



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions in relation to the sixth periodic report of Georgia\*

#### Visibility of the Convention and the Optional Protocol thereto

1. Please provide information on the measures taken to raise awareness among disadvantaged groups of women, including older women, rural women, women belonging to ethnic minorities, women with disabilities, and refugee, asylum-seeking and internally displaced women, about their rights under the Convention.

#### Women's rights and gender equality in relation to the pandemic and recovery efforts

2. In line with the Committee's guidance note on the obligations of States parties to the Convention in the context of the coronavirus disease (COVID-19) pandemic, issued on 22 April 2020, please indicate measures implemented by the State party to redress long-standing inequalities between women and men and to give a new impetus to the implementation of gender equality by placing women at the centre of the recovery as a strategic priority for sustainable change, in line with the Sustainable Development Goals; to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in situations of conflict or other humanitarian emergencies; and to ensure that, in the context of lockdown measures, whether partial or total, and in post-crisis recovery plans, women and girls are not relegated to stereotypical gender roles. Please indicate measures in place to ensure that all COVID-19 crisis response and recovery efforts, including the recovery and resilience plan: (a) address and are aimed at effectively preventing gender-based violence against women and girls; (b) guarantee the equal participation of women and girls in political and public life, decision-making, economic empowerment and service delivery, in particular in the design and implementation of recovery programmes; and (c) are designed so that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic. Please explain how the State party is ensuring that measures taken to contain the pandemic, such as restrictions on freedom of movement or physical distancing, do not limit the access for women and girls, including those belonging to disadvantaged and marginalized groups, to justice, shelters, education, employment and health care, including sexual and reproductive health services.

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\* Adopted by the pre-sessional working group on 9 July 2021.



### **Legislative and policy framework**

3. Please indicate the timeline for adopting a national strategy on gender equality. Please provide statistical data on prosecutions for the sexual harassment of women and the punishments imposed, following the amendment of the Anti-Discrimination Law, the Labour Code and the Law on Civil Service.

### **Access to justice**

4. Please provide information on the following:

(a) Availability of free legal aid and access to courts for women and girls without sufficient means and women with disabilities in all areas of law as pertains to cases of domestic violence (para. 126);<sup>1</sup>

(b) Precedents and statistical data of judgments in which the provisions of the Convention were directly applied, invoked and/or referred to, or judgments in which national legislation was interpreted in line with the Convention;

(c) Outcomes of the cases of gender-based discrimination against women that were addressed by the Public Defender's Office since the adoption of the Anti-Discrimination Law (para. 26).

### **National machinery for the advancement of women**

5. Please provide information on the human, technical and financial resources allocated to the Gender Equality Council, the Inter-Agency Commission on Gender Equality and the Gender Equality Department of the Public Defender's Office. Please elaborate on measures taken to:

(a) Adopt gender-based budgeting strategies and amend the national law on the budget to provide special budgetary allocations for the implementation of policies and programmes on gender equality;

(b) Ensure capacity-building of civil servants to effectively use gender mainstreaming tools, and regularly monitor the impact of such tools;

(c) Empower and ensure the meaningful participation of women's civil society organizations in the Commission on Gender Equality (para. 77).

### **Women human rights defenders**

6. Please explain the measures taken to guarantee the rights of women human rights defenders to exercise their rights to freedom of expression, assembly and association, without fear or threat of violence, intimidation or harassment.

### **Temporary special measures**

7. Please provide information on measures taken to:

(a) Raise awareness among legislators, policymakers and other public officials of the non-discriminatory nature and importance of temporary special measures for the achievement of substantive equality of women and men in all areas covered by the Convention in which women are underrepresented or disadvantaged;

(b) Adopt and implement temporary special measures, including quotas, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to accelerate equal access to public

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<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the sixth periodic report of the State party (CEDAW/C/GEO/6).

positions, education, the media, the civil service and employment for women belonging to disadvantaged groups, such as women belonging to ethnic minorities, women with disabilities, rural women and older women.

### **Stereotypes and harmful practices**

8. Please provide information on measures taken to:

(a) Raise public awareness to eliminate discriminatory gender stereotypes regarding the roles and responsibilities of women and men in the family and in society;

(b) Provide training to media professionals, including journalists, on gender equality and the forms of coverage of gender-based violence and gender stereotyping in the media;

(c) Review school curricula, academic resources of universities and textbooks to eliminate discriminatory gender stereotypes.

