

Women in GEORGIA

Peace, Security and Democracy from a Women's Rights perspective

Desk Research

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1. Introduction

The aim of this desk research is to underpin the advocacy work of the “Strengthening Women’s Capacity for Peace-building in the South Caucasus Region” Project financed by the European Union, the Austrian Development Agency, CARE International in Caucasus and CARE Austria and implemented by CARE International in Caucasus in partnership with the Armenian Committee of Helsinki Civil Assembly (Yerevan), the Association of Ossetian Women for Democracy and Human Rights (Tskhinval/i), the Association of Women of Abkhazia (Sukhum/i), the Centre for Civilian Initiatives (Stepanakert), the IDP Women Association ‘Consent’ (Tbilisi), the Women’s Problems Research Union (Baku) and the Ludwig Boltzmann Institute for Human Rights (Vienna).

Gender equality and women’s participation in all relevant political and societal areas, are important markers of inclusive peace building and gender democracy. The following desk research about the situation of women in Georgia is based on key women’s rights principles, as pointed out in the “Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)” and further framed by Resolutions of the UN-Security Council 1325¹ and 1820² as well as the “Comprehensive approach to the EU implementation of the UNSCR 1325 and 1820 on women, peace and security”³. UNSCR 1325 especially stresses the necessity of involving women and strengthening their positions in the fields of prevention, conflict resolution, peace building and rehabilitation as well as reconstruction of society. The comprehensive approach to the EU implementation of the UNSCR 1325 and 1820 emphasizes the promotion of women’s economic security, their participation in politics and civil society, their access to health services and education.

CEDAW and UNSCR 1325 are of particular importance in the Georgian context, as there are currently two internal unresolved conflicts. Both, the convention and the resolution, intend to promote gender equality, and each reinforces the aim of the other. UNSCR 1325 can be used to enlarge the scope of CEDAW, making it relevant to all participants – including non-state actors such as unrecognized *de facto* authorities, as e.g. in South Ossetia and Abkhazia – and all aspects of conflict and peace. At the same time, CEDAW can increase the impact of UNSCR 1325 by detailing the concrete strategies that need to be developed and implemented by governments and others to meet its requirements.⁴

This desk research complements the “Strengthening Women’s Capacity for Peace-building in the South Caucasus Region” Project’s “Baseline Survey about Georgia”⁵. Therefore the main intention is to complete the existing findings with important aspects, particularly related to women, peace, security and democratisation.

¹ Adopted by the UN-Security Council, UN Doc. S/Res/1325 from 31st of October 2000, with special focus on the “important role of women in the prevention and resolution of conflicts and in peace-building, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution”;

² Adopted by the UN-Security Council, UN Doc. S/Res/1820 from 19th June 2008, with special focus on the fact “that rape and other forms of sexual violence can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide;

³ Adopted by the Council of the European Union, 15671/1/2008

⁴ Sanikidze, Lia/Pataridze, Tamar/Javelidze, Eugenia et.al.: The Reality - Women’s Equal Rights and Opportunities in Georgia, supported by UNIFEM, Tbilisi, 2006, p. 7.

⁵ Matveea, Anna: Strengthening Women’s Capacity for Peace Building in the South Caucasus Region’ project, 2010-2012, Care International in the Caucasus, Tbilisi, London, 2010.

2. International and National Human Rights Framework on Gender Equality

Georgia has ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1994) and all major human rights treaties and conventions (see box below). According to the Georgian Constitution⁶ international treaties form part of the Georgian domestic legal system and they have direct force of application. In addition, the state acknowledges and protects universally recognized human rights and freedoms as supreme human values. Following the concluding comments of the Committee on the Elimination of Discrimination against Women⁷ Georgia has worked steadily towards the development of state structures and mechanism for gender equality.

Human Rights Conventions, Treaties and Resolutions, relevant in the context of this paper:

- Universal Declaration of Human Rights 1948
- International Covenant on Civil and Political Rights 1966
- International Covenant on Economics, Social and Cultural Rights, 1966
- Convention on the Elimination of All Forms of Discrimination against Women, 1979
- European Convention on Human Rights and Fundamental Freedoms, 1950
- Beijing Declaration and Platform for Action, 1995
- Programme of Action of the Cairo Conference on Population and Development, 1994
- The UN Security Council Resolutions 1325 (2000) and 1820 (2008; as well as Res 1888 and 1889)
- Resolution 1544 of the Standing Committee of the Parliamentary Assembly of the Council of Europe about the situation of women in the South Caucasus, 2007
- Millennium Declaration and Millennium Development Goals, 2000

2.1. National Laws, Institutions and Policies related to Gender Equality

Despite the fact that Georgia adopted a series of gender equality-related laws, an overall gender approach in the legislation is missing and state policies and strategies lack consistent gender mainstreaming

“Gender neutral” language and general recognition of non-discrimination on the basis of sex could be found in almost all the major legislative acts. However, each of these general provisions is not complemented with effective legal mechanisms and concrete measures for achieving equality. For example, the Election Code of Georgia recognizes equal active and

⁶ Georgian Constitution adopted 24. August 1995 (last amendment 27. December 2006), Art. 7: “The State shall recognise and protect universally recognised human rights and freedoms as eternal and supreme human values. While exercising authority, the people and the State shall be bound by these rights and freedoms as directly acting law.

