



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

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**Committee on the Elimination of Discrimination
against Women**
Twenty-first session

Summary record of the 427th meeting

Held at Headquarters, New York, on Wednesday, 9 June 1999, at 10 a.m.

Chairperson: Ms. González

later: Ms. Schöpp-Schilling (Vice-Chairperson)

later: Ms. González (Chairperson)

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The meeting was called to order at 10.35 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention

Initial report of Georgia (CEDAW/C/GEO/1, Add.1 and Add.1/Corr.1)

1. *At the invitation of the Chairperson, Ms. Beridze (Georgia) took a place at the Committee table.*

2. **Ms. Beridze** (Georgia), introducing the initial report of Georgia (CEDAW/C/GEO/1 and Add.1 and Add.1/Corr.1), expressed the State party's determination to abide by its international obligations, particularly in the field of human rights. In the period following submission of the report, the country had undergone transformations in the economic, social and political spheres. In joining the Council of Europe, Georgia had assumed additional responsibilities in the field of human rights and was being encouraged, *inter alia*, to focus on safeguarding the rights of the most vulnerable social groups, which included women. In April 1999, the State party had ratified the Convention on the Elimination of All Forms of Racial Discrimination, thereby confirming its adherence to principles of equality and had also become a party to a number of European human rights instruments. With a view to establishing a fair and independent judiciary, reform was well underway, and new appointments had been made to 80 per cent of the judicial posts.

3. Additional information had been provided in an addendum to the report (CEDAW/C/GEO/1/Add.1). Paragraph 2 described the financial crisis affecting the country, including the effect on the population of a dramatic devaluation of the national currency. Payments of wages and pensions had been more than six months overdue in some areas of the country. Although the situation had improved somewhat over the past three months, with the currency beginning to stabilize and current wages and pensions being paid on time, the Government had yet to liquidate the massive debts to the population which had been carried over from the previous year.

4. In the context of severe austerity measures, it had not proved possible in the current year's budget to earmark special funds for women's issues. One exception was a cost-sharing arrangement with the United Nations Development Programme (UNDP) for the Women in Development project. Additional sources

of funding were currently being sought. There was a clear need for a national economic policy which took proper account of the gender factor and encouraged women's entrepreneurship. No large-scale enterprises had been acquired by women during privatization; at best, women owned small businesses in the services sector.

5. The principal State institutions responsible for implementing the Convention were listed in paragraph 12 of the report. Discussions on the establishment of a Government infrastructure to deal with women's affairs would be resumed following the presidential elections in November, the scarcity of funding being the sole obstacle in that regard. A new unit in the People's Defence Counsel's Office dealing with women's and children's issues had, however, been established and was currently headed by a female representative of an ethnic minority.

6. There were now some 70 non-governmental organizations dealing, at least in part, with women's issues, including some "exclusively feminist organizations". Two thousand copies of a Georgian translation of the Convention had been published by them with funding from international organizations. Details of efforts being made to promote gender equality were provided in paragraphs 5 and 6 of the addendum to the report; those included a national plan of action for implementing the Beijing Platform for Action. Although the political will existed, economic difficulties might delay its implementation.

7. No court cases addressing instances of gender-based discrimination against women had been registered since the submission of the report. Government gender-sensitization efforts included training programmes organized by the Academy of the Ministry of Internal Affairs. There continued to be no special measures for promoting the advancement of women in the various public spheres. Representatives of 52 women's non-governmental organizations had, however, met recently, under State auspices, to elaborate policies for the advancement of women and had established a target of 30 per cent female representation in Parliament. To that end, political parties were being requested to nominate female candidates for the forthcoming elections. It was to be hoped that the request would receive favourable attention considering that 60 per cent of the Georgian electorate was female.

8. Two non-governmental organizations concerned with women's issues were planning a joint project to gather gender-related information. There continued to be only a few cases of brothel keeping, the enticement of women into depravity and procuring. Since the submission of the report, four such cases had been registered and the relevant criminal proceedings had been instituted. Regrettably, prostitution among minors continued to be widespread. In 1998, 49 under-age prostitutes had been registered with internal affairs agencies, as compared to 50 in 1997. Thirty of them had accepted treatment for sexually transmitted diseases. Given the lack of any system for identifying such cases, it was unlikely, however, that the statistics reflected the true situation.

