



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the combined fourth and fifth periodic reports of Georgia*

General

1. Please provide information on measures taken to ensure that women in the State party are aware about their rights under the Convention and relevant national legislation, and indicate whether the Convention has been invoked before the courts or referred to by them.

Legislative and institutional framework

2. According to the information before the Committee, in 2013 the Ministry of Justice prepared a draft non-discrimination law which introduces a new position of Inspector for Equality Protection mandated, inter alia, to consider complaints by individuals. Please provide information on the scope of the draft law, including on prohibited grounds for discrimination, and explain whether there is a time frame for its adoption and enactment. Please also elaborate on the envisaged mandate of the Inspector for Equality Protection and the division of roles and responsibilities between this new mechanism and the Public Defender in respect of addressing women's rights to equality and non-discrimination, including multiple forms of discrimination.

3. The report indicates (para. 47)¹ that the Office of Public Defender (Ombudsman) has a special service, the Centre for Children's and Women's Rights, to monitor developments relating to protection of the rights of children and women and ensuring gender equality. Please provide information on the exact mandate and activities of the Centre for Children's and Women's Rights, as well as on the number of alleged cases of discrimination against women brought to the attention of the Office of the Ombudsman and the outcomes of these cases. The information before the Committee also indicates that in May 2013 a gender equality department was established in the Public Defender's Office. Please elaborate on this

* Adopted by the pre-sessional working group for the fifty-eighth session, meeting from 21 to 25 October 2013.

¹ Unless otherwise indicated, paragraph numbers refer to the combined fourth and fifth periodic reports of the State party (CEDAW/C/GEO/4-5).



institutionalization of the gender equality mandate within the Office of the Ombudsman, including through providing information on the human and financial resources of this department.

National machinery for the advancement of women

4. In its previous concluding observations ([CEDAW/C/GEO/CO/3](#), para. 15), the Committee expressed its concern at the absence of a permanent national machinery for the advancement of women in the State party. The report indicates (para. 52) that the Gender Equality Council was turned into a permanent body of the parliament. Please provide detailed updated information on the mandate of the Gender Equality Council, on the human and financial resources allocated from the State budget for its operation and on its current gender composition.

5. The report also indicates that gender equality focal points were appointed in all sectoral government ministries and offices (para. 36) and that, at the time of the drafting of the report, the Gender Equality Council was working on the establishment of gender equality focal points at the self-government level (para. 37). Please explain whether the gender equality focal points within the government ministries have been established on a permanent or on an ad hoc basis. Please provide updated information on the outcome of the initiative to establish gender focal points at the level of local administration, the exact mandate of those gender equality focal points and the activities undertaken after their establishment. Please also explain whether the establishment of an interdepartmental/interministerial structure is envisaged in order to coordinate and monitor the process of gender mainstreaming in all relevant policies and programmes and to coordinate the implementation of such policies and programmes at the national and local levels.

Temporary special measures

6. The report does not provide accurate information on the State party's view/position on the necessity of applying temporary special measures to address the persistent underrepresentation and disadvantage of women in certain areas covered by the Convention. Please explain what the State party's attitude is towards temporary special measures under article 4, paragraph 1, of the Convention and the nature, purpose and necessity of such measures as interpreted in the Committee's general recommendation No. 25 and what the obstacles to their application are. Please provide specific examples of temporary special measures established by law to promote and accelerate substantive equality between women and men in areas of the Convention where women are disadvantaged or underrepresented, and the results achieved or envisaged through their implementation.

Stereotypes and harmful practices

7. The report acknowledges the persistence of gender stereotypes in the State party, however it provides little information on initiatives taken to combat stereotypical attitudes and on the impact of these initiatives. What efforts have been made to address stereotypical attitudes towards women who experience multiple forms of discrimination on the grounds of ethnicity, age, disability or other characteristics? Has any public education programme on the negative impact of such stereotypes and discriminatory practices been introduced or planned to overcome them, including in rural areas where, according to the information before the

Committee, discriminatory practices often prevent women from enjoying their right to inherit, to the benefit of their male siblings?

Violence against women

8. The report indicates (para. 46) that there are no statistics on court cases relating to domestic violence and that the Criminal Code does not contain any specific provision on the crime of domestic violence. The report also indicates that work to include in the Criminal Code an article on the crime of domestic violence was planned to be finalized in 2012. Please provide information on the steps taken since the submission of the report to revise the Criminal Code in order to include the crime of domestic violence, as well as the steps taken to provide information and statistical data on domestic violence against women and other forms of gender-based violence against women, including rape.

Participation in political and public life and decision-making

9. The report acknowledges (para. 110) that women's low participation in the legislative body remains a challenge. Please provide updated information and statistical data, disaggregated by sex, on the outcome of the 2012 parliamentary elections and the impact of financial incentives to political parties to nominate more women as candidates for elections on their party lists, introduced under the new Election Code (para. 110). Please also explain whether the State party intends to adopt and implement any specific results-oriented measures, including temporary special measures, such as gender quotas, in order to increase women's participation in political and public life, including their representation on elected self-governance bodies, as well as their increased participation in the peace process and the security sector, which is one of the four pillars of the 2012-2015 National Action Plan for the implementation of the Security Council resolutions on women, peace and security (para. 111).