⁷ See Concluding Comments of the Committee on Elimination of Discrimination against Women: Georgia, CEDAW Committee, C/GEO/CO/3, 36th session, 2006.

passive political rights of men and women. However, the lack of special measures (either temporary or permanent) that would make this general provision operational, results in gender inequality in the realization of passive electoral right and extremely low representation of women in the elected bodies.⁸

The adoption of the *Law on Gender Equality* (2010) can be considered as a signal towards the legal implementation of women's rights. The fact that the law was drafted through the coordinated effort of international organizations, government and local NGOs, is a development. The law aims to eliminate discrimination and achieve gender equality in the areas of political participation, employment, education, health and social care. Various women's rights NGOs, however, stated some deficiencies in a report (during the UPR process)⁹:

1. there is no enumeration of obligations of the executive branch officials, who have the decision-making capacity and are entrusted with the implementation of gender equality policy in the country.
2. there is no set of procedures on how to protect human rights victims of direct or indirect discrimination on the basis of sex
3. upon affirming the fact of discrimination or sexual harassment, there exists no established compensation or any rules for paying damages
4. there exists no list of specific forms of discrimination on the basis of sex, which it can take on in different areas (such as political life, social protection, healthcare, etc)

Apart from that, it is noteworthy that the *Law of Gender Equality* includes obligations for the Office of the Public Defender of Georgia (a human rights Ombudsmen) to monitor possible violations of the law and that it provides a new mandate for the Advisory Council on Gender Equality, which comprise the monitoring of the implementation of the National Action Plan.¹⁰ Currently, a group of NGO representatives, under the coordination of UNIFEM and UNFPA, are drafting the National Action Plan on Gender Equality for 2011-2013 and the National Action Plan for Domestic Violence for 2011-2012 with the involvement of Women's Rights NGOs.

Periodic reports submitted to the CEDAW Committee, as well as progress reports on achieving the MDGs, have highlighted a number of problematic areas¹¹ that Georgia must address in order to improve women's rights and status.¹² The legislation of Georgia *de jure* recognizes the principles of gender equality, however, *de facto* equality is still an issue.

At the last "Donor Coordination Meeting on Gender Equality Issues"¹³ in March 2011, high representatives of the UN welcomed the significant steps towards developing legislative principles for gender equality. However, they expressed their concern about the lack of genuine gender equality in the fields of: participation in public life, employment, gender based violence, poverty, health and trafficking.

⁸ The report was prepared by women's rights NGOs in the framework of the UN Universal Periodic Review (UPR), July 12, 2010, p. 2.

⁹ Ibid, p. 3.

¹⁰ Gender Assessment, USAID/Georgia, June 2010.

¹¹ Areas of concern: elimination of gender stereotypes, domestic violence, human trafficking, representation of women in public and political life, integration in the labour market, health and educational issues.

¹² See Concluding Comments of the CEDAW-Committee, Georgia and Georgia MDG Progress Report, United Nations Associations of Georgia, 2006.

¹³ Coordinated primarily by UN Agencies and held twice a year. The meeting is a platform for information sharing between all donors supporting any projects on gender issues and women's rights in Georgia. See <http://24saati.ge/index.php/category/society/2011-03-17/15020> (22nd of May 2011).

Moreover Ketevan Chkheidze, gender consultant for the Asian Development Bank in Georgia, stated: While there is a need for more commitment – political, financial and human resources – for addressing broader gender equality issues, instead most of the pressure comes from international organizations.¹⁴ She put emphasize on the impact of international donors on politics and national legislation.

According to the UPR report of the Women’s NGOs no adequate attention has been paid so far to women’s rights and gender equality issues on policy-making level. Insufficient resources provided by the government to implement the “Gender Equality National Action Plan of 2007-2009” and the lack of the political will, especially in the executive branch of the government to tackle inequality problems, leads to ineffective protection of women’s rights and slow progress towards enhanced gender equality.¹⁵ To give one example: one of several recommendations out of the Women’s NGOs report addresses the inadequate implementation of gender issues in schools which is a planned activity outlined in the “Gender Equality National Action Plan of 2007-2009”.

In summary it can be said, that legislative and law enforcement strategies are a basic requirement for achieving gender equality, but they alone can not change attitudes or behaviour and in addition, they are often not efficiently implemented and sanctions for the violations of legal norms are not effective enough. In chapter 5 “Peace and Democracy” women related areas of concern are analysed, where still a gap between “*de jure*” and “*de facto*” equality has been identified.

