



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women Eighty-fourth session

Summary record of the 1943rd meeting

Held at the Palais des Nations, Geneva, on Wednesday, 8 February 2023, at 10 a.m.

Chair: Ms. Peláez Narváez

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The meeting was called to order at 10 a.m.

Solemn declaration by the new members of the Committee *(continued)*

Ms. González Ferrer made the solemn declaration provided for in rule 15 of the Committee's rules of procedure.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Sixth periodic report of Georgia (CEDAW/C/GEO/6; CEDAW/C/GEO/Q/6; CEDAW/C/RQ/6)

1. *At the invitation of the Chair, the delegation of Georgia joined the meeting via video link.*

2. **Mr. Tatulashvili** (Georgia), introducing his country's sixth periodic report (CEDAW/C/GEO/6), said that international and local civil society organizations had been consulted on the drafting of the report. The Government's major achievements in the area of women's rights included constitutional amendments that had introduced an obligation for the State to promote gender equality and the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) and subsequent harmonization of Georgian legislation with its provisions, for example to adopt a definition of violence against women and to criminalize female genital mutilation. The national institutional framework had been strengthened through the creation of the Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence Issues, which acted as a gender equality monitoring mechanism and coordinated the work of the relevant State agencies; the Gender Equality Council, which coordinated and oversaw gender equality activities and made recommendations to State institutions; and the Gender Equality Department of the Public Defender's Office, which, for example, examined individual complaints, produced reports and raised awareness among the public about women's rights.

3. A chapter of the second national strategy for the protection of human rights in Georgia for 2022–2030, expected to be adopted in the coming months, was devoted to gender equality. The Government had also adopted two action plans for 2022–2024: one on the implementation of Security Council resolution 1325 (2000) on women and peace and security, which envisaged increased women's participation in peace and security processes and measures to combat violence, provide protection and empower women; and another on violence against women and domestic violence, which covered prevention, protection and support for victims, policy integration and data collection. A policy document had been developed that set out a long-term vision for policies to strengthen and enhance women's economic prospects.

4. Rigorous policies and measures to combat gender-based and domestic violence had continued to be implemented during the coronavirus disease (COVID-19) pandemic. The services provided at 10 shelters and crisis centres for victims of trafficking in persons had been restructured to prevent the spread of the virus, and emergency hotlines had continued to provide assistance in several languages. Access to the police by women victims of violence had remained unhindered thanks to, for instance, remote interviews, and messages had been communicated via social media, text messaging and television broadcasts on how the police could be contacted and the legal provisions in place to combat violence against women and domestic violence. The matter had also remained a priority of the Prosecutor's Office throughout the pandemic, and there had been no unjustified delays to investigations and proceedings. All legal requirements, such as time limits for proceedings, had been fully respected. Court hearings, including interrogations of witnesses and victims, had been held remotely, or in specially designated courtrooms if the person did not have access to the necessary electronic devices or the Internet. Victims of domestic violence and violence against women had continued to receive free services and support, with more than 3,000 individuals receiving such support in 2020, and public services had continued to be provided.

5. Survivors of violence against women and domestic violence were entitled to compensation from the State, and rules governing that compensation had been established.

Legislative amendments that removed the requirement for a person to be granted official status as a victim of violence in order to gain access to State services would come into force in July 2023. Referral procedures for identifying, protecting, supporting and rehabilitating victims of violence against women and domestic violence were being drafted with the assistance of State agencies, non-governmental organizations (NGOs), international organizations and the Public Defender's Office.

6. Campaigns had been organized to raise public awareness in a number of areas, including femicide, women's rights and violence against women, often through information meetings. Police officers, prosecutors and investigators of the Prosecutor's Office received training on violence against women and domestic violence, and the Public Defender's Office was required by law to raise public awareness of discrimination. The Law on the Elimination of All Forms of Discrimination had been amended to incorporate a definition of sexual harassment, and 17 State agencies had so far established mechanisms to address the problem, while 47 private companies had adopted their own policies. A memorandum of cooperation had been signed between the Government and local authorities to improve human rights protection and the implementation of human rights policies at the local level, including through cooperation with municipal equality mechanisms such as gender equality councils.