9. As part of the President's programme to prevent offences among minors, a rehabilitation centre of the type envisaged in the report (para. 42) had been established near Tbilisi. A Government commission set up to deal specifically with youth issues decided on referrals to the centre in consultation with parents and teachers. On the subject of violence against women, no specific cases involving prostitutes had been registered. In 1998, 39 cases of rape and 22 cases of attempted rape of women had been recorded; in the first four months of 1999 there had been 11 and 9 cases respectively. Parliament was currently considering amendments to the Georgian Penal Code, including harsher sentences for rape, especially of minors. There had been no incidents of women being forced to engage in sexual relations by persons abusing their official position. Interpol, of which Georgia was a member, could help counter illicit trafficking in women abroad if such cases occurred. No information was available on sex tourism in 1998.

10. The problem of women's under-representation at the decision-making level persisted, although some progress had been made in comparison with the situation described in the report. There was increased female participation in Parliament and local government. Several women had been appointed as ministers and heads of Parliamentary committees, and one of the key posts in the Tbilisi Legislative Assembly was occupied by a woman. Georgia had also recently appointed its first female ambassador (to Italy) and a woman headed the Georgian delegation at the Council of Europe.

11. As further evidence of increased participation of women in the political life of the country, one of the

major political parties had announced that it would be putting forward its leader, a female, as a candidate in the Presidential elections. The possibility of a woman being elected President was not to be excluded since in Georgian history, a number of prominent leaders had been female. Following the appointment of new judges to the judiciary by Presidential decree, the proportion of female judges had been increased to approximately 45 per cent. In the district court of Tbilisi, female judges were actually in the majority.

12. As stated in the report, the remuneration of labour was regulated by law. All forms of discrimination were prohibited, including on the grounds of sex; more significantly, that provision was also strictly implemented. In the period following the submission of the report, protection of the right of women to work had been negatively affected, however, by the deterioration of the economic situation. Some 13.8 per cent of active women were currently unemployed and the total number of women employed in the public sector had fallen by 60 per cent, compared to 29 per cent for men. In education and health care, the difference in remuneration with regard to gender varied from 12 to 20 per cent, to the disadvantage of women. Three out of four workers in those sectors were, however, female. Statistics revealed that women in all sectors received lower pay than men, the explanation being that they tended to hold lower-paid jobs.

13. Regrettably, the majority of registered unemployed persons were women, and an increasing proportion of those women had higher education or specialist skills. Educated women were prepared to accept any work in order to improve the living conditions of their families during the economic crisis. To date, there were some 58 thousand unemployed women, approximately half of whom were between the ages of 30 and 40. Furthermore, more than 48 per cent of unemployed women had been unemployed for over three years. The unequal situation was also reflected in the fact that only 34 per cent of total vacancies were open to women and 71 per cent of those finding work were male. A total of 3,500 women were currently in receipt of unemployment benefits. In the capital, employment indicators for women were well below average. Measures were currently being elaborated at national level to improve the work situation.

14. In the field of culture, women traditionally played an important role. Women had recently pioneered a

number of initiatives, including the organization of international competitions for musicians, the promotion of classical Georgian music on the radio and the establishment of fine-art galleries. Concerning the right to health, the abortion rate, although lower than in previous years, remained high, with 23,403 cases registered in 1997. Since the submission of the report, there had been five cases of illegal induced abortions, all of which had been prosecuted. Contraceptives were now being made available in accordance with the relevant presidential decrees, and popularization measures were required.