9. With reference to joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, please provide information on the following:

(a) Monitoring and enforcement of laws prohibiting female genital mutilation and child and/or forced marriage, as well as the investigation of cases;

(b) Impact of measures, including awareness-raising activities, aimed at preventing female genital mutilation and child and/or forced marriage;

(c) Availability of rehabilitation and counselling services for girls who were exposed to female genital mutilation and those who entered into child and/or forced marriages;

(d) Statistical data on the number of prosecutions for female genital mutilation and child and/or forced marriage, as well as the punishments imposed and redress provided to the victims, following the amendment of the Criminal Code.

### **Gender-based violence against women**

10. In line with the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, please provide information on the measures taken to:

(a) Amend the legal definition of rape on the basis of lack of consent rather than use or threat of force;

(b) Evaluate the effectiveness of the action plan for 2018–2020 on combating violence against women (para. 78);

(c) Eliminate barriers and stigma discouraging women from reporting cases of gender-based violence, including sexual and domestic violence, and protect them from revictimization in their interactions with judicial and law enforcement authorities;

(d) Address the low rate of prosecutions for sexual violence due to burdensome requirements regarding evidence and corroboration;

(e) Assess the impact of awareness-raising measures to sensitize the public to gender-based violence against women and the types of assistance and services that are available, including in rural areas;

(f) Remove barriers impeding women and girls from accessing shelters, including the legal requirement to obtain victim status;

(g) Ensure that victims have access to effective reparation, including compensation;

(h) Criminalize femicide and prohibit, by law, the practice of virginity testing on women and girls, including by adequately sanctioning the practice and prosecuting perpetrators;

(i) Ensure capacity-building of law enforcement personnel, civil servants and social workers on addressing cases of gender-based violence against women and girls;

(j) Support the activities of, and increase financial support for, shelters operated by non-governmental organizations.

11. Please provide statistical data on cases, disaggregated by geographic location and relationship between the victim and perpetrator, of gender-based violence against women and girls, including domestic and sexual violence, that have been reported to the authorities, investigated and prosecuted. Please include sanctions imposed on perpetrators, protection orders implemented and compensation provided to victims.

### **Trafficking and exploitation of prostitution**

12. In the light of the Committee's general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, please provide information on measures taken to:

(a) Reform permanent mechanisms of the process of the identification of victims of trafficking in persons, including among foreign and migrant women in prostitution;

(b) Ensure that victims of trafficking in persons are not treated as offenders and have access to shelters, legal and psychological aid, rehabilitation and reintegration programmes;

(c) Raise awareness about the risks of trafficking in women and girls.

### **Participation in political and public life**

13. Please provide information on the following:

(a) Progress achieved in amending the Electoral Code to ensure the full and equal participation of women in political and public life;

(b) Measures taken to combat discriminatory gender stereotypes and sexist language regarding the participation of women in political and public life;

(c) Impact of the communications strategy and action plan for 2018–2020 of the Gender Equality Council, and the results of the thematic inquiries conducted on the accessibility of vocational education for women and women's participation in State economic programmes (paras. 9 and 14);

(d) Results of the gender impact assessment of the contribution of certain policies and legislation to gender equality, and the status of the report that was submitted to the parliamentary committee on drug policy (para. 10);

(e) Initiatives to promote the security of and increase financial support for non-governmental organizations, including statistical data on State financial support provided;

(f) Special measures aimed at increasing the representation of women in decision-making positions in, inter alia, municipalities and other positions at the regional level, the media, the civil service and the diplomatic service.

**Women, peace and security**

14. Please provide information on measures taken to:

- (a) Assess the impact of the national action plan on the implementation of Security Council resolution [1325 \(2000\)](#), including at the regional level;
- (b) Involve women in the implementation of the action plan and policies aimed at settling armed conflicts and to promote the active participation of women in peace negotiations.

