

Presentation Summary of Comments
Association 'HERA-XXI' in respect of committee's consideration of
4th periodic report of Georgia under the International Covenant on Civil and Political Rights (ICCPR)

Dear Chair and members of committee and honorable attendees, Association HERA-XXI is NGO working in field of Sexual Reproductive Health and Rights. We are most concerned of general reproductive health environment in Georgia. As for Committee requested to outline the measures taken to eradicate deeply rooted religious and patriarchal attitudes and stereotypes regarding roles responsibilities and identity of women and men in the family and society in general.

The information we submit is intended provides information in this regard, with a particular focus on sexual and reproductive health and rights.

For this matter, I am bringing five key concerns that I wish to highlight:

1. Child marriage

Child marriage is associated with withdrawal from education, low status of families and early childbirth with the risk of disability and maternal mortality. The Committee has urged states to enact laws prohibiting child marriage. The CAT has considered child marriage to fall within cruel, inhuman and degrading treatment¹. Georgia has highest rate in Europe (17%)². In 2011-2013 report by Public Defender of Georgia, 7367 girls have ceased primary education and most of them were due to early marriage³. Research by 'HERA-XXI' highlights the serious human rights consequences for girls,⁴ including the link between lack of adequate sexuality education and poor health outcomes for children who give birth. The Committee has called on states to strengthen sex education programmes⁵. There is no legal provision regarding child marriage in the Civil Code⁶ and the state has enacted no measures to curtail this practice, nor has it enforced legal requirements to educate children and look after their welfare.

No existence of communication / educational strategy and comprehensive educational program regarding reproductive health and rights in schools and higher education institutions.

No existence a concrete action plan to implement international and national law regarding early marriage in country. There is no separate legal provision regarding early marriage in the Georgian Civil Code, but according to the general context it seems that the marriage could be registered even in the case if a person has not reached the age of 18.

Safe abortion

Abortion is legal, but women in some regions do not have access to quality, and affordable services. The Human Rights Committee has highlighted that where abortion is legal, the obstacles to its provision should be removed.⁷ Government recently introduced barrier by increasing legally mandatory waiting time from 3 to 5 days.⁸ Artificially created waiting time, fail to respect women's autonomy, and have been criticised by CEDAW and World Health Organisation⁹. These type of regulations do not influence women's decisions, perhaps create obstacles for accessing safe abortion, increase recourse to unsafe abortion, and put women's lives and health at risk — something Committee has highlighted in previous concluding observations.¹⁰

Association 'HERA-XXI and partner clinics show that mandatory waiting periods do not work in practice.

Access to contraception

The Committee has urged states to ensure access to contraception for women¹¹. Only 35% of women use modern contraception.¹² Inadequately low usage of contraception by women is determined by low level of information, myths and misconceptions.¹³ Access is a particular problem for internally (forcibly) displaced women, for women with disabilities and HIV/AIDS, women living in the mountainous regions. Many women have no option but to avail of abortion rather than contraception.¹⁴

No state healthcare program to ensure that women, especially those internally (forcibly) displaced or beyond poverty, HIV/AIDS infected and with disabilities have access to contraceptives/reproductive health related services.

No adequate law on 'Reproductive Health and Rights' and health strategy to fulfill the state's obligations under international treaties and agreements in the sphere of reproductive health, development of family planning services.

2. Discrimination against people with HIV/AIDS

People with HIV experience discrimination in accessing health services. Experience such as stigmatising and discriminatory attitudes by service providers and extra payment requested for service provision by health service providers create barriers accessing health care.

The Committee has called on states for taking measures to address discrimination against people with HIV, including access to health care.¹⁵

Lack of education programs and information campaigns Introduced by state to decrease stigma/discrimination towards HIV/AIDS infected women in country.

3. Sex selective abortion

The practice of sex-selective abortion reflects gender inequality in which girls are seen as an economic burden.¹⁶ The state has failed to introduce measures to tackle sex-selective abortion and deeply entrenched attitudes that are its root causes. The Committee has called for the root causes of prenatal sex selection to be addressed.¹⁷

No action on behalf of state to address the root causes of sex selective abortion and include sex selective abortion in a reproductive health and rights law.

Representative of HERA XXI present at the 111th Session of the Human Rights Committee:

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¹CAT CO to *Yemen* (2010).

²Georgia - Child Marriage (UNFPA) <http://www.calameo.com/books/00071352976da7c07b52b>

³<http://www.ombudsman.ge/uploads/other/1/1350.pdf>, 397

⁴Study of ‘Hera’ –Early Marriage <http://hera-youth.ge/en/category/news/>
Georgia - Child Marriage (UNFPA) <http://www.calameo.com/books/00071352976da7c07b52b>

⁵ HRC Concluding observations to Mali (2003), Lithuania (2004).

⁶CIVIL CODE OF GEORGIA - <http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/geo/CIVILCODE.pdf>

⁷Human Rights Committee, Concluding Observations, Argentina, (2000).

⁸Law of Georgia on Health Care <http://www.healthrights.ge/legislation/national/law-of-georgia-on-health-care/?lang=en>

⁹CEDAW Committee, *Concluding Observations to Hungary*. UN Doc CEDAW/C/HUN/CO/7-8 (CEDAW, 2013)

¹⁰ HRC CO to Azerbaijan (2001); Mali (2003); Djibouti (2013)

¹¹ HRC Concluding observations to Hungary (2002); Lithuania and Albania (2004), Armenia 2012

¹² Resource Study of Women Reproductive Health in Georgia <http://en.calameo.com/read/000713529afa9bb45ab5b>

¹³Myths and Prejudices about modern contraceptives in Western and Eastern Regions of Georgia’ <http://hera-youth.ge/wp-content/uploads/2014/01/A4-Broshura-+2mm-Bleed.pdf>

¹⁴Study of ‘Hera’ –Early Marriage <http://hera-youth.ge/en/category/news/>

¹⁵ HRC CO to Kenya (2005, 2012); Moldova (2009); Jamaica (2011).

¹⁶ Study ‘Social and Gender Aspect of Sex Natural Balance of New-born Babies in Georgia’ ‘Hera XXI’ 2012
<http://hera-youth.ge/wp-content/uploads/2014/01/%E1%83%99%E1%83%95%E1%83%9A%E1%83%94%E1%83%95%E1%83%90.pdf>

¹⁷ HRC CO to Armenia 2012