



GYLA Magazine #1

March 2018



GYLA for Women's Rights

Today women continue to face numerous challenges in Georgia, which negatively affects the situation of human rights for women in the country.

Many projects and activities of GYLA aim to improve human rights situation for women in order to promote substantive equality. Therefore, as a member of the State Constitutional Commission (SCC) during the constitutional reform in 2017 it was important for us to lobby substantive equality for women. In addition, together with our partners we registered in Parliament a legislative initiative backed by 37 445 signatures for introducing mandatory quotas in the Election Code.

Fighting for women's rights is not the result of recent years in the history of independent Georgia. It began as early as the end of the 19th century and continues today. The fight is for providing women with more opportunities for active participation in political and social life in the country.

Even though a number of steps have been taken in the history of independent Georgia to improve women's human rights situation, the derogatory conditions that women find themselves in (domestic violence, discrimination, inequality in public life) are most vividly manifested during implementation of social, economic, cultural and political rights.

Executive Director

Women in Georgian Politics

The rate of women's political participation in Georgia is quite low, lagging behind not only European but also more conservative countries. According to the [Global Gender Gap report](#), Georgia ranks 101th among 144 countries in terms of women's political participation and 106th in terms of the number of women in ministerial positions.

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#Equality #GYLA #GenderQuota

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The research performed within the project *Promoting More Competitive, Fair, and Inclusive Electoral Environment for 2016-2018 Election Cycle in Georgia*, implemented by GYLA with support of the USAID, indicates that **currently the rate of women's representation is at:**

- 16% in the legislative branch
- 10.5 in the executive branch
- 53% in the judicial branch
- 13.46 in local representative bodies
- 1.56% in local executive bodies/mayors
- 0% among Governors

If we compare the above rates to the rates from previous years, we will see that **increase of women's political participation can not be achieved naturally in Georgia. Reluctance of political parties to nominate women candidates for elections is the main problem, not the lack of support of female candidates by voters.**

In view of the problem, GYLA has been actively working to promote equal participation of women in politics in Georgia. In this regard, an initiative of GYLA that made it possible to introduce the following provision in the Constitution is especially noteworthy:

“The State shall ensure equal rights and opportunities for men and women. The State shall take special measures to ensure substantive equality for men and women and eliminate inequality.”



We must also highlight the legislative initiative on gender quotas introduced by GYLA jointly with the Task Force for Women's Participation in Politics.* The legislative initiative, supported by 37,445 citizens of Georgia, requires parties to compose electoral lists for parliamentary and self-government elections in accordance with the principle of gender equality.

GYLA continues to actively advocate the bill to ensure that it becomes a law.

*A group of 118 CSOs Statement: *“Parliament should support gender quotas”.*

Property Rights of Women

On January 16, GYLA submitted to Parliament a legislative initiative on improving guarantees for spousal property rights. This entails allowing a spouse to register joint ownership of immovable property acquired during the marriage, without consent of the other spouse.

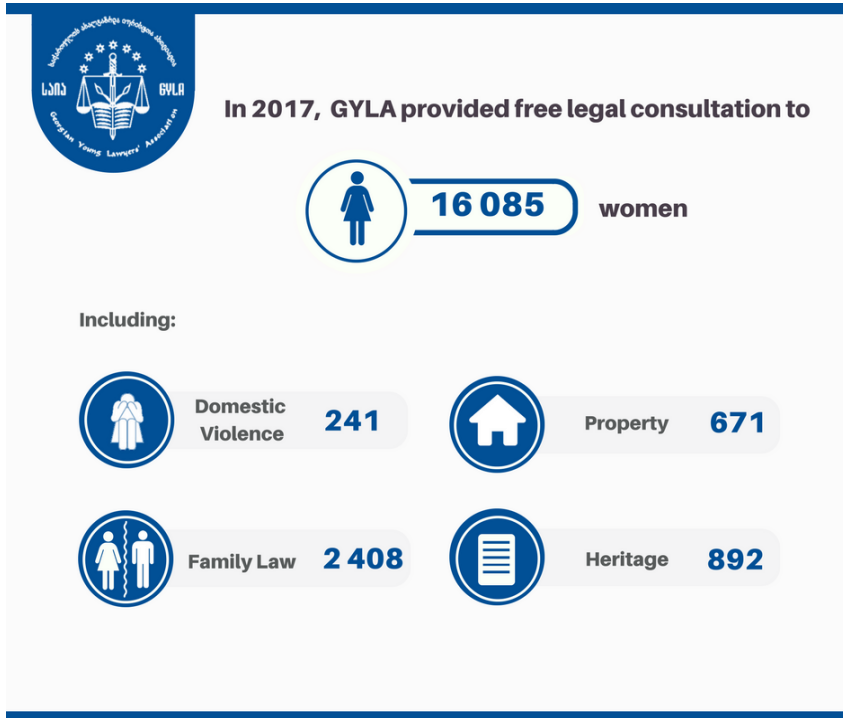
In Georgian practice women usually do not hold title to community property and in most cases the only way for them to have their co-ownership right recognized is through court.

