



## **Gender inequality and the impact on violence against women, the case of Georgia**

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## **Abstract**

In this research paper, we explore the correlation between gender equality and the prevalence of intimate partner violence (IPV), including femicide resulting from IPV. Data published by the Organization for Security and Co-operation in Europe (OSCE) reveal that in 2012 about 43,600 women and girls in the world were killed by partner, ex-partner or family members, with the majority of perpetrators being the husbands or ex-husbands. In light of the seriousness of the crime, it is necessary to identify systemic approaches which prioritize gender equality. Our main task is to increase the impact and visibility of gender equality to prevent violence against women (VAW). We examine IPV and femicide phenomena in the South Caucasian country of Georgia using the case study methodology. To address specific questions, we refer to the structuralist theory and acknowledge that the feminist theoretical approach and social ecology model of social change capture aspects of Georgian reality that are strictly linked to IPV and femicide. We found out that IPV and femicide are indeed complex social phenomena but can be explained as the results of patriarchy and women's subordination where the motive of intimate femicide is related to the offender's perception of a woman as a subordinate object who must obey with a dominating man. Our case study also illustrates that cultural expectations and societal norms pose another difficulty, especially when women are required to obey fully to gender roles. These findings indicate that both IPV and femicide are manifestations of gender inequality. Therefore, we highlight innovative implementation of creative tools such as sports and children's books on the nationwide spread of gender equality during awareness-raising campaigns. To conclude, we recommend the following measures in addition to those others contained in the main text: defining femicide as a separate crime and every killing of a woman that evidences a gender bias component to be considered a femicide; and establishing an educational space for women's rights, thus encouraging attitudes towards VAW prevention and reduction.

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## Introduction

Our research focuses on intimate partner violence (IPV) against women and femicide resulting from IPV. Based on interviews with 42,000 women across the 28 Member States of the European Union, the European Union Agency for Fundamental Rights reported that one in five women has experienced physical violence and/or sexual violence from either a current or previous partner. Yet, only 14% of those women reported the most serious incident of IPV to the police<sup>1</sup>. As a consequence, this traumatic experience for women may not only remain an integral part of their lives, but an excruciating latent/invisible one. The issue is both sensitive and real as it directly affects women we meet every day, who do not always seem unhappy or in danger, but might be hidden victims of violence. Increased efforts are needed to ensure that every woman feels safe and that the provision of the necessary assistance, if and when they seek help, is not a mere wishful thinking.

Providing women victims of IPV with services aiming to change their IPV situation (i.e. through the support of counsellors, health care providers, and women's shelter) will not always be effective nor sufficient as these are temporary measures to address the individual problem of the victim. Underlying drivers need to be tackled in order to guarantee effective prevention. One of these drivers and possibly the fundamental one is the pervasiveness and the persistence of gender inequality — dominance as is the case in patriarchal societies. Our main task is to show how the pursue of gender equality into patriarchal societies can turn into a tool to combat IPV and femicide. For this, the following research question will facilitate: whether and in what way gender equality impacts existing strategies and programmes to prevent IPV and femicide?

At first, we will define the scope of the IPV definition that fit our research so that when we discuss about IPV and femicide, we refer respectively to marital and non-marital IPV with women as victims and the murder of women resulting from IPV. We will then present our case study, from the South Caucasian country of Georgia, which best explains how inequality increases the risk of further women's victimization. Since the break-up of the Soviet Union, Georgia has ratified a number of international conventions and among them the Convention on the Elimination of All Forms of Discrimination against Women.<sup>2</sup> In line with this convention, it was expected that the Georgian government would develop a new legal system that would assure equality and eliminate gender-based discrimination (Loria and Masbaum, 2003).<sup>3</sup> However, the state's implementation concerning gender equality and women's rights remained superficial (Sabadashvili, 2007).<sup>4</sup>

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<sup>1</sup> The results are based on women's self-reported experiences with violence, as recorded by EU FRA's survey on violence against women. Available from: European Union Agency for Fundamental Rights. 2014. Violence against women: an EU-wide survey. Main results report. Page 44-46. <http://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report> [Accessed on December 15, 2018].

<sup>2</sup> Date of ratification on October 26, 1994. [https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\\_no=IV8&chapter=4&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV8&chapter=4&lang=en) [Accessed on December 15, 2018].

<sup>3</sup> The Constitution of Georgia provides equal rights for men and women. This constitutional right is set out in the Labour Code of Georgia. The equality of men and women and the prohibition of discrimination imply that there should be no discrimination relative to working terms/conditions and hiring requirements. All kinds of work and cooperation at all levels of the professional hierarchy should be equally facilitated regardless the activity or the field of work. Source: Ana Loria, Maick S. Masbaum. 2013. Labour Law Reform in Georgia and EU Standards, Review of Georgian Legislation.

<sup>4</sup> Sabedashvili argument is based on the 2005 successful lobbied for a women's groups to have a presence in the Office of the State Minister for Conflict Resolution. However, it is far from succeeding in getting women involved in the

In the second section of our paper, we will describe the research method we used to study IPV and femicide phenomena in Georgia. We decided for the case study method because it allows us to investigate the relationship between the phenomena and their underlying factors. The boundaries between VAW and what makes it a phenomenon in the context of gender equality are not clearly evident. In order to find clear explanation, we need a method of inquiry that not only generate the causal factors associated with IPV/femicide phenomenon, but also explain the causal links. Thus, in our inquiry into the Georgian situation, the case study method facilitates. Furthermore, we wish to understand how gender equality impacts existing strategies to prevent IPV and femicide. Therefore, we use structuralist theory for content analysis of secondary data such as from books, journals, proceedings of conferences and other materials. The structuralist theory consists of two theoretical approaches – feminist theoretical approach and social ecology model of social change. Reasons will be provided for both approaches.

The research methodology is followed with statistics on the prevalence of IPV and femicide in Georgia. It is important to highlight that the number of court cases is not representative of the real statistics. In most countries, cases are mostly filed in urban areas, while women in regional, rural and remote communities are more likely to experience domestic violence that goes unreported. *“In these areas, violent attitudes and behaviours are still widely tolerated. The community knows what is happening but does not intervene, looking upon the violence as a ‘family problem’”* (Daphne project: 2002-066)<sup>5</sup>. So, it follows that the number of IPV cases in rural Georgia is much more pervasive, alarming and well-hidden than in the urban areas.

The succeeding sections deal with examinations of gender equality with respect to Georgian legislation and policy frameworks. The examinations are also carried out through the lens of the above-mentioned theory. Additionally, we will present suggestions for improvements to the current situation. Measures that are strongly influenced by gender equality impacts and how they are conceptualized are critically discussed here. Finally, we concluded our paper with key recommendations to assist relevant authorities in planning preventive actions.

