



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

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### Committee on the Elimination of Discrimination against Women Thirty-sixth session 7-25 August 2006

### Concluding comments of the Committee on the Elimination of Discrimination against Women: Georgia

1. The Committee considered the combined second and third periodic report of Georgia (CEDAW/C/GEO/2-3) at its 747th and 748th meetings, on 15 August 2006 (see CEDAW/C/SR.747 and 748). The Committee's list of issues and questions is contained in CEDAW/C/GEO/Q/3, and Georgia's responses are contained in CEDAW/C/GEO/Q/3/Add.1.

#### Introduction

2. The Committee expresses its appreciation to the State party for its combined second and third periodic report, which followed the Committee's guidelines for the preparation of reports, while regretting that it provided insufficient statistical data disaggregated by sex. The Committee commends the State party for the written replies to the list of issues and questions raised by the pre-session working group, and for the oral presentation, which elaborated on the recent developments in the implementation of the Convention in Georgia, and for the responses to the questions posed orally by the Committee.

3. The Committee expresses its appreciation to the State party for the constructive dialogue held between the delegation, which was headed by a member of the Parliament of Georgia, who is the Coordinator for the Gender Equality Advisory Council under the Speaker of the Parliament, and the members of the Committee. It notes that the delegation did not include any representatives from the relevant Government ministries or offices.

4. The Committee commends the State party for the accession, in August 2002, to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, as well as for the acceptance, in September 2005, of the amendment to article 20, paragraph 1, of the Convention.

**Positive aspects**

5. The Committee commends the State party on the elaboration of the State Concept for Gender Equality, which the Committee hopes will lead to concrete actions for the promotion of gender equality in Georgia. The Committee notes the intention of the State party to elaborate and adopt in the next six months the Gender Equality National Action Plan for the implementation of the State Concept for Gender Equality.

6. The Committee welcomes recent legislative initiatives and related activities aimed at addressing violence against women, including the adoption of the Law on the Elimination of Domestic Violence, Protection and Assistance of the Victims of Domestic Violence of June 2006, and the Law on Combating Human Trafficking of April 2006, as well as the adoption of the National Action Plan against Human Trafficking and the establishment of the inter-agency commission for the coordination of activities against human trafficking and efficient implementation of the action plan.

7. The Committee welcomes the State party's continued collaboration with women's non-governmental organizations in the elaboration of plans and other activities aimed at eliminating discrimination against women and promoting gender equality. The Committee hopes such collaboration will continue and be enhanced in all areas, including in the elaboration of laws and in the assessment of plans and programmes.

**Principal areas of concern and recommendations**

**8. While recalling the State party's obligation to systematically and continuously implement all the provisions of the Convention, the Committee views the concerns and recommendations identified in the present concluding comments as requiring the State party's priority attention between the present time and the submission of the next periodic report. Consequently, the Committee calls upon the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It calls on the State party to submit the present concluding comments to all relevant ministries and to Parliament so as to ensure their full implementation.**

9. The Committee regrets the limited availability of statistical data disaggregated by sex as well as by ethnicity, age, and by urban and rural areas, which makes it more difficult to assess progress and trends over time in the actual situation of women and in their enjoyment of their human rights in regard to all areas covered by the Convention.

**10. The Committee calls upon the State party to enhance its collection of data in all areas covered by the Convention, disaggregated by sex as well as by ethnicity, age and by urban and rural areas as applicable, so as to assess the actual situation of women and their enjoyment of their human rights, and to track trends over time. It also calls upon the State party to monitor, through measurable indicators, the impact of laws, policies and action plans and to evaluate progress achieved towards realization of women's de facto equality. It encourages the State party to use those data and indicators in the formulation of laws, policies and programmes for the effective implementation of the**

**Convention. The Committee requests the State party to include in its next report such statistical data and analysis.**

11. The Committee is concerned that the State party lacks a comprehensive approach to policies and programmes aimed at achieving women's equality with men, addressing both direct and indirect discrimination against women.

**12. The Committee recommends that the State party ensure a comprehensive approach to the implementation of the Convention, encompassing all policies and programmes devoted to achieving equality between women and men. Such efforts should be targeted at overcoming direct as well as indirect discrimination and at realizing women's substantive equality. The Committee recommends that gender mainstreaming as a strategy for achieving gender equality be introduced in all public institutions, policies and programmes, supported by gender training and the creation of a network of focal points in all sectoral Government ministries and offices. The Committee also recommends that the State party include specific time frames for the implementation of all policies and programmes aimed at achieving equality between women and men.**

13. The Committee is concerned that the provisions of the Convention, the Optional Protocol and the general recommendations of the Committee are not sufficiently known, including by judges, lawyers and prosecutors, and by women themselves, as indicated by the absence of any court decisions that referred to the Convention.

