Addressing Trafficking in Persons and Domestic Violence in Georgia: An Assessment Study

May 2010
Women’s Political Resource Center, International Foundation

SIPA Team:
Carrie O’Neil, Maya Paley, Lauren Pesso, Jelena Prosevski, Connie Tooker, Stephanie Woodard

Academic Advisor:
Professor Gocha Lordkipanidze

Workshop in Development Practice Director:
Professor Eugenia McGill
# Table of Contents

ACRONYMS & ABBREVIATIONS .................................................................................. 4
ACKNOWLEDGEMENTS ......................................................................................... 5
EXECUTIVE SUMMARY ......................................................................................... 6

I. PROJECT OBJECTIVES ...................................................................................... 7
   - Client Agency ................................................................................................. 7
   - Project Scope ................................................................................................. 7
   - Rationale for the Assignment ....................................................................... 8
   - Audience ......................................................................................................... 8

II. RESEARCH METHODOLOGY ........................................................................... 9
   - Human Rights-Based Approach .................................................................. 9
   - Normative Framework .................................................................................. 10
   - Gender Mainstreaming Approach ................................................................ 11
   - Data Collection ............................................................................................. 12

III. CONSTRAINTS .................................................................................................. 15

IV. ASSESSMENT ANALYSIS ................................................................................. 16
   - TIP and DV Context in Georgia Before 2010 ............................................. 16
     - Trafficking in Persons ............................................................................. 16
     - Domestic Violence .................................................................................. 16
   - GYLA’s “No” to TIP and DV Project (2005-2009) .................................... 20
     - Trafficking in Persons ............................................................................. 20
     - Domestic Violence .................................................................................. 20
   - Assessment Findings .................................................................................... 23
     - Trafficking in Persons ............................................................................. 23
     - Domestic Violence .................................................................................. 23
   - Overarching Challenges and Limitations ..................................................... 25
     - Trafficking in Persons ............................................................................. 25
     - Domestic Violence .................................................................................. 25

V. RECOMMENDATIONS FOR FUTURE PROGRAMMING AND POLICYMAKING ....... 67
   - Legislation ..................................................................................................... 67
     - Legislation: Both TIP and DV ................................................................. 67
   - Rehabilitation and Reintegration ................................................................. 67
     - Rehabilitation and Reintegration: Both TIP and DV ............................. 67
     - Rehabilitation and Reintegration: DV ..................................................... 68
   - Awareness Raising ...................................................................................... 69
     - Awareness Raising: Both TIP and DV .................................................... 69
     - Awareness Raising: TIP ......................................................................... 70
     - Awareness Raising: DV ......................................................................... 70
   - Training and Education ............................................................................... 71
     - Training and Education: Both TIP and DV ............................................ 71
     - Training and Education: TIP .................................................................. 72
     - Training and Education: DV ................................................................. 73
### Acronyms & Abbreviations

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABA</td>
<td>American Bar Association</td>
</tr>
<tr>
<td>ADV</td>
<td>Anti-Domestic Violence</td>
</tr>
<tr>
<td>A-TIP</td>
<td>Anti-Trafficking in Persons</td>
</tr>
<tr>
<td>AVNG</td>
<td>Anti-Violence Network of Georgia</td>
</tr>
<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of All Forms of Discrimination against Women</td>
</tr>
<tr>
<td>CRC</td>
<td>Committee on the Rights of the Child</td>
</tr>
<tr>
<td>DV</td>
<td>Domestic Violence</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>GBV</td>
<td>Gender-Based Violence</td>
</tr>
<tr>
<td>GoG</td>
<td>Government of Georgia</td>
</tr>
<tr>
<td>GYLA</td>
<td>Georgian Young Lawyers’ Association</td>
</tr>
<tr>
<td>HRC</td>
<td>Human Rights Committee</td>
</tr>
<tr>
<td>HRBA</td>
<td>Human Rights-Based Approach</td>
</tr>
<tr>
<td>HRIDC</td>
<td>Human Rights Centre</td>
</tr>
<tr>
<td>HRW</td>
<td>Human Rights Watch</td>
</tr>
<tr>
<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
</tr>
<tr>
<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
</tr>
<tr>
<td>IDP</td>
<td>Internally Displaced Person</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labour Organization</td>
</tr>
<tr>
<td>IMF</td>
<td>International Monetary Fund</td>
</tr>
<tr>
<td>IOM</td>
<td>International Organization for Migration</td>
</tr>
<tr>
<td>LGBT</td>
<td>Lesbian, Gay, Bisexual and Transgender</td>
</tr>
<tr>
<td>MDGs</td>
<td>Millennium Development Goals</td>
</tr>
<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
</tr>
<tr>
<td>NORAD</td>
<td>Norwegian Agency for Development Cooperation</td>
</tr>
<tr>
<td>NSC</td>
<td>National Security Council</td>
</tr>
<tr>
<td>OSCE</td>
<td>Organization for Security and Co-operation in Europe</td>
</tr>
<tr>
<td>OSI</td>
<td>Open Society Institute</td>
</tr>
<tr>
<td>PACE</td>
<td>Parliamentary Assembly of the Council of Europe</td>
</tr>
<tr>
<td>SIPA</td>
<td>Columbia University’s School of International and Public Affairs</td>
</tr>
<tr>
<td>SOD</td>
<td>Special Operations Department</td>
</tr>
<tr>
<td>TOR</td>
<td>Terms of Reference</td>
</tr>
<tr>
<td>UDHR</td>
<td>Universal Declaration of Human Rights</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNAIDS</td>
<td>Joint United Nations Programme on HIV/AIDS</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
</tr>
<tr>
<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
</tr>
<tr>
<td>UNIFEM</td>
<td>United Nations Development Fund for Women</td>
</tr>
<tr>
<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
</tr>
<tr>
<td>UNODC</td>
<td>United Nations Office of Drugs and Crime</td>
</tr>
<tr>
<td>USAID</td>
<td>United States Agency for International Development</td>
</tr>
<tr>
<td>USSR</td>
<td>United Soviet Socialist Republic</td>
</tr>
<tr>
<td>WPRC</td>
<td>Women’s Political Resource Center</td>
</tr>
</tbody>
</table>
Acknowledgements

Our project was made possible by the tireless efforts of the Workshop in Development Practice Director, Professor Jenny McGill, as well as other members of the Economic and Political Development Concentration staff at Columbia University, including Melissa Giblock.

The SIPA team would also like to thank our client organization, Women’s Political Resource Center (WPRC), International Foundation. The client team, led by Lika Nadaraia, has provided their wholehearted support during this incredible learning experience. Other members of the WPRC team that we would like to thank include Keti Bakradze, Nanuka Mzhavanadze and Marina Meskhi. They not only shared their vision, provided financial support and welcomed us to join their efforts to promote human rights, but also offered dear friendships.

In addition, we would like to thank our academic advisor, Professor Gocha Lordkipanidze, for this opportunity and his continued support. Our research would not have been the same without his opening numerous doors for us in the field.

We are also deeply indebted to the support, insights, and assistance of numerous stakeholders, beneficiaries, and helpful interpreters during our fieldwork in Georgia.

The SIPA team also thanks the broader Columbia University community for supporting our efforts.
Executive Summary

This document represents the final report of a team of students from the School of International and Public Affairs at Columbia University to assess efforts to combat Domestic Violence and Trafficking in Persons in Georgia. The report was prepared for the Women’s Political Resource Center, International Foundation.

Both the government and civil society of Georgia have undertaken a number of efforts to address human rights concerns, including combating TIP and DV, since the 1990s. In 1994 Georgia signed on to the Convention on the Elimination of All Forms of Discrimination against Women. Since then, other efforts to address these topics have included the implementation of key legislation,1 victim service provisions, and awareness raising campaigns.

One of the major contributors to these efforts was a comprehensive “’No’ to Trafficking in Persons and Domestic Violence” project, which was funded by the United States Agency for International Development and executed by the Georgian Young Lawyers’ Association from 2005-2009. WPRC invited the SIPA team to assess the human rights situation in Georgia through the lens of the GYLA project. The goal was to identify new areas of intervention, which would employ lessons learned and feedback from the recent efforts to combat TIP and DV.

The Human Rights Impact Assessment that the SIPA team carried out combined the Human Rights-Based Approach and the Gender Mainstreaming Approach. The team’s research methodology included informational interviews, semi-structured interviews, and direct observation with key stakeholders during two field visits to Georgia in February and March of 2010 as well as a comprehensive literature review. While the assessment focused on the GYLA project, the SIPA team took into account other actors that participated in addressing human rights issues, including TIP and DV, from 2005-2009.