### ***Intimate partner violence (IPV) against women and femicide***

At the extreme end of the IPV spectrum stands the crime of femicide – a term that was coined for the first time when Diana Russell testified at the International Tribunal on Crimes Against Women in Brussels, Belgium in 1976. Following is the excerpt of her testimony on femicide at the event:

*“We must realize that a lot of homicide is in fact femicide. We must recognize the sexual politics of murder. From the burning of witches in the past, to the more recent widespread custom of female infanticide in many societies, to the killing of women for ‘honor’, we realize that femicide has been going on a long time. But since it involves mere females, there was no name for it before the term femicide was coined.”* (Russel, 1977)<sup>6</sup>

But it was Russel’s re-definition of femicide in the book she co-edited titled *Femicide in Global Perspective* (Roberta & Russel, 2005): *“the killing of females by males because they are female”*

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formal conflict resolution process, which remains fragmented and open only to high-ranking state officials who are predominantly male and lack gender sensitivity. Source:

<sup>5</sup> European Commission’s project funded under the Daphne Funding Programme. The project 2002-066-WY – ‘Her Story’ serves as the theme of domestic violence in rural environment.

<sup>6</sup> Diana E. H. Russell. 1977. “Report on the International Tribunal on Crimes against Women”. *Frontiers: A Journal of Women Studies*, no. 1: 1-6. doi:10.2307/3346102.

that was rephrased and adopted by the World Health Organization: *“Femicide is generally understood to involve intentional murder of women because they are women...”* (WHO, 2012). This definition of femicide remains today and is related to the control of women’s behaviour, ownership attitude, gender violence and discrimination.

While patterns in intimate partner violence differ, femicide reflects the specificity of violence against women in its most acute form. It is the culminant stage of violence and fatal result of violent environment. Researchers agree that femicide does not exist without pre-history episodes whereby victims are subject to constant abuse and endure long-term violence. No fewer than 50% of intimate femicides are characterized by a history of domestic violence (Corradi et al., 2016). This is why we found it important to include both femicide and IPV in our research.

One of the reasons why IPV is not always debated alongside femicide is that the concept includes a wide array of situations included but not limited to physical violence. It also refers to any behaviour within an intimate relationship that causes physical, psychological or sexual harm (WHO, 2012)<sup>7</sup>. Further classification within the definition of IPV such as beating, sexual coercion, threats and restrictions emphasizes the centrality of power and control. Additionally, it is hard to define the state of IPV that took place behind closed doors when there was no credible witness to testify. Therefore, intimate femicide is seen as potentially a more defined case within the predominantly male-perpetrated types of IPV. In this study, we undertake to analyse IPV and intimate femicide in South Caucasus with a focus on Georgia.

### ***Constraints to criminalize IPV and femicide in Georgia***

Since Georgia was once part of the Soviet Union and has gone through much turmoil on the way of building a modern democratic state, it is interesting to look at IPV and femicide, as elements of its social construct, as a Post-Soviet phenomenon, which is in a transformation phase. In recent years, there has been a noticeable increase in femicide data (reported cases of femicide to the police). According to official statistics of the Prosecutor's Office of Georgia, in the last three years, 76 women are murdered. In the preparation of the report it appeared that in all of these femicide cases, the perpetrators demonstrated sexist, discriminatory and proprietary attitude toward the victims. In their testimonies, defendants explain their action as ‘head of the family’: *“The woman did not obey, so she was punished”*. Against this backdrop it is interesting that, according to the report, neither the Prosecutor's Office nor the Court has drawn attention to discriminatory motives.

In Georgian legislation femicide is not classified as a separate crime, but rather as a willful homicide or inciting suicide and suchlike (Dekanosidze, 2016). There is no definition of femicide in the Criminal Code and therefore, the statistics, which are collected, are labeled merely based on the sex of the victim: female victims of murder, where gender discrimination and gender aspect of criminal cases are not emphasized. Only those statistics are collected separately that are qualified with Article 11 (domestic crime). Non-domestic crimes committed on the basis of gender, are not registered separately (ibid, 2016). In this regard, representative

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<sup>7</sup> WHO refers intimate partner violence as any one of these behaviours: (a) Physical violence, such as slapping, hitting, kicking and beating. (b) Sexual violence, including forced sexual intercourse and other forms of sexual coercion. (c) Emotional (psychological) abuse, such as insults, belittling, constant humiliation, intimidation (e.g. destroying things), threats of harm, threats to take away children. (d) Controlling behaviours, including isolating a person from family and friends; monitoring their movements; and restricting access to financial resources, employment, education or medical care.

of Georgian Young Lawyers' Association, Tamar Dekanosidze, taking into consideration the nature of the killings of women committed in Georgia, suggests in her article the definition of femicide, which will be used in our study as well:

*“Femicide – gender-related killing of a woman, that is, killing of a woman with the motive or in the context related to gender-based violence, discrimination or subordinate role of a woman, manifested in a sense of entitlement to or superiority over a woman, by an assumption of ownership of a woman, by a desire to control her behaviour or any other reasons related to gender, also incitement to suicide based on the abovementioned reasons.”<sup>8</sup>*

National Studies on Violence Against Women in Georgia conducted between 2009 and 2017, reveal a social construct, in which violence against women (VAW) is institutionalized by family, social and economic frameworks, lifestyle, cultural and religious traditions. Despite the rising awareness on gender equality, the strengthening of feminist movements and women's empowerment campaigns, many people still do not consider IPV as a crime. Women themselves are among those who have set IPV as a social norm and adapted to it without manifesting opposition. One of the serious challenges in human rights protection in Georgia is to achieve gender equality. Society still lives in a stereotypical environment, where, in most cases, domestic violence against women is justified. (UN women, 2018)<sup>9</sup>. The concept of murders motivated by women's gender motions is linked to the structural discrimination system against them. The Georgian Women's Movement suggests that one of the first steps that the state must take is to define femicide as a separate crime. Hence, we decided to include this suggestion into our recommendations as well.

It is necessary to adopt a systemic approach to comprehensively address the problem, but while discussing it, Kevanishvili and Koridze (2018) argue that the role of the Ministry of Education in mainstreaming gender equality is often overlooked. In this regard, our recommendation could be establishing such educational space, where basic human rights, women's rights, gender equality and law enforcement issues against violence at every level will be discussed.

