



The Coalition for Equality Demands Adequate Response to the Acts of Sexual Harassment and Urges the Women to Seek Legal Remedies

The Coalition for Equality issues this statement in response to sexual harassment and other forms of gender-based violence allegedly committed by the Executive Director of the Civil Development Agency (CiDA) Zviad Devdariani, which were disclosed through the social network, media and the meetings of members of the Coalition with the victims.[1] **The Coalition would like to express their firm and unwavering support and solidarity to the victims of sexual harassment and urge them to seek legal remedies.** The Coalition believes that uncovering the facts of sexual harassment and taking legal actions in response to these acts is vital for combating one of the most widespread and covert forms of discrimination against women.

Sexual harassment is defined as [1] unwanted verbal, non-verbal or physical conduct of sexual nature with the purpose or effect of violating the dignity of a person or creating an intimidating, hostile or offensive environment. A [2] Analysis of the information obtained by the members of the Coalition and facts reported by the media illustrate the possible harassment and psychological violence perpetrated against a number of women at different times and with varying intensity, as opposed to several isolated incidents. These actions usually occurred on a social media site and/or during in-person interactions, as well as by abuse of his power and his status as the employer

(committed including against CiDA employees). In some cases victims allege unwanted intimate and physical interaction. Overall, such treatment created sexually abusive and insulting environment for the female victims, causing the feeling of suffering and vulnerability in some of them.

Sexual harassment is one of the major social mechanism for maintaining the subordinate position of women, violating women's dignity and hindering the full development of their potential, and preventing them from entering into and maintaining the labor relations. Sexual harassment against women at workplace is particularly concerning, because women are subjected to double pressure due to the existing gender and work-related hierarchies. As the law does not prescribe any penalty for perpetrators of sexual harassment and if they speak out, victims risk being stigmatized and blamed for the actions of the perpetrator - such actions are frequently left without any legal response and women are reluctant to speak out about the incidents of harassment.

Often the acts of sexual harassment are assessed based on the test of men's perception (reasonable man) and standards. As a result, it is often viewed as an acceptable form of interaction between women and men, which devalues the psychological distress that women suffer as a result of harassment. Perpetuation of such approach by the state's legislation and practice amounts to a form of discrimination against women.[3]

We would also like to address the possible interference in the alleged perpetrator's right to privacy by making the harassment stories public. According to the UN Committee on the Elimination of Discrimination against Women, in cases of gender-based violence, the protection of the alleged perpetrator's rights, including the right to privacy, cannot supersede victims' right to physical and mental integrity.[4] When dealing with sensitive cases of violence against women, it is essential that all measures are taken to avoid secondary victimization of women victims in the context of protecting the rights of the alleged perpetrator.

The Coalition urges the Public Defender to examine all the alleged incidents of sexual harassment within the anti-discrimination mechanism and safeguard the victims' confidentiality in the process.

The Coalition once again urges the Parliament of Georgia to recognize sexual harassment as a form of discrimination under the legislation, in compliance with the EU directives and the Council of Europe Convention on

preventing and combating violence against women and domestic violence (Istanbul Convention). This will create clear opportunities for victims to seek legal remedies through the court.

Members of the Coalition express their willingness to provide legal assistance to all the women who suffered sexual harassment.

Coalition for Equality

The Coalition for Equality is an informal alliance of eight nongovernmental organizations established in 2014 with support of the Open Society Foundation.

The Coalition brings together the following nongovernmental organizations: *Open Society Foundation, Human Rights Education and Monitoring Center (EMC), Article 42 of the Constitution, Sapari Union, Georgian Young Lawyers Association, Women Initiatives Support Group, Partnership for Human Rights and Identoba.*

[1] See <http://www.tabula.ge/ge/story/130848-seqsis-txovna-dasaqmebistvis-shevitsroeba-samsaxurshi-ras-kvebian-qalebi-zviad>

<http://netgazeti.ge/news/260774/>

<http://liberali.ge/news/view/35048/seqsualuri-shevtsroebis-braldeba-da-zviad-devdarianis-pasukhi>

[2] The Law on Gender Equality, Art. N6.1.b

[3] See CEDAW General recommendation on women's access to justice, CEDAW/C/GC/33, 23.07.2015.

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



[4] A.T. v. Hungary. CEDAW, No. 2/2003, para. 9.3