7. Substantial changes to the electoral system had been made to address the persistently low rates of women's participation in political life, including the introduction of mandatory quotas to ensure gender balance in party lists during parliamentary and municipal elections. As part of its commitment to adequate financing for gender equality and women and girls' empowerment, the Government had undertaken an assessment of its gender-responsive public financial management. Several rounds of judicial reform had ensured judges' independence and enhanced the independence, efficiency, accountability, transparency and accessibility of the judiciary. Training for judicial officials was updated regularly and addressed domestic legislation, international case law and international human rights law, including the Convention. The State Strategy on Civic Equality and Integration aimed to ensure equal opportunities for all citizens, regardless of ethnicity, and to encourage cultural diversity, with particular focus on young persons and women.

8. The human rights situation in Abkhazia and the Tskhinvali region, which were occupied by the Russian Federation, was deteriorating with every year that passed owing to killings, inhuman treatment, severe restrictions of rights related to freedom of movement, education, residence and property, and obstacles to medical treatment and the receipt of Georgian pensions. It was a matter of particular concern that international human rights organizations were constantly denied access to the occupied regions and that the international organizations responsible for implementing confidence-building measures and humanitarian projects were subjected to pressure from the occupier. The Government of Georgia was committed to using all available means of addressing those human rights abuses and was sparing no effort to use the negotiating channel of the Geneva International Discussions to consider the implementation of the obligations of the Russian Federation. At the same time, it was actively pursuing a reconciliation and engagement policy to facilitate interaction between communities divided by the occupation line and improve the lives of persons living in the occupied territories. In doing so, it paid particular attention to the needs of women who were affected by the conflict.

9. **Ms. Skhiladze** (Public Defender's Office of Georgia) said that gender equality remained a serious challenge since policy implementation had lagged behind progress in passing legislation and establishing institutional mechanisms. As a result, stereotypes and discriminatory practices were still deeply rooted in society and often led to violations of women's fundamental rights. The introduction of gender quotas was not enough to achieve equality in political participation, because women still faced many barriers that required Government action, including awareness-raising campaigns. Substantial obstacles still hampered the administration of justice in cases of sexual violence, one of which was the failure to include definitions of rape and other crimes of sexual violence in Georgian legislation in accordance with the Istanbul Convention. In addition, there was lack of comprehensive sex education in schools, where pupils were taught only about the medical aspects of reproductive health. Teachers' poor knowledge about reproductive health issues was a further problem.

10. Despite the criminalization of forced marriage, the relevant State bodies were often unable to identify cases of engagement or marriage of a child. Official data showed that 476 girls had been registered as underage mothers in 2021.

11. The scale of extreme forms of violence against women was alarming and showed no sign of abating. According to official statistical data, of the 18 women killed in the first ten months of 2022, 11 of them had died at the hands of their former or current spouse or partner. The rate of attempted murder was much higher. A large proportion of those cases had involved domestic crime. Those statistics indicated a need to improve the prevention of and response to violence against women and domestic violence, to raise public awareness and to strengthen measures to protect and assist victims.

12. The inadequate integration of postpartum care and psychological support in the State maternal health programme had an adverse effect on women's lives. Furthermore, the incomplete integration of family planning services in primary health care hindered access to information about those services and to contraceptives, especially for women from vulnerable groups and rural areas. Women with disabilities found it difficult to obtain reproductive health services owing to medical facilities that were not adapted to their needs and to the attitude displayed by medical professionals who were wanting in competence and sensitivity. A lack of transport and an inimical physical environment hindered the participation of women with disabilities in public life.