The lack of equality clause in Georgian laws and policies impacts women's lives in a number of different ways. In social life, not all women in Georgia are free to do what they decide to. More than one-third of respondents from a national domestic violence research reported having experienced acts intended to control their behaviour by their husbands or partners (Chitashvili et al., 2010). According to interviewees from Tbilisi, Kakheti and Samegrelo-Zemo Svaneti regions of Georgia, gender inequality is the main reason of domestic violence (Sumbadze, 2014). The same interviewees also revealed that as a consequence of such violence, they gave up their jobs, their self-esteem is lowered, they suffered health problems, and they lost the motivation to do anything. They also claimed to become obsessed with the fear of the future and of their husbands in particular. The impact of women's fear and anxiety often increase men's dominance and sense of entitlement rather than decreasing it. The perceived superiority of man is further mediated by the sociocultural milieu in which the

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<sup>8</sup> Taken from: [https://www.agendaforhumanity.org/sites/default/files/Femicide-Volume-VII-Establishing-a-Femicide-Watch-in-Every-Country\\_0.pdf](https://www.agendaforhumanity.org/sites/default/files/Femicide-Volume-VII-Establishing-a-Femicide-Watch-in-Every-Country_0.pdf) [Accessed on December 15, 2018].

<sup>9</sup> UN Women. 2018. National study on Violence against Women in Georgia 2017; Summary report. Page 12. <http://georgia.unwomen.org/en/digital-library/publications/2018/03/national-study-on-violence-against-women-in-georgia-2017> [Accessed on December 12, 2018]

women live. Internalization of patriarchal norms through tradition and religion urge women to be obedient.

A UNDP country study reported that 63% of respondents believe that a good wife should obey her husband even if she disagrees with him.<sup>10</sup> Other studies conducted in both Tbilisi, Georgia's capital city, and Svaneti, a remote mountain region, reveal that most unemployed women perceived taking care of family and household as the women's primary function. Moreover, husbands and their priorities usually determined women's place and role in a family:

*"I will perform my function and you will perform yours"*

—Interviewee from Tbilisi (Gagoshashvili, 2008)

*"Men and women should not be equal. Men should have their functions, women theirs."*

—Population in rural areas (Sumbadze, 2008)

The comparison between the data collected in the capital and in remote areas reveals that despite significant differences in terms of women's access to education and employment opportunities, unemployed women have fully internalised their place in the patriarchal model regardless of whether they live in town or in the countryside. Women's subordinate position in the household systematically strengthen men's priorities which, in turn, further reinforces gender inequality in a vicious cycle that is hard to break. On this basis it appears evident how patriarchal social constructs underpin reinforcing attitudes toward inequality between men and women.

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<sup>10</sup> UNDP Public Perceptions on Gender Equality in Politics and Business 2013, p.19. This document is available at: [www.ge.undp.org/content/georgia/en/home/library/democratic\\_governance/public-perceptions-on-gender-equality-inpolitics-and-business.html](http://www.ge.undp.org/content/georgia/en/home/library/democratic_governance/public-perceptions-on-gender-equality-inpolitics-and-business.html) [Accessed on December 15, 2018].



## Methodology

The methodological approach of this research follows a mixed method, which combines both, qualitative and quantitative components, and integrates these two forms of data using distinct philosophical assumptions and theoretical frameworks. The core assumption and a key feature of the chosen inquiry is that the combination of qualitative and quantitative approaches provides a more comprehensive and thorough understanding of a research problem than either approach alone (Creswell, 2014, 4).

As for data collection, initially a content analysis was conducted aimed at detecting the frequency of the occurrence of this social phenomenon and the reality of the IPV problem, within which the secondary data was collected at the first stage of the work. The research paper refers to data from the findings of the UNICEF Multiple Indicator Cluster Surveys (MICS), UN Women Global Database on Violence against Women, WHO, OSCE, and also consists of in-depth interviews with representatives of the NGOs dealing with gender issues and experts in this field. To investigate and explain trends, good practices and priorities in combating IPV, – a case study is used as fundamental tool of analysis. The use of the case study method allows us to closely scrutinize measures that are strongly influenced by gender equality impacts and how they are conceptualized. In addition, this approach allows for a careful examination and focuses on not only exploring and describing phenomena but also explaining causal relationships within the phenomena both at the surface and in its in-depth. (Mills, Durepos and Wiebe, 2010).

Obtaining high quality data on IPV is a complex task, especially in terms of accessibility and reliability, since the nature of the examined phenomenon is very private and carries intimate content. Furthermore, it is challenging to identify and measure violence in rural areas of Georgia. Because the definition and scope of the term ‘violence’ vary in different cultures in rural communities due to a number of different reasons it is interpreted differently. For example, only those behaviours which cause serious physical injury might be considered as violent.

The current practice of violence against women by intimate partners can be divided into two factor groups:

- ‘Hard’ practice of physical and psychological (verbal) violence (for example beating, killing, isolation, intimidation, and controlling behaviour)
- ‘Light’ practice of the psychological (verbal) violence (for example screaming, swearing, negative addressing, etc.)

Both group factors are included in our baseline research along with factors of the ‘women-blaming’ explanation which is not only an essential part but also overlaps with our chosen approaches. Furthermore, the questions in our paper also reflect different approaches and the relationship between egalitarianism, dominance, and IPV within the context of partner’s dynamics.

## Theoretical framework

In this research paper we will be examining theoretical approaches related to violence against women against the backdrop of a patriarchal social culture. At the same time, we will also be reflecting upon the impact of institutions lacking an equality clause in their laws and policies. There is an existing complexity in terms of the causes, prevention and intervention for IPV and femicide. In this perspective our research will be guided by theoretical lenses of feminists and structuralist. The structuralist theories present a framework wherein two distinct approaches co-exist to explain male violence against women partners and ex-partners:

- Approach 1: Feminist theoretical approaches
- Approach 2: Social ecology model of social change

Approach 2 complements Approach 1, because it helps in the attempt to tell why or how IPV or femicide took place. This operational question represents one of the limits of the feminist approach (Bloom, 2008: 147). Since we explore details related to the perpetrator's motives, his relationship with the victim and the circumstances of the event, especially on 'trigger factors' leading to violent acts (WHO Report on Violence and Health 2002), Approach 2 can be adapted to examine the features of IPV and femicide that make them a phenomenon.

### *Feminist theoretical approaches*

The feminist perspective on intimate partner violence IPV is a prevailing model in the field of research. The feminist model is grounded in the principle that IPV results from male oppression of women within a patriarchal system. In this system, men are considered to be the primary perpetrators of violence and women the primary victims (Dobash & Dobash, 1979; Walker, 1979). According to this model, male violence in intimate relationships is the result of historically-rooted and still prevailing power differentials that keep women in a subordinate role.<sup>11</sup> This happens in particular through the use of control and manifests in physical, sexual, economic, and psychological abuse, comprising tactics of intimidation and isolation (Domestic Abuse Intervention Project [DAIP], n.d.).