15. New data were now available to supplement the information contained in paragraph 103 of the report. There had been a decrease in both the number of births and infant mortality, with 50,618 births and 834 deaths in 1997 and 46,005 births and 717 deaths in 1998. There had also been a drop in maternal mortality, with 37 deaths in 1997, 33 in 1998 and 8 deaths to date in 1999. The principal causes of infant mortality were: pathology among newborns (56.9 per cent), pneumonia (11.3 per cent), liver infections (3.8 per cent), acute respiratory diseases (1.5 per cent), diseases of the nervous system (1.5 per cent), accidents (1.5 per cent) and sepsis (1.4 per cent). Of the 717 infant deaths under one year in 1998, 74 children had died at home. In 1998, there had been 1,130 stillbirths (21.6 per thousand), which was 1.2 times as high as in 1997.

16. On the positive side, the early neonatal death rate had shown a steady decline; additional maternity homes and women's consultation clinics had been established since the submission of the report. Moreover, the State provided free treatment for tuberculosis, mental illness, cancer and sexually transmitted diseases, as well as free maternity care, and health care for infants under one year. Treatment of children below the age of three, and emergency aid for children between the ages of 3 and 14, came under municipal budgets.

17. Each penitentiary had its own isolation ward. There was also a prison hospital with 350 beds, and a specialized tuberculosis hospital for prisoners in which three women were currently receiving treatment. The national plan for reducing tuberculosis had yielded positive results, with 1,827 cases of tuberculosis among women recorded in 1998, compared to 2,632 cases in 1996 and 2,194 cases in 1997. The State was not, however, in a position to free the additional resources needed in that area.

18. Additional measures to promote the right to health included the enactment of a Health Protection Act in November 1997 and efforts to disseminate relevant United Nations and World Medical Association documentation. A draft national health plan covering the period up to the year 2010 had been elaborated, with special measures for protecting the health of women and children. Regrettably, the number of female drug addicts was on the increase. Since the reporting period, 122 women had been identified as being involved in illicit drug abuse, a significant proportion of whom also participated in drug trafficking.

19. Monitoring of violence against women was hampered because it remained hidden within the family, and tended to be attributed to culture and tradition, even by the victims themselves. A confidential telephone assistance line had been established for women in extreme situations. There were no shelters for victims of domestic violence, although the issue had been raised recently. Women usually turned to family or friends for help in such situations. The Action Plan for the Advancement of Women for the Period 1998-2000 contained a series of measures to eradicate violence against women based on education. Although the statistical methods used to collect data on women drug addicts were imperfect, a marked decline in the number of women considered drug abusers and addicts had been recorded between 1998 and 1999.

20. In 1998, single mothers with minor children had been placed in the category of needy citizens and given free medical insurance policies, income-tax exemptions and monthly social assistance payments. Unfortunately, the financial crisis had prevented those payments from being made. A recent innovation in the Family Code was the provision on the marriage contract, establishing joint property rights for both spouses.

21. In accordance with international standards, women served prison sentences in Georgia in facilities separate from men and minors. The 112 women currently in prison received health and social services and participated in cultural and educational activities, in keeping with the goal of their rehabilitation. The President of the Republic had recently commuted the sentences of a number of women who had been imprisoned during the years of civil war and internal conflicts. No woman had ever been executed in Georgia.

22. The internal conflict had led to mass displacements from Abkhazia. It was obvious that such situations affected women and children most severely and gave rise to the worst problems in terms of ensuring women's rights. The repatriation process was being delayed by a lack of political decisions, and the Government was shouldering the responsibility to meet the needs of the displaced persons. As to the status of women in the territories of Abkhazia and the former South Ossetia, those regions lay outside Georgia's de facto jurisdiction; the Government had no mechanisms for protecting their rights or the rights of other Georgians living in that territory. Lastly, special attention should also be paid to the status of women living in areas populated predominantly by national groups practising Islam, as it had not been possible to collect reliable data in a systematic way in those regions.