The assessment analysis was organized in accordance with the main areas of intervention identified in the GYLA project: Legislation, Victim Protection & Legal Aid, Rehabilitation & Reintegration Services, Awareness Raising, and Training & Education. The SIPA team’s assessment findings suggest that efforts to address TIP and DV in Georgia since 2005 have made significant strides in building the capacities of duty-bearers to meet, and rights-holders to access, relevant human rights. Nevertheless, comprehensive realization of the State’s obligation to respect, protect and fulfill all relevant rights remains a target. Continued efforts to address TIP and DV in Georgia will help duty-bearers fulfill these obligations toward all, including women, men, children, sexual and ethnic minorities, and rural populations. The SIPA team presented recommendations for future programming and policymaking that fall under three key areas: 1) adjust content of ongoing efforts to improve programming; 2) address issues of sustainability; and, 3) ensure inclusiveness regarding opportunities for stakeholder coordination and sensitivity to underserved regions and minorities.

---

I. Project objectives

Client Agency

The Women’s Political Resource Center provides “technical assistance to women politicians and develops strategies to foster women’s empowerment and gender equality in democratic governance” within Georgian society.2 Founded in April 1998 by the Feminist Club, a local NGO, and Tbilisi State University, WPRC’s work includes research on women’s issues, advocacy for gender equality, awareness campaigns through published and virtual media, as well as conferences and seminars. Beginning in 2003, WPRC established a network of organizations and individuals across Georgia that work for the advancement of women’s human rights. There are currently forty non-governmental organizations in this network. In 2005, WPRC received consultative status to the United Nations Economic and Social Council. WPRC’s leadership is connected to the “Anti-Violence Network of Georgia,” and many of WPRC’s partner organizations are working on the issues of Trafficking in Persons and Domestic Violence.3

Given WPRC’s mandate to coordinate and support the efforts of Georgian NGOs working on gender and human rights issues, WPRC invited the SIPA team to assess the state of efforts to address TIP and DV in Georgia, and to make recommendations for future interventions and programming.

Project Scope

The SIPA team’s original objective was to assess the effectiveness and impact on human rights of a USAID-funded project undertaken by GYLA, an NGO dedicated to “promoting human rights and the rule of law” in Georgia,4 to address TIP and DV, and to make recommendations for future initiatives in Georgia.5 The GYLA project, entitled “‘No’ to Trafficking in Persons and Domestic Violence,” was funded by USAID from 2005-2009, and mandated GYLA to assist the Georgian government in drafting and improving TIP and DV legislation, establishing TIP and DV victim protection6 and legal aid services, providing training and education to various sectors of Georgian civil society, and raising awareness more broadly about these issues.7

Interviews conducted by the SIPA team during an initial field visit in February, 2010, made it clear that it would be difficult to assess the effectiveness of the GYLA project separate from the efforts of many other agencies working to address TIP, DV and gender equality in Georgia. In

---

3 WPRC.
5 Note: certain issues related to TIP – such as child trafficking and organ trafficking – while important, were outside of the assessment scope due to limited time and data available. However, these issues are worth exploring in future assessments.
6 Note: the SIPA team recognizes that the term “victim” can connote disempowerment. Though terms such as “survivor” may be more empowering, the team has chosen to use the term “victim” throughout this assessment report because it is the term used most frequently in the field.
7 Georgian Young Lawyers’ Association, Annual Work Plan October 1, 2005 to September 30, 2006.
light of these realities, the SIPA team worked with WPRC to adjust the scope of the project such that the revised scope was to assess the effectiveness of efforts initiated by GYLA as well as other actors to address TIP and DV in Georgia between 2005 and 2009, and to identify recommendations for future programming, policymaking, and interagency collaboration.8

**Rationale for the Assignment**

WPRC’s interest in strengthening civil society in Georgia and their mandate to coordinate and support the efforts of Georgian NGOs working on gender issues led them to invite the SIPA team to undertake an assessment of recent efforts to address TIP and DV in Georgia. The SIPA team presumes that WPRC’s initial request that the assessment focus largely on a review of GYLA’s “‘No’ to Trafficking in Persons and Domestic Violence” project was due to the project’s involvement in initiating the major efforts undertaken by the GoG to address TIP and DV. However, because the effectiveness of GYLA’s efforts cannot be assessed without reviewing the larger context, the SIPA team’s assessment also examines the efforts implemented by stakeholders both before and in concurrence with the GYLA project.

**Audience**

The intended audience for this assessment includes Georgian government agencies, international and local NGOs working on TIP and DV in Georgia, current and future beneficiaries of TIP and DV services, and the donor community. The findings of this assessment will be shared at the discretion of WPRC. Content of the assessment was also shared in a culminating presentation of findings and recommendations with the SIPA community in New York in April 2010.

8 Though the assessment focuses on the period of 2005-2009, the team also provides an overview of efforts to address TIP and DV in Georgia prior to 2005, and briefly describes the ongoing efforts since 2009.
II. Research methodology

**Human Rights-Based Approach**

The SIPA team employed a human rights-based approach as a theoretical model for our assessment (for a detailed definition of Human Rights, HRBA and related concepts, see Appendix A). An HRBA seeks to assess whether human rights concerns were included in both the process and results of a given project. Core HRBA assessment principles include equality, non-discrimination, participation, empowerment, inclusion (including participatory processes), accountability, transparency and the rule of law.

According to a report released by the United Nations, an HRBA must consist of the following four elements:

1) Assessment and analysis to identify the human rights claims of rights-holders and the corresponding human rights obligations of duty-bearers, as well as the immediate, underlying, and structural causes when rights are not realized;

2) [Programs] to assess the capacity of rights-holders to claim their rights and of duty-bearers to fulfill their obligations [and that] then develop strategies to build these capacities;

3) [Programs] to monitor and evaluate both outcomes and processes guided by human rights standards and principles; [and that]

4) Programming is informed by the recommendation of international human rights bodies and mechanisms.

An HRBA assessment distinguishes between rights-holders – claimers of rights – and duty-bearers – State and non-State actors with correlative obligations to fulfill the rights of the right-holders in both the public and private spheres. The following chart identifies the rights-holders and duty-bears as they relate to TIP and DV in Georgia:

---

10 UNAIDS, Issue Paper.
12 UN, May 2003.
<table>
<thead>
<tr>
<th>Rights-Holders</th>
<th>Trafficking in Persons</th>
<th>Domestic Violence</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Women, Men, Children</td>
<td>Women, Men, Children</td>
</tr>
<tr>
<td></td>
<td>(all those trafficked for labor and/or sex)</td>
<td>(e.g., wives, husbands, same-sex partners, transgendered persons)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Duty-Bearers</th>
<th>Trafficking in Persons</th>
<th>Domestic Violence</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Parliament of Georgia</td>
<td>Parliament of Georgia</td>
</tr>
<tr>
<td></td>
<td>A-TIP State Fund</td>
<td>A-TIP State Fund</td>
</tr>
<tr>
<td></td>
<td>Ministry of Justice</td>
<td>Ministry of Justice</td>
</tr>
<tr>
<td></td>
<td>Law Enforcement Agencies</td>
<td>Ministry of Interior</td>
</tr>
<tr>
<td></td>
<td>Interagency Coordination Council for the Implementation of Measures against Human Trafficking</td>
<td>Law Enforcement Agencies</td>
</tr>
<tr>
<td></td>
<td>Ombudsman’s Office</td>
<td>Interagency Coordination Council for the Implementation of Measures against Domestic Violence</td>
</tr>
<tr>
<td></td>
<td>Local and International Media</td>
<td>Ombudsman’s Office</td>
</tr>
<tr>
<td></td>
<td>Local and international NGOs</td>
<td>Local and International Media</td>
</tr>
<tr>
<td></td>
<td>UN Agencies</td>
<td>Local and International NGOs</td>
</tr>
<tr>
<td></td>
<td>International Donor Agencies</td>
<td>UN Agencies</td>
</tr>
</tbody>
</table>

**Normative Framework**

The normative framework relevant to the SIPA team’s assessment consists of the international and domestic laws and treaties that apply to TIP and DV in Georgia. Georgia has officially ratified a number of international human rights treaties and instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. As party to CEDAW, Georgia has to meet obligations as articulated in General Recommendation No. 19, which defines violence against women as a form of discrimination, a violation of human rights, and an act that impairs the ability of women to realize other fundamental human rights.

Georgia is also party to regional human rights agreements including the European Convention for the Protection of Human Rights and Fundamental Freedoms, and has assigned a high-level official as a focal point to coordinate Georgia’s participation in the Council of Europe’s Campaign to Combat Violence against Women, including Domestic Violence (2006-2008).

---

These international and regional laws and treaties, together with the Constitution of Georgia, the “Law of Georgia on the Prevention of Domestic Violence, Protection of and Support to its Victims” and the “Law of Georgia on Combating Human Trafficking,” represent the basis for the obligations of duty-bearers and the rights of rights-holders (See Appendix B for an exhaustive list of relevant human rights at stake in regards to TIP and DV.)