Male entitlement, and the violence used to maintain it, is often assigned to male socialization (Miedzian, 1991) with the implicit understanding that what is learned can be unlearned. However, within the feminist model male entitlement and privilege are challenged alongside the traditional notion that considers violence against women as a private family matter. Consequently, feminists call for public policies including the establishment of programs and services designed for women victims of IPV, treatment for their male partners, as well as the engaging with the criminal justice system, in the form of trials. With these measures' men should be held accountable for their acts of violence against women. Furthermore, feminists believe that the problems and violence women are facing are rooted in social, cultural and political underpinnings that can only be addressed and reverted at the policy level. This approach criticizes previous models providing different solutions for the collective problem of violence against women. Other essential aspects of the feminist model can be found in its aspirations to achieve female empowerment and self-determination.

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<sup>11</sup> This fundamental academic "aquis" has been reflected in numerous international legal documents on VAW that is mentioned in the paragraph on the legal framework as well.

## ***Social ecology model of social change***

Numerous researchers have referred to Approach 2, the social-ecological model, to better understand violence against women. This approach explains how people may experience violence and considers the dynamic relations among various personal and environmental factors at four levels. A complex interaction can be found at four levels, namely: individual, relationship, community, and society. This framework views interpersonal violence as the outcome of the interplay of these four levels (Bronfenbrenner, 1979). For the purpose of our paper, the social ecological model is adjusted to demonstrate that these different levels are constantly interacting to influence violence against women.

*“Ecological models can incorporate constructs from models that focus on psychological, social, and organizational levels of influence to provide a comprehensive framework for integrating multiple theories, along with consideration of environments and policy in the broader community.”* (Sallis 2008).

Approach 1 and Approach 2 co-exist in the contemporary structuralist theories because they both recognize IPV and intimate femicide as a social phenomenon based on hard facts and legitimate evidences. Thus, with these approaches, the study of the society’s objective reality gave us a complete picture of the content and qualitative side of the problem, which helped us to determine the priorities in this direction and set the effective ways to combat the problem.

## **Philosophical assumption**

In carrying out the research, social-constructivism has been utilized as a philosophical basis, which focuses on the existence of many realities, that are considered to be modelled or constructed by individuals. Social constructivists believe that the understanding of the world in which one lives and works, leads us to subjective interpretations of our experiences. Thus, certain phenomena or patterns, like IPV for instance, in different social realities and contexts generate multiple meanings and explanations. These factors, in turn, will lead researcher to go in depth and look for the complexity of viewpoints, rather than classifying into limited number of categories or ideas (Creswell, 2014: 8).

What is most relevant about social-constructivism to our study is that it offers researchers the ability to examine social, historical and cultural constructs of the phenomenon in a given country by relying on multiple participants’ views of the situation thus ensuring flexibility during the research.

## Statistics on IPV and femicide in Georgia

Violence against women takes many forms and manifestations and is not only a violation of human rights but of fundamental freedoms as well. Women worldwide are impacted by gender-based violence regardless of their age, class, race, and ethnicity. Recent estimations show that around 30 percent of women aged 15 or older has been subject to physical and/or sexual intimate partner violence during their lifetime. (Devries et al. 2013, 340) Violence against women has tremendous economic and social costs. It determines major health consequences, and it is at the same time the main reason for women's homicide death globally. (World Health Organization, 2013) Global evidence demonstrates that violence continually affects different development efforts and the devaluation of physical, human and social capital. (García-Moreno, C. and World Health Organization, 2005).

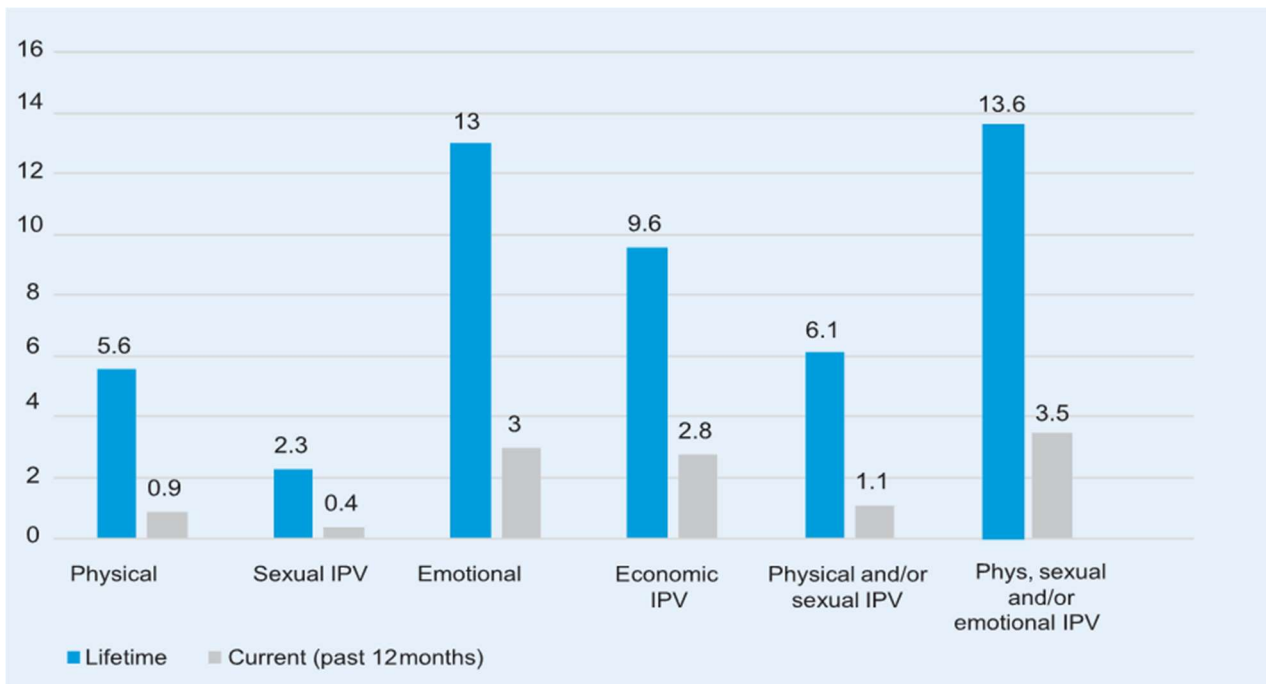
In Georgia, the experience of violence by woman is a widespread phenomenon across the country. (Chitashvili et al 2010) Intimate partner violence, early and forced marriage are the predominant manifestations of violence against women in Georgia. While women in Georgia are affected by IPV in different ways and with different consequences also on the basis of the factors mentioned above in this section, no woman is spared from it, not even the wealthiest and highly educated ones. However, violence against women is still underreported and under-researched despite its dimension and socioeconomic consequences. The existing data such as police and criminal justice statistics only show a partial picture of the problem. (Chitashvili, M., Javakhishvili, N., Arutiunov, L., Tsuladze, L. and Chachanidze 2010)