23. **Ms. Schöpp-Schilling** commended the Government of Georgia for its adoption of the Convention without reservations, and, despite the difficulties that it had encountered since independence, for the establishment of the Commission for the Elaboration of a State Policy on the Advancement of Women and the Action Plan for the Advancement of Women 1998-2000. However, she was concerned that budgetary constraints were hindering the implementation of the Convention and would like more information on the Action Plan, including goals, targets and time frames. It should be possible to implement some of the activities, designating focal points within ministries, for example, without any impact on the budget. The reporting State should indicate how the Plan was being executed, what monitoring mechanisms had been established and the extent to which existing funds were being allocated to activities for women. Finally, the report lacked gender disaggregated statistical data, which would provide a useful frame of reference. The reporting State should also indicate whether the staff of the State Statistical Department had received training in applying a gender perspective.

24. **Ms. Abaka** said that it seemed to her that a correct understanding of what constituted discrimination was lacking. For example, the unacceptably high maternal mortality rate could be seen as a form of discrimination because it indicated that health care funds were not being allocated to areas which affected women directly.

25. **Ms. Ferrer** asked whether programmes in support of poor women were included in the Action Plan. More information was also needed on the links between the Commission for the Elaboration of a State Policy on the Advancement of Women and the various ministries involved with women's concerns. She would like to know more about the relationship between the Commission and women's non-governmental organizations, their degree of influence on Government actions and their participation in the preparation of the report. More detailed information on existing and proposed legislation was also needed. Specific provisions regarding equal rights should be included in the Constitution. Women seemed to lack information on their rights, which could explain why so few complaints of violations had been received.

26. **Ms. Kim Yung-chung** requested a progress report on the translation of the Convention into Georgian and its dissemination. It was commendable that the report had been made available to non-governmental organizations, but she would like an explanation as to why none of the many such organizations dealt exclusively with women's issues. More information would be welcome on their membership, funding for their activities and how they contributed to the advancement of women. Finally, she wished to know the status of the training programmes on gender issues for the staff of the Ministry of Internal Affairs.

27. *Ms. Schöpp-Schilling, Vice Chairperson, took the Chair.*

Articles 2 and 3

28. **Ms. Shalev** requested clarification of the apparent lack of a constitutional guarantee of gender equality. The legislation listed in paragraph 11 of the report was a major accomplishment, yet she was disappointed not to see any legislation on such issues as maternity, prostitution, abortion, or equal pay for equal work.

29. **Ms. Corti** said that article 2 stipulated that discrimination against women should be condemned, yet she found no such condemnation in the Constitution or the legislation mentioned, which was surprising. She would like to have more information on the mandate of the People's Defence Counsel, or ombudsman. Turning to article 3, she asked for more details on the Subcommittee on Maternity and Childhood. There did not seem to be one main institution dealing with

women's issues; all existing bodies were subsidiary or of secondary rank. In the report, women were always linked with maternity, but that was just one facet of their lives. In sum, nothing in the report or the statement by the delegation showed that there was political will to take up women's issues as such and expressly condemn discrimination.

Article 4

30. **Ms. Abaka** said that, in the Committee's view, articles 3 and 4 must be handled separately. The objective of article 4 was to close the gap that existed between men and women as a result of political and economic discrimination. The report clearly indicated that the unemployment rate among women was high, even in the professional domain. The temporary special measures envisaged under article 4 were designed to address problems of that nature. Admittedly, quota systems had been misused under communist governments; but that should not mean that they could not now be successfully applied. It was also regrettable that women were subject to employment restrictions. She had been gratified to learn, however, that special arrangements had been made for single mothers and mothers with large families.

31. *Ms. Gonzalez, Chairperson, resumed the Chair.*

Article 5

32. **Ms. Ouedraogo** said she had been troubled to learn that the State party had instituted a Mother's Day. Georgian society was one that traditionally honoured motherhood; such were the sexual stereotypes that impeded women from attaining equality and relegated them to a secondary social position. The Committee did not reject motherhood; it merely objected to the entrapment of women in that role. It was important to remember that childbirth and, in particular, frequent births posed risks to the health of the mother. The reporting State should indicate what the message associated with the Georgian Mother's Day was and whether it encouraged women to pursue their educations or promoted family planning.