Overview of Key Institutions, Policies and Laws on Gender Equality

- Gender Equality Advisory Council under the Chairperson of the Parliament (2004)
- Gender Equality Government Commission (2004)
- State Concept on Gender Equality (2006)
- Law on Elimination of Domestic Violence, Protection and Assistance of Domestic Violence (2006)
- Law on Fighting against Human Trafficking (2006)
- State Fund for Protection and Assistance of Victims of Human Trafficking and Domestic Violence
- National Action Plan on Gender Equality 2007-2009
- National Action Plan on Gender Equality Policy 2011-2013 (drafting process)
- Law on Gender Equality (2010)

3. War and armed conflicts

The dissolution of the Soviet Union and Georgia’s declaration of independence in 1991, was followed by armed conflicts with South Ossetia and Abkhazia. Due to these conflicts, some

¹⁴ Chkheidze, Ketevan: Gender Politics in Georgia, see: <http://www.gwi-boell.de/web/democracy-100-years-women's-day-georgia-gender-politics-3060.html> (7th of June 2011)

¹⁵ The report was prepared by women’s rights NGOs in the framework of the UN Universal Periodic Review (UPR), 2010, p. 3.

220,000 people remain displaced to this day. UN- and OSCE-led peace processes made little progress in resolving the conflicts, and despite periodic flare-ups of hostilities, they can be referred to as ‘frozen’ conflicts. However, in August 2008, a renewal of hostilities with the intervention of Russian troops resulted in the displacement of further 26,000 people. This was followed by the recognition of independence of Abkhazia and South Ossetia by the Russian Federation. The violent conflicts had significant negative effects on the lives of Georgian individuals – men, women and children.

3.1. Sexual violence committed during armed conflicts

During the armed conflicts of the 1990s, several Abkhaz, Ossetian, as well as Georgian women were subject to violence, especially of rape. According to the 1999 UNHCR background paper on refugees and asylum seekers from Georgia:¹⁶ “Following the eruption of the conflict in the Gali region of Abkhazia in May 1998, Abkhaz military reportedly shot, raped and tortured ethnic Georgians and then looted and burned the property of those who fled. None of the perpetrators were brought to justice.” The research about violence suffered by Abkhaz and Ossetian women during the conflicts is limited. However, oral histories of women survivors (of the conflicts) prove that women suffered violence regardless of their ethnicity.¹⁷

Also during the war in August 2008, sexual violence-based war crimes were committed according to the report *Rapid Needs Assessment of Internally Displaced Women*.¹⁸ “The conflict and displacement had an immense negative impact on women’s health and well-being. From the onset of the conflict, UNIFEM has been collecting information about women’s conditions as well as different forms of gender based violence suffered by young girls, matured, and elderly women. There have been reports and allegations of sexual violence, especially in ethnically Georgian villages. The absolute majority of interviewers and researchers who took part in this Needs Assessment were women, who were respectively instructed on the sensitivity of posing even indirect questions in relation to experiences of sexual violence. The survey revealed that 6.3% of respondents had information about sexual violence committed against women, out of this number (a total of 70 respondents), 21.4% said that they had information about cases of rape, 32.8% about group rape, 14.3% about attempt of rape and 31% did not specify the kind of abuse. The age of abused women and girls varied from 12 to 77, with the 25-35 age group mentioned the most.” Taking into consideration the taboo associated with the issue of sexual violence in the Georgian society, it can be assumed that these findings shed light only on the tip of the iceberg.

The State has not supported any comprehensive investigations or efforts against impunity around such sexual based violence. In fact, a claim that is pending before the European Court of Human Rights describes the inaction of the Prosecutor’s Office in a case of rape. This is the only case of sexual violence perpetrated during the August 2008 conflict to be litigated in an international court.¹⁹

3.2. Women as internally displaced persons (IDPs)

One key division among Georgian IDPs is between the “old” and the “new”; those who were displaced as a result of the conflicts in 1993, and those who joined them after hostilities in 2008. While a large number of the most recent IDPs were able to return home, it is estimated

¹⁶ See: <http://www.unhcr.org/refworld/pdfid/3ae6a6590.pdf> (22nd of May 2011)

¹⁷ Sanikidze, Lia, *The Reality - Women’s Equal Rights*, p. 21.

¹⁸ Carried out by the Institute of Policy Studies with financial support by UNIFEM, Tbilisi, 2008.