The first figure of the below chart shows a range of physical; sexual; economic; physical and/or sexual and physical; sexual and/or emotional IPV experienced by women at least once in their lifetime and in the past 12 months prior to the survey. In some cases, women experienced IPV even during pregnancy and experts suggest that if domestic and family violence already exists, the likelihood that it will increase in severity during pregnancy is high (Garcia-Moreno, Jansen, Ellsberg, Heise, & Watts, 2005; James, Brody, & Hamilton, 2013; United Nations Children's Fund (UNICEF), 2015).

*"I was in a very difficult situation. I was beaten. Also, my husband raped me when I was pregnant, and because of that I bled, and doctors suspected [violence], as these symptoms were not usual."*

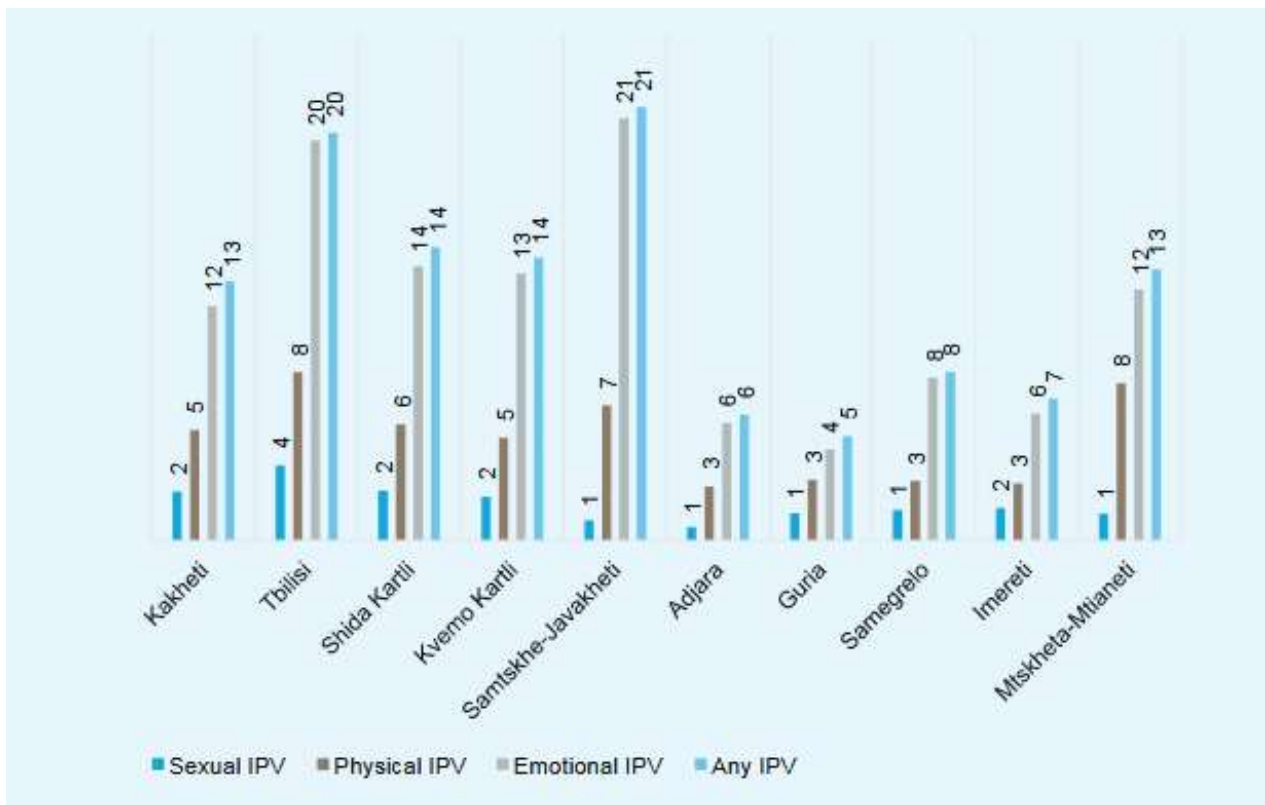
—Respondent, IPV in-depth interview

Further, the chart shows the percentage of women aged 15-64 reporting different types of IPV by time period, among women who have ever had a husband or partner. Almost 6 percent of women experienced physical violence. More than two percent experienced sexual IPV and a considerable number of women experienced physical, sexual and/or emotional IPV at the same time.



**Figure 1** A range of physical; sexual; economic; physical and/or sexual and physical; sexual and/or emotional IPV experienced by women over the course of life and in the past 12 months.

The next chart establishes a correlation between the type of IPV experienced by women with the region the victims belong to and it shows the different prevalence of physical, sexual and emotional IPV, thus allowing for a comparative analysis among regions and prevalence of types of IPV. The highest reported rates of IPV are in Tbilisi; while Samtskhe-Javakheti. Guria and Adjara are areas where the lowest reported rates of violence have been recorded. In total, there have been higher reports of intimate partner violence in urban areas (16 per cent reporting physical, sexual or emotional IPV) than in rural areas (11 per cent reporting physical, sexual or emotional IPV).



**Figure 2** Prevalence of physical, sexual and emotional intimate partner violence in different regions in Georgia.

The study demonstrates that violence is a common experience for many women. One in seven women aged 15-64 reported that she had been exposed to physical, sexual and/or emotional violence by an intimate partner in their lifetime. The study further revealed that one of the most common acts of violence was emotional abuse and controlling behaviour by intimate partners. These results are comparatively constant with the 2009 study. The most current findings reflected in the qualitative data revealed that the most common forms of emotional violence reported consist in isolation, control, and blame. As other studies have previously shown, IPV is intertwined with a pattern of coercive control. (Stark, 2007)

However, according to the rates of the 2017 study report, IPV was indeed slightly lower than in the 2009 study. One reason could be the smaller sample of the 2009 study. It may be also possible that addressing violence against women by the Government, and different institutions have contributed to reducing rates of violence. Nevertheless, it has to be highlighted that the types and methodology of surveys bear a considerable impact on the data collected. In fact, it is more likely that instances of violence reported in face-to-face interviews underrepresent the real figures compared to anonymous survey which may disclose higher rates.

