economic processes in the country. After the Law Concerning Domestic Violence was adopted, clearing of facts of violence was significantly improved. According to the Ministry of Internal Affairs of Georgia, 3254 facts of family conflicts were fixed by Patrol Police in Georgia in 2005, 3665 facts – in 2006 and 2388 – in 2007. 583 restrictive orders were issued, besides.

Under the Order No. 43 of the Ministry of Labour, Health and Social Affairs of Georgia, a task force against domestic violence has been set up. Since 2008, the state has been funding the action plan. The task force for protection and support to the victims of domestic violence is working at the Ministry. The task force is cooperating with the Advisory Council for Gender Equality and women's NGOs. Worth mentioning, a Concept of Training of Social Workers has been prepared that will help the socially unprotected /outcast/ people at preparation and implementation of the rehabilitation measures. The state, in cooperation with the non-governmental sector, will train social workers who will provide skilled assistance to the people of the above-mentioned category.

There is a definite progress from the viewpoint of implementation of the Law against Trafficking. A strategy of rehabilitation and social reintegration of the victims of trafficking has been prepared. It was approved by the Coordination Council on 19 July 2007. Prevention from the crime of trafficking is in focus of attention.

Facts of clearing of the similar crimes are now fixed more often, besides. 13 facts of trafficking were registered in 2005 with 10 of them – committed against women. 29 facts of trafficking were registered in 2007 with 14 of them – committed against women. Alongside with the increased number of crimes related to trafficking, the number of them committed against men was also increased.

In result of the joint efforts of the Georgian Government and the civil society, broadcasts on awareness rising have been prepared. Mass Media actively joined the process, discussions were held at the educational agencies, trainings were arranged for the law enforcement bodies, for representatives of trade unions, for youth as well for military and border defense personnel. Worth mentioning, the state has allocated funds for asylums in Tbilisi and Batumi to be provided to the victims of trafficking.

Facts of violence against women at workplaces are increased. Women are afraid of losing their workplace because of the competition at the labour market, and they often abstain from revealing the facts of violence and aggression against them by that reason. At signing a labour contract, employers often have negative attitude to the following family status of women: married, mother with many children and mother of a new-born baby. By that reason, women have poorer chance of being employed in the private sector. There are many evident facts of violation of the socio-economic rights of women; there are also facts of dismissal of women on the ground of discriminating motives. The administrations often ignore the privileges envisaged by the current laws for pregnant women.

Economics and Poverty

In 1990-2008, population of Georgia was reduced by 19,5%, while in 1975-1990 birthrate reached 11%. Ageing of the population was fixed simultaneously. These phenomena put renewal of generations under serious danger; they were a heavy burden for the employed population and increase difficulties to work of women in both households and in families.

During the last period, labour migration appeared a way for maintenance of physical being of the people of Georgia. It was the ground for wide participation of women in the labour migration process. Money transfers represent the main source of the international money inflow, and a great role belongs to them from the viewpoint of doing with poverty. The amount of money transfers is increasing every year. The amount reached \$837 million in 2007, by 15 times more than in 2000.

Women mostly work in the unofficial sector abroad, where there is no legal instrument of protection of the labour rights. The majority of women-emigrants are working illegally. The majority of them fail to come back to the fatherland by that reason, and they actually lose contacts with their families. Such people make 57,5% of the emigrants.

Regardless significant GDP growth in 2003-2007, reduction of critical social inequality failed to be reached. According to experts, increase of the poverty index in the country is conditioned with the following factors: poor support to development of small business; shortage of investments in the agriculture branch and poor effectiveness of the latter; poor level of skills of the employed people; non-target strategy of social assistance; inflation; increase of prices of food and many others. The above domestic factors affect the gender balance in the country.

As for external factors, the most significant ones come as follows: closing of the Russian market, the most accessible one for small business in Georgia; blockade and embargo imposed by Russia and effective since 2005 seriously damaged the people of Georgia, especially its export that the large part of rural people is involved in.

Worth mentioning, more than half of the employees work in agriculture. According to the data of the Statistics Department for 2008, 12,6% of the employed women work in the education field, 9,9% - in trade, 6,2% - in the health care and social welfare organizations. As for the employed men, 10,0% of them work in trade field, while 6,8%-7,5% work in the fields of processing industry, transport and communications.

Since 2004, a new wave of institutional, socio-economic and political reforms has started in Georgia. Significant increase of the State Budget was in favour of start of effective reforms of the social protection and welfare system. Earlier, a mixed liberal model of social protection and rather poor state funding failed to ensure effective operation of the social protection and welfare system. Consumption of the state funds lacked target effective nature that led to total enlargement of the poverty area.