Articles 1–6

13. **Ms. Tisheva** said that the Committee would be grateful if the delegation could provide information on legal aid schemes that ensured effective access to civil or criminal proceedings for obtaining justice for women and girls who were victims of different forms of gender-based violence and women and girls from vulnerable groups, such as internally displaced persons, ethnic minorities, women with disabilities, older women, lesbian, bisexual and transgender women and intersex persons, women drug users and women living with HIV/AIDS. She wished to know what specific steps the State party had taken to improve the visibility of the Convention and the Optional Protocol thereto in the judiciary, law-enforcement agencies and other institutions, or the timeline for adopting any such steps. Lastly, she asked whether the State party would consider strengthening and consolidating the Law on Gender Equality and the adoption of a comprehensive law against gender-based violence and domestic violence that would also encompass harmful practices.

14. **Mr. Tatulashvili** (Georgia) said that all State institutions and line ministries took part in awareness-raising activities. The parliamentary Gender Equality Council worked actively to improve support for disadvantaged groups of women. Awareness-raising was one of its five objectives. It also conducted thematic research and endeavoured to publicize the findings of that research. The Ministry of Justice ran annual training sessions on the Convention and Optional Protocol for schoolchildren and students and on the topics of violence against women and domestic violence, legal remedies, gender equality and the prohibition of discrimination. The Ministry of Internal Affairs conducted regional campaigns in the course of which its staff explained how to obtain police assistance in the event of the above-mentioned forms of violence. The Prosecutor's Office also provided training for its staff and encouraged prosecutors to become involved in awareness-raising activities and to interact more with the public. The municipal gender equality councils helped to publicize the national strategies and action plans at local level. To that end they received constant support from the Gender Equality Council and the Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence Issues. To prevent domestic and sexual violence, the State Care Agency at the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs was actively working to raise public awareness of those issues by holding information sessions and training courses, by disseminating information through social networks and by producing information brochures and video clips in eight different languages about the helpline and State services in general. Improvements had been made in the legal assistance available to victims of violence. Free legal aid was provided for alleged victims of violence when a court considered the issuance of a protection order. Under articles 11 and 126 of the Criminal Code the victim received free legal aid at all stages of the proceedings if the victim was insolvent, indigent or not represented by counsel.

The legal aid service provided a full range of assistance to persons with disabilities in civil, administrative and criminal cases. The accessibility of all legal aid services was mandatory. Staff training to develop the requisite skills for dealing with girls and women with disabilities covered those who were victims of domestic violence. Between July 2022 and January 2023, the legal aid service had represented 108 women victims in criminal cases.

15. Gender equality issues were dealt with not only in a dedicated chapter of the new national strategy for the protection of human rights but also throughout the strategy, for example in chapters regarding children or older persons. In addition, his Government had approved two stand-alone national action plans, on violence against women and domestic violence and on implementing Security Council resolution 1325 (2000). As his Government's approach since 2018 had been to consolidate all national strategies and action plans into a single document, those stand-alone plans showed the special importance that his Government attached to the issues at hand.

16. **A representative of Georgia** said that the Gender Equality Council was an open and inclusive body that welcomed active participation by local NGOs, international organizations and other development partners in the drafting of its action plans. In 2022, Parliament had adopted a new outline of State policy on gender equality, the State Concept of Gender Equality, which was in line with the State's obligations under international agreements and reflected the country's vision for eliminating all forms of gender discrimination, whether in public or private life, and ensuring gender equality in the civil, political, economic, social and cultural spheres. The Council had recently introduced a new State policy outline on women's economic empowerment, which was the first of its kind in the region. Once adopted, the policy document would form the basis for specific action plans.

17. **Ms. Tisheva** said that she would be glad to know whether the State party intended to hold regular training sessions for staff in the judiciary and law enforcement services that focused specifically on the implementation of the provisions of the Convention and the Optional Protocol thereto, the Committee's jurisprudence and its general recommendations. She would also be grateful to know whether the State party was considering updating the Gender Equality Law and introducing more comprehensive legislation governing gender-based violence.

18. **A representative of Georgia** said that, in line with recommendations by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), her Government had embarked on the process of updating the Gender Equality Law, which was outdated and did not fully respond to current needs and challenges. Her Government was currently considering amendments to the law, which would take due account of the recommendations of UN-Women and the Committee's concerns.