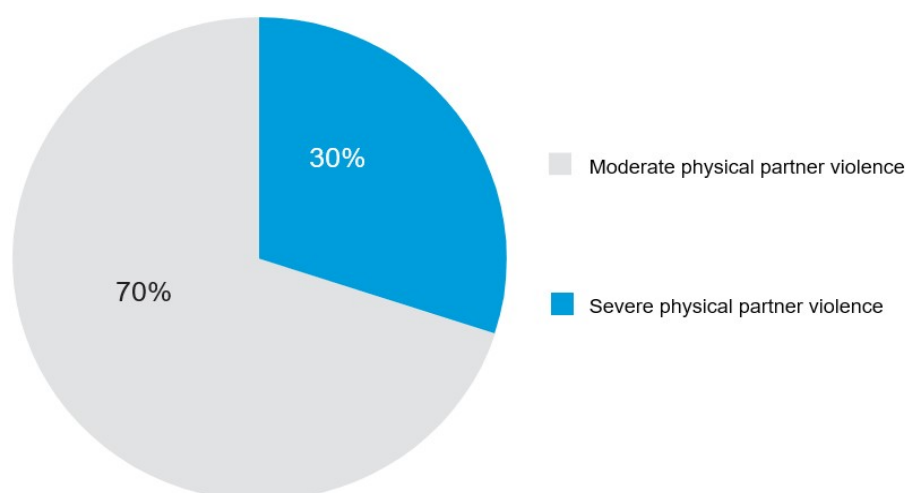
Furthermore, the underrepresentation of women's experiences of violence results from various reasons including the feeling of shame, stigma or fear. In general, the study discovered that both men and women in Georgia have relatively conservative attitudes towards disclosing instances of violence. This might be the reason why certain acts of violence are still condoned. The discrepancy between men's and women's gender attitudes and reported rates of violence explain why women have constrained to disclosure their violence experiences in interviews.

One of the most striking fact in the National Study on Violence against Women is the disproportionate higher number of reported cases of IPV in Georgia’s urban areas compared to those reported in rural areas. Notably high rates of IPV can be identified in Tbilisi. These results appear at odd with international statistics on violence against women which reveal higher rates in rural rather than in urban areas. This result of the study also conflicts with the assumption of higher IPV rates in rural areas as gender attitudes have a higher tendency of conservatism and there are fewer services available to survivors of violence. (Garcia-Moreno et al., 2005). For this apparent contradiction, there can be an explanation - underreporting. The fact that in urban areas there are higher reported cases of IPV than in rural ones, does not really represent the reality. From these results we can conclude that violence in urban area is less normalized; urban women are more aware of VAW, they have lower “tolerance” towards violence and feel more confident than rural women to disclose their harmful experience.

The study further demonstrates that women and men in rural areas of Georgia are more likely to hold conservative views and attitudes and thus condoning violence more often than in urban areas. Despite of the higher rates of violence reported in urban areas, the results further conclude that women living in urban areas are more aware of such violence, they show a lower tendency to justify it and felt more confident to disclose their experiences of violence compared to rural woman.

Altogether, the study also concluded that women were more likely to experience frequent acts of intimate partner violence instead of isolated episodes. This is in accordance with other studies<sup>12</sup> illustrating the frequency and severity of women’s experiences of violence and showing patterns of violence within relationships which are characterized by repeated acts of violence, rather than occasional incidents.

The results in respect to the severity of violence show that women were exposed rather to moderate than to severe forms of violence. While more women reported moderate forms of violence (70%), a considerable number of women (30%) experienced severe acts of violence such as choking, burning or violence involving a weapon.



**Figure 3** Prevalence of the severity of physical violence caused by partners against women in Georgia.

<sup>12</sup> Taken from UN Women. 2018. National study on Violence against Women in Georgia 2017; Summary report. Page 8 <http://georgia.unwomen.org/en/digital-library/publications/2018/03/national-study-on-violence-against-women-in-georgia-2017> [Accessed on December 12, 2018]

## Legal framework and international obligations

Elimination of violence against women is the task set as one of the priorities of the international community and accordingly, various international agencies are working on strategies and official documents regarding this issue worldwide. International legal instruments like the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), as well as the UN General Assembly Declaration on the Elimination of Violence Against Women (DEVAW), recognize that violence against women is the result of inequality between women and men. These documents were followed by three regional treaties: The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (1994, Belém do Pará); the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, adopted in 2003 by the African Union and the Convention on preventing and combating violence against women and domestic violence (hereinafter Istanbul Convention) adopted by the Committee of Ministers of the Council of Europe and signed on 11<sup>th</sup> of May, 2011 in Istanbul.

The latter is the first legally-binding document in Europe aiming at the eradication of VAW including domestic violence and providing the definition of violence against women as “*a violation of human rights and a form of discrimination against women*”. (Council of Europe, 2014) Its adoption was followed by a campaign in numerous member states of the Council of Europe, which revealed that it was necessary to trickle down international standards for the elimination of violence at the state level and to undertake relevant measures to prevent violence, protect its victims and ensure the perpetrators' prosecution. The Istanbul Convention calls upon states to criminalise the various forms of violence against women, including physical, sexual and psychological violence, stalking, sexual harassment, female genital mutilation, forced marriage, forced abortion and forced sterilisation. (Ibid, 2014) Failure to do so engage state's responsibility.

The Istanbul Convention in its far-reaching provisions contains definition of gender as a socially constructed phenomenon that assigns 'women' and 'men' to specific social roles, behaviors and attributes. It is based on a perception that violence against women is an outcome of gender-based factors, and accordingly, realization of de jure and de facto equality between women and men plays key role in violence prevention. Furthermore, the convention emphasizes the importance of:

*“Recognising that violence against women is a manifestation of historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women.”*

*“Recognising the structural nature of violence against women as gender-based violence, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.”*

—Istanbul Convention, 11.V.2011



## Analysis of IPV and femicide in Georgian legislation

Although in the introductory part we have already partially referred to the legislative framework of Georgia and its constraints we believe it is necessary to additionally explore here its progress.

Recent years revealed positive trends in addressing the gender-based violence problem and significant improvements of the legislative framework were undertaken through efforts made by the state, NGOs and international actors. However, it cannot be said that Georgia achieved its utmost in creating a perfect gender policy or abolished domestic violence and discrimination yet.