According to the Statistics Department at the Ministry of Economic Development of Georgia, poverty level in 2003 made 54,5% against the official living wages index, while against the extreme poverty rate – 16,6%. During the following period, part of the population below extreme poverty level was twice reduced. It should be mentioned that gender statistics is rather poor from this viewpoint, though one can easily guess that women make the majority in the marginal group of the poor (single mothers, families with many children, disabled, and pensioners).

During last two years, a lot of good was done in the field of social protection through the institutional aspect. State program of identification of vulnerable families, assessment of their socio-economic state and establishment of the database was launched for the purpose of protection of the people below extreme poverty level. Under frames of the program, the vulnerable families were identified, assessed and joint database of them was made. Providing of the people with livelihood aid as the target social support has started.

In 2006-2007, funds allocated for social support totaled on average 4,5% of the nominal GDP. The amount was increased to up to 5,7% of GDP in 2008. In 2008, state funding of the social field was increased. In 2009, significant turning-point was planned for the purpose of social protection that was conditioned with results of the Georgia-Russia war and the world financial crisis that led to increase of IDPs number, to recession process in Georgia and to social tenseness.

Unemployment is an urgent social problem in Georgia. The level of unemployment is the largest in the group of people within 20-24 years old. The largest part of the unemployed makes the people with high education, besides.

In 2005-2008, the unemployment index of women is much less than that of unemployment of men. Share of the unemployed women with general secondary-school education was reduced in the total number of unemployed women, but the share of unemployed women with high education was increased. Share of the unemployed women with high education makes 44,4% in the total number, while that of the unemployed men – 40,6%.

Monthly nominal salary of the called-in employees was increased by about 37% in 2007 compared with 2006. Nominal salary of women employed in any economic field and sector is less than that of the called-in women-employees. The state sector was the main sector of employment of women till 2006. After the ministries were reformed, the number of employed women was significantly reduced in the state sector.

The new Law on Labour was adopted in 2006. The Law is acknowledged as a democratic and liberal law. The Law is rather oriented for support to business and development than for consideration of interests of employees. After recommendation of the International Labour Organization as well as according to the local experts, harmonization of the Law with the European standards is necessary. The Law fails to ensure full realization of the employees' rights envisaged under the current laws. Several packages of the amendments have been already prepared, owing to efforts of the trade unions among others, and they have been already submitted in the Parliament.

According to the Labour Code of Georgia, "an employee, upon own request, can enjoy a leave during 477 calendar days by the reasons of pregnancy, child-birth and child care... 126 calendar days are paid, while in case of abnormal pregnancy or birth of twins 140 calendar days are paid" (Article 27). Interesting enough, but even the women employed in the state sector do not enjoy the full maternity leave envisaged under the Law. It is conditioned not only limited paid period of the maternity leave, but with the fact that in the environment of intense competition young mothers have to return to their work prior to the term and to reserve their comparably well-paid workplaces. The better paid job, the sooner they return to work. Mothers leave their babies with hired nurse-maids, or, in better cases, with the grandmothers. The same situation is fixed in the private sector, though worth mentioning that the women employed in the state sector better enjoy the rights guaranteed under the Labour Code.

Radical reforms in the educational system are worth special mentioning. Funding of education under reforming of the educational field in Georgia was grounded on the rather considerable state investments. Expenses in the educational field were increased by 3,1 times, while in 2000-2005 the average increase made 1,3%. At the same time, the share of expenses for the education purposes made 3,2% of the total State Budget in 2000-2003, and it reached already 8,6% in 2006-2008. Consequently, if the state expenses for educational purposes made \$1,09 per capita in 2005, they reached already \$6,5 in 2006. The above was in favour of implementation of reforms of the system of education.

Sudden worsening of the socio-economic state in the country of last years affected health state of the people. Birth rate was reduced, the general index of mortality was increased including that of babies below the age of one year, natality was reduced. Alongside with worsening of the basic demographic parameters, socially dangerous illnesses showed up, the number of ill with tuberculosis and psychic disorders was increased, the index of controlled infections was increased. However, reproductive and preventive health care fields were a great success throughout the country.

Since 2008, social dialogue started on the problems that were very important for the society. Representatives of all branches of power took part in the dialogue. Roundtable Gender Aspect of the Social Transforming as well as conferences Problems of Gender Economy for Social Just and Equal Opportunities and Global Economic Crisis and Its Influence on Gender Equality in Georgia were held. Social dialogue should be continued at the level of local self-governments.

Institutional Instrument

Two structures have been established for ensuring of effective operation of the national institutional instrument and coordination of the state policy of gender equality: Advisory Council for Gender Equality at the Parliament of Georgia (No. 105/3 done on 27 October 2004) and State Commission on Gender Equality Issues (Regulation No. 109 of the Government of Georgia done on 28 June 2005). The Advisory Council for Gender Equality at the Parliament of Georgia and the State Commission on Gender Equality Issues jointly worked out a National Strategy on Gender Equality. The above-mentioned Commission worked during a year only.

