



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

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 431st meeting

Held at Headquarters, New York, on Friday, 11 June 1999, at 3 p.m.

Chairperson: Ms. Ouedraogo (Vice-Chairperson)

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The meeting was called to order at 3.10 p.m.

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

Initial report of Georgia (CEDAW/C/GEO/1 and Add.1) (continued)

1. *At the invitation of the Chairperson, Ms. Beridze (Georgia) resumed her place at the Committee table.*

2. **Ms. Beridze** (Georgia), responding to a request from the Committee, provided further details of Georgia's Action Plan for the Advancement of Women for the Period 1998-2000 (CEDAW/C/GEO/1/Add.1, para. 6), which was based on the Beijing Platform for Action. Enumerating the plan's seven priorities, she said that the first, which was to set up institutional mechanisms for mainstreaming women's concerns, would include a department of women's affairs and corresponding units within the ministries of health, education, finance and social affairs, which would disseminate information on gender equality, review legislation from a gender perspective and collect gender-specific social indicators. The second priority was to increase women's participation in decision-making by promoting and publishing research on women's representation at all levels, training women for political leadership, establishing a national reserve of women qualified for managerial positions and enhancing the representation of women in the diplomatic service and in international organizations.

3. The third priority was to promote women's economic self-sufficiency, inter alia, by implementing programmes for women in the private and agricultural sectors and by collecting gender-specific economic indicators. The fourth priority, women and poverty, involved studying the effect of macroeconomic, investment and tax policies on women's poverty, conducting programmes to target rural poverty, studying the economic ramifications of women's migration, providing assistance to single mothers, pensioners and disabled women and offering incentives for health, culture and education professionals to work in mountainous areas. The fifth priority was to enhance the participation of women in conflict resolution, to unite families which had been divided by conflicts, to return property to refugees and displaced persons and to provide rehabilitation programmes for victims of armed conflict. The sixth priority, women's health, she

would deal with later. The seventh priority was women's rights, and would consist of the provision of training programmes within State structures, the publication of relevant international instruments, the incorporation of women's rights into school and higher education curricula and the convening of mass media seminars on sexism. Progress had already been made in a number of areas; others were dependent on funding, or on the necessary legislation being enacted in the near future.

4. Drawing attention to paragraphs 7, 8 and 20 of the report, she said that the Constitution fully safeguarded the human rights and freedoms of Georgian citizens and provided guarantees against discrimination, inter alia, on the basis of sex. Since the international human rights instruments to which Georgia was a party were self-executing, provided they did not contravene the Constitution, it followed that articles 1 and 2 of the Convention had legal force in the country. The new Criminal Code, which would soon be fully enacted into law, criminalized acts that violated the equality of citizens, inter alia, on the basis of sex.

5. The Commission charged with drafting State policy on the advancement of women encouraged the active participation of non-governmental organizations in its meetings and took full account of their recommendations. Non-governmental organizations played an important role in informing women throughout the country of their rights.

6. Regarding questions under article 5, she said that the decision to celebrate "Mothers' Day" in Georgia in lieu of International Woman's Day had been taken in response to the public reaction against official holidays observed in Soviet times. It was likely, however, that the Parliament would be asked to rename or even to abolish the holiday, given that no corresponding day was set aside for men. Also on the subject of stereotypes, women in Georgia played a significant role in social and political life, even in the remotest of villages. Families were often headed by women, and women bore the brunt of household chores in addition to other work. The media were currently debating the merits of treating housework as employment and its possible future remuneration.

7. She was now in a position to provide supplementary data concerning women's representation in the executive (article 7). Ninety-five of Georgia's 300 government departments were headed by women,

with 62 women occupying deputy positions. Of a total of 250 higher ministerial posts, 105 were held by women, with 140 women deputies. Women were represented in virtually all government departments and dominated managerial positions in the Ministries of Health, Labour and Social Security. The newly appointed Minister of Defence was also a woman. Legislation outlawed discrimination against applicants for civil service posts on the basis of sex; nor was there any discrimination in practice.

8. With regard to article 11, restrictions on the use of female labour of the type referred to in paragraph 75 of the report were in no way intended to be discriminatory; rather, their purpose was to safeguard women's health, including reproductive health. Women were not prevented from engaging in business travel (para. 74); instead, they were given the option to refuse such assignments if they impacted negatively on the family. Regrettably, however, the Labour Code was not always fully enforced. The figure of 81.3 per cent in paragraph 85 of the report referred to self-employed women in the agricultural sector.