Various policies, laws and institutional measures were adopted to combat VAW, such as the 2006 “Law of Georgia on Elimination of Domestic Violence, Protection and Support of Its Victims” and the 2010 “Law of Georgia on Gender Equality”, the 2014 “Law of Georgia of the Elimination of all Forms of Discrimination” (including discrimination based on gender identity). Furthermore, the Gender Equality Council was established within the Parliament and the Gender Equality Adviser in the Office of the Prime Minister.

It is noteworthy to outline some of the challenges in the above-mentioned laws. For instance, the law on domestic violence does not address domestic violence in the broader context of gender inequality. The main emphasis is made on one member of the family violating the rights of the other, and thus narrowing down the scope of problem to its individual level and human rights broad discourse. The victim and perpetrator are presented in the legislation with gender-neutral terms, which can be regarded as one of the indicators of a de-gender framework. Accordingly, the violence is not presented as rooted in the structure of society where men are dominant, but the problem is discussed at the mere individual level as crossing the boundaries of each other’s rights. (Chabukiani, Jibladze, Ubilava, 2014)

As Ms. Dubravka Šimonović, United Nations Special Rapporteur on violence against women, its causes and consequences highlight in its findings of country visit to Georgia: *“there is no specific legislation on gender-based violence and a lack of a comprehensive national mechanism within the executive branch to coordinate and effectively implement and monitor gender equality policies. The implementation of those laws is challenged by societal attitudes by entrenched patriarchal attitudes and gender stereotypes, makes gender-based violence tolerated, where domestic violence is considered a private matter and not a public concern, in most parts of the country.”*<sup>13</sup>

Since Ms. Dubravka Šimonović’s visit some positive changes occurred in Georgia, such as finally ratifying Istanbul Convention in 2017 and bringing its legal framework into alignment with international standards, such as, adopting definitions of violence against women and stalking, ensuring that victims of violence are notified prior to the release from custody of the perpetrator, and expanding the list of aggravating circumstances related to gender-based violence. (UN Women, 2017) And as a national mechanism within the executive branch, the Ministry of Internal Affairs of Georgia established a special department for human rights in 2018 which works in partnership with the UN Women. This new unit aims at contributing to a more efficient and up-to-date approach to crime including violence against women and domestic violence (UN Women, 2018). Though, there are some systematic problems that

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<sup>13</sup> Source: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17073&LangID=E>  
[Accessed on December 15, 2018].

remain unchanged. For instance, in many cases of femicide committed by (ex) intimate partners, the victims were not provided with an adequate and effective protection after reporting the acts of violence to the police. Police officers are often themselves under the influence of stereotypes. During the investigations, cases of VAW, if not accompanied by a serious physical injury, are regarded by representatives of the prosecution bodies as insignificant. (Union Sapari, 2016)

According to the representative of the Ministry of Internal Affairs of Georgia, Maka Peradze, obstacles hindering an effective police's response can be: *“the potential victims refusing to give testimony; society's distrust of law enforcement agencies; bureaucratic difficulties that impede cooperation with the society; permanent changing of the testimonies; the inadequacy of special units (from a geographical point of view, the existence of trained police officers on gender and domestic issues is more strategic than a reliance on the special units).”*

But how to explain the fact that even after several attempts from victim to seek assistance from the police, the latter could not prevent the murder and provide effective protection? This is where the need for a systematic approach to the problem becomes apparent, according to the expert Tamar Tomashvili. In this regard, the police can issue a restraining order, in case of violation in respect of which the abuser is summoned to the court that issues the warning. Therefore, with respect to Georgian law, that is all the police can do - all its levers have been used. That is why, Tomashvili considers it essential to issue restraining orders for a longer period of time. She also suggested to provide more accessible legal aid for free for those affected by domestic violence. And regarding the considerable number of potential victims who refuse to give testimony, she deems of the utmost importance to turn IPV into an “ex officio” crime, which means that perpetrator's prosecution should not be depended only on victim's choice to file the court case. (Report N3, 2017) Apparently, victims do not report to the police on all forms of violence. This could be explained by two reasons: 1) she cannot or does not perceive such treatment as a violence; 2) according to prevailing stereotypes, it is her “private business”. In this regard, it is also important how accurate police officers are in the identification of the forms of violence without social workers at the scene. Social workers, doctors, psychologists are better placed due to their profession in identifying hidden forms of violence. They can help prosecutors during record-keeping by encouraging victims to cooperate with investigation and overcome the fear. (Beridze, 2012)

Regarding the role of prosecution and the judiciary in femicide cases, investigations should be conducted *“thoroughly, fully and impartially, adequately evaluate all possible motives related to discrimination, classify relevant cases as femicide crimes, analyse context of discrimination by examining the history of domestic and/ or gender-based violence, and determining the proper sanctions for the crime.”* (Dekanosidze, 2016)

In the framework of the EU-Georgia's association agreement, Georgian government has to reform its legal and political agenda and strengthen the implementation of legislation concerning all forms of violence against women. To be more specific, awareness-raising campaigns should be conducted for both, the general population and specific professional groups, such as the police, social workers and healthcare personnel, especially in rural and minority areas. (Pataraiia, 2016)

## Remedies and raising awareness

In this section, we aim at providing protective mechanisms capable of preventing IPV and femicide. These preventive measures include ideas that have emerged from awareness-raising campaigns, trainings, creative activities and promising interventions.

Some of these mechanisms have been largely discussed at a conference that brought together representatives of the legislative, executive and judicial branches of the government and civil society to present and discuss the “Femicide Watch Report – Analysis of the Criminal Cases Regarding Gender-related Killings of Women Committed in 2016”. The conference was organized jointly by the Public Defender’s Office of Georgia (PDO) and the UN Women on June 18, 2018. The report revealed that among the 11 femicide cases which occurred in 2016, 6 of them had been preceded by requests for assistance by the victims to the police in respect to the perpetrators. This critical output is in line with the observation made by the Public Defender of Georgia, Ms. Nino Lomjaria, that although the number of restraining orders issued have significantly increased in recent years, critical systemic shortcomings remains – also a point made by Tamar Tomashvili in regard to the issue of victims’ appeals to law-enforcements.<sup>14</sup> Following this important finding, Erika Kvapilova, a UN Women Country Representative in Georgia, underlined the obligation of the state to commit to act with due diligence to prevent, investigate and punish gender-related killings of women. Further, the above-mentioned report also revealed that most perpetrators had no education beyond secondary school and were unemployed. This result is consistent with the findings from the previously mentioned national domestic violence survey, where respondents also identified low education status and unemployment among the drivers of perpetrator’s violence (Sumbadze, 2014). It is noteworthy to mention that unemployment is ranked high in both quantitative and qualitative components of the study.