¹⁹ Gender Assessment, USAID/Georgia, p. 31

that 15,912 people are still living in IDP centres and settlements, unable to return. At the same time, an additional 233,453 IDPs from the earlier conflicts in Abkhazia and South Ossetia remain displaced. More than half of the new IDPs are women.^{20 21}

According to the UNIFEM “Rapid Needs Assessment of Internally displaced women” in 2008 specific areas of needs²² were identified. In general both men and women were fairly equally affected related to leaving conditions and expressed similar concerns in the collective centres. However in regard to domestic violence more women (3.6 percent men and 8.6 percent women) reported witnessing family conflicts²³. Among the 56 pregnant women, 67.9 percent pointed at not having adequate food, 62.5 percent at not having a possibility to bathe, 58.9 percent at inadequate bed, 57.1 percent at poor medical service, and 41.1 percent at the lack of opportunity to rest during the day.²⁴ Moreover, access to durable and adequate housing has been one of the most acute problems faced by the IDPs, which sometimes is much more complex for single women, including single elderly women, single mothers and IDP women, who face domestic violence and would like to seek divorce.²⁵

The impoverishment of displaced persons was obvious. The majority lost their property and main source of income and subsistence – harvest and domestic animals. Consequently, the portion of households with monthly income of more than GEL 200 (Euro 82) decreased from 59.1 percent to 13 percent. 39.2 percent of women want to go abroad for work and 44 percent have shown interest in taking loans to start and develop small businesses.²⁶

The Government of Georgia has recognized to some extent that there are different needs between female and male IDPs and deals with gender related violence in its Action Plan for the Implementation of the State Strategy on IDPs for 2009-2012. For example, it offers to transfer ownership of living spaces to IDPs, which will be given to husbands and wives as well as female-headed households.²⁷ Nevertheless the state has to take further measures for establishing adequate conditions for the rehabilitation and empowerment of internally displaced women and involve them actively in confidence building and peace initiatives.

4. Peace and Security

Especially in the context of the UNSCR 1325 and 1820 the role of women in peace building and –processes as well as the protection of women, play a crucial role for reconstructing society and building up democracy. The increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict is of outstanding importance.

²⁰ Ibid., 30.

²¹ Ibi

²² Rapid Needs Assessment of Internally Displaced Women: Findings and Recommendations, Institute for Policy Studies, 2008, Tbilisi.; areas of concern: war experience, leaving homes, shelter, water and sanitation, food, non-food items, health and psychological well-being, groups with special needs, access to information, management and participation and economic conditions; overall, 1144 persons, 47.1 percent men and 52.9 percent women were surveyed in Tbilisi, Gori and Kutaisi including their vicinity between 5-29 September 2008.

²³ Ibid., p. 20.

²⁴ Ibid., p. 21.

²⁵ The report was prepared by women’s rights NGOs, UPR, p. 8.

²⁶ Rapid Needs Assessment of Internally Displaced Women, p. 25.

²⁷ Action Plan for the Implementation of the State Strategy on IDPs for 2009-2012, see: http://www.europarl.europa.eu/meetdocs/2009.../dsca_20110315_14en.pdf (22nd of May 2011)

4.1. Women's involvement in peace building

In 2004, Brussels dispatched a civilian ESDP (European security and defence policy) mission called EUMM (European Union Monitoring mission) to Georgia to help the Georgian government to strengthen the rule of law.²⁸ The reporting officer of EUMM, Cecillia Rosing, raised the problem of the unequal gender balance in the mission and the great majority of male members: "In many cases it was necessary to have female observers and female interpreters to receive information from women on sensitive issues that concerned their security situation."²⁹ Moreover representatives of women's organizations of Georgia experienced problems caused by lack of funding for gender advisors: e.g. in the EUMM mission, the gender advisor could hardly implement gender related issues or act on an operational level.

"Gender advisors are useful, but only if they are taken seriously. The gender advisor needs to have access to every level in the chain of command, especially funding"³⁰ stated Natalie Hudson, Professor at the University of Dayton.

Regarding the involvement of women in peace processes, no peace delegation across the whole region has more than one female representative – with the exception of the Geneva format³¹, created following the August 2008 war, which is very much dependent on international mediation by the EU, OSCE and UN. A survey on the topic of "political sympathies in the South Caucasus gender biased" conducted by CARE,³² showed that the majority of the respondents (62%) believed that there is a need to have more women in peace talks.

On the grass root level, however, there are NGOs trying to promote women's rights and women's organizations to be active in the peace building and democratization processes, working mainly on an informal level.

Example of women's peace initiative:

The women's peace network "Unity of Women for Peace" was established in 2002 with the support of UNIFEM. The Network currently unites over 100 NGOs, women's groups and individual members. With the active lobbying of the Network, its representative now has a desk at the office of the State Minister for Conflict Resolution. This has been described as a first step towards the establishment of tangible partnership between women's groups and governmental institutions in addressing issues of conflict resolution and peace building.³³

²⁸ The EU-mission is working in the areas of "soft security" – border monitoring, policing and police training, civilian protection, strengthening rule of law.

²⁹ Security Sector Reform is a top down ideathat needs bottom up implementation, Operation 1325, Report on the Conference, Stockholm, 25-27 November 2009, p. 13.

³⁰ Ibid., p. 11.

³¹ Peace talks have been carried out between Russia and Georgia in Geneva since the war in August 2008, till now they did not come to a peaceful agreement, peace negotiations are still going on.