9. The Labour Code prohibited discrimination based on sex. Recently enacted legislation (on the minimum wage, collective agreements and the resolution of labour disputes) further safeguarded the principle of equal pay for equal work. Women's salaries continued to lag behind men's, not as a result of discrimination but because a significant proportion of women had been forced to take on low-paid work owing to the financial crisis. As the economy improved, so would the minimum wage.

10. Employment patterns had changed considerably in recent years, and women were finding it particularly hard to adapt to the new economic conditions. In the self-employed sector, women now made up the majority. With a view to addressing employment issues, a number of professional training institutions for men and women had been established with Swedish assistance. Under recent legislation, unemployment benefit was provided for a period of six months.

11. Replying to the questions posed under article 12, she said that there were 14,500 women doctors and almost 30,000 nurses in Georgia, which had a female population numbering 1,300,000 women of fertile age (14-49 years) and 680,000 girls aged under 18. There were 287 hospitals and over 1,100 outpatient clinics. Women's average life expectancy was 76 years. Thus

far, privatization had affected only pharmacies and dental surgeries, although privatization of larger medical establishments was currently being considered with a view to increasing the number of hospital beds, which stood at approximately 24,500. In 1997, the Georgian Parliament had adopted the Medical Insurance Act. The State insurance company was organized according to the principle of solidarity with both workers and their employers contributing.

12. Her Government was currently implementing 11 State health-care initiatives, including a safe motherhood programme under which pregnant women were entitled to 7 free consultations and to give birth in hospitals free of charge. Every expectant mother was given an insurance policy at her first prenatal consultation. Regrettably, one of the main methods of family planning was abortion. The Ministry of Health was working with the World Health Organization to establish a national policy on reproductive health, which would address such issues as family planning; prenatal and perinatal care; sex education; awareness raising; training of medical personnel; and prevention of sexually transmitted diseases and acquired immunodeficiency syndrome (AIDS). Already, reproductive health centres had been established in five major population centres. Under the Georgian Criminal Code, abortion was deemed a criminal offence if performed in unsanitary conditions, outside a hospital or maternity home, or by a person without appropriate medical qualification. A bill on abortion was currently being drafted.

13. With regard to the situation of rural women (article 14), she said that her Government, in partnership with the World Bank and the International Fund for Agricultural Development (IFAD), was implementing an agricultural development project. In 1997, it had signed a credit agreement with those organizations. Under the agreement, credit unions were being established and every effort was being made to ensure maximum involvement by women. Currently, there were some 130 credit unions with more than 10,000 members, of whom 60 per cent were women; 16 credit unions were headed by women; and more than 1,000 women had received credit.

14. Her Government intended to elaborate a comprehensive, long-term programme for the development of mountainous regions which would focus in particular on the provision of assistance to women. Priorities would include the enhancement of

living conditions; the creation of employment opportunities; the involvement of women in decision-making; and the establishment of women's organizations.

15. The land reform legislation did not distinguish between the sexes, and both men and women had thus been able to acquire land. Education was equally accessible to rural and urban dwellers, although rural schools did not enjoy the same level of infrastructure. The teachers, on the other hand, were as highly qualified as their urban counterparts. In accordance with the Constitution, primary education was compulsory. Currently, nine years of schooling were provided free of charge, and her Government was considering extending State coverage to secondary education. There was no illiteracy in Georgia.

16. In response to the questions posed under article 16, she said that the separation of Church and State was enshrined in the Constitution. In accordance with the Civil Code, only legally registered marriages were recognized by the State, and thus marriages contracted in religious ceremonies had no legal value. The Code stipulated that property acquired by spouses during their marriage was joint property, and that, in the event of divorce, such property should be divided equally between them. Custody of children was determined by the courts, which took into account the best interests of the child. In the case of children over 10, the judge's decision was subject to the child's consent.

17. The family was the fundamental unit of society. In accordance with the Constitution, the State had a duty to promote the welfare of the family. Family law was applied without any distinction whatever between the sexes. Where judges were called upon to settle family disputes, they generally sought to give priority to the interests of children and women. Personal property rights and non-property rights were legal terms. Property rights included the right to own and dispose of property, while non-property rights were defined in the report.