The goal of employing an HRBA to programming is that “capacity building shifts the focus from only a ‘violations’ approach to a ‘fulfillment’ one, where government and donors work together to implement respect for, protection of and realization of rights.”17 The SIPA team’s assessment will therefore focus on the changes in capacity of duty-bears to meet their obligations and of rights-holders to realize their rights as a result of efforts to address TIP and DV in Georgia between 2005-2009. The SIPA team also proposes recommendations to strengthen the capacity of duty-bearers to meet their obligations and rights-holders to claims their rights.18

The figure in the next page presents a visual of the HRBA framework employed by the SIPA team. It highlights the obligations of duty-bearers based on the normative framework, efforts enacted by key stakeholders to change the capacity of duty-bearers and rights-holders in these areas, and the activities undertaken by duty-bearers to combat the issues. The 2005 circle represents the start of the GYLA project, and the 2009 circle symbolizes its termination, when efforts were transferred to the Government of Georgia.

**Gender Mainstreaming Approach**

In addition to the HRBA, the SIPA team employed elements of a gender mainstreaming and gender-based analysis approach. The aim of this approach is to assess

…the implications for women and men of any planned action, including legislation, policies or [programs], in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programs in all political, economic and societal sphere so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve equality.19

The application of a gender-based framework, for example, takes into account the location where the primary research is conducted, as well as the size and composition of a group from which data is being collected.20 The SIPA team ensured that the conditions during the interviews they conducted were conducive to an open sharing of information to avoid possible domination of a singular stakeholder. A gender mainstreaming approach requires that adequate care be taken to

---

17 UNAIDS, Issue Paper.
20 Mehra and Gupta, 313.
avoid “privileging certain information, or excluding other data” and to ensure a “sharing understanding between those collecting as well as those supplying information.”

**Data Collection**

In an effort to implement an HRBA assessment using gender-mainstreaming, the SIPA team employed a three-pronged methodology in data collection:

**Fact Finding**

*Desk Research:* to understand the contextual background operating in Georgia. The SIPA team conducted a literature review on topics in Georgia related to geography and demographics; historical, political and economic background; human rights and gender issues; customary and

---

21 Mehra and Gupta, 194.
traditional law; the social work and child welfare sectors; and the impact of the post-Communism and post-conflict situations on TIP and DV.

**Informational Interviews:** to gain additional insight from academics and practitioners in areas including the socio-political context, the role of the NGO sector in Georgia, and international TIP and DV programming. See list of interviewees in Appendix C.

**Initial Stakeholder Analysis:** to identify and prioritize potential key stakeholders in preparation for the SIPA team’s field visits. The SIPA team identified initial stakeholders through desk research, GYLA quarterly project reports, and informational interviews.

**Field Work**

The SIPA team conducted field visits to Georgia in February and March 2010, visiting three cities – Tbilisi, Batumi and Kutaisi – within three regions of the country to ensure that the needs and voices of staff and beneficiaries both within and outside of the capital city were represented in our assessment. These regions were chosen in partnership with our client, WPRC, because they represent cities with available services to address TIP and DV. Field work in these three regions included the following activities:

**Semi-Structured Interviews with GYLA and USAID:** to understand how the “‘No’ to TIP and DV” project was developed and implemented.

**Semi-Structured Interviews with key stakeholders from the Inter-Agency Councils for TIP and DV, relevant government ministries, UN agencies, national and regional media, the police and border patrol officers, the Ombudsman’s office, local and international NGOs, international donors and academia:** to understand the general situation of TIP and DV in Georgia, to gain perspective on the efforts implemented by GYLA and other organizations to address TIP and DV, and to identify recommendations for future programming, policymaking and interagency collaboration. The SIPA team conducted over 50 interviews with key stakeholders. The team identified stakeholders for interviews through an initial stakeholder analysis (see above), informational interviews and a “snowballing technique” whereby initial interviewees recommended others for interviews (see list of interviewees in Appendix C and sample interview guide in Appendix D).

**Focus Groups and Semi-Structured Interviews with Beneficiaries of TIP and DV Services:** to ensure that the voices, needs, and recommendations of TIP and DV service beneficiaries were included in our assessment. The SIPA team interviewed seven TIP and DV beneficiaries at four separate shelters in Tbilisi and Batumi, and five sex workers during an outreach visit in Tbilisi (see list of interviewees in Appendix C and sample beneficiary interview guide in Appendix D).

**Site Visits across Three Regions of Georgia:** to observe how services are operating on the ground. In addition to visiting the offices of key stakeholders, sites visited included TIP and DV shelters (two State-run and two NGO-run); an NGO-run DV crisis center; the operating site of the State TIP hotline; the Turkey-Georgia border; and work sites of sex workers in Tbilisi.
Data Review and Analysis

Review of GYLA’s Quarterly and Final “‘No’ to TIP & DV” project Reports: to understand GYLA’s efforts to address TIP and DV in Georgia.

Review of Reports and Data from Other Key Institutions: to gather existing qualitative and quantitative data in order to better understand the landscape of efforts to address TIP, DV and other relevant issues in Georgia.

Analysis of Qualitative Data: Following February and March field visits the SIPA team reviewed, categorized and coded all field notes, interview transcripts, and other qualitative data collected in the field. The SIPA team identified and developed themes for coding the qualitative data based on: 1) the programmatic elements of the GYLA project (i.e., “legislation,” “victim protection and legal aid,” “reintegration and rehabilitation,” “awareness raising,” and “training and education”); and 2) allowing for additional themes to emerge from the data themselves.

Note on adaptations made to methodology throughout the project: In between the February and March field visits, the SIPA team conducted an initial analysis of qualitative data collected during February and adapted the interview guides and stakeholder analysis. Following the March field visit, the team refined the coding system for qualitative data analysis and analyzed qualitative data collected during the February and March field visits.
III. Constraints

The SIPA team made two 10-day field visits to Georgia. Thus, time on the ground was limited. Inclement weather prevented travel to regions outside of Tbilisi during the initial February field visit. The March field visit allowed for site visits in the cities of Kutaisi and Batumi, though time constraints did not allow the SIPA team to travel to other cities or to rural regions of Georgia. None of the SIPA team members have had previous experience working or living in Georgia, though the team made every effort to understand the regional, country and situation-specific context (see Appendix E for Country Context and Background).

Though many interviewees spoke English, the SIPA team had to rely on interpreters for a number of interviews. There were some instances in which interpreters had difficulty translating technical and/or legal language, so some nuance may have been lost. While most stakeholders contacted by the SIPA team agreed to be interviewed, a few chose not to participate; their perspectives are therefore not represented.

Finally, reporting on TIP and DV in Georgia is generally limited, so robust quantitative data, including baseline data, was not available to the SIPA team. Also, because the Georgian legislation on TIP and DV are relatively new and have been recently (or are in the process of being) amended, assessing the long-term effectiveness of law implementation is challenging. It will take time to identify the potential gaps in these laws and in their implementation, including how well they address the needs and interests of the victims.
IV. Assessment Analysis

_TIP and DV Context in Georgia before 2010_ 22

In 2004, the “Millennium Development Goals in Georgia” report stated that gender equality was only partially observed due to prevailing traditional stereotypes:

Both the state and society [tended] to look at women’s issues through the prism of their role as mothers, rather than in the context of independent human rights. The majority of women [were] not aware of their rights. The worldwide movement to promote women’s rights and the overall system of human rights [were] seen as something abstract and hardly accessible. Impoverishment…led to increased violence against women in various forms, including domestic violence. Female economic migration abroad [had] risen…Job placements abroad [were] usually incompatible with professional qualifications leading to a devaluation of [labor]. Women in such situations [were] deprived of any guarantees of social or legal protection. 23

Georgia faced significant problems in addressing TIP and DV from the 1990s until 2005. However, there were numerous, highly collaborative efforts underway to address these issues. Though not an exhaustive list of all projects, programs, and initiatives, the following section provides a brief and general overview of other efforts before discussing the significant efforts undertaken by GYLA to address TIP (beginning in 2005) and DV (beginning in 2009) through the USAID-funded project.