³² Survey: political sympathies in the South Caucasus gender biased by CARE see: http://www.georgiatoday.ge/article_details.php?id=8442# (22nd of May 2011)

³³ Sanikidze, Lia, The Reality - Women's Equal Rights, p. 18 and Content International Women's Day for peace and Disarmament Action pack 2009, Voices of peace – from the Balkans and the Caucasus, 2009, p. 10.

After 2008, the landscape changed considerably. Civil society groups proved too weak to carry on peace activities on their own, especially without the support of international donors, which have prioritized humanitarian assistance, and in a political climate that calls for non – engagement with South Ossetia or Abkhazia. Some women’s groups in Georgia periodically try to engage their counterparts in Abkhazia, with some success, but others are facing pressure from the Georgian government, not working openly on reconciliation.³⁴ The need to support peace and conflict resolution efforts is an important part of building democracy, and Georgian, Abkhaz and Ossetian civil society organizations can play an important role in diffusing tensions, deconstructing enemy images and changing stereotypes, and thus, create ground for politicians to achieve an agreement in the future.

Example of awareness-raising of the UNSCR 1325
Mobile Peace Academy – 1325 Omnibus in Georgia³⁵

A three years course is offered to qualify international and intercultural experts in the field of Gender and civil conflict resolution and peace work. 67 participants from Azerbaijan, Armenia, Georgia, Abkhazia, South Osetia, Nagorno Karabakh, and the Russian Federation (Chechnya, Dagestan, Novocherkassk) took part in the project. In 2009, after the completion of the project, the participants of the courses decided to continue their joint work by founding “International Peace Building Network Omnibus 1325” and to be active in their home countries, including Georgia.

Another example of supporting women’s participation in peace processes:

“Strengthening Women’s Capacity for Peace-building in the South Caucasus Region”, a project carrying out by CARE Austria and financed by EU within this desk research is conducted, can be considered as comprehensive approach integrating women’s needs in a participatory way. Within the scope of the project specific women’s related areas of concern are identified and elements of advocacy and lobbying for policy makers on the local, national and international level developed in order to facilitate women’s participation for peace-building processes.

A recent national initiative on women, peace and security could be seen as a further important step towards strengthening women’s capacities and opportunities. In the framework of the project “Women for Equality, Peace and Development (WEPD)” a conference - organised by UN Women with the support of the Government of Norway - on the elaboration process of the National Action Plan (NAP) for implementation of the UNSCR 1325 took place in May 2011. The NAP will be a key policy document consisting of specific objectives, activities and expected results on the issues of Women, Peace and Security. With the leadership of the Parliamentary Council on Gender Equality Issues and technical support of UN Women a working group was created to elaborate the NAP. From the side of civil society involvement, Women’s Information Center (WIC) and Taso Foundation (TF) joined the working group. Within the WEPD project 45 “self-help groups”, including internally displaced and conflict-affected women, have been established throughout Georgia. Five of them participated in the conference and exchanged their views and recommendations on UNSCR 1325.

The main areas of concern they expressed³⁶:

³⁴ Gender Assessment, USAID/Georgia, p. 31

³⁵ Carried out by East-West-European Women’s Network e.V. (Germany)

<http://www.visionews.net/caucasus-omnibus-1325-and-its-passengers> (23rd of May 2011)

- Protection of victims of sexual and gender based violence (by stronger legislation and establishment of shelters, etc.)
- Need for special health care programs for internally displaced women
- End impunity and prosecute those responsible for crimes related to sexual and gender based violence
- Promote women's inclusion in peace missions
- More women in decision-making and leadership positions
- Mainstreaming gender equality principles in educational programs in schools
- Carrying out reforms aiming and promoting transformation of society's perception and attitude change
- Involving men while working on gender equality
- Awareness-raising of local population on UNSCR 1325

These recommendations reflect the most important challenges which are relevant in the context of women, peace and security in Georgia. The framework of UNSCR 1325 and the indicators for its implementation³⁷ in regard to prevention, protection, participation and recovery, constitute a fairly good basis for covering essential women's rights aspects in the context of peace building. However, in order to develop a democratic system based on gender equality, the incorporation of gender perspective in all relevant areas is necessary.

There is also evidence of the inter-relation between domestic violence and violence against women in the context of wars and armed conflicts. Warring societies are often characterized by strong patriarchal structures, discrimination against women and tolerance of domestic violence. Additionally, women are often used as "war weapons" and are part of war strategies. The protection of women in war times, as well as in peace times, and the reducing of gender stereotypes, which perpetuate discrimination against women, play an important role for sustainable peace building and democratisation.

4.2. Domestic violence

In 2006 the law on "Prevention of Domestic Violence, Protection and Assistance of Victims of Domestic Violence" was adopted. An Action Plan for the prevention of domestic violence and the protection and rehabilitation of victims of domestic violence for 2009-2010 has been established in order to implement the appropriate measures. The Action Plan incorporates a set of actions against domestic violence, based on several principles:³⁸ one of them refers to "protection and rehabilitation of victims", including provisions of legal, medical, psychosocial and other types of services, the establishment of "Crisis Centers" and "Shelters". The first state-funded shelters for domestic violence were opened in Tbilisi and Gori in 2010. The new Action Plan on domestic violence of 2011-2012 is currently being drafted.