18. Her delegation undertook to ensure that the Committee's comments and wishes were taken into account in the implementation of the Convention in Georgia. Those questions to which she had been unable to respond would be dealt with in Georgia's next report, which, it was hoped, would be richer in content and would reflect visible progress with respect to the situation of women.

19. **Ms. Schöpp-Schilling** thanked the Georgian Government for its efforts to implement the Convention despite difficult circumstances. She expressed the hope that peace and prosperity would return to the country.

20. She was concerned that such initiatives as quotas and target-setting, which had been demonstrated to benefit women, were being swept away in the rush to efface the Soviet past. While the socialist system had been discredited overall, it should not be concluded that every aspect of that system was inherently bad. She cited by way of example the low incidence of domestic violence in the former German Democratic Republic, where women's high economic status has made them less dependent on men and thus less likely to remain in violent relationships.

21. There had been a number of lacunae in the State party's report, especially on the subject of domestic and custodial violence against women. She expressed the hope that the next report would give more details of such violence and that appropriate legislation would have been adopted by the time of its submission. She urged the State party to draw on the expertise of the European Union and the Council of Europe in framing such legislation. There was also a need to conduct training for law enforcement officers and judges and to encourage victims to come forward. In her experience, symbolic gestures by prominent women could do much to raise awareness of the problem. The State party must also provide more information on the trafficking of women. It might wish to network with transit and receiving States with a view to tackling the problem more effectively.

22. She welcomed the Government's commitment to the establishment of a women's ministry and of women's units within the other ministries. While those new entities would give rise to substantial expenditure, the training of officials in gender sensitivity was as important and would cost very little.

23. While the restrictions on women's conditions of employment were intended to protect their health and reproductive systems, the effect in practice was to limit employment opportunities for women and to deter employers from hiring them. It would be fairer to extend the restrictions to men or to abolish them. The Government must also tackle the pay gap. The low rates of pay in female-dominated professions, including teaching and medicine, seemed to be related to the

perception of women's work in those fields as the extension of their natural capacities. The Government had an opportunity, when it set the rates of pay for public-sector workers, to challenge that traditional view.

24. **Ms. Shalev** said that she had also been struck by women's low rates of pay. The delegation had maintained that that phenomenon was due not to discrimination but to the fact that women tended to be employed in professions where pay was poor. That comment showed a lack of understanding of the concept of indirect discrimination. The Government should consider what social, economic and cultural factors caused women's work to be undervalued.

25. The reasons for the high rates of infant and maternal mortality were still unclear to her, given that medical care was free for infants up to 12 months and women were entitled to give birth in hospitals free of charge. She expressed the hope that the forthcoming legislation on abortion would not restrict women's reproductive choices. The Government should inform the Committee of the nature of the provisions adopted in its next report.

26. **Ms. Manalo** said that there had been periods in Georgia's history when women had played leading roles in society; it might be helpful to conduct a cultural or anthropological study of those eras and to consider how the women might serve as role models for today's women. There must also be analysis of the reasons for the high status and authority enjoyed by women in advertising, the media and the judiciary compared with their peers in other professions. The Government should consider how to enlist the media in the campaign against gender discrimination, given the presence of women in senior posts. She looked forward to reading about the outcome of such initiatives in the State party's next report.

27. **Ms. Corti** commended the Georgian Government for its efforts to promote democratization and the advancement of women. She remained seriously concerned, however, about the problem of prostitution, which appeared to be widespread in many States of the former Soviet Union. It was particularly worrying that a large number of minors were involved. The Government must do everything within its power to combat prostitution, which was detrimental not only to women but also to the development of society as a whole. The Committee's experience had shown that

close cooperation with non-governmental organizations was most valuable in that area.

28. **Ms. Goonesekere** said that it was important to recognize the link between the phenomena of prostitution and trafficking of women and the problems of gender stereotypes and discrimination, since lack of access to education and low pay were among the factors that forced women into prostitution. The Government should take strong action to prevent the prostitution of children. The criminalization of sexual relations with minors would send a powerful message to society that such behaviour was not permissible.

29. **The Chairperson** urged the Georgian delegation to take note of the critical areas of concern identified by the Committee and the areas where improvements were needed, particularly equal opportunities, employment, health care and the prevention of trafficking in women. The Committee had thus completed its consideration of the initial report of Georgia.

The meeting rose at 4.15 p.m.