**14. The Committee calls on the State party to take additional measures to disseminate information about the Convention, the procedures under the Optional Protocol and the Committee's general recommendations, and to implement programmes for prosecutors, judges, ombudspersons and lawyers that cover all relevant aspects of the Convention and the Optional Protocol. It also recommends that sustained awareness-raising and legal literacy training campaigns targeting women, including rural women and non-governmental organizations working on women's issues, be undertaken to encourage and empower women to avail themselves of procedures and remedies for violations of their rights under the Convention.**

15. While noting the creation of the Gender Equality Advisory Council under the Speaker of the Parliament and the Governmental Commission on Gender Equality, the Committee is concerned about the absence of a permanent national machinery for the advancement of women that has sufficient visibility, decision-making power and financial and human resources and institutional sustainability to promote effectively the advancement of women and gender equality. It is also concerned that the existing mechanism may not have the resources and authority needed to coordinate effectively the Government's work to promote gender equality and the full implementation of the Convention.

**16. The Committee urges the State party to put in place a permanent institutional mechanism that recognizes the specificity of discrimination against women and is exclusively responsible for the promotion of formal and substantive equality of women and men and for the monitoring of the practical realization of that principle. It calls upon the State party to endow such a mechanism at the highest political level with the necessary authority and**

**human and financial resources. In that regard, the Committee refers to its general recommendation 6 and the guidance provided in the Beijing Platform for Action on national machinery for the advancement of women, in particular regarding the necessary conditions for the effective functioning of such machinery.**

17. While noting the efforts of the State party to eliminate gender stereotypes from school textbooks at the primary school level, the Committee continues to be concerned about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society in Georgia, which are reflected in women's educational choices, their situation in the labour market and their low level of participation in political and public life. It is concerned that girls and women in secondary schools and universities continue to choose study areas traditionally seen as "female areas".

**18. The Committee encourages the State party to continue its efforts to eliminate gender stereotyping, and to strengthen the mainstreaming of gender perspectives in curricula and textbooks. It also requests the State party to enhance the training of teaching staff in regard to gender equality issues. The Committee urges the State party to disseminate information on the Convention in programmes in the educational system, including human rights education and gender training, with a view to changing existing stereotypical views on and attitudes towards women's and men's roles. It recommends that awareness-raising campaigns be addressed to both women and men and that the media be encouraged to project positive images of women and of the equal status and responsibilities of women and men in the private and public spheres. The Committee calls on the State party to further encourage diversification of the educational choices of boys and girls. It also urges the State party to encourage a public dialogue on the educational choices girls and women make and their subsequent opportunities and chances in the labour market.**

19. While noting the adoption of the Law on the Elimination of Domestic Violence, Protection and Assistance of the Victims of Domestic Violence, the Committee continues to be concerned about the prevalence of violence against women, including domestic violence, in Georgia. It is concerned about the lack of information and statistics on domestic violence, and that such violence may still be considered a private matter. It is also concerned that the implementation of aspects of the law on domestic violence, including those relating to the provision of shelters and rehabilitation centres for victims, has been postponed. The Committee notes that marital rape has not been included in any proposals for new legislation.

**20. The Committee urges the State party to place high priority on the implementation of the Law on the Elimination of Domestic Violence, Protection and Assistance of the Victims of Domestic Violence and to make it widely known to public officials and society at large, and also to complete and implement promptly the national action plan to combat domestic violence, which is under preparation. The Committee calls upon the State party to ensure that all women who are victims of domestic violence, including rural women, have access to immediate means of redress and protection, including protection orders, and access to a sufficient number of safe shelters and legal aid. It calls on the State party to ensure that public officials, especially law enforcement personnel, the judiciary, health-care providers and social workers, are fully**

familiar with applicable legal provisions, and are sensitized to all forms of violence against women and adequately respond to them. It urges the State party to conduct research on the prevalence, causes and consequences of domestic violence to serve as the basis for comprehensive and targeted intervention and to include the results of such research in its next periodic report. The Committee recommends that the State party enhance its action beyond domestic violence to all forms of violence against women, in the light of the Committee's general recommendation 19. The Committee also recommends that consideration be given to addressing the problem of marital rape.

21. While noting the legislative and other measures taken to combat human trafficking, including the Law on Combating Human Trafficking and the National Action Plan against Human Trafficking, the Committee remains concerned about the persistence of trafficking in women and girls in Georgia.

22. The Committee calls upon the State party to ensure that legislation on trafficking is fully enforced and that the national action plan and other measures to combat human trafficking are fully implemented. The Committee urges the State party to consider ratifying the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, which it signed in 2000. The Committee urges the State party to collect and analyse data from the police and international sources, prosecute and punish traffickers, and ensure the protection of the human rights of trafficked women and girls. It also recommends that the State party address the root cause of trafficking by increasing its efforts to improve the economic situation of women, thereby eliminating their vulnerability to exploitation and traffickers, and take measures for the rehabilitation and social integration of women and girls who are victims of trafficking.