_Trafficking in Persons_ 24

Georgia is a sending, transit, and receiving country of victims of trafficking. Different reports state that victims are sent to Greece, the United States, Turkey, Spain, France, the Mediterranean, and Dubai, and are transported through Georgia from Russia, Ukraine, and Armenia. 25

The U.S. State Department, as a result of the U.S. Trafficking Victims Protection Act passed in 2000, began producing an annual report on the status of trafficking, known as the “TIP Report,” in which the State Department rates the severity of TIP in other

<table>
<thead>
<tr>
<th>Year</th>
<th>Tier Placement</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>Tier 2</td>
</tr>
<tr>
<td>2002</td>
<td>Tier 2</td>
</tr>
<tr>
<td>2003</td>
<td>Tier 3 (Moved to Tier 2 in September 2003)</td>
</tr>
<tr>
<td>2004</td>
<td>Tier 2 (Watch list)</td>
</tr>
<tr>
<td>2005</td>
<td>Tier 2</td>
</tr>
<tr>
<td>2006</td>
<td>Tier 2</td>
</tr>
<tr>
<td>2007</td>
<td>Tier 1</td>
</tr>
<tr>
<td>2008</td>
<td>Tier 1</td>
</tr>
<tr>
<td>2009</td>
<td>Tier 1</td>
</tr>
</tbody>
</table>

22 Please note that this section focuses on the period before and during the GYLA project, which took place from 2005-2009.
24 A comprehensive definition of TIP and related concepts is provided in Appendix G.
In 2001, the first year of the report, Georgia was placed in the Tier 2 category, along with a statement that “the Government of Georgia does not meet the minimum standards” and that “Georgia does not have [a] specific anti-trafficking law.” In 2003, the TIP Report rated Georgia as a Tier 3 country, the lowest Tier possible, placing Georgia “technically at risk of facing sanctions, including loss of all non-humanitarian aid.”

Interviews conducted during field research suggest that the Government of Georgia initiated some efforts to address TIP in response to their low status granted by the TIP Report. Even before the GoG’s involvement, however, five Open Society Institute Fellows can be credited with initiating efforts to combat TIP, beginning in 1999. Since 2000, the OSI Georgia Foundation provided TIP-related training to customs and law enforcement staff and, in the early 2000s, printed and distributed “warning” brochures that aimed to raise awareness about TIP among persons frequenting Georgian embassies, consulates, and the airport in Tbilisi.

In May 2003, the National Security Council of the Government created an Inter-Ministerial Working Group chaired by the Deputy Secretary of the National Security Council and including the Deputy Ministers of Foreign Affairs, Justice, Education, Culture, and Health, Labor and Social Affairs, as well as the Deputy Prosecutor, the Deputy Head of the State Border Guards and the Head of the Counter-Trafficking Unit of the Ministry of the Interior. This Working Group, along with the Ombudsman’s Office and the International Organization for Migration, created an Interagency Council for TIP in June 2003. According to a report issued by a local NGO, “the number of government implemented counter-trafficking activities increased after this meeting, although this increase was probably also affected by the [U.S.] Department of State’s negative assessment earlier that month.”

Georgia criminalized TIP in June of 2003 by adopting Articles 143 – Human Trafficking – and 143 – Trafficking of Minors – to the Criminal Code of Georgia. These original articles required amendments to be fully compliant with the Council of Europe, and such changes were implemented in 2006. Within a few months of incorporating the Articles to the Criminal Code, Georgia had moved back up to the U.S. State Department’s Tier 2 category. In 2004, Georgia was still listed as a Tier 2 country and under a “Watch List” because of “its failure to provide

26 ABA, 28.
28 ABA, 28.
29 This group included Marina Meskhi, the current Director of the State Fund for victims of TIP and DV; Nato Shavlakadze, head of Anti-Violence Network of Georgia; Tsovina Nazarova, head of People’s Harmonious Development Society; Ia Verulaishvili, head of the Women’s Center; and Khatuna Sanikidze, head of Women for Future.
30 Tabukashvili 2010
31 Detailed information on interviewee affiliations and interview dates and times can be found in Appendix C.
32 Tabukashvili 2010
33 Note: Some interviewees and documents refer to the Ministry as the “Ministry of Health, Labor, and Social Protection.”
34 Women’s Information Center (WIC). “Responses to Trafficking in Persons in Georgia: An Assessment.” 2007, 10.
35 WIC, 10-11.
36 WIC, 9.
37 Khutsishvili 2010
evidence of increasing efforts to combat severe forms of trafficking in persons compared to the previous year, and its commitment to take future steps over the next years.”

The Government was advised to “create a formalized referral system to NGOs [and to] ensure consistent resources for police and improve protection of victim identity in public fora.”

In August 2003, GYLA initiated the development of a National Action Plan to combat human trafficking, drafted in collaboration with several organizations including the NSC, the Ministry of Justice, and IOM, and supported financially by the OSCE Mission to Georgia.

In December of 2004, a new National Action Plan for 2005-2006 was approved and an Interagency Commission was created with representatives from a variety of State and NGO actors. Included in the goals of the National Action Plan were enforcing international treaties, creating a list of treaties on TIP that Georgia should become party to, collaborating with international and local organizations working to address TIP, monitoring illegal labor migration, and reporting activities and proposals to the NSC.

Though available data is limited, reports indicate that in the period between 2003 and 2005 the number of TIP investigations increased from 2 to 25 and the number of convictions increased from 2 to 12. Because investigations and prosecutions were not centralized within one agency, in 2005, the Special Operations Department (SOD) was created within the Ministry of Internal Affairs, which included an Anti-Trafficking Unit.

Services that were available for victims were regulated by the Criminal Procedure Code of Georgia, according to which the victims of TIP who wished to cooperate with law enforcement were given the status of a statutory victim and ensured private lawyers.

Nonetheless, shelter and psychological resources, as well as victim rehabilitation and reintegration services, were extremely limited. Data suggests that awareness raising efforts were also minimal during this period, and, in general, Georgian citizens had limited information on how to avoid becoming a victim of TIP. When TIP was addressed in the press, media outlets

---

41 WIC, 10.
42 WIC, 11.
43 Actors included the NSC, the Ministry of Education and Science, the Special Office of Foreign Intelligence, the Department of Border Guards, the Parliament of Georgia’s Committee on Human Rights and Civil Integration, the Ombudsman’s Office, GYLA, OSI, People’s Harmonious Development Society, the OSCE Mission to Georgia, IOM, the Prosecutor General, the Ministry of Internal Affairs, the National Interpol Bureau, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Labor, Health, and Social Affairs, the Ministry of Economic Development, and the Ministry of Finance.
44 WIC, 12.
45 WIC, 13.
46 WIC, 12-13.
47 Marc Hulst 2010
48 Khutsishvili 2010
49 Peradze 2010
frequently revealed victim identities, showing a lack of sensitivity about TIP and the security and vulnerability risks involved in breaching victim confidentiality.\footnote{Article 42 of the Constitution. “Combating human trafficking and forced labor in Georgia: An analysis of the law and practice, with a focus on trafficked persons access to justice.” Nov 2008, 27.}

The Law Combating Trafficking in Persons was passed in 2006, after which the government created the State Fund for Protection and Support of Victims of Trafficking (the body responsible for protecting, rehabilitating, and sheltering victims of trafficking).\footnote{WIC, 161.} A decree by the President in 2006 designated the following government agency representatives to be members of the Interagency Council for TIP:

- Minister of Justice
- Chairman of the Coordination Council
- Deputy Minister of the Ministry of Labor, Health and Social Affairs
- Deputy Minister of the Ministry of Interior
- Deputy Minister of the Ministry of Justice
- Deputy Minister of the Ministry of Education and Ministry of Foreign Affairs.

The Decree also expanded the number and breadth of agencies that could be represented on the Interagency Council for TIP, stating that representatives of UNICEF, USAID, the Public Defender’s Office of Georgia, OSCE, the European Commission, the U.S. Embassy, the Parliament of Georgia, IOM, GYLA and Tanadgoma would also be requested to participate.\footnote{President of Georgia. “On the Approval of the Composition and Regulation of the Interagency Coordination Council for the Actions to be Carried out against Trafficking in Persons.” 1 Sep 2006.}

As all of this was occurring on the national level, many organizations were working at the local level to address TIP. For example, in 2003 the health organization Tanadgoma, in collaboration with IOM, began to conduct research with female sex workers, and later engaged in efforts to identify TIP victims and provide services including first aid and social support, creating pamphlets and providing workshops for sex workers on protection against trafficking, and training border police.\footnote{Kharati 2010} The People’s Harmonious Development Society worked to interview women villagers on illegal immigration, establish safe houses for TIP victims, and research the status of activism against TIP in the South Caucasus region.\footnote{Tabukashvili 2010} The Women’s Information Center published a report entitled “Responses to TIP in Georgia: An Assessment” in 2007 and established a website with a database on organizations working on TIP issues in Georgia.\footnote{Rusetski 2010} Women for Future, a local NGO focused on women’s human rights issues, began working on TIP in 2006, including efforts to provide social assistance to victims, raise awareness among the public, and train social workers, teachers, journalists and law enforcement officials across seven regions of Georgia.\footnote{Sanikidze 2010} Women for Future also established a hotline for TIP victims, which was initiated in 2006 (operation was later taken over by the State).\footnote{Sanikidze 2010} World Vision, an international NGO, created a network of social workers, established Bachelor’s and Master’s level courses on...
TIP for social workers at Tbilisi State University, and trained SODs to be more sensitive when working with victims. The Democratic Women’s Organization, a local NGO focused on the Samtskhe-Javakheti region, conducted TIP prevention trainings in villages throughout the region and facilitated a mobile theater with shows about human trafficking. Also, between 2006-2008, Article 42 of the Constitution, a local legal organization, assisted TIP victims in the Adjara region of Georgia through a project aimed at improving the victim identification process, providing legal assistance, court representation, and training human rights lawyers in Georgia.