The legislative proposal initiated by GYLA will help protect property rights of married women and lower the risks of disposal of community property unilaterally by the other spouse.

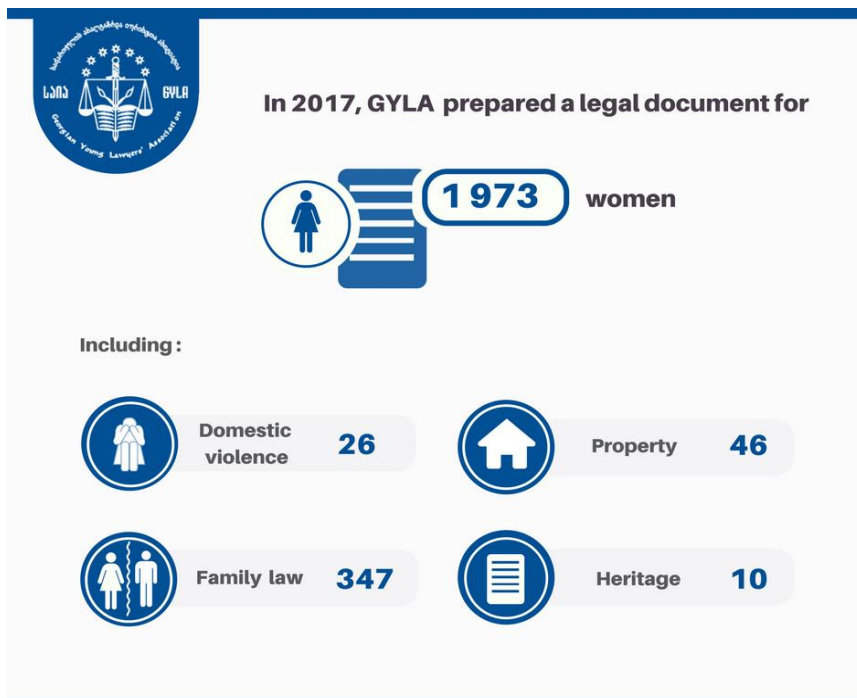
GYLA hopes that the Parliament of Georgia will consider the legislative initiative, which is based on the research of international practice by GYLA on *“Spousal Co-Ownership in Different Legal Systems Worldwide”* that helped identify legal gaps in applicable Georgian legislation.

GYLA's Legal Assistance to Women

In 2017, GYLA's Legal Aid Center provided legal consultation to 16 085 female victims of violence nationwide.



In addition, in 2017, GYLA prepared a legal document for 1 973 women and provided legal services to nearly 25 beneficiaries in criminal, civil and administrative disputes.



#GYLA

Since the day it was founded in 1994, GYLA has protected rights of over 1 million people!

#IAmHere

A survey conducted with support of the European Union (EU) and the UN Development Program (UNDP) indicates that GYLA is a leader in Georgia in terms of the number of people that apply to it for free legal aid and recognition. 66% of respondents have heard about GYLA's free legal aid center, while 62% of respondents have applied to GYLA for help.

GYLA's Successful 2017

In 2017, GYLA rendered free legal assistance to 35 334 individuals, provided 3 659 field consultations nationwide, successfully litigated 121 court cases including 6 cases before the Constitutional Court and 4 before the European Court of Human Rights. GYLA continues to provide legal assistance in over 300 cases.

First Case of Femicide brought to the UN from Georgia

On 5 September 2017, GYLA in partnership with the European Human Rights Advocacy Center (EHRAC) brought a case of femicide to the UN Committee on the Elimination of Discrimination against Women (CEDAW). This is the first case of femicide against Georgia handled by the CEDAW. The case concerns the State's failure to act to prevent femicide (the killing of a woman on account of her gender and inadequate investigation of the crime), which constitutes a systemic problem of discrimination of women in Georgia.



Case of B.Dz.:

B.Dz. had been unofficially married to O.Sh since 2004 and lived in the city of Rustavi. Because O.Sh. systematically subjected his wife to physical and psychological violence, in September 2013 B.Dz. and her children moved out from the home that she shared with her husband. O.Sh. continued to subject B.Dz. to repeated acts of physical and psychological violence, which culminated into B.Dz.'s homicide on 6 March 2014.