19. **Mr. Tatulashvili** (Georgia) said that the Academy of the Ministry of Internal Affairs had a programme of training on gender issues, including gender equality, access to justice for women with disabilities, and the prevention of discrimination, gender-based violence and hate crime. Both the Istanbul Convention and the specific provisions of the Convention on the Elimination of All Forms of Discrimination against Women were covered at the training sessions. Such training helped to strengthen the capacity of police officers to combat violence against women and domestic violence, for example.

20. **A representative of Georgia** said that combating gender-based violence was one of the main priorities of the Prosecutor's Office. Between 2018 and 2022, the Office had conducted 93 training sessions on gender-based violence, gender-based discrimination and femicide. It had offered courses on violence against women and access to justice for women victims of violence within the framework of the Council of Europe Human Rights Education for Legal Professionals (HELP) Programme. In 2022, specialized prosecutors and managers in the Office received specialized training on femicide that covered the decisions issued by the European Court of Human Rights and the Committee, including the Views of the Committee concerning the case of Khanum Jeiranova and general recommendation No. 35 (2017), and other relevant international instruments. International best practices were used in the delivery of all training courses.

21. **A representative of Georgia** said that the ongoing training and education of judges and court staff in the areas of violence against women, domestic violence, discrimination

against women, crimes of sexual violence, and trafficking in persons remained a priority for her Government and was organized by a dedicated national institution, the High School of Justice. The provisions of the Convention were covered as a part of that training. In 2022, the High School of Justice had updated a training module on violence against women and domestic violence with the assistance of UN-Women and the Council of Europe and planned to provide further training on related topics later in 2023.

22. **A representative of Georgia** said that, in view of the judiciary's independence from Parliament, discussions were under way on a platform for cooperation between the Gender Equality Council and the judiciary, aimed at enhancing training, awareness-raising and gender mainstreaming in the judiciary system.

23. **Ms. Rana** said that the State party had introduced numerous gender equality mechanisms, which was laudable, but it was her understanding that the sustainable functioning of those mechanisms remained a challenge. She would therefore welcome information on any plans the State party might have to strengthen the work of those mechanisms with adequate substantive, technical and administrative support and to ensure effective coordination between them.

24. Noting the removal of the words "gender equality" from the title of the Prime Minister's adviser on human rights, she would be interested to know the reasons behind that change and whether women's rights defenders had been consulted prior to the change.

25. It appeared that over 60 local self-governing gender equality councils supported the advancement of gender equality at the subnational level and that gender focal points had been established in all government institutions. She would welcome more information on how precisely the local gender equality councils functioned individually and coordinated with one another to benefit women. She would also be curious to know what authority and stature the gender focal points had and what training they received. Noting the study carried out by the Gender Equality Council in 2017, entitled "Gender Equality in Georgia: Barriers and Recommendations", she would be interested to know about any policies or programmes that had been implemented in accordance with the recommendations of that study. In addition, she would welcome more information on the thematic task forces operated by the Inter-Agency Commission on Gender Equality, including how many there were, the themes that they covered and how they were engaging with civil society.

26. She would be grateful to know the current status of the Law on the Civil Service, which, as she understood it, was currently being assessed to identify gender gaps, and what the anticipated timeline for the incorporation of any amendments to the legislation might be. Considering the importance of statistics in improving gender policy, she wondered whether the State party intended to make legislative changes to ensure the production of statistics on gender and, if that was the case, whether it had a time frame for doing so.

27. She would welcome information on the status of the new State Concept of Gender Equality and wondered whether the State party might consider developing a separate national strategy on gender equality. She would also welcome more information about the State concept on women's economic empowerment recently introduced in Parliament, including its content, scope and how it might be implemented. Noting the State party's intention to consolidate its national plans into a single document, she would be interested to know when that task would be completed and what the added benefit would be in relation to gender equality and women's empowerment.

28. The reports and recommendations published by the Public Defender's Office on femicide, sexual and reproductive health, the needs of women and girls with disabilities, the impact of the COVID-19 pandemic on women and other issues were welcome. However, she would be interested to know more about how the State party intended to implement those recommendations and inform the Committee about recommendations already implemented.

