

**Information provided by the Government of Georgia regarding the implementation of the UN Resolution  
“Violence against women migrant workers”  
A/RES/72/149**

• **Signing, ratifying, acceding to relevant UN and/or ILO instruments and/or adhering to their provisions (operative paragraph 3);**

At the regional level, Georgia is a member of the Council of Europe and participating State in the Organisation for Security and Cooperation in Europe. It ratified the European Convention on Human Rights on 20 May 1999 and is subject to the jurisdiction of the European Court of Human Rights. Georgia has signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

Georgia has signed, ratified and is party to the most human rights instruments, which confirms the readiness of the state to work toward equality between men and women and toward women’s empowerment.

The new Constitution of Georgia was adopted in 2017 and came into force following the Inauguration of 5th President of Georgia on December 16, 2018. The entry into force of the Constitution completed the country’s evolution from semi-presidential to parliamentary system of governance.

The Georgian Constitution, Article 11, paragraph 1 contains an equality clause, which reads: “All persons are equal before the law. Any discrimination on the grounds of race, colour, sex, origin, ethnicity, language, religion, political or other views, social affiliation, property or titular status, place of residence, or any other grounds shall be prohibited”. According to paragraph 3 of the same article the state shall ensure “equal rights and opportunities for men and women . . . shall take special measures to ensure the essential equality of men and women and to eliminate inequality”. The discourse of the new equality article trades earlier formal equality wording for substantive equality that shifts the emphasis towards combating structural inequalities and mandating the State to establish and implement special laws, policies and programmes to ensure that women enjoy equality of opportunities as well as results.

• **Formulating and implementing gender-responsive legislation, policies and plans on migration, labour, social protection, ending violence against women migrant workers and migrant girls, including budget allocation to address violence against women migrant workers (operative paragraphs 7, 8, 10, 11, 14, 24, 28);**

Since 2013, a lot has been done in terms of protecting women’s labour rights and ensuring gender equality in Georgia. The Georgian legislation almost fully protects gender equality in all spheres of life, including labour and employment. In an effort to meet its international commitments, within the frames of the EU-Georgia Association Agreement, Government of Georgia has started work to advance women’s equality in terms of placing relevant legal framework. The GoG with active participation and consultations with social partners have elaborated amendments to the labour legislation, in particular, to the Organic Law of Georgia “Georgian Labor Code”, Law of Georgia on “Elimination of All Forms of Discrimination”, Law of Georgia on “Public Service”, and Law of Georgia on “Gender Equality”. The amendments were elaborated based on EU directives (2000/78/EC, 2004/113/EC, 2000/43/EC) envisaged in Annex XXX of the EU-Georgia Association Agreement. The aim these directives is to establish the principles that serve to eliminate discrimination in employment and occupation on the basis of religion or faith, disabilities, age, sexual orientation, racial or ethnic origin. Directives apply to all persons employed in public and private sectors. All the above-mentioned amendments prohibit discrimination in labour and pre-contractual relations. Moreover, definition of sexual harassment/sexual harassment in labour relations was introduced with these amendments. The Parliament of Georgia adopted the legislative package on February 19, 2019. Currently, the Government of Georgia is working on the amendments to the labour legislation in compliance with other EU directives, some of which relate to protection of women’s labour rights.

- **Assessing impacts of policies, laws and programmes addressing discrimination and violence against women migrant workers (operative paragraphs 6, 34);**
- **Promoting research and sex-disaggregated data collection on trends in women’s labour migration and violence against women migrant workers, including domestic workers and undocumented women migrant workers at all stages of migration (operative paragraphs 33, 35);**
- **Preventing violence against women migrant workers, including regulation of labour recruitment and intermediaries, capacity building programmes and awareness raising efforts for government and civil society including for migrant girls (operative paragraphs 12, 15, 16, 17, 18, 23, 29, 30, 31);**
- **Ensuring mechanisms and services for protection, assistance and improved access to justice (operative paragraphs 19, 20, 21, 22, 25, 26, 27, 32);**
- **Actions regarding gender equality and the empowerment of migrant women and girls and tackling of all forms of violence perpetrated against them, in line with the Global Compact for Safe, Orderly and Regular Migration (operative paragraph 9);**
- **Enhancing bilateral, regional, international and other cooperation and partnerships to address violence against women migrant workers (operative paragraphs 13, 37).**