On 26 September 2007, Intergovernmental Commission for Developing the Gender Equality Policy of Georgia was set up under Regulation No. 211. Due to reorganisation that took place in the government of Georgia this commission ceased to exist

Today the Gender Equality Advisory Council is the only institutional instrument in Georgia that coordinates the state policy of the gender equality. Council is chaired by the Deputy Chairperson of the Parliament of Georgia. Parliamentarians and members of the Government are members of the Council.

Representatives of the women's non-governmental sector and academic circles are closely cooperating with the Advisory Council. The Expert Council also cooperates with it, and experts take part in the Advisory Council's work. The Advisory Council is purposefully cooperating with the international organizations as well as with representatives of the executive power and social sector. The Council is lobbying as far as possible both bringing of the gender problems in focus of attention and solution of them by all branches of power. The issue of setting up of permanent institutional mechanism on Gender Equality and funding of it is under consideration. It was demanded not once under the international commitments as well as by CEDAW. (As expected, the Government of Georgia will provide the second regular report to CEDAW Committee in 2011). The Advisory Council is cooperating with the governmental structures under the format of constructive cooperation.

Support to the legislative work and lobbying under preparation of the new Law on Gender Equality is worth special mentioning. In case the Law is adopted, real consideration of interests of women at any level of decision making process, combating gender stereotypes and strengthening of democratic instruments will become possible. Activities of the legislative group in membership of Parliamentarians, representatives of NGOs and experts and headed by the chairperson of the Advisory Council were developed with consideration of democratic principles and in the

environment of constructive dialogue. Open discussion of the bill in Parliament takes place with observance of the same principles.

Five statistical articles Woman and Man in Georgia were published in cooperation with the Department of Statistics of Georgia. The articles of 2006 and 2008, compared with the previous issues, are closer to the up-to-date statistics standards. The article includes such important issues as the data of domestic violence, trafficking, time budget, business information and some others. Processing and improving of the gender segregated information are underway in cooperation with experts and the Department of Statistics.

The processes developed in Georgia conditioned necessity of radical reforms of the social policy. As it is known, the State Budget of 2008 has been announced as the social-oriented Budget, and fight against poverty is again fixed in it as a state priority. Active participation of the civil society in government and self-governments of all levels is obligatory for accomplishing the task. It is especially important from the viewpoint of effective and just consumption of funds in the country. Interesting initiatives have been implemented in Georgia towards the gender budget. Lately, monitoring of the State Budget took place with consideration of the gender parameters. Representatives of the state departments and of the civil society have been specially trained for the purpose.

Role of the local authorities and of the civil society was especially showed during the work process. The work done at the Rustavi municipality is worth mentioning from the viewpoint.

Events for support to the gender equality were held at Rustavi municipality with support of the city Mayor and the city Sakrebulo. These are: gender analysis of the municipal budget, analysis of the public survey for the purpose of preparation of the gender budget in the local self-government, a roundtable, discussions and trainings. The local authorities and the civil society familiarized with the experience of the Naples (Italy) municipality in the field of gender mainstreaming. Aiming at study of the European experience of gender equality as well as at development of cooperation, the future cooperation plan was prepared by the Naples and the Rustavi municipalities.

Main Problems and Means of Solution

At the background of certain achievements some of serious obstacles impeding development of the democratic process and implementation of the principles of gender equality in the country still exist.

Effective functioning of permanent institutional mechanism is needed first of all. The priorities fixed by the Georgian Government, social-oriented state policy as well as building of the democratic and fair society are fully in accordance with the principles of achieving gender equality.

Special legislative amendments made for the purpose of implementation of the rights envisaged under the Constitution must be implemented for it. Approval of the amendments will again confirm that Georgia is building really democratic and fair state.

Improvement of participation of women in the decision-making process will be impossible, if additional social assistance is not provided. The assistance will give the opportunity to women to combine their family obligations and their job. Establishment of the political environment favourable for gender equality by means of at least temporary events, broader participation of women in work of the local governments and protection of rights of women are also very important.

Strengthening of the labour potential of women is significant for support to women in the economic field that can be fulfilled by means of support to small and medium business. In this field special attention must be focused on employment of women.

Special attention must be paid to the implementation of the programs for support to unemployed persons. From this viewpoint and when the Labour Code of Georgia does not envisage mandatory payment of compensation by an employer to a dismissed person, the State must undertake establishment, by legislative means, of such institutes that will support the dismissed and take care of their employment, training and assistance to them.

Role of women is special in the process of peaceful resolution of conflicts. Establishment of strong peace institutes and use of potential of women in the people's diplomacy are necessary as well as implementation at the governmental level of the Resolution No. 1325 of the United Nations Security Council.

The data detailed from the gender viewpoint are the pre-condition for planning and implementation of the gender policy. The data divided from the gender viewpoint are necessary for clearing how social aid is distributed. New indicators must be worked out for different branches of the economy.