29. The adoption by the Government of the National Action Plan on the Implementation of Security Council Resolution 1325 (2000) on Women and Peace and Security 2022–2024, which had a dedicated budget and had included consultation with NGOs, was a welcome development. However, noting reports that the number of women employed in leadership roles at the Ministry of Internal Affairs was critically low, she would be interested to know

how the National Action Plan would meaningfully increase women's participation in peace processes, negotiations and leadership positions in government and how NGOs from across the country would be engaged in its implementation.

30. **Ms. Eghobamien-Mshelia** said that the progress made by the State party, such as the use of temporary special measures, including quotas, was commendable. However, it appeared that the State party's interpretation and application of such measures was not fully consistent with those set out in the Convention. Guidance could be found in article 4 of the Convention, the Committee's general recommendations No. 5 (1988) and No. 25 (2004), and general recommendation No. 32 (2009) of the Committee on the Elimination of Racial Discrimination. In that connection, she would be grateful if the delegation could provide data on how measures on gender quotas were being applied at all levels, the tangible results achieved, any obstacles to effective implementation experienced and the modalities used to remove those obstacles. She would also be interested to know more about other temporary special measures, either planned or already adopted, to accelerate the achievement of equal access to government positions, including for women belonging to disadvantaged groups, such as ethnic minorities and older women. She would further welcome information about any temporary special measures introduced to mitigate the effects of the pandemic on women and girls, include women in critical sectors such as technology, industry, infrastructure and investment and ensure that all national recovery efforts were gender-responsive. In addition, she would be grateful to know whether the State party could provide concrete examples that demonstrated its acceptance and full understanding of temporary special measures as set out by the Convention.

31. **Mr. Tatulashvili** (Georgia) said that the main function of the gender equality mechanisms, including the Inter-Agency Commission on Gender Equality and the Gender Equality Council, was to coordinate State institutions' work on gender equality. Cooperation between those mechanisms and State institutions had intensified in recent years. It was important to note that meetings between those bodies were always open to representatives of NGOs, the Public Defender's Office and relevant international organizations. A practical example of how those bodies cooperated on projects was the process of designing a national referral mechanism on violence against women and domestic violence: the first draft proposals for a mechanism had been developed with the participation of national NGOs and subsequently shared with all other NGOs, who could then submit their input in writing; and a dedicated inter-agency commission had led discussions on the proposals to allow for oral contributions. The Government would endeavour to ensure that all comments and suggestions were taken into account prior to the adoption of the proposed mechanism.

32. The position of human rights and gender equality adviser had been introduced in 2013, before the establishment of the Inter-Agency Commission on Gender Equality. The human rights adviser was now the head of the Commission and he advised the Prime Minister on various human rights issues, hence the change of title.

33. The National Action Plan on the Implementation of Security Council Resolution 1325 (2000) had proved highly effective since it had established gender equality as a top priority for State agencies. The Government was responsible for overseeing the implementation of the plan. In 2019, the Government had passed a decree that required all national strategies and action plans to be budgeted. A State agency was given responsibility for implementing each activity under all action plans, with a set budget and time frame. Since the large number of action plans within the field of human rights made it difficult to monitor their implementation, it had been decided to consolidate them into a single plan. The content of the plans had not changed. As part of the monitoring mechanism, the State agencies responsible for implementing the plan submitted reports to the Government, which reviewed the reports, requested additional information where required and subsequently presented them to Parliament.

34. **A representative of Georgia** said that the Gender Equality Council had prepared a document outlining the challenges and barriers in terms of gender equality, which had formed the basis for a three-year action plan involving all relevant stakeholders, including international development partners and local NGOs. The action plan was updated every year to address new challenges and incorporate new information. Local gender equality councils were responsible for the implementation of policy at the local level. A new law had been

introduced to ensure that statistics on gender equality were available at the national and local levels. A document on women's economic empowerment had been drawn up based on the seven drivers for change as set out in the report of the High-level Panel on Women's Economic Empowerment. The document outlined obstacles to women's empowerment and recommendations to overcome them.