When it comes to intervention and response, the Georgian National Probation Agency (NPA) in consultation with UN Women had selected the Spanish model “Gender-Based Violence (GBV) – Intervention Programme for the Rehabilitation of Perpetrators” to develop a “Rehabilitation Programme on Management of Violent Behavior, Gender-Based Violence.”<sup>15</sup> This programme, launched in 2016, was the NPA first attempt to tackle behavior management among probationers with a history of violent behaviors. The programme was tailored to the temperament of probationers, the length of sentence, and the risk of recidivism. The programme aimed at helping probationers to acquire skills for the management of emotions, the management of disputes and conflicts without recurring to violence and aggression, learn partner relations, discussion on different forms of GBV and focus on preventing recidivism. The same Spanish model was implemented again, throughout 2017 and 2018, towards the rehabilitation of IPV perpetrators within the penitentiary system. While the goal and structure of the programme is similar to the one put in place in 2016, the capacity development interventions were complemented by efforts to introduce legislative amendments to the Criminal Code and the Code of Administrative Offences of Georgia.

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<sup>14</sup> Victims of domestic violence can seek protection through restraining orders issued for a longer period of time. Source: Parliament of Georgia. 2017. Report N3. The Sitting Report of the Gender Equality Council of the Parliament of Georgia. Tbilisi, Georgia. Retrieved from <http://www.parliament.ge/en/saparlamnto-saqmianoba/komisiebi-da-sabchoebi-8/genderuli-tanasworobis-sabcho/oficialuri-dokumentebi/reports/n3.page> [Accessed on December 15, 2018].

<sup>15</sup> “GBV Perpetrators Rehabilitation Programme Launched in Georgia.” გაეროს ქალთა ორგანიზაცია | საქართველო, [georgia.unwomen.org/en/news/stories/2016/04/gbv-perpetrators-rehabilitation-programme-launched-in-georgia](http://georgia.unwomen.org/en/news/stories/2016/04/gbv-perpetrators-rehabilitation-programme-launched-in-georgia) [Accessed on December 15, 2018].

There are several more ways to prevent and decrease the tragic cases of IPV and femicide, but we will focus on raising awareness. Often the public is aware of the occurrence of violence but avoid informing law-enforcements and leaves the victim alone facing her perpetrator (UN Women, 2015). When asked about the possible causes of violence (multiple choice), the majority of the respondents from Tbilisi, Samegrelo-Zemo Svaneti and Kakheti picked the wife's infidelity and provocative behaviour (Sumbadze, 2014). What these answers show is that gender inequality and the subordinate role of the women to men appear to be the main motivation of violence. In the cases of murder committed by an ex-husband, the reasons provided by respondents were jealousy and protection of male dignity, but nobody referred to the women's rights to live (UN Women, 2015). Therefore, raising awareness with regard to women's rights and gender equality is likely to yield the best results in addressing the problem.

Georgia has joined the global "International Day for the Elimination of Violence against Women" initiative from 2016. It aims to raise public awareness and demonstrate solidarity towards victims of gender violence. Georgia joined the global campaign with symbolic gesture, creative tools and sports. By illuminating remarkable buildings, like the TV Broadcasting Tower in Tbilisi in orange for instance, everyone has the opportunity to witness the campaign. The official colour of the campaign dominates the capital and surrounding cities and when participants wear orange clothes or accessorize, this generates debates and raises public consciousness. Another way is through the innovative implementation of creative tools like children's books. Reading not only creates an atmosphere conducive to education but positively sets the stage for later behaviour. This is why the creative effort initiated by UN Women in 2018 used fairy tales to teach the elements of equality. Fairy tale authors not only wrote the collection "Once There was a Girl", but also travelled to the cities and villages to discuss the characters of the fairy tales, among whom is Maia Tskneteli, historical Georgian public hero and famous warrior. As Ninia Sadgobelashvili, one of the contributing authors remarked: "*Fairy tales are the most natural way to talk to children about the power of women and their unconditional role in the progress of our community and our world*".<sup>16</sup> About 150 children aged 5-14 were present at the launching of the book in the town of Ozurgeti in Guria and in Duisi, Sagarejo and Tsnori in Kakheti.

Another example of successful awareness raising campaign is the involvement of men and women. Aiming at presenting men role models, the "HeForShe" solidarity movement in Georgia includes men as gender equality supporters. On November 25, 2014 prominent men such as the Speaker of Parliament, Public Defender, UN Resident Coordinator, Ambassadors, and Presidents of the Georgian Rugby Union stand as advocates for gender equality. Rugby is very popular in Georgia and the Georgian rugby players have many fans. By using popular sports, like rugby or football, and well-known sportsmen to engage with the media, the movement was able to reach out and invite many men and boys to join and commit themselves in support of gender equality.

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<sup>16</sup> "Fairy Tale Collection 'Once There Was a Girl' - A Gift for Children from UN Women." გაეროს ქალთა ორგანიზაცია | საქართველო, [georgia.unwomen.org/en/news/stories/2018/06/fairy-tale-collection-once-there-was-a-girl](http://georgia.unwomen.org/en/news/stories/2018/06/fairy-tale-collection-once-there-was-a-girl). [Accessed on December 15, 2018].

## Key recommendations

1. Ratifying femicide as a separate crime in the jurisdiction and adoption of specific laws and legal instruments that penalize femicide.
2. Raising awareness and understanding among the general public regarding all forms of violence against women, especially in rural areas. For this purpose, it is recommended to promote or conduct gender equality awareness-raising campaigns, on a regular basis and at all levels.
3. Establishing an educational space where basic human rights, women's rights, gender equality and law enforcement issues against violence at every level will be discussed.
4. Providing information to women on the existence of risk factors of gender-based violence and the ways of avoiding them.
5. Engaging in co-operative dialogue with media so that they contribute to offer gender-sensitive contents and harmful performances.
6. Strengthening the social service mechanism to prevent VAW and fight against it.
7. Addressing the problem of limited resources necessary for the victim's safety, for example by providing sufficient shelters.
8. Working on perpetrator's rehabilitation programmes based on successful models from other countries i.e. the Spanish model "Gender-Based Violence (GBV) – Intervention Programme for the Rehabilitation of Perpetrators".
9. Sensitizing and retraining employees of different institutions (i.e. police and legal institutions or more broadly, including civil servants in the various ministries) about violence against women, so that they could respond quickly and efficiently, divert victims to the relevant authorities and provide them with an information on existing legal or other mechanisms.

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