

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Statement of the Georgian Young Lawyers' Association in relation to the Disturbing Scale of the Violence against Women

Georgian Young Lawyers' Association condemns violence against women, which evolved into the disturbing scale and forms in the past months. Violence against women is a crime, which cannot have any cultural, religious or other justification. Today media has aired information on one more case of violence of the ex-husband against the woman, which resulted in the victim's death.

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The law on [REDACTED] of Domestic Violence, Protection and Support of Victims of Domestic Violence A is in force in Georgia since 2006; the shelters were created for rehabilitation of the victims. The employees of the Ministry of Internal Affairs (MIA), which have the primary obligation of making an effective response against the facts of violence, underwent a number of trainings in this regard. Despite this, the events that evolved in the past months reflect that the state response against the facts of violence against women is inadequate and ineffective.

In relation to the today [REDACTED] case, the relatives of the victim say that the ex-husband was threatening the ex-wife (the victim) and that the woman has addressed the police a number of times. For one month, she has been asking the patrol police to undertake measures against the threats of her ex-husband, however, no proper response was made to the woman's request.

The MIA states that the Warning was applied in this case. We would like to underline, that the Warning does not represent an adequate response of the police when the case relates to the beating, physical and psychological abuse, along with the psychological violence. According to the law of Georgia, in case of receiving information on the potential crime, the investigation should be initiated on the case (the Criminal Procedure Code of Georgia, Article 100). It is notable that the MIA has been accused of the inadequate response in other cases as well.

GYLA is thoroughly examining the cases of women [REDACTED] murders. In one of the cases, we are preparing a lawsuit for submission to the European Court of Human Rights on the improper response of the state. We are expressing our willingness to provide support to the victims of the domestic violence, as well as the family members of the deceased women and if they wish, to represent their interests both in the national and international litigation bodies.

It is unacceptable that the high-ranking officials, apart from the few exceptions, have not made clear and unambiguous statements that the state will not tolerate domestic violence and that it will properly react towards the perpetrators.

GYLA calls upon the Government:

To undertake urgent measures to punish the guilty in full strictness for the effective prevention of the violence against women.

To critically analyze the incumbent legislation and practice against the domestic violence and to undertake fastest measures to eliminate the existing shortcomings, as

well as to implement a pro-active policy of revealing and preventing violence.

To strengthen the awareness raising campaign on the domestic violence and to pay special attention to the risk-group representatives.

To pay special consideration to the recommendations of the Committee of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and to undertake all possible measures for their timely and proper implementation; in addition, to ensure strengthened coordination among the law-enforcement and court bodies and to ensure the intensive cooperation at all levels of the criminal justice system (police, prosecutors, investigators, judges) with NGOs, which work with the victims of a gender violence.

We call upon the MIA and the Prosecution:

✓□□ conduct detailed examination of every case of murdering women and to study whether a victim has addressed the police and/or prosecution employees and whether the response to a fact was timely, effective and proper. In case of revealing improper response, the law-prescribed responsibility must be imposed upon the relevant employees; among others, it should be examined, whether the inaction of the police includes the signs of the Negligence crime, covered under the Criminal Code.

We call upon the Parliament of Georgia, as the body that conducts supervision of the executive government; especially, the Gender Equality Council and the Human Rights Committee of the Parliament:

To request the MIA to present the detailed report on the activities, which the MIA conducts within the implementation of its duties on combating the violence against women, as well as the prosecution to present the detailed report on the activities, on which the investigation is initiated and to ensure consideration of the reports with engagement of the civil society.

We call upon the persons, holding political offices and all of the other public organizations, especially religious institutions:

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⚖️ To publicly and unconditionally condemn any expression of violence against women; at the same time, to refrain from any action, which might even indirectly contribute towards strengthening of the gender stereotypes in the society.