In 2017 Georgia has become the 23rd country to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), which defines and criminalizes all forms of violence against women, including domestic violence. The Istanbul Convention of the Council of Europe is the most comprehensive international treaty on combating violence against women and domestic violence. The Convention was presented in 2011 and signed in August 2014. In accordance with the legislative amendments, the scope of the legislative framework on domestic violence expanded and now it also covers violence against women in general, taking into consideration the gendered nature of domestic violence and addressing the phenomenon of violence against women in a holistic manner. One of the important amendments concerns simplification of the issuance procedures for restraining orders. Furthermore, forced sterilization, female genital mutilation (FGM), and stalking are criminalized;

In 2018 the Government of Georgia approved stand-alone National Action Plan on the Measures to be implemented for Combating Violence against Women and Domestic Violence and Protection of Victims/Survivors. The Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence is responsible for coordinating the implementation of the plan in close cooperation with relevant line Ministries and State Agencies. The plan considers lessons learned from the implementation of the previous phases of the 2016-2017 National Action Plans, as well as respond to key international commitments undertaken in the area of gender equality and women’s empowerment;

With the support from UN Women and EU the Inter-Agency Commission developed national Communication Strategy and Action plan on violence against women and domestic violence. The Communication Strategy aims at consolidating resources and improving joint planning and coordination to ensure that government’s awareness raising interventions are evidence based, targeted and address root and structural causes of violence. special attention is paid to work with boys and men;

The Government systematically improves access to services for victims/survivors of Domestic or Sexual Violence. Currently, there are 5 State funded Shelters (in 5 different regions) and 5 crisis centers for the victims of domestic violence.

While service provision is critical to effective response on violence against women, the best way to end it in a long-term is to prevent it from happening via addressing its root-causes and transforming attitudes and behaviors that perpetuate such violence. It should be mentioned, that during the recent years, the Government of Georgia has launched number of public awareness-raising campaigns and has conducted

professional trainings for the representatives of the government agencies, including police officers and other justice sector officers. Consequently, cases of domestic violence and violence against women are treated with more care and efficiency.

In November 2018, the Government of Georgia joined the world in commemorating the 16 Days of Activism against Gender-Based Violence. With the support of UN Women various governmental agencies conducted up to 50 thematic events within the framework of the campaign. All campaign events were conducted under one overarching theme - that ending violence against women and girls (VAWG) is a national priority and that the Government of Georgia is committed to supporting victims and holding perpetrators accountable.

In January 2018, The Ministry of Internal Affairs of Georgia established a Human Rights Department, which expanded in 2019 and became Human Rights Protection and Quality Monitoring Department. Main functions of the Department<sup>1</sup>:

- Monitoring over the investigation of criminal cases;
- Monitoring over the administrative proceedings;
- Monitoring over the protocols/records and procedural documents;
- Identification of gaps;
- Control over the implementation of recommendations;
- Review of complaints/applications, meeting with the citizens;
- Coordination with other agencies.

Significant steps taken by the Department are as follows:

- Development of a risk assessment tool and restraining order monitoring mechanism;
- Adoption of a recommendation on the measures to be taken by a police officer when the perpetrator finishes his/her sentence and leaves penitentiary institution;
- Development of a new training module and launching online course for specialized investigators;

As a result of an effective work of the Department:

- ✓ Quality of investigation and the response to the fact improved;
- ✓ The issues under the competence of the Department have become the priority at the policy level;
- ✓ Changed attitude of the police staff to the issues;
- ✓ Increased trust to the Police;
- ✓ Increased report on the cases of domestic violence;
- ✓ Improved co-operation with the civil society organizations;
- ✓ Improved coordination with the other state agencies.

According to the National Study on Violence against Women 2017, carried out jointly by UN Women and National Statistics Office (GEOSTAT) there have been clear positive improvements in attitudes and practices since the 2009 study in Georgia:

- Gender attitudes are less conservative;
- Men and women in the younger generation show more non-discriminatory attitudes;
- There has been a decrease in the rate of women who stayed with violent husbands because they believed the violence to be normal;
- There has been a significant increase in the percentage of women who have experienced intimate partner violence who have reported it to the police.

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<sup>1</sup> The department has 4 divisions: Human Rights Protection Division Quality Monitoring Tbilisi Division; Quality Monitoring Regional Division; Quality Analysis and Evaluation Division