

Beijing+20 Regional Review Meeting
Geneva, 6-7 November 2014

Panel 7: Preventing and eliminating violence against women and girls:

Day/Time: 7 November, 10 - 11.30 am

Background Information for the Speech of Ms. Guguli Magradze

10:50 – 11:00

Ladies and Gentlemen, Distinguished Guests,

It is my honour and privilege to address you and share with you the progress made in Georgia in terms of combating violence against women and girls as well as the challenges that still require joint efforts to be applied by the government, UN, civil society and international organizations.

Violence against women and girls not only causes physical and psychological harm but also has serious consequences for women's health and ability to participate fully in the social, political and economic life of the country. The Government of Georgia has undertaken noteworthy efforts to address domestic violence, with the adoption of the Law of Georgia on Prevention of Domestic Violence, Protection and Assistance of Victims of Domestic Violence (2006), and subsequent amendments; the introduction of implementation mechanisms and the National Referral Mechanism on domestic violence.

As per the Presidential Decree in 2008, the Inter-Agency Council Implementing Measures to Eliminate Domestic Violence in Georgia (DV Council) has been established as a policy-making body in the area of elimination of domestic violence and protection and support to the DV victims/survivors tasked with the coordination and monitoring of the government agencies involved in the National Referral Mechanism. In addition, the DV Council includes a number of civil society organizations and the UN agencies as observer members.

The Government of Georgia has also been regularly adopting 3-year National Action Plans on the Measures to be implemented for Combatting Domestic Violence and Protection of and Assistance to the Victims of Domestic Violence (DV NAP) since 2008.

With the support of international and local non-governmental organizations, the Ministry of Interior Affairs conducts professional skills trainings of its officials in order to create effective

platform for combating domestic violence in Georgia and increase the efficiency of responses on the cases of domestic violence. In every year, certain number of practicing police officers has been trained to enhance their knowledge in the topic and to keep them updated about legislative amendments. The Police Academy of Georgia has special training courses on domestic violence and human trafficking issues in its curriculum.

Despite these positive efforts, the response of the police to DV cases still needs to be strengthened. When called to the site, police tends to qualify domestic violence as a family conflict; in this case, all they are required to do is just to give out a verbal warning and get a written undertaking from the offender.

In June 2012, domestic violence was criminalized by the decision of the Parliament of Georgia. On this basis domestic violence was recognized as a criminal offense. Domestic violence is determined by the Criminal Code of Georgia as “violence, systemic insult, blackmail, humiliation which causes physical pain or torture”. After the criminalization of domestic violence in 2012, the cases of criminal investigation increased in 2013, as well as the number of issued protective orders and approved restrictive orders. As a result, the number of total reported DV cases increased by 75% as compared to 2012.

The Criminal Code of Georgia criminalizes rape including marital rape. However, the notion of rape is defined narrowly to only imply forced sexual intercourse between a man and a woman. Criminal Code of Georgia further foresees “coercive acts of sexual nature” implying rape through homosexual intercourse or by using objects. For the time being, the Ministry of Justice in partnership with NGOs is working on a new broader definition rape. Due to stigma, the disclosure rate of sexual violence crimes remains low, In addition, special services for the victims of sexual violence have been established in December 2012 according to the Presidential Order – the mandate of the State Fund for the Protection and Assistance to the Victims of Human Trafficking (State Fund), has been expanded to also provide shelter, medical and psychological assistance, legal aid and rehabilitation services to the victims/survivors of sexual violence both during conflict and peace. The State Fund is the main statutory institution providing assistance to the victims/survivors of domestic violence and human trafficking, which effectively ensures performance of state obligations within its powers.

The State Fund started provision of the services determined by the DV Law for the victims/survivors of domestic violence, such as shelters, psychological and medical assistance, legal aid, and nation-wide hotline as of 2010 with support from UN Women (with funding from Sweden). These services are now operational - one hotline and two shelters (one in Tbilisi and one in Gori) are fully funded by the state budget. It is expected that the State will take over the findings of two more shelters (Kutaisi and Kakheti region) from UN in 2015. In the period of 2010-2013, in total, 3,423 women and children were provided with hotline consultations, shelter services, emergency medical, psychological and legal aid services. In addition, the State Fund operates two shelters (in Tbilisi and Batumi) and a nation-wide hotline for the victims/survivors of human trafficking.

Particular attention should be given to the preparation work towards the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). A package of proposed legislative amendments aimed at the harmonization of the Georgian legislation with the Istanbul Convention has been adopted by the Parliament in October 2014.

In this regard it is noteworthy, that through UNFPA and the Ministry of Labour, Health and Social Affairs partnership the Recommendations for Health Care Providers on Revealing, Referring, and Documenting the Cases of Physical, Sexual and Psychological Violence against Women and Children was developed; operationalization of this document will significantly improve the country's response to all forms of violence against women and its compliance with the Istanbul Convention.