Education

10. According to the Public Defender's 2012 report, the dropout rate for girls from basic education is high. Please provide information on the dropout rates for boys and girls at all levels of education, the main reasons why women and girls discontinue their education and the measures taken by the State party to reduce the dropout rates. Please also provide information on measures taken or envisaged to identify and address barriers which deprive girls from poor and ethnic/national minority families of their right to education at the pre-primary, primary and secondary levels, and on access to education for girls and women with disabilities.

Employment

11. The report indicates (paras. 121 and 123) that the Law on Gender Equality (2010) provides for the principle of "equal treatment of men and women in the evaluation of work quality", however, according to data from the National Statistics Office of Georgia, in 2012 the average nominal monthly salary of women in all fields of the economy and all sectors was GEL 572.4 while for men it was GEL 914 (a 40 per cent difference). Please provide information on any steps taken to give full legislative expression to the principle of equal pay for work of equal value in order to ensure full compliance with the provisions of article 11 of the Convention.

12. The report indicates that the Law on Gender Equality condemns sexual harassment in the workplace (para. 156) and that the legislation of the State party criminalizes sexual harassment, but no further information is provided on measures taken to protect women against this form of discrimination and remedies available to women subjected to sexual harassment in the workplace. Please provide detailed information on specific legislation prohibiting sexual harassment in the workplace, on measures taken to encourage and oblige employers to ensure a working environment free from sexual harassment as well as on whether there are mechanisms in place for women to report incidents of sexual harassment in the workplace in a confidential manner. Please also provide information on data collected in order to assess the extent of the problem, and identify gaps in the legal framework in this regard. Furthermore, please explain to what extent the reversal of the burden of proof is applied to protect women's right to non-discrimination at work and their access to jobs.

Health

13. The report indicates (para. 232) that maternal mortality has decreased and that the Government is currently implementing the Perinatal Care Masterplan of Georgia to tackle the issue of maternal mortality. The report also indicates (para. 235) that only one third of married women report using contraceptive methods despite the fact that the use of modern contraceptives is highly supported by the Government, society and international donors. Please provide information on the impact of the measures taken by the State party in order to increase awareness among women and girls about the availability of contraceptives and to facilitate women's and girls' access to health-care services and reproductive health centres. Information before the Committee indicates that, owing to cultural stigma and the lack of age-appropriate education on sexual and reproductive health and rights, including on responsible sexual behaviour, in school curricula, young women and adolescent girls have limited access to sexual and reproductive health education, information and services. Please provide information on how the State party is addressing this challenge, including in respect of young women and adolescent girls belonging to ethnic groups.

14. According to information before the Committee, the Ministry of Labour, Health and Social Affairs is currently in the process of developing a health-care strategy in which maternal health is a priority. Please provide updated information on the status of the health-care strategy.

Rural women and older women

15. According to the information provided in the report (para. 145), 46.9 per cent of the population in the State party live in rural areas. The report indicates a few initiatives taken by the State party to address poverty and improve infrastructure and access to water for women in rural areas. Please provide information on the evaluation and the outcome of these initiatives. Please also provide information on measures taken to increase the participation of women in rural areas in political and public life, including at the local decision-making level, and to enhance their access to justice, protection, support and assistance when they are subjected to gender-based violence and their access to health-care services, employment, decision-making processes and economic opportunities.

16. The report does not provide any information on land ownership and access to other economic resources by women in rural areas. Please provide comprehensive data on their situation with regard to ownership of land, as well as on measures taken by the State party to ensure women's equal access to land, and efforts to enhance the economic independence of women in rural areas.

17. Please provide information on the situation of older women, including on their access to health and social services and to protection against violence, and indicate any programmes and strategies targeting their specific needs.

Women in detention

18. The report is silent on the situation of women in detention. Please provide information on women in detention, how the conditions of women in prisons are monitored and whether they have been found compatible with general international standards. Please also provide information as to whether treatment for drug dependency is provided to women drug users in detention.

Internally displaced, refugee, asylum-seeking and stateless women

19. Please provide information on the current revision of the Law on Internally Displaced Persons, as well as updated information on any action plan, policies and strategies adopted in order to provide protection for internally displaced women. Please also provide updated information on any recent legislative, administrative and other measures taken to better apply a gender-sensitive approach with regard to women refugees, asylum-seeking women and stateless women, as well as on their implementation. Furthermore, please provide information on the current living conditions of internally displaced women, in particular in relation to housing, food security, protection against violence and access to justice, as well as on their access to health services, education and employment.

Marriage and family relations

20. The report indicates (para. 172) that the minimum legal age for marriage in the State party is 18 years. According to information before the Committee, child marriages take place in the State party. Please provide information on this phenomenon and measures taken by the State party to address child and forced marriages effectively. According to information before the Committee, a high percentage of marriages are not officially registered. Please elaborate on this issue and provide information on measures taken by the State party to address it effectively.