35. **A representative of Georgia** said that, during lockdown in the initial stages of the COVID-19 pandemic, the Government had issued several decrees to ensure economic and medical support for the population. Medicines such as insulin had been delivered to the homes of patients.

36. **A representative of Georgia** said that the quotas introduced in 2020 required 25 per cent of seats in Parliament to be held by women, and that quota would be increased to 30 per cent by 2028. An initiative was in place whereby male local government officials were replaced by women upon expiry of their terms of office. The National Bank of Georgia had introduced a requirement for 20 per cent of board members of commercial banks to be women and the Gender Equality Council had issued a recommendation for the Government to introduce quotas for female representation on the boards of State-owned enterprises.

37. **Mr. Tatulashvili** (Georgia) said that 40 per cent of business development grants from Enterprise Georgia, a national programme under the Ministry of Economy and Sustainable Development, had to be awarded to women.

38. **Ms. Bethel** said that she wished to commend the State party for establishing the Inter-Agency Commission on Gender Equality and the Human Rights Protection Department, and for including the gender motive as an aggravating factor for the crimes of murder and incitement to suicide. She wished to know what the outcome of those initiatives had been and what measures had been introduced to prevent gender-based violence against women with disabilities and lesbian, bisexual and transgender women and intersex persons specifically.

39. She would be interested to learn how the State party accounted for the threefold increase in the number of restraining orders imposed between 2017 and 2022, and how effective they had been in preventing repeat incidents of gender-based violence. She wondered when the State party would finalize and approve the national referral mechanism for the identification, protection, support and rehabilitation of victims, what resources had been assigned to strengthen the mechanism, and what steps the State party was taking to increase the number, coverage and quality of, and expand access to, shelters and crisis centres in order to meet international standards. Noting that the police and judges often failed to properly assess the risk of repeat domestic and gender-based violence offences, she wished to know how the State party was training judges and law enforcement personnel to enhance their understanding of such violence, including its root causes and link to gender stereotyping. What had been the impact of the amendment to the Law on Combating Domestic Violence that allowed doctors, lawyers and teachers to report domestic violence cases in the event of repeated violence?

40. It would be helpful to know what steps the State party was taking to introduce a definition of rape based on the concept of consent, in line with the Committee's recommendations and the Istanbul Convention, and what services were available for vulnerable women, especially with regard to prevention and access to justice. She wondered when the State party would withdraw the requirement for victims to undergo forensic medical examinations and prevent revictimization by banning hymen examinations to prove that sexual intercourse or rape had taken place.

41. She would welcome further information about the findings of the Public Defender's Office, which monitored femicides in Georgia, and the recommendations it had made. She wondered what measures the State party was implementing to prevent and improve its response to femicide, raise public awareness of the issue, better protect and assist potential victims, and enhance criminal justice policy. She asked what steps the State party had taken recently to follow up on the Committee's decision concerning communication No. 140/2019, *H.H., I.H. and Y.H. v. Georgia*, in which the Georgian authorities had failed to investigate and press charges for gender-based violence that had subsequently resulted in the victim's death.

42. **Mr. Safarov** said that he wished to know how the State party prevented the exploitation of international surrogacy laws for the purpose of trafficking in children; when a new national action plan on combating trafficking in human beings would be adopted to continue coordinating the work of State agencies; and how many cases of forced prostitution had been registered, and how many court decisions had been rendered in such cases, since the criminalization of procuring in 2018. He wondered whether the State party might combine the two hotlines for potential victims of human trafficking into a single number, what financial support was granted to anti-trafficking NGOs, and how many shelters were run by such organizations. It would be helpful to have information about the rehabilitation and reintegration into the community, labour market or education system of trafficking victims, especially those who were foreign nationals or stateless.

43. He would be interested to hear what instruments the Government had introduced to prevent trafficking and forced labour of women and girls, especially through online platforms, and whether the Government planned to establish services targeted specifically at child victims of sexual violence, particularly those living with HIV/AIDS. Lastly, he wondered how the State party sought to combat human trafficking in the regions of Abkhazia and South Ossetia.

The meeting rose at noon.