I would like to emphasize newly recognized priorities and emerging issues related to violence against women and girls:

The first one is **Early Marriage** that was invisible until recently and has been brought to public and government attention thanks to UNFPA and Public Defender's joint advocacy. The existing data shows that up to 17 per cent of Georgian women were married before the age of 18. Georgia has one of the highest rates of female marriage under age 18 among European Countries.

The data is not complete because most child marriages are not officially registered. The minimum age for marriage in Georgia is 18; however, the law allows exceptions, such as marriage from the age of 16 with parental consent or permission granted by the court. Criminal Code stipulates that cohabitation with a child under the age of consent, which is 16, shall be punished by deprivation of liberty for up to three years. In cases of illegal marriages involving girls under 16, the police should take action against the culprit.

Child marriage is associated with a number of grave consequences for girls, such as social isolation, absence of reproductive control, and dropping out of school. While early school dropout may be linked to poverty, a report by the Georgian Public Defender found a strong relationship between girls leaving education and child marriage. The report states that between 2011 and January 2013, 7,367 girls left school early. A review of the few available reports suggests that the school dropout rate is especially alarming in the Kvemo Kartli region and in Tbilisi.

According to the UNFPA Fact Sheet on Early Marriages in Georgia the situation with regard to child marriage is not homogenous, but rather varies according to ethnic, religious, and regional factors - however, it is obvious that girl child marriage is an adopted practice; cases of forced marriage is especially alarming, which results from engagement arranged by the parents or bride abduction. It would appear that child marriages and bride abduction occur more frequently among certain ethnic and religious groups, namely, in the mountainous areas of Adjara and in Kvemo Kartli region.

At the high-level advocacy meeting on early marriages called by the Public Defender and UNFPA in May 2014, gathering the members of the Parliamentary Council on Gender Equality, high level government officials, civil society, the recommendations have been adopted for prevention of early marriages. Along with further research of this issue, the prevention of early marriages will be addressed by national policies and action plans related to gender equality and youth development, with respective awareness raising and educational interventions. The Ministry of Education –one of the key actors in preventing early marriages, currently in partnership with UNFPA and UN Women started working on integration of issues related to gender equality, human rights, sexual and reproductive health in the formal education system by revising teaching and learning content. These efforts will also include introduction of parents’ education programme and training of teachers.

Another important challenge that I would like to bring to your attention is **Gender-biased Sex Selection**: According to the official statistical data, since the 1990s the departure from the natural average sex ratio at birth (SRB) of 105 boys for 100 girls has been observed, along with declining in the total fertility rate to 1.6 in 2005 and then increasing to 2.0 in 2010¹. The Parliamentary Assembly of the Council of Europe (PACE) Resolution 1829 (2011) on prenatal sex selection mentioned Georgia among the other few Council of Europe member countries, where the skewed sex ratio at birth “has reached worrying proportions” (111 boys for 100 girls in Georgia). It is noteworthy, that same tendencies are observed in other neighboring countries in the South Caucasus – Armenia and Azerbaijan and in Albania in Balkans.

The possible social and demographic consequences of this phenomenon make it a priority for Georgia to address this issue based on the findings of the research, jointly undertaken with UNFPA and the WB support. The policy recommendations and prevention strategies will be elaborated through a participatory process, as integral part of a much larger effort directed towards advancing de facto gender equality in Georgia.

At the end I would like to stress, that a recent spate of murders of women by current or former husbands pushed the problem of violence against women in Georgia in the center of public attention, and the government has pledged to prioritize tackling of the issue. These cases have also prompted that not only the legislation should be refined, but most importantly its enforcement mechanisms should be strengthened. Special efforts are needed to change the perceptions and attitudes prevailing in the society: the UNFPA supported **recent** research on ‘Men and Gender Relations in Georgia’ in Georgia shows that 10 per cent of women and 14 per cent of men believe that physical violence is acceptable to save the family; 53 per cent of women and 65 per cent of men justify verbal abuse and the use of offensive language against women; 39 per cent of women and 33 per cent of men believe that it is mainly women with bad reputations who become the victims of sexual violence.

¹ Reproductive Health Survey in Georgia 2010. MoLHSA, NCDC, UNFPA, USAID, UNICEF, CDC (USA)

In October the government has re-established the State Inter-Agency Council to combat Domestic Violence at the highest possible level which includes interior, justice, education, healthcare, economy and prison system ministers and is chaired by the Prime Minister; representatives from civil society and international organizations will also be invited at “the next stage” of inter-agency group’s work. The government is currently working on elaboration of the State Strategy on Combating Domestic Violence in consultation with the civil society, UN and international organizations.

Violence against women and girls is a serious problem which poses many difficult challenges in my country as well as all over the world. We believe that with ratification of the Council of Europe Istanbul Convention, the national efforts will become more concerted and intensified to combat and eliminate violence against women and girls.