

Violence against Women

- **Administrative data on gender-related killings of women for 2016-2018;**

Ministry of Internal Affairs of Georgia started analyzing and monitoring the cases of femicide after establishment of the Human Rights protection department in January of 2018, The Department analyzed criminal cases of homicides committed in 2018 (10 month), where the victims are females. The statistical data of the murders are decreased comparing to previous years. The study shows, that in 2018, there were 11 facts of the killing of women.

- **The number of women killed by their partners (intimate partner killings) or by family members or other killings by unrelated persons but gender-related;**

14 women were killed as a result of domestic crime related offences in 2016. 5 of these cases are about husband killing his wife, 3 cases are about ex-husband killing his ex-wife, 5 cases are about son/daughter killing his/her mother, 1 case is about step-son/daughter killing his/her step-mother.

14 women were killed and 12 were victims of an attempted murder in domestic crime related offences in 2017. As of the relation between defendant and victim, Out of 14 murder cases 8 are about husband killing his wife, 2 cases are about son/daughter killing his/her mother, 1 case is about step-son/daughter killing his/her step-mother, 1 case is about grandchild killing his/her grandmother, 1 case is about a husband in common-law marriage gravely injuring his wife (of common-law marriage), that resulted in death and 1 case is about a brother gravely injuring his sister that resulted in death.

As of relation between defendant and victim in attempted murder cases, Out of 12 cases 6 are about attempted murder of wife committed by husband, 2 cases are about attempted murder of persons who live in a common household, 1 case is about attempted murder of mother committed by son/daughter, 1 case is about attempted murder of mother-in law committed by daughter-in-law, 1 case is about attempted murder of daughter-in-law committed by father-in-law, 1 case is about attempted murder of mother-in law committed by son-in-law.

There were no woman's murder/attempted murder cases falling under domestic crime category committed on the grounds of gender discrimination in 2016-2017.

In 2018 (10 month), there were 11 facts of the killing the women, 5 (five) women were killed by the family member, 6 (six) women were killed by nonfamily member on the ground of diverse motives. None of them was killed on the base of gender. None of them was killed by intimate partner or ex-partner. It is worth mentioning that, murders were not committed in the period of valid restrictive order.

- **Number of killings of children, disaggregated by sex, in the context of gender-related violence against women;**

None cases of killing of child in the context of gender-related violence against women occurred in the period of January –October of 2018;

- **Existence of, or progress in, the creation of a national femicide watch and/or observatory on violence against women;**

It is important to emphasize the progress in criminal cases regarding identifying violence against women on the grounds of gender in domestic violence crimes. In 2016 prosecution has been launched on the grounds of gender discrimination against 3 persons. In 2017 prosecution has been launched against 25 persons on the grounds of gender discrimination. 25 women have been declared as victims. In 2018 prosecution has been launched against 72 persons on the grounds of gender discrimination. 72 persons have been declared as victims on the grounds of gender.

In January 2018, the Human Rights Protection Department was established under the Ministry of Internal Affairs of Georgia. This new, non-operative department aims to ensure prompt response and quality of investigation of domestic violence, hate crime, violence against women, trafficking, crimes committed by/towards minors and those based on discrimination.

Functions of department are:

- ✓ Identifying gaps in the process of investigation and administrative case proceedings and elaborating guidelines;
- ✓ Provide consultations to police officers;
- ✓ Improving statistical data in coordination with the Analytical Department;
- ✓ Increasing qualification of specialized investigators in cooperation with the Police Academy;
- ✓ Cooperating with relevant state agencies, public defender and NGOs;
- ✓ Studying and analyzing relevant recommendations;
- ✓ Developing proposals for planning and carrying out of preventive measures;
- ✓ Providing proposals to the Minister on the incentives and disciplinary measures

Department has elaborated internal and external monitoring mechanism (Internal monitoring mechanism - Criminal case investigation is monitored through the electronic case management system “CRIMCASE”; External monitoring mechanism – cooperation with the NGOs are already in place and information/reports is received on a daily basis). The Department also receives information on incidents/reports from all police departments of the country. In case the employee of the Department reveals gaps or problems in the investigation process or investigation was not launched when necessary, s/he reacts promptly, contacts the relevant police officer, provides legal consultations, discusses the

issue with coworkers and decides on the future course of action. Cases of misconducts or neglects are forwarded to the General inspection of the Ministry for further response.

The Department serves as a consultative body for the police and stands as a contact point for civil society and pertinent public agencies.

- **Analysis of cases and actions undertaken in this respect and related investigations, prosecutions and convictions of all cases of gender-related killing.**

In the strategy and action plan of the Office of the Prosecutor (Georgia) of 2017-2021 the following strategic directions have been determined in order to use criminal law mechanisms effectively against domestic violence crimes and to prevent them:

- ✓ Existence of relevant legislation that is in compliance with international standards;
- ✓ Improvement of mechanisms with regard to revealing facts related to violence against women and domestic violence;
- ✓ Raising awareness with regard to violence against women and domestic violence;
- ✓ Conducting an effective investigation of criminal law cases;
- ✓ Reduction of facts with regard to violence against women and domestic violence;
- ✓ Raising qualification of the prosecutors and employees of the Prosecutor's Office as well as deepening relationships with other structures.

Department of Supervision over Prosecutorial Activities and Strategic Development and Human Rights Unit, Office of the Chief Prosecutor, permanently monitor the cases regarding violence against women and domestic violence crimes and conduct annual analysis within which statistical data is processed and quality of investigation and prosecutorial activity is evaluated.