Domestic violence, however, remains a huge challenge in Georgia according to a survey conducted by UNFPA.³⁹ The report revealed different forms of domestic violence: emotional

³⁶ All recommendations of the five groups for NAP 1325 see: <http://unscr1325georgia.wordpress.com/2011/05/20/conference-on-women-peace-and-security-un-scr-1325-in-anaklia-georgia-2/> (22nd of May 2011)

³⁷ S/2010/173, 6th April 2010, Report of the UN Security Council on Women, Peace and Security about the implementation of UNSCR 1325 through a set of indicators for monitoring and evaluation.

³⁸ Collection of normative acts on prevention of domestic violence, protection and assistance of victims of domestic violence in Georgia, UNFPA, 2010, p. 31.

³⁹ Overall 2391 women were interviewed nationwide between 15 and 49, furthermore within 14 focus groups 34 in-depth interviews and 2 observations were carried out; see: National Research on Domestic Violence Against Women in Georgia, Final report, UNFPA, 2010.

violence, reported by 14% of women respondents; acts intended for controlling women (35%), e.g. 29% of women are not allowed to have relations with family members, 11,6% need permission to use medical services and husbands of 11,1% of women get angry, if they talk to another men. These data point to the fact that there is a strong relationship between male dominance, patriarchal structures, socially tolerated deep contempt for women and domestic violence. Women are trying to hide the truth when it comes to physical and sexual abuse because of fear and shame. Among married women, every eleventh woman is a victim of physical abuse and 34.7% has had injuries several times. Another important finding of this survey is women's perception of a family being a secret place where anything can happen on the inside, but never be a topic for open discussion or public debate. This kind of perception is one of the factors maintaining domestic violence. The number of women with such attitudes is 78,3% distributed by region in this way: capital 21,7%, urban 30,3% and rural 48%.⁴⁰

Regarding another survey conducted by the "National Network of Protection from Violence"⁴¹, the highest rate of domestic violence was observed in the Kakheti region with following results: The survey demonstrated that in 53% of the cases, women become victims of violence acted out by their husbands; 17 % are victims of their fathers; 6% of women are abused by their partners; former husbands are harassers in 8% of the cases; brothers in 6% of the cases; sons, uncles, grandfathers, etc abuse women in 3% of the cases. It has to be stated that these results make no difference towards the different types of domestic violence and therefore can't be compared with the outcomes of the above mentioned "national research on domestic violence". Nevertheless, domestic violence remains a big problem and Jilda Nibladze, Chair of the Kakheti Regional Committee of the "National Network of Protection from Violence", considered that one of the main reasons for domestic violence are the social-economic difficulties. Most men are unemployed, especially in the district of Kvareli, and often have problems with alcohol, which might increase the readiness to act violently. It has to be added that economic problems and their impacts may have a negative influence on male behaviours, but domestic violence is always an expression of absolute power which is part of male's identification created in their gender roles.

Nana Khoshtaria, psychologist of the Consulting Center for Women "House", demands that dealing with the problem of combating domestic violence should become a more urgent topic in society. More discussions shall be dedicated to the topic in educational institutions. Young people shall be sensitized that problems cannot be resolved with violence in a sustainable way.⁴²

In the concluding comments, the Committee on the Elimination of Discrimination against Women stated their concern about "the lack of information and statistics and that such violence will still be considered as private matter. Furthermore, it called 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."⁴³ It also notes that marital rape has not been included in any legislative provision. In addition, the Women's Rights NGOs report (within the UPR-process)

⁴⁰ Ibid., p.12.

⁴¹ The survey was carried out in every region of Georgia in summer and autumn 2010 by interviewing 1250 people with the support of the Estonian Foreign Ministry, see: <http://www.humanrights.ge/index.php?a=main&pid=13123&lang=eng> (22nd of May 2011)

⁴² Ibid.

⁴³ See Concluding Comments of the CEDAW-Committee, p. 4ff.

called for active steps towards an elaboration of a strategy for treatment of the perpetrators of domestic violence and establish rehabilitation centers for them.⁴⁴

Since the beginning of 2010, UN Women has been implementing *SHiEld - Enhancing Prevention and Response to Domestic Violence in Georgia* - funded with support of the Swedish International Development Cooperation Agency (Sida).

5. Peace and Gender Democracy

Gender-democracy is a precondition for Peace. Mary Caprioli, an US peace researcher, came to the result that there is a strong relationship between gender equality and peaceful foreign policy. She analysed foreign policies of 159 countries between 1960 and 1992 and pointed out that states tend to solve conflict in a peaceful way, if women are fully represented in all areas and levels.⁴⁵ This explanation maybe disregards other decisive variables having an influence in that context, but gender equality makes a society definitely more democratic which may prevent governments from engaging in war.