**Education**

15. Please provide information on the proportion of women and girls who are students and graduates in the areas of science, technology, engineering, mathematics, and information and communications technology. Please explain measures taken to:

- (a) Abolish the requirement for Georgian citizenship or identity documents for gaining access to education beyond the ninth grade;
- (b) Introduce mandatory age-appropriate education on gender equality and sexual and reproductive health and rights in school curricula;
- (c) Ensure gender balance among teaching professionals, both at the level of teachers and within senior levels of academic and school administration.

**Employment**

16. Please provide updated statistical data, on an annual basis for the last four years, on the proportion of men eligible for paternity leave who have taken it. Please elaborate measures taken to:

- (a) Implement the principle of equal pay for work of equal value, with a view to closing the gender wage gap;
- (b) Promote the equal sharing of family responsibilities and domestic work between women and men, including by providing adequate childcare facilities and encouraging men to take paid paternity leave;
- (c) Ensure the protection of pregnant women and nursing mothers from harmful and hazardous working conditions;
- (d) Prevent and combat sexual harassment of women in the workplace, including through labour inspectorates.

**Health**

17. Please elaborate measures taken to:

- (a) Reduce the maternal mortality rate, in particular among rural women and women belonging to ethnic minorities, including through the effective implementation of the national strategy on maternal and infant health care for 2017–2030;
- (b) Combat HIV/AIDS and ensure that women living with HIV/AIDS have access to treatment and antiretroviral medicines;
- (c) Provide mental health services for women and girls, including in the context of the COVID-19 pandemic;
- (d) Undertake a study on the prevalence of women who use drugs, including while pregnant;

(e) Assess the impact of the special policy on eliminating the practice of fetal sex selection (para. 198);

(f) Eradicate forced or involuntary sterilization in legislation and policies, and ensure that victims of such acts have received remedies.

18. In view of the low rate of contraceptive use among women (para. 195) and the high rate of adolescent pregnancies (para. 239), please provide information on measures taken to:

(a) Prevent adolescent pregnancies;

(b) Ensure access of all women and adolescent girls, including those who are unmarried, living in rural areas, living in poverty and belonging to ethnic minority groups, to sexual and reproductive health services, including family planning services, modern contraceptives, and abortion and post-abortion services;

(c) Combat the stigma attached to girls and women who seek sexual and reproductive health-care services;

(d) Prevent sex-selective abortions in the regions, especially among national minority groups.

#### **Economic empowerment and social benefits**

19. Please provide information on the following:

(a) Results of the rural development strategy for 2017–2020, including with regard to increasing the initiatives aimed at promoting the economic empowerment of women and women’s entrepreneurship, such as vocational, business, financial management and skills training, including for women belonging to minority groups;

(b) Access of women to loans and financial credit without the requirement of collateral, such as land or other property;

(c) Programmes aimed at reducing the engagement of rural women and girls in unpaid work, including care, agricultural and domestic work;

(d) Availability of kindergartens in rural areas, and any plans for subsequent strategies;

(e) Access of older women, women with disabilities, women heads of households and women in the informal employment sector to social benefits.

#### **Disadvantaged groups of women**

20. Please provide information on measures taken to:

(a) Ensure the access of women belonging to ethnic minorities, women with disabilities, migrant and refugee women, lesbian, bisexual and transgender women and intersex persons to primary health-care services, sexual and reproductive health services, inclusive education and employment;

(b) Combat discrimination against women with disabilities and lesbian, bisexual and transgender women and intersex persons in all spheres of life;

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

(d) Ensure the access of refugee and asylum-seeking women, including those whose asylum applications were rejected on national security grounds, to identification documents, social benefits and mental health services;

(e) Provide free support services for women who use drugs and alcohol;

(f) Ensure the prompt investigation of cases of violence against and harassment of lesbian, bisexual and transgender women and intersex persons.

**Marriage and family relations**

21. Please clarify whether the minimum age of marriage is set at 18 years, without exception. Please provide information on measures taken to:

(a) Enforce the latest amendments to relevant laws that establish the minimum age of marriage at 18 years, and remove all exceptions to the minimum age of marriage (para. 241);

(b) Prevent the practice of unregistered marriage and safeguard the economic rights of women in such marriages;

(c) Protect the rights of women to inheritance and ensure equal rights of both spouses to land ownership;

(d) Increase awareness-raising campaigns among families for the prevention of child and/or forced marriages, including among migrant and minority women and girls.

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