33. **Ms. Ferrer** said that the report stated that a cult of motherhood existed in Georgia and also indicated that the Government had no specific policy to raise awareness regarding the rights of women, or special programmes aimed at eliminating stereotypes. Georgia frankly admitted that women cared for the home, and

that men were the heads of the families. She wished to know if that country had contemplated establishing training and awareness programmes in gender-related themes.

34. **Ms. Aouij** commended the State party for its frank approach, which did not attempt to conceal the realities of life in Georgia. Laws, regrettably, were not sufficient. It was essential to undertake a long-term effort to change attitudes, starting from a very young age. All images of women that perpetuated restrictive stereotypes must be removed from textbooks. Measures must be taken to liberate women from limiting stereotypes regarding the home, the workplace, health care, and decision-making. In all those spheres, the image of women as inferior beings was the direct cause of discrimination against them. A number of sectors of Georgian society might usefully be mobilized to act on behalf of women. The numerous non-governmental organizations could be requested to act as pressure groups on behalf of women.

35. Almost half of Georgia's judges were women; they could work together to influence legal practice and judicial decisions. Similarly, two thirds of all members of the communications media were women; they could work to raise social awareness about the role of women. But for change to occur, political will was essential: women must not simply accept their role as mothers, and must be permitted to participate fully in the cultural, economic and political life of their country.

36. **Ms. Açar** (Rapporteur) praised Georgia for its efforts to join the world community, in particular for its accession to numerous human rights instruments and for its membership in the Council of Europe. The transition to democracy could not, however, be wholly successful without the full integration of women into social and political life, which in turn required the elimination of discrimination. Article 5 was a crucial one: States that acceded to the Convention were making a commitment to eliminating the sexual stereotypes that underlay discrimination against women. She wished to know what steps, symbolic or real, the Government had taken to manifest its political will clearly to combat the relegation of women to the home, the family, and motherhood.

37. **Ms. Manalo**, observing that strong and prominent women had figured in the history of Georgian society, asked what measures the Government had taken to

revive a positive role of womanhood in that country. It would also be useful to know what it had done to encourage non-governmental organizations to focus their attention on participation by women in development and nation-building and whether it had adopted a national plan for gender-mainstreaming in Government and educational programmes designed to integrate women fully into political and social life. Lastly, the reporting State should explain what accounted for the large number of women in the judiciary and the communications media, but not in other professions.

38. **Ms. Cartwright**, acknowledging that the Convention made no direct reference to violence against women, said that the Committee had formulated general recommendation 19 to address that essential matter. The recommendation related the question of violence to a number of the articles of the Convention, including article 5, because of the role of gender stereotypes in the perpetuation of violence against them. Although the report made no mention of the matter, other sources indicated that violence against women was a problem in Georgian society, as it was in all the countries of the world. The State party should evaluate the extent and nature of that problem and introduce legislation explicitly criminalizing violence against women, with particular attention to sexual violence against women and girl children and the rehabilitation of offenders.

39. Such an approach also required the establishment of programmes carefully designed to educate and train police officers, health professionals, and members of the legal profession to understand and cope with the problem, which included, for example, the ability to recognize sexual violence against young children. In the development of its planning and legislation, the State party should take into consideration the Committee's general recommendations 19 and 21, and the Declaration on the Elimination of Violence against Women, whose definition of violence encompassed both its physical and its psychological aspects. The Committee would look forward to reading an account of the State party's progress in its second periodic report.

40. **Ms. Hazelle** asked for some clarification with respect to 3 March, since it was not clear whether it was Mother's Day or Women's Day. Noting that the report was silent on gender-based violence, especially domestic violence, she requested further information

on the hotline that had been mentioned in the oral report and on the services provided to those who called that hotline. The oral report had referred to "violence of the lighter kind"; she wondered what that meant. Lastly, she enquired what was being done to raise awareness of the fact that women had the right to live free from all forms of violence.

41. **Ms. Kim Yung-chung** wondered why no consideration had been given to reviewing school textbooks in order to change gender stereotypes. She hoped that, in the next report, new steps would have been taken to review and revise textbooks, which were a key to solving the problem of gender stereotyping.