Before she was killed, B.Dz. had filed police reports on four different occasions (the last report had been filed four days before the homicide), pleading for protection. The police and the prosecutor's office failed to take legal measures to protect B.Dz.'s life. O.Sh was charged with willful homicide (Article 108 of the Criminal Code) and sentenced to a minimum punishment for willful homicide (deprivation of liberty for 7 years and 6 months).

In the case brought to the CEDAW, GYLA argues discrimination against B.Dz. on the account of the State's failure to a) protect B.Dz.'s life; b) protect B.Dz. from inhuman treatment; c) investigate B.Dz.'s killing as a gender-based crime; d) eliminate ingrained gender stereotypes and subordination, which is the primary cause of B.Dz.'s killing.



What does the Monitoring of Trials Indicate?

Monitoring of trials by GYLA from 20 August 2016 through January 2017 indicates that:

- *Women account for majority of victims of domestic violence or domestic crime (88%), however these crimes are not viewed as acts of discrimination and none of the cases of violence against women have been recognized as gender-based crimes;*
- *Administration of effective and gender-sensitive justice in cases of violence against women is a serious challenge for the prosecution and the judiciary – there is no single vision of the state;*
- *Unsubstantiated use of lenient restraining measures by judges is a problem: use mostly bail (monetary, material sanction) and not imprisonment;*
- *Use of lenient punishments is also an important problem. In 72% of cases, judges resorted to lighter sanctions thus increasing chances of a perpetrator to approach his victim.*

[Full version of the the Monitoring of Trials](#)

Vocational Training for Victims

In addition to provision of legal assistance, **GYLA's strategy for protection of women's rights also focuses on psychosocial rehabilitation and economic empowerment of women victims of violence.** In this regard, financial support for vocational training courses for women victims of violence is especially noteworthy. In 2017, 27 victims of domestic violence attended a range of VET courses with GYLA's financial support.

GYLA is carrying out assistance and economic empowerment of women victims of domestic violence within the project "Providing Access to Protection for the Victims of SGBV/DV and Strengthening Protection Mechanisms" supported by the EU.

!! Especially Vulnerable Groups

In the area of protection of women's rights, sex workers and women who use drugs fall under the category of especially vulnerable groups. In cases of gender-based violence, the mechanisms guaranteed by the Istanbul Convention and the Georgian legislation are virtually inaccessible to these groups in practice. They are reluctant to apply to the investigative authorities because they face heightened risk of violence and criminal/administrative prosecution by law enforcement authorities due to the existing legislation.

GYLA is actively working with representatives of the said vulnerable groups, so they better understand their rights. To improve access to justice for the especially vulnerable groups, GYLA's advocacy efforts also focus on the need to create legislative or practical guarantees.

GYLA's Beneficiary:

"For years my father subjected our family to psychological and physical violence. One day I called the police and they placed us in a state shelter. Now I am in peace, getting ready for my university admission exams while attending a training program for stylists. I want to tell everyone who is a victim of violence to talk to someone, because it is the best therapy. I believe that when you set a goal, it will absolutely be realized."

#SpeakUp



GYLA is conducting a large-scale awareness campaign about issues of domestic violence

#SpeakUp!

Do not conceal violence!

About GYLA

The Georgian Young Lawyers' Association – GYLA was founded in 1994 and today, it has over 800 members, 120 employees, and dozens of international and local donor and partner organizations.

GYLA has offices nationwide: in Batumi, Gori, Dusheti, Zugdidi, Tbilisi, Telavi, Ozurgeti, Rustavi and Kutaisi.

Every year GYLA provides free legal consultation to nearly 35 000 individuals, represents hundreds of individuals seeking remedy before court and other state authorities, brings important strategic cases to the Constitutional Court of Georgia and the European Court of Human Rights to protect rights of Georgian citizens.

One of GYLA's strategic focus areas is promotion of effective, accountable and transparent governance. To this end, since the day it was founded in 1994, GYLA has been actively involved in the process of legislative, executive and local self-government elections, studying pre-election processes, Election Day and post-election period to evaluate freedom, fairness, competitiveness and inclusiveness of the electoral environment in Georgia.

Every year GYLA provides nearly 200 law students with an opportunity to deepen their knowledge and develop practical legal skills.

Since the day it was founded in 1994, GYLA has protected rights of over 1 million people!

GYLA's activities – March 2018

In March, GYLA is planning to organize more than 15 activities about the Women's Issues in Georgia. Among them, it should be noted:

- ✓ **Public discussion about “Dea Goshkheteliani's case”** - Georgian police have issued restraining orders against a woman who says she was subjected to domestic violence:
12 March in Kutaisi, 23 March in Tbilisi;
- ✓ **Research Presentation about “Women's Political Participation in Georgia”:**
*14 March in Kutaisi,
15 March in Zugdidi,
16 March in Batumi,
23 March in Akhaltsikhe.*

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