23. The Committee is concerned about the continuing underrepresentation of women in public and political life and in decision-making positions, including in diplomacy, the executive bodies of the Government and local government, as well as in Parliament.

24. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendations 25 and 23, to accelerate women's full and equal participation in elected and appointed bodies, including at the international level. Such measures should include the establishment of benchmarks, numerical goals and timetables, as well as conducting training programmes on leadership and negotiation skills for current and future women leaders. It further urges the State party to undertake awareness-raising campaigns about the importance of women's participation in public and political life and at decision-making levels.

25. The Committee expresses concern that insufficient information was provided about women's de facto situation in the formal and informal labour markets. The Committee continues to be concerned about the occupational segregation between women and men in the labour market and the gap in their wages. The Committee is concerned about the negative impact on women of the new labour code, which liberalizes the regulation of employment in Georgia and does not include provisions

on equal pay for work of equal value and against sexual harassment in the workplace.

**26. The Committee calls upon the State party to provide in its next report detailed information, including statistical data indicating trends over time, about the situation of women in the fields of employment and work in the public, private, formal and informal sectors and about the impact of measures taken to realize equal opportunities for women. The Committee urges the State party to intensify its efforts to ensure that all job creation programmes are gender-sensitive and to increase women's access to new technology. The Committee recommends that efforts be strengthened to eliminate occupational segregation, both horizontal and vertical, and to adopt measures to narrow and close the wage gap between women and men by applying job evaluation schemes in the public sector connected with wage increases in sectors dominated by women. The Committee urges the State party again to introduce provisions on equal pay for work of equal value as well as to introduce provisions on sexual harassment, in accordance with the Committee's general recommendation 19. The Committee requests the State party to analyse the impact on women of the new labour code and make necessary amendments, and include in its next report information on such analysis and the action taken.**

27. While acknowledging the difficulties encountered in the ongoing transition of the country to a market-based economy, the Committee is concerned about the feminization of poverty, particularly among rural women, elderly women, women-headed households and internally displaced women and girls. The Committee is concerned that the State party lacks targeted programmes to address the needs of such vulnerable groups of women.

**28. The Committee requests the State party to assess the impact of economic restructuring on women and mobilize adequate resources for that purpose. It requests the State party to ensure that all poverty alleviation programmes and strategies are gender-sensitive and take into account the needs of particularly vulnerable groups, including rural women, elderly women, women-headed households and internally displaced women and girls. The Committee urges the State party to increase women's access to bank loans and other forms of financial credit, in accordance with article 13 of the Convention. The Committee requests the State party to include in its next periodic report information on the measures taken to improve the economic situation of women, particularly those belonging to vulnerable groups.**

29. The Committee is concerned about the lack of information and data on women's health, including women's reproductive health, morbidity and mortality rates of women and their causes, and diseases that most affect women and girls, as well as a lack of information on women's access to health-care services. The Committee is concerned that the abortion rate remains high. It is also concerned that the State party lacks a comprehensive approach to eliminating discrimination against women in the area of health.

**30. The Committee recommends that a broad framework for health services in line with the Committee's general recommendation 24 on article 12, on women and health, be put in place, that adequate resources be mobilized for that purpose and that access to those services by women be monitored. The Committee requests the State party to include in its next report further**

**information on women's health, including the rates and causes of morbidity and mortality of women, contraceptive prevalence rates, abortion rates and diseases affecting women and girls, including cancer, as well as information on women's access to health-care services, including family planning and services directed towards cancer prevention.**

31. The Committee is concerned about the lack of information on the situation of rural women and ethnic minority women in the areas covered by the Convention.

32. **The Committee requests the State party to provide, in its next report, a comprehensive picture of the de facto situation of rural women and ethnic minority women in all areas covered by the Convention. The Committee also requests the State party to include in its next report information on marriages in Georgia involving girls under 18, and on the prevalence of the abduction of women for purposes of marriage, particularly among ethnic minority women.**

33. **The Committee urges the State party to utilize fully, in its implementation of the obligations under the Convention, the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.**

34. **The Committee also emphasizes that a full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and the explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals, and requests the State party to include information thereon in its next periodic report.**

35. **The Committee notes that States' adherence to the seven major international human rights instruments<sup>1</sup> enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the Government of Georgia to consider ratifying the treaty to which it is not yet a party, namely, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.**

36. **The Committee requests the wide dissemination in Georgia of the present concluding comments in order to make the people of Georgia, including Government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure the de jure and de facto equality of women, as well as the further steps that are required in that regard. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, entitled**

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<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

**“Women 2000: gender equality, development and peace for the twenty-first century”.**

**37. The Committee requests the State party to respond to the concerns expressed in the present concluding comments in its next periodic report under article 18 of the Convention. The Committee invites the State party to submit its fourth periodic report, which is due in November 2007, and its fifth periodic report, which is due in November 2011, in a combined report in 2011.**

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