In this chapter a brief look on the participation of women in different areas such as politics, economy, education and health should give a short assessment to what extend women are represented in Georgia's society. Many findings, especially in the context of political involvement and income issues, are already expressed in the "Baseline Survey – Strengthening Women's Capacities for Peace Building in the South Caucasus Region"⁴⁶ and in other reports mainly conducted through the support of international organizations (see bibliography).

5.1. Women and politics

Women are vastly underrepresented in political life, only 6% of MP's in parliament are female. On the executive level there are 3 female ministers out of 19. Women within local government constitute 11.5%. There are no female regional leaders (an appointed position) or city mayors (an elected position). In the lead up to the 2012 Parliamentary elections, the National Democratic Institute (NDI) intends to work with the political parties to encourage them to nominate more women. The implementation of a quota system in Georgia may assist to increase the number of women in politics. "However, the whole of Georgian society went against such an adoption, including all the member parties of the Gender Equality Advisory Council" according to an article published on the Human Rights House Website in Tbilisi.⁴⁷ Apart from that the most frequently cited restrictions on women's participation in Georgia's political life, were socio-economic pressures, which include lack of time, childcare burdens, lack of financial resources, limited motivation, opportunities and capacity.⁴⁸

⁴⁴ The report was prepared by women's rights NGOs, UPR, p. 7.

⁴⁵ Caprioli, Mary: Gendered Conflict, in: Journal of Peace Research, 2000, see <http://jpr.sagepub.com/content/37/1/51.abstract>

⁴⁶ Matveeva, Anna: Strengthening Women's Capacity for Peace, p. 65 ff.

⁴⁷ See: <http://humanrightshouse.org/Articles/16187.html> (23rd May 2011)

⁴⁸ Schofield, Juliet/Schoofs, Steven/Kotecha, Hema: Building inclusive governance: Women's Political Participation in Conflict-affected Georgia. IFP Gender Cluster, Country Case Study, Georgia, Initiative for Peacebuilding, 2010, p. 12.

5.2. Women and employment

The collapse of the Soviet Union and the subsequent process of de-industrialisation sharply decreased the need for “men’s work” and thus their role as economic providers. Women quickly took on the role of economic providers for their families, by engaging in petty trading and subsistence agriculture, which has reinforced the sexual division of labour, whereby women are primarily engaged in labour-intensive, informal, low-paying work rather than official employment.⁴⁹ The average employment rate is 52.3%: that of women is 44.9% and that of men 61.1%.⁵⁰ Women are more often employed in the field of education, trade, health and social work.⁵¹ In 2005, the average nominal monthly salary of women in all fields of economy and all sectors was only 49% compared to that of men.⁵²

While there are no legal barriers to women’s property ownership, in reality it is customary for men to be given preference in property inheritance, ownership and administration.⁵³ In rural areas, the land is usually registered to the husband. In families, sons most often inherit the property. NGO representatives, who work with victims of domestic violence, explained that women are living in homes owned by their father-in-law(s). In cases of divorce, they would have no right of the property whatsoever.⁵⁴

5.3. Women and education

Women have greater representation in institutions of higher education (55.5% of the enrolled are women, as compared to 44.5% men).⁵⁵ Women often choose educational fields such as, arts, humanities and education. A great number of women are working at the public primary and secondary school levels and there are only (very) few female professors at the university level. These figures lead to the assumption that the educational system in Georgia is characterized by gender based segregation (vertical but also horizontal), which may perpetuate the unequal integration into the labour market. In relation to their child care responsibilities, it is worth highlighting that the number of pre-school programs in Georgia has been reduced dramatically and that state-supported kindergartens have been replaced by a system in which childcare programs are provided by private centres on a fee basis (or they could be financed from – already meagre - local budgets).⁵⁶ This system places particular burden on low-income families, single mothers, rural women and female IDPs.

5.4. Women and health

The healthcare system in Georgia is undergoing a transition from a state-based to a private insurance-based system, which may have further negative implications on men’s and women’s ability to access health services. Moreover “Women in Georgia are faced by a number of specific reproductive health issues, maternal and child health has been a priority for development projects, which in turn has led to significant improvements in contraceptive

⁴⁹ Ibid.

⁵⁰ Workplace, Getting Everyone on Board, Corporate Social Responsibility Handbook, UNDP, Government of Belgium, 2010, p. 1.

⁵¹ Women and Men in Georgia, Statistical Booklet, Ministry of Economic Development of Georgia, 2008, p. 41.

⁵² Workplace, Getting Everyone on Board, 2010, p. 1; and Khitarishvili, Tamar: Explaining the Gender Wage Gap in Georgia, Working Paper No. 577, The Levy Economics Institute, 2009.

⁵³ Sanikidze, Lia, The Reality - Women’s Equal Rights, p. 23.

⁵⁴ Gender Assessment, USAID/Georgia, p. 24.

⁵⁵ Women and Men in Georgia, Statistical Booklet, p. 24.