Article 6

42. **Ms. Corti** noted that the sharp deterioration in the country's social and economic conditions constituted discrimination against women and was often the underlying cause of prostitution. However, there was some contradiction in how the authorities addressed the issue. In that regard, she wondered what steps were being taken by the Government to stop the increase in sex tourism and the rising prostitution among under-age girls and protect women and girls who were involved in that activity. Neither the report nor the oral presentation had indicated what was being done to combat the phenomenon. The Committee had been told of a plan to establish a refuge for those women. She wondered when it would be implemented. While the situation could be attributed to economic conditions, if the State did not have the political will to combat that phenomenon, the situation could only deteriorate further.

43. **Ms. Goonesekere** expressed concern about the Georgian authorities' complacency with respect to prostitution. Indeed, while the policy in that regard seemed to be one of deregulation, it did not take into account the implications of the phenomenon, particularly in an environment of extreme economic hardship with a high incidence of prostitution among under-age girls. In that connection, she wondered what steps were being taken to address and penalize sexual abuse and exploitation and to deal with the problems of cross-border trafficking and the repatriation of women with HIV/AIDS. She enquired whether, in reforming the penal code, the Government had given any thought to changing the law with regard to the age of consent for sex in the case of under-age children, particularly since it had ratified the Convention on the Rights of the

Child. It was very important that Georgia should make efforts to penalize the sexual abuse of children and sexual exploitation of women and girls.

Article 7

44. **Ms. Khan** expressed disappointment at the paucity of information concerning the participation of women in public life. Georgian women had a very high level of education and she was therefore surprised at the small proportion of women in political, governmental and administrative bodies, with the exception of the judiciary. Georgia should seriously consider implementing temporary special measures, to allow women to rise to the level of decision-making in the public sector and to achieve de facto equality because decision-making at the civil administration level was extremely important for women's advancement in any society. In that regard, she wondered whether an equal opportunity act had been enacted to achieve a gender balance at the decision-making level.

45. More information would also be welcome on the number and placement of women at high levels in the public and private sectors and on whether positive images of women in public life were being promoted in the media. Information on the role of non-governmental organizations in projecting positive images of women and on the extent to which women were involved in the formulation and implementation of the Action Plan for the Advancement of Women for the period 1998-2000 would also be appreciated.

Article 9

46. **Ms. Goonesekere** asked how the nationality law operated in practice and how relevant it was in view of the considerable movement of women out of the country. She wondered how it was enforced.

Article 11

47. **Ms. Schöpp-Schilling** expressed deep concern about the situation of women in the employment sector and requested more information in that regard and on efforts to combat unemployment, raise wages and retrain women. Under socialism, women had been clustered in certain labour sectors and had been hardest hit by any reforms aimed at ushering in a modern market economy. It was very important that the Government should take measures to counteract that

trend. She wanted to know why the number of jobs in the education sector had been reduced and requested information on the respective salaries of teachers at different levels of education and the kind of training that they needed. Moreover, comparative data should be provided on the salaries of teachers and those in professions requiring the same level of university education.

48. The gender wage gap was probably due to the fact that certain professions were female dominated. That automatically resulted in lower salaries. Thus, for example, health professionals were paid less than engineers. Georgia now had a unique opportunity, in reorganizing its public sector and economy, to break those patterns of sexual stereotyping and to adjust salaries. In that regard, she drew attention to work done in the United States of America on the comparative value of jobs, focusing on both equal pay for equal work, and equal pay for work of equal value.

49. She wanted to know what percentage of women were included in job creation programmes. In her view, the percentage of women participating in such programmes should reflect the percentage of unemployed women in order to combat indirect discrimination. More data should be provided on women's employment in the agricultural sector, giving a breakdown of the types of work and wages earned, compared to wages in other sectors. Moreover, the notion of the husband as breadwinner should be done away with since women had as much of a right to earn a living as men did. Concerning the health sector, she wished to know why so many women had lost their jobs as a result of reforms in that sector and asked what steps were being taken to retrain them and help them to re-enter the labour market.

The meeting rose at 1 p.m.