Domestic Violence

A “Gender Assessment for USAID/Caucasus” report issued in 2003 noted that “there is no separate legislative act prohibiting domestic violence, and the Criminal Code of Georgia does not recognize the concept;” that “victims [of DV] have very little understanding of their rights” even though they are protected under international conventions; and that factors preventing victims from reporting their situations included “psychological barriers and fear” due to a lack of police assistance or assurance that courts would prosecute abusers. The report also noted limited programs in Georgia aimed to approach DV victims or to protect them from future assault.

Between 1998 and 2001, OSI Georgia provided a series of Women’s Human Rights Advanced Leadership trainings for human rights activists working in the area of women’s rights in Georgia. With funds from OSI Georgia and the U.S. Embassy, five Fellows were selected to travel to Minnesota to learn about international models to address DV.

Since then, three local NGOs have been involved in providing the majority of social services for DV victims in Georgia. The Anti-Violence Network of Georgia – a non-governmental umbrella organization established in 2003, with offices throughout Georgia – operates three shelters throughout the country, has established several crisis centers as well as a DV hotline. Sakhli “Advice Center for Women” has been working on DV since 1997 providing psychological, medical and legal services to DV victims. In 2007 Sakhli established a shelter with the support of UNHCR to specifically assist internally displaced persons who are victims of DV and other forms of gender-based violence. In 2008 Sakhli opened two women’s rehabilitation centers in Tbilisi and Gori. Also, Sapari, another local NGO, has operated a DV shelter in Tbilisi since

---

58 Toena Kapunia and Matthew Stephens 2010
59 Modebadze 2010
60 Japaridze 2010
61 A comprehensive definition of DV and related concepts is provided in Appendix G.
62 DevTech Systems Inc, 45.
63 DevTech Systems Inc, 45.
64 Marina, 2010. “question for clarification”
65 Kashia 2010, February
66 This group included Marina Meskhi, the current Director of the State Fund for victims of TIP and DV, Nato Shavlakadze, head of Anti-Violence Network of Georgia, Tsovinar Nazarova, head of People’s Harmonious Development Society, Ia Verulaishvili, head of the Women’s Center, and Khatuna Sanikidze, head of Women for Future.
67 Tabukashvili 2010
68 Kashia 2010, March
70 Sakhli Staff 2010
2001, and provides psychological services to DV victims and their children. All three organizations have also been involved in efforts to raise awareness about DV among the general public and to train various professional in addressing DV.

In addition to these efforts, other organizations have also been working on DV issues on a smaller scale, targeting IDPs and ethnic minorities. For instance, the Cultural Humanitarian Fund Sukhumi has conducted trainings on violence against women, produced youth performances to educate society about family violence, and offered psychological services to DV victims, primarily geared toward IDPs. Public Movement Multinational Georgia, a minority rights organization, has conducted a survey among the Azeri and Armenian communities of Georgia to learn about the nature of DV in these communities.

With these ongoing services and activities in the country, in 2004, the American Bar Association and GYLA started drafting a law against domestic violence. While one interviewee suggested that this drafting began without the participation of many DV practitioners, some practitioners were soon invited to participate in the drafting process. Included in this initial group were representatives from TASO (the spin-off of OSI’s Women’s Program), AVNG and Sakhli, as well as a representative from the Minnesota Advocates for Human Rights.

In preparation for drafting the law, ABA conducted an assessment of Georgia’s execution of its CEDAW obligations with the assistance of a coalition of partners including GYLA, the Center for the Protection of Constitutional Rights, judges, lawyers, women’s rights advocates, and some government representatives. The Working Group’s objectives were to draft and advocate for the DV Law and to assist victims of DV. Through these efforts, in May 2006, Parliament passed the Law on Domestic Violence. Interviewees noted that when the Law was in the process of being adopted by Parliament, one of the Members of Parliament (MP) was accused of battering his wife. Many MPs, most of whom were male, reportedly laughed at the notion of a DV law and did not take it seriously when it was up for a vote. Nonetheless, though they continued to claim that DV was not a problem in Georgia, interviewees suggest that the public reports of wife battering among one of the MPs was, in fact, a factor that helped pass the Law.

With the Law passed, the situation slowly began to change. The “Composition and Charter of the Interagency Council for the Prevention of Domestic Violence” (herein called “Interagency Council for DV”) was put out in a decree by President Saakashvili on 26 December 2008, identifying the following participating members:

---

71 Tabaghua 2010
72 Gelashvili 2010
73 Stepanian 2010
74 Sakhli Staff 2010
75 Tabukashvili 2010
76 Tabukashvili 2010
77 Japaridze 2010
79 Jambazishvili-Yucer 2010; Chkeidze 2010
80 Japaridze 2010
• Chairperson of the Interagency Council
• First Deputy Minister of the Ministry of Labor, Health, and Social Affairs
• First Deputy Minister of the Ministry of Internal Affairs
• Deputy Minister of the Ministry of Foreign Affairs
• Advisor to the President of Georgia
• Deputy Minister of the Ministry of Internal Affairs
• First Deputy Minister of the Ministry of Education and Science
• Independent Expert.\textsuperscript{81}

In addition, representatives of the following organizations were invited to participate in the work of the Interagency Council for DV: UNFPA, the U.S. Embassy, the Center for Protection of Constitutional Rights, the International Labour Organization, USAID, TASO, the Parliament of Georgia, ABA, the Ombudsman’s Office of Georgia, UNIFEM, UNICEF, Sakhli, the EU Commission in Georgia, AVNG, UNDP, GYLA, and IOM.\textsuperscript{82}

Among the primary goals of the Interagency Council for DV were to “support efficient implementation of functions of state organizations working on the issues of elimination, prevention and combating domestic violence, as well as assistance to, protection and rehabilitation of victims and to ensure coordination of their activities...,”\textsuperscript{83} and to create the Group for Granting the Status of Victim of Domestic Violence (i.e., Victim Identification Group).\textsuperscript{84}

\textsuperscript{82} GoG, Composition and Charter
\textsuperscript{83} GoG, Composition and Charter
\textsuperscript{84} GoG, Composition and Charter
GYLA’s “’No’ to TIP and DV” Project (2005-2009)

In 2005, USAID/Georgia entered into a three-year, $600,000 USD contract with GYLA (later extended by one year) to assist the Government of Georgia to implement anti-trafficking in persons programs. Specifically, this initiative (initially called the “’No’ to Trafficking in Persons” project) aimed to:

- combat human trafficking in Georgia by improving legislation and policy on trafficking;
- providing TIP victims protection and legal aid; developing trainings on trafficking-related issues for judges, legal aid bureaus, the Ombudsman’s Office, and NGOs; while also raising public awareness, and establishing Georgia’s first shelters for TIP victims.

In 2009, GYLA incorporated efforts to address DV into the project, which then became known as the “’No’ to Trafficking in Persons and Domestic Violence” project. According to a representative of GYLA, DV efforts were added to this project because of a combination of U.S. Embassy, USAID and Georgian Government interest in addressing DV, and “because [GYLA] helped the government with a lot of things within trafficking, it was decided that we would use this same experience to do something with DV.” From the start, both the TIP and DV aspects of this program were designed to be handed over to the government incrementally, in order to support the sustainability of the project initiatives.

The following section outlines the capacities that the GYLA “’No’ to Trafficking in Persons and Domestic Violence” project aimed to improve and the activities implemented – separated into TIP and DV subsections – with respect to programming in the following areas: 1) Legislation, 2) Victim Protection and Legal Aid, 3) Awareness Raising, and 4) Training and Education for service providers.

**Trafficking in Persons**

**Legislation**

International standards and tools to leverage political support, including the U.S. State Department-issued TIP Report, were highly influential in passing the A-TIP Law in 2006. As a former representative of GYLA noted,

> We were rather lucky about this because of timing. Georgia wanted to show the world and the US that they were combating TIP because of [the] TIP report. Georgia wanted to make sure that they did not fit in the high risk.