⁵⁶ Jashi, Charita/Mikheil, Tokmazishvili: Gender Dimensions of the Financial Policy of Georgia, UNDP/SIDA, 2009, pp.140-141.

use, modernization of maternity care and the use of family planning”.⁵⁷ However, a crucial issue remains: the negative health consequences caused by domestic violence. “Abortion rates appear higher among domestic violence victims (39% of victims) than for women living in non-violent relationships (27% of women)”.⁵⁸ Addressing HIV/AIDS is another crucial area in Georgia and women are highly represented in the risk groups, such as commercial sex workers.

5.5. Women and gender roles and cultural attitudes

The politics of new nation-statehood has contributed to a return and entrenchment of gender stereotypes that place women firmly into the private sphere. “Women’s status and rights in Georgia are deeply affected by the local context, traditions and cultural specificities. Patriarchal traditions and behaviour patterns persist in Georgia, especially in the rural areas, influencing the private and public sphere. In this regard, male supremacy becomes grounds for unequal treatment and discrimination against women. Male-dominated households give women very little voice to express their opinion and little space to act”.⁵⁹

In 2006 the CEDAW-Committee⁶⁰ issued several recommendations regarding the elimination of gender stereotyping and called to strengthen the mainstreaming of gender perspectives in curricula and textbooks. In addition, teacher training in relation to gender equality issues was requested. Furthermore, women’s rights NGOs complain that there is only little awareness regarding women’s rights issues within society, which is a result of the lack of special gender sensitive programs for small business development and youth education (starting from secondary to higher education institutions).⁶¹ Experts also expressed the need for new school curricula on topics such as healthy lifestyles (including basic information about sexuality, interpersonal relationship, non-violent conflict resolution, human rights and tolerance).

Women organizations try to include the issue of gender sensitive trainings and awareness-raising initiatives into the draft of the National Action Plan on Gender Equality for 2011-2013. At the level of higher education, there is one gender studies course in Georgia, a Masters program offered by the Center for Social Sciences at Tbilisi State University.

6. Conclusion

Only little steps can be recognized on the way forward to more awareness in regard to a broad understanding of women’s rights in Georgia, and it still remains a huge challenge for the future.

Although Georgia has adopted a large number of legal provisions related to women’s rights, there is not enough political commitment for a successful implementation of instruments and mechanisms which would enable real gender equality. Past efforts to promote gender equality were mostly declarative in nature, rather than affirmative actions to remove barriers from equality. For example, in the “Plan of Action for Implementation of Gender Policy in Georgia

⁵⁷ Gender Assessment, USAID/Georgia, p. 21.

⁵⁸ Ibid., 21.

⁵⁹ Chkheidze, Ketevan: Gender Politics in Georgia, Gunda Werner Institute, 2010, <http://www.gwi-boell.de/web/democracy-100-years-women's-day-georgia-gender-politics-3060.html> (23rd of May 2011)

⁶⁰ See Concluding Comments of the CEDAW-Committee, p. 4.

⁶¹ The report was prepared by women’s rights NGOs, UPR, p. 3.

2007-2009 there is outlined that gender education will be integrated in the teacher's lifelong learning system, but such efforts are still missing. Furthermore, the introduction of a quota system for political parties may lead to a higher representation of women in parliament⁶², but so far there is no political will to implement such temporary measures to promote women. Another critical point is the lack of equitable and effective financial resources, which should be made available and be integrated into government budgets and plans. Women's NGOs recommended in their UPR⁶³ report that the government should allocate financial resources from the state budget to carry out the National Action Plan on Gender Equality 2010-2012. Due to the lack of own financial means gender policies can hardly be implemented successfully. While women are quite well integrated in the educational system, they are still working in areas such as education, health and social work, which are low-paid and are engaged in informal, labour-intensive activities. Traditional stereotypes strongly perpetuate gender roles, which are massive obstacles on the way to more gender equality. Furthermore, women's own lack of awareness related to their rights prevents them from fully enjoying their freedoms, opportunities and rights.

In the context of the UNSCR 1325 and 1820 – women, peace and security – Georgia has fulfilled its international legal obligations, but a substantial involvement and participation of women in resolving conflicts and building a democratic society is so far missing. The desk-research has shown that there is limited data available in relation to the role of women in armed conflicts in Georgia. Gender-sensitive figures could assist in getting valuable insights into the needs and concerns of women affected by war. Their voices should be heard and integrated in peace building processes and efforts should be made to empower women in society. The current development of a National Action Plan for the implementation of UNSCR 1325 is considered as a positive step, but without concrete measures, monitoring mechanism and funds these efforts will just have declarative character and have no substantial impact on the lives of women.

⁶² Of the 20 countries in the world that have the most women in Parliament, 17 employ some type of quota system, see: <http://www.socialwatch.org/node/9372> (24th of May 2011)

⁶³ The report was prepared by women's rights NGOs, UPR, p. 4.

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