In order to raise the quality of prosecutorial activity and protect interests of the victims, specialization of prosecutors and investigators took place in the system regarding domestic violence crimes in criminal law. In accordance with an order of the Chief Prosecutor from May 1, 2018 investigation, procedural management and support of state prosecution in court are conducted only by specialized investigators and prosecutors on this category of cases. Currently 127 specialized prosecutors and investigators are trained in the Office of the Chief Prosecutor.

In 2017 recommendation on cases regarding domestic violence crimes has been updated in relation with conducting necessary investigative and procedural activities, the aim of which is a comprehensive investigation of the facts regarding violence, conducting effective procedural management and ensuring receiving substantiated decision. In the mentioned recommendation a separate chapter deals with the issue of identification discrimination on the grounds of gender.

Moreover, as a result of joint efforts of all structural units of the Ministry of Internal Affairs of Georgia,

in recent years, the trust towards the law enforcements and the number of reports to the police has increased:

In 2017, the number of issued restrictive orders was 4370, while in the first 10 months of 2018, more than 5522 orders are already issued. The percentage of violation of restrictive orders is quite low – in 2017, 7% of offenders violated a restrictive order, while in 2018 - only 6%.

In 2017, the number of launched investigation was 2828, while in the first 10 months of 2018, more than 4339 investigation have been launched. Number of Prosecutions is adequately increased.

In October of 2018, Department organized conference and presented the report of its work to the representatives of civil society, public agencies and international organizations.

In the same month, with financial support of UN OHCHR, 2 days long workshop was held with participation of the heads of the department of the ministry. On the event, Head of Human Rights Protection Department presented report of the work and results of the monitoring. Heads of each department also made presentations on the accomplishments and gaps in the spare of their competences. Sessions were continued with discussions and agreement on plans.

Following to recommendations of international and local organizations and public defender, risk assessment mechanism on Domestic Violence has been elaborated. On the base of MoU between UNWOMEN and MIA, several meetings and workshops were held with active participation of US nongovernmental organization “Global Rights for Women”. At the end of April, the draft documents were presented to the relevant state agencies, non-governmental and international organizations for their notes and comments. Additionally, the pilot project was implemented in Tbilisi and the amended document was sent to the US experts, who participated in the elaboration process for final corrections.

Mechanism helps police to identify risks coming from an offender and respond properly. Moreover, the mechanism defines three levels of risk: low risk; risk of re-abuse and risk of lethality. According the defined level of the risk, police officer decides which measures of restriction to apply against the offender.

In light of the risk assessment tool, the department also elaborated monitoring mechanism of restrictive order. The mechanism provides instruction to the police to monitor obedience of requirements of restrictive order, via keeping vigorous communication and conducting visits to the victim and the offender according to the level of risk set by the protocol of the restrictive order.

Both instruments, risk assessment mechanism and monitoring tool were integrated in the protocols and adopted by the ministerial order in July, which entered into force in first of September of 2018.

Additionally, in aim to better protect victims' lives, Ministry of Internal Affairs works to establish GPS monitoring system(electronic bracelets) for offenders. Multidisciplinary working group is working on drafting of relevant legislative amendments.

With the great support of UNWOMEN, Ministry hopes to have the bracelets in place at the end of year 2018.

In order to ensure effective implementation of risk assessment tool as well the monitoring process of the restrictive orders, Department of Human Rights Protection and the Academy of the Ministry, elaborated distance learning course for the police officers who are authorized to issue restrictive order as well as complete monitoring of the obedience of requirement of restrictive order. About 10000 police officers went through distance learning course before the ministerial orders entered into force.

A 5-day long course was elaborated for investigators specializing on domestic violence and Gender based violence. The module of the special course envisages sophisticated session of the physiologist, who teaches investigators of skills how to gain trust of the victim/witnesses and avoid re-victimization. Representatives of MIA, Prosecutions office, Ombudsmen's office, deliver sessions on legal mechanism as well as international obligations.

The courses were organized for the investigators from the regions of Georgia. Currently, 150 investigators have received the course.

Simultaneously, one-day long trainings for patrol police are held in Tbilisi and regions of Georgia. The aim of the training is to update officers about the legislative amendments and raise their qualification on the legal mechanisms against gender-based violence. Approximately 300 police officers were trained during the 10 months.

In order to fix the gaps identified during the monitoring process, the Department elaborated 4 recommendations on domestic violence and gender based violence. These recommendations are:

- ✓ Recommendation on the issues related to the restrictions of restrictive orders;
- ✓ Recommendation on the protections of the statutory victims, then the offender releases from the prison.
- ✓ Recommendations on the obligatory issuance of restrictive orders in parallel of investigation;
- ✓ Recommendations on conducting interview with the victim;

Along above-mentioned list, guidelines on the investigation of gender based and domestic violence were elaborated by the department and disseminated to the relevant departments of MIA.

- **Related investigations, prosecutions and convictions of all cases of gender-related killing.**

Human Rights Unit of Chief Prosecutor's Office of Georgia is constantly monitoring woman murder cases, gender discrimination-based crimes and domestic violence cases. In 2016 Human Rights Unit examined woman's murder criminal cases (that fall under domestic crime category) of 2014-2015 and conducted analyse. In 2017 Human Rights Unit examined women murder criminal cases of 2016-2017 and conducted analyse regarding criminal aspects of those cases.