Once passed, GYLA aimed to improve the legislation by making it a “more effective anti-trafficking mechanism.” This included amending the legislation to provide better victim

---

85 USAID. “Young Lawyers, Gov’t Team Up to Aid Trafficking Victims.” Sep 2006.
86 USAID. “Young Lawyers.”
87 Chitanava 2010, March
89 Dolidze 2010
protection services, investigation mechanisms, witness protection, psychosocial services and victim rehabilitation.\textsuperscript{91}

To implement this component of the “’No’ to TIP” program, GYLA collaborated with legal experts, NGOs, representatives from international organizations, law enforcement agencies, and government ministries. Together with these stakeholders, GYLA worked to elaborate a National Referral Mechanism, establish shelters, and establish procedures for victim identification, rehabilitation, and reintegration. GYLA also worked to establish the role of each Ministry as it related to providing victim services.\textsuperscript{92} Once the legislation established the State Fund and the Interagency Council for DV, GYLA continued to work on the State Action Plan for combating TIP, with the Government of Georgia to elaborate on child trafficking within the framework of the new A-TIP law, and with the Interagency Council to design a strategy for the rehabilitation and reintegration of victims of trafficking.\textsuperscript{93}

**Victim Protection and Legal Aid**

GYLA’s efforts to increase the capacity of rights-holders included improving “legal advising services, legal representation, access to general information, and access to victim shelters.”\textsuperscript{94} In order to implement this component of the project, GYLA, in collaboration with other agencies, began to research and maintain a database on key areas of TIP to help make these services more effective. GYLA offered free legal consultations (both in-person and via telephone) and court representation, and circulated fliers that included toll-free hotline numbers and information on victims’ rights. According to the quarterly reports made available to the SIPA team, over the course of the USAID-funded project, GYLA attorneys provided a total of 288 legal consultations and provided free legal aid to 114 TIP victims in Tbilisi, Kutaisi and Batumi.\textsuperscript{95}

In addition, GYLA helped establish two shelters for TIP victims; one in Batumi (opened in 2006) and one in Tbilisi (opened in 2007). These shelters also housed (and continue to house) some DV victims; while GYLA intended to support the GoG in establishing separate DV shelters, for a number of reasons the development of these shelters was delayed. GYLA paid the salaries of some shelter staff including the nurses, psychologists and the domestic work staff, and assisted some shelter staff in attending local and international conferences to identify promising ways to improve services to TIP victims.

**Awareness Raising**

GYLA aimed to launch an intensive awareness raising campaign on TIP in order to increase the capacity of duty-bearers and rights-holders to respectively meet their obligations and access their rights. GYLA intended for this national campaign to disseminate A-TIP messages to inform the general public on what trafficking was, ways to prevent it and where victims could go and/or call to receive assistance. The main purpose of this awareness campaign was to shift the perception

\textsuperscript{91} GYLA, *Annual Work Plan*, 5.
\textsuperscript{94} GYLA, *Annual Work Plan*, 1.
\textsuperscript{95} These figures represent data aggregated from GYLA’s Quarterly Reports shared with the SIPA team. Note: no Quarterly Reports were shared for the July-September 2008 and January-February 2009 periods, so actual figures may be higher. Additionally, data for most quarters were not disaggregated by location.
of trafficking from being “a foreign issue to an issue of local and national importance.”96 GYLA engaged in a number of awareness raising activities, some of which were collaborative efforts with design companies and other agencies, including a media awareness campaign via radio and television, a dissemination of printed materials with A-TIP messages, a hosting of discussions and educational meetings, a production of a concert, and a hosting of poster and documentary film contests (see Appendix J to observe some examples of awareness raising materials.) Many of the materials that GYLA printed, including posters, stickers, calendars, billboards and aprons, were produced in Georgian and Russian to reach a wider audience, and were shared with schools, IDP communities, villages, and at airports.97

At the conclusion of the project, GYLA handed over all of its undistributed materials to the State Fund, which is now responsible for sustaining current operations and implementing future programming.

**Training and Education**

In order to increase the capacity of duty-bearers to meet their obligations, GYLA worked with experts to develop training and workshop manuals to train representatives from law enforcement agencies, NGOs, Ministries, judges, airport staff, the Ombudsman’s office, border patrol police, and other service providers in improving their capacity to understand and address “the prevalence, identification, and suppression of trafficking in persons.”98 Efforts also included trainings on international and domestic A-TIP legislation. GYLA developed questionnaires to solicit feedback from training participants.

**Domestic Violence**

**Legislation**

Although GYLA’s efforts to address DV under the USAID-funded project did not begin until 2009, GYLA was involved in efforts to address DV for some years before. In partnership with local and international organizations, GYLA worked to help get the “Law on Combating Domestic Violence” passed in 2006. Following its passage, many partners agreed that the Law required amending in order to provide better protection and services to DV victims.99 Based on this need, in 2009 – the final year of the USAID-funded project – GYLA shifted the focus of the project to be primarily on combating DV. As a member of the Interagency Council for DV, GYLA worked alongside partners to elaborate a package of amendments to improve the law, which were passed in December 2009. Some of the critical areas identified by these partners included, among others, streamlining and simplifying application procedures for victim status, allowing courts to provide closed sessions when hearing DV cases, and dealing with concerns over DV perpetrators’ access to firearms.100

---

Victim Protection and Legal Aid
While maintaining a database on “defense and restrictive orders on DV cases,” according to quarterly project reports shared with the SIPA team, from March to November 2009, GYLA attorneys provided DV-related legal consultations, in which they responded to questions and concerns both in-person and over the phone, to 243 individuals in Tbilisi, Gori, Batumi and Kutaisi. A representative of GYLA pointed specifically to the importance of legal aid services being provided in Gori “because of the IDPs who were close due to the war.”

GYLA and the Interagency Council for DV worked to establish a shelter for victims of DV as well as several crisis centers, where alleged victims could be placed for 48 hours (the time period within which the Permanent Group of the State Fund, which has responsibility for granting formal “victim status,” is required to determine a victim’s status). GYLA also purchased and stored furniture and other needed amenities to be used by the DV shelter once it was built.

Awareness Raising
Using similar campaign strategies as were employed during their A-TIP campaigns, GYLA facilitated several national activities to raise awareness on DV. They produced a media awareness campaign via radio and television, disseminated materials with ADV messages, hosted discussions and educational meetings, and hosted contests for poster submissions. Many of the materials that GYLA printed were similar in nature to those created for the A-TIP efforts. The printed materials were in both Georgia and Russian, to ensure that a wide population in Georgia was targeted, and GYLA capitalized on events such as International Women’s Day and Human Rights Week to further disseminate messages against DV.

At the conclusion of the project, GYLA handed over all of its undistributed awareness raising materials to the State Fund, which is now responsible for sustaining current operations and implementing future ADV programming.

Training and Education
In the final year of the “‘No’ to TIP and DV” project, GYLA conducted three one-day trainings on “domestic violence, Georgian legislation, existing practices and psychological aspects.” According to GYLA’s project reports, judges, advocates, staff-members of the Ombudsman’s Office, journalists, and social workers attended these trainings.

---

102 Data from all GYLA Quarterly Reports provided to the SIPA Team.
103 Chitanava 2010
104 GYLA, Quarterly Report December 1, 2008 to February 28, 2009. 6.
106 GYLA quarterly report September 1, 2009 to November 29, 2009, 6
Assessment Findings

The findings presented in the sections below are derived based on the observations, site visits and over 50 interviews with policymakers, service providers, service beneficiaries, NGO and UN agency employees, and media representatives with experience and expertise in TIP and DV. Informed by the HRBA and the Gender Mainstreaming approach, the findings represent an assessment of overall efforts to improve the capacity of various sectors of Georgian society in combating TIP and DV between the years of 2005 and 2009. Because the USAID-funded, GYLA-implemented project represented one of the largest efforts to address these issues in the specified time period, a major focus of the assessment is on the efforts conducted and/or initiated by GYLA.

 Trafficking in Persons

Interviewees overwhelmingly suggested that efforts to address TIP since 2005 have been generally successful at establishing legislation, raising public awareness, establishing necessary services, and educating professionals. A number of interviewees pointed to Georgia’s improvement in status from a Tier 2 to a Tier 1 country in 2007 as evidence of this success.\(^{107}\) Anecdotal reports from interviewees also suggests that the number of reported TIP cases has been declining during this time period.\(^{108,109}\) A selection of interviewees representing the diverse spectrum of government, NGO, and donor agencies spoke to this general point:

“A-TIP activity might be one of those issue[s] in which everyone agrees it was successful. Everyone says there was real progress that was done within just a couple of years. The Tier system was a good push factor.”\(^{110}\)

Maybe trafficking is one of the successful issues in Georgia. There [is] legislation ready, shelters, approved reintegration plans, and many jobs that are done.\(^{111}\) We have seen [the] success of trafficking projects—five years ago people used to say, ‘trafficking is not my problem, it is prostitutes’ and they are involved in [an] underworld…” After a few years there was a strong campaign from GYLA and others to show trafficking…is the problem of everyone. Men…go as labor[ers], it is not female commercial sex workers only.”\(^{112}\)

---

107 Kapunia 2010; Alexidze 2010
108 Hulst 2010
109 Note: Although representatives from the Ministry of Internal Affairs stated that data on TIP in Georgia should be posted on their website, this data was not posted at the time of writing and could not be accessed by the SIPA Team.
110 Papiashvili 2010
111 Chelidze 2010
112 Sabelashvili 2010
Overall, forgetting everything else, it was the most visible collaborative effort. TIP was the largest of that kind. It was definitely collaborative – NGOs, Government of Georgia, and experts.¹¹³

Nonetheless, some interviewees consisting of both men and women, expressed caution in fully celebrating Georgia’s accomplishments. For instance, one interviewee noted, “it is easy to move [from Tier 3 to Tier 1], it is difficult to maintain, to keep pace and to adhere to these standards.”¹¹⁴ A representative of Parliament suggested openly that, “Georgia had and still has a problem of TIP due to our geographic location. Human beings as an object of exploitation could be displaced within our territories and beyond our control, and unfortunately, our borders are not that controlled.”¹¹⁵

Moreover, some interviewees approached the reported decline of TIP victims in Georgia with skepticism, acknowledging that without robust data collection, it is impossible to know for certain why the number of cases has decreased. While the Ministry of Internal Affairs is charged with collecting data on TIP cases, the data are not publicly available at the time of writing.¹¹⁶ Even if the data were made available, a number of interviewees suggested that current data collection efforts remain insufficient. One pointed to the need “to have data from the beginning of being prosecuted to the end where the trafficking victims receive a court verdict, to get the description of the case versus the numbers.”¹¹⁷ Another noted that “[t]here are not enough cases documented for internal trafficking,” leaving NGOs and Government agencies that work on behalf of TIP victims with insufficient information about the extent of this problem.¹¹⁸

In the sections that follow, we specifically focus on the key areas of Legislation,¹¹⁹ Victim Protection and Legal Aid, Reintegration and Rehabilitation, Awareness Raising, and Training and Education.

¹¹³ Dolidze 2010
¹¹⁴ Anonymous 2010
¹¹⁵ Kervalishvili 2010
¹¹⁶ Representatives of the Police Academy interviewed by the SIPA team reported that this data would be made available on the Ministry of Internal Affairs website, but that the site was being updated.
¹¹⁷ Hulst 2010
¹¹⁸ Chelidze 2010
¹¹⁹ Note: It is outside of the scope of our project and our expertise to provide a full assessment of the legislation language. As such, this analysis does not intend to be a comprehensive analysis of the Laws, but rather we seek to compare Georgia’s TIP and DV Laws to international standards and to draw on insights from interviewees.
Legislation
CEDAW’s General Recommendation No. 19 provides a baseline for assessing efforts to combat TIP in Georgia:

[a]ppropriate and effective measures to overcome all forms of gender-based violence, whether by public or private act; adequate legal protection (penal sanctions, civil remedies); appropriate protection and support services (refuges, counseling, rehabilitation and support services); [and] gender sensitive training of judiciary and law enforcement.\footnote{United Nations Division for the Advancement of Women: Department of Economic and Social Affairs. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW): General Recommendation No. 19. (http://www.un.org/womenwatch.daw/cedaw/text/econvention.htm#article11, 1 December 2009).}

The current TIP legislation, which covers areas of protection, prosecution, and victim assistance for men and women alike, incorporates much of the recommended language and elements.

Prior to the passing of the A-TIP Law, interviewees suggested that in practice, some victims were themselves prosecuted, rather than protected, after being identified at the border.\footnote{Janezashvili 2010} One NGO representative working near the border of Turkey noted that by passing the law, “[t]his government made first steps for human rights. We had no legislation about trafficking before. No one knew anything about it.”\footnote{Kharati 2010} At the most basic level, the Law set an important legal and governmental precedent for Georgia as it relates to human rights.

One representative from Article 42 of the Constitution suggested that the development and implementation of the A-TIP Law was done well, because “everyone worked together and created the State Fund, Interagency [Council for TIP].”\footnote{Janezashvili 2010} However, others noted that the Interagency Council for TIP did not include some of the prominent NGOs working to address this issue. In 2007, participation and inclusion were improved, with the introduction of Tanadgoma, AVNG, and Women for Future.\footnote{WIC} TIP victims themselves were not directly consulted, though there are some indications that social workers helped ensure that their voices were included.

Many interviewees viewed implementation of the A-TIP law as successful. For instance, a prominent judge suggested,

\begin{itemize}
  \item International political pressure was highly influential in passing the A-TIP law.
  \item Many say that there are no additional improvements needed in the legislation.
  \item The drafting of the A-TIP law was a collaborative effort between the Government and NGOs, although the initial Interagency Council for TIP did not include some of the NGOs working on TIP in the country.
  \item TIP victims themselves were not directly consulted, though there are some indications that social workers helped ensure that their voices were included.
  \item Continued improvement of the criminal code is needed to include better safeguards for child TIP victims.
\end{itemize}
I don’t think that it [A-TIP] needs much more regulation because these standards are clearly set up by international instruments and the major issue for Georgia is just to put its legislation into practice in line with the international standards...  

Another pointed specifically to the fact that, according to the TIP legislation, TIP victims are not required to pursue prosecution of the perpetrator, an option provided to ensure that the potential victims approach the State bodies without fear of being exposed to the perpetrator in the court, which helps to promote victims’ right to self-determination.  

Despite this positive feedback, a number of interviewees note that there is room for improvement. For instance, one suggested that the way the criminal code is written is challenging for judges and prosecutors to interpret. Others highlighted that the TIP legislation and its implementation needs to better safeguard the interests and protection of child TIP victims, since at the moment there is no specific procedure to address children’s needs, beyond the mandatory separation of men and women victims.  

Victim Protection and Legal Aid  
CEDAW’s General Recommendation No. 19 serves as a useful guideline for assessing victim protection and legal aid efforts for TIP victims and provides a framework for the implementation of gender equality. Recommendations laid out by General Comment No. 19 include that States parties offer “[e]ffective complaints procedures and remedies, including compensation;” provide “[s]pecific preventive and punitive measures [that] are necessary to overcome trafficking and sexual exploitation;” and ensure “that services for victims of violence are accessible to rural women and that where necessary special services are provided to isolated communities.” With these recommendations in mind, we discuss efforts undertaken by stakeholders in Georgia below.  

Victim Protection  
At an institutional level, among the positive efforts taken by stakeholders to protect men and women TIP victims was the adoption of the Operational Instructions for Protection of (Statutory) Victims of Trafficking in Persons and establishment of a TIP hotline and shelters were major improvements in protection of TIP victims. The transfer of TIP shelters from GYLA to the State is a positive step in State’s fulfilling its obligation, but concerns remain about the State’s capacity to sustain and expand the shelter system. TIP service beneficiaries reported feeling secure in TIP shelters. Safe and appropriate shelter services for unaccompanied minors and LGBT victims are lacking. Legal aid services have improved with the passage of the legislation, though reliance on donor funding may impede sustainability. Sensitization among police and media for protection and identification of TIP victims has improved, but there are still some occurrences of victim mistreatment. Constraints on time and agency limit border police’s efforts to adequately identify TIP victims.  

Key Assessment Findings – TIP Victim Protection & Legal Aid  
- Adoption of the Operational Instructions for Protection of (Statutory) Victims of Trafficking in Persons and establishment of a TIP hotline and shelters were major improvements in protection of TIP victims.  
- The transfer of TIP shelters from GYLA to the State is a positive step in State’s fulfilling its obligation, but concerns remain about the State’s capacity to sustain and expand the shelter system.  
- TIP service beneficiaries reported feeling secure in TIP shelters.  
- Safe and appropriate shelter services for unaccompanied minors and LGBT victims are lacking.  
- Legal aid services have improved with the passage of the legislation, though reliance on donor funding may impede sustainability.  
- Sensitization among police and media for protection and identification of TIP victims has improved, but there are still some occurrences of victim mistreatment.  
- Constraints on time and agency limit border police’s efforts to adequately identify TIP victims.  

---  

125 Papiashvili 2010  
126 Anonymous 2010  
127 Hulst 2010  
128 Kupunia 2010; Chkeidze 2010  
129 UN, General Recommendation No. 19.
development and adoption in 2006 of the “Operational Instruction for Protection of (Statutory) Victims of Trafficking in Persons” by the Interagency Council for TIP,\textsuperscript{130} as well as the establishment of a coordinated TIP hotline.

There were initial difficulties coordinating the TIP hotline in Georgia: one interviewee shared that initially there were several hotlines leading to “some confusion…Many calls were received in GYLA hotline and Women for Future, and organization[s] that provide assistance for DV, TIP…as well…”\textsuperscript{131} Another noted that “all these organizations want[ed] to have their own number [and]…it took one year to fix all these problems.”\textsuperscript{132} Nonetheless, within a year, the various TIP hotlines were combined and integrated under one State-run hotline (housed within the office of Women for Future) and, according to a Women for Future representative, “…all other organizations now promote this number.”\textsuperscript{133} This appears to have eased confusion, and a staff person working in the State-run TIP Shelter in Tbilisi reported that the hotline is “very popular and many people know [about it].”\textsuperscript{134}

While interviewees reported satisfaction with the TIP hotline, others point to continued challenges in assisting TIP victims to come out of traffickers’ control and seek protection, due in part to fear and to economic dependency.\textsuperscript{135} Although under Georgian law, trafficking is a grave crime punishable by imprisonment from seven to twelve years (which may further increase from nine to fourteen years, twelve to fifteen, or fifteen to twenty years depending on different aggravating circumstances),\textsuperscript{136} one interviewee from an international NGO shared the opinion that Georgian law enforcement places high emphasis on the end result, as opposed to focusing on the process: “[t]hey don’t want open cases pending… It was openly stated that they are less likely to identify the crime/assign the status but then reveal that they do not have enough evidence.”\textsuperscript{137}

Police play a critical role in protecting victims of TIP in Georgia, as they are among those who have “first contact” with TIP victims, along with border guards, the Ombudsman’s Office, NGOs and medical institutions.\textsuperscript{138} The Police have taken positive efforts since 2005 to better address TIP. According to interviews with representatives of the Police Academy, beginning in 2006 and 2007, all district and patrol police officers are required to undergo training on TIP, with updates if/when changes are made to the legislation.\textsuperscript{139} Moreover, the website of the Georgian Police (which falls under the Ministry of Internal Affairs) prominently highlights a webpage on TIP, entitled “You Are Not for Sale!” which includes reference to the TIP hotline number.\textsuperscript{140}

\textsuperscript{131} Japaridze 2010
\textsuperscript{132} Sanikidze 2010
\textsuperscript{133} Sanikidze 2010
\textsuperscript{134} Kamnadze 2010
\textsuperscript{135} Marc Hulst, IOM
\textsuperscript{136} Government of Georgia. “Criminal Code of Georgia: Article 1431.”
\textsuperscript{137} Kupunia and Stephens 2010
\textsuperscript{138} Interagency Coordinating Council for TIP, “Strategy.”
\textsuperscript{139} Saakashvili 2010
\textsuperscript{140} Ministry of Internal Affairs of Georgia. “Human Trafficking.”
One interviewee suggested that, “[b]efore the Government did not know how to approach these cases” of TIP, but that since 2006, the legislation and the programs that it mandated, “provided a way to name the victim of trafficking.”\textsuperscript{141} Another suggested that the human rights of TIP victims are better protected now than they were five years ago “because they have information and more persons go to police.”\textsuperscript{142} Some TIP victims interviewed at State Shelters shared similarly positive experiences. For instance:

I found the shelter with the help of the police...The police took me in the office and from there, they called the manager of the shelter and took me there...I was asked what happened, and then I filled out some applications. Then they called [the shelter manager], and then they brought me here...When the police took me to the office there was a lawyer and he did everything before he took me here.\textsuperscript{143}

Nonetheless, a number of service providers and beneficiaries pointed to continued difficulties with police treatment of TIP victims, particularly of sex workers.\textsuperscript{144,145} For instance:

No, I would not go to the police. I have no one to go to with my problems. The police have told us that if we lose something or if something happens to us, they won’t help us. We all have kids and no other opportunities for work.\textsuperscript{146}

…If I see police, I run away. They want sex for free. It’s a problem every day.\textsuperscript{147}

Maybe I would go to the police with my problems. I have no problems with the patrol police. It’s a problem with the [district] police.\textsuperscript{148}

These experiences highlight a need to further engage and sensitize police officers about the rights and needs of TIP victims, whether they are women, men and/or sexual minorities, including sex workers.

\textsuperscript{141} Anonymous 2010
\textsuperscript{142} Rusetski 2010
\textsuperscript{143} TIP/DV Shelter Beneficiary/Victim 2010
\textsuperscript{144} Note: The SIPA team acknowledges that not all sex workers are or have been victims of TIP. However, interviews with sex worker outreach staff in Tbilisi indicated a trend among sex workers to have been trafficked to Turkey.
\textsuperscript{145} Tanadgoma 2010
\textsuperscript{146} Sex worker (Tbilisi) 2010
\textsuperscript{147} Sex worker (Tbilisi) 2010
\textsuperscript{148} Sex worker (Tbilisi) 2010
Shelter Services

The establishment of two shelters for TIP victims was a major accomplishment over the last five years. Two NGO representatives – one who helped initiate the movement against TIP in Georgia and the other who operates a shelter – stated:

Of course [services improved] because now we have shelters, we have referral mechanisms when before we did not. We have commissions, qualified workers and they understand what trafficking is. Five years ago they did not know.\textsuperscript{149}

[T]he opening of the State Shelter for trafficking [was among the biggest improvements]. In the city, not in villages, the women are calling in police, they know that they can, this is a big step forward. The law brought about this change.\textsuperscript{150}

A number of local NGO representatives pointed poignantly to the important role that shelter plays for victims:

It’s very important to have a place. Maybe they don’t have a lot of persons there but in case there is someone identified, they have place to live.\textsuperscript{151}

There is an example of one girl who was a victim of trafficking then her violator was imprisoned but this organization took her from these problems and she lived here and two months before she left this place she started cooking and now she has a good job and she is pleased.\textsuperscript{152}

Victims have possibility to go somewhere in shelters…[B]efore they committed suicide because they had no place they could go. Because sometimes families do not allow them to come back. Victims of trafficking learn to go somewhere…as a victim.\textsuperscript{153}

Interviewees had similarly positive things to say about the way the TIP shelters were established, as a collaboration between GYLA and the State TIP Fund. A representative from an international NGO suggested that “[t]he way shelters were developed, equipped, was perfect;”\textsuperscript{154} another from the Interagency Council for TIP praised GYLA for their efforts to help develop the TIP shelters in Tbilisi and Batumi, stating that “the contribution of the first stage of the shelter was a huge support.”\textsuperscript{155} While some viewed the transfer of the TIP shelters from GYLA to the government at the end of the USAID-funded project as a step towards sustainability, independence from donor funding and emphasis that “the state has the obligation to care about these victims,”\textsuperscript{156} at

\textsuperscript{149} Nazarova 2010
\textsuperscript{150} Javahashvili 2010
\textsuperscript{151} Kharati 2010
\textsuperscript{152} Machutadze 2010
\textsuperscript{153} Modebadze 2010
\textsuperscript{154} Kupunia and Stephens 2010
\textsuperscript{155} Kutsishvili 2010, February
\textsuperscript{156} Chitanava 2010, February
At least one interviewee expressed concern that “[t]his shelter is a small unit and if it was managed by an NGO it will be more effective.”\(^{157}\)

Despite the significant praise interviewees gave for the TIP shelters, some challenges continue to limit access and quality of services provided in the shelter. First among these are the limitations that geography places on shelter availability. For instance, numerous interviewees in Kutaisi, Georgia’s second largest city\(^ {158}\) highlighted the lack of available shelter in Kutaisi. Currently, if a victim of TIP wants shelter, s/he must travel to one of the two existing shelters in Batumi or Tbilisi, and many stakeholders identified this as the greatest gap in services for TIP victims within that region.

Interviewees also highlighted the limited availability of TIP-related shelter services for children, men, and sexual minorities. As a representative from an international NGO noted,

> “At the moment there is not a specific procedure to addressing children’s needs beyond the women/men separation [in shelters]. We have children using the same bathrooms, which is not necessarily safe for children... Children have special needs. [for example] short-term, long-term guardian, which are not carved out in any Government programs.”\(^ {159}\)

This interviewee suggested that the problem extends beyond the shelter system, and “starts with those who are responsible for identifying victims of trafficking. [for example] with not being able to recognize forced child begging in Georgia; they see it as an administrative violation…”\(^ {160}\)

Despite this identified need, a representative of the Interagency Council for TIP noted that the Council had undertaken “a participatory meeting of stakeholders on children that addressed children trafficking and child pornography” but that they found “the only way children are involved is mostly if they are accompanied by parents.”\(^ {161}\) Another stated that “[u]nfortunately, we have no documented evidence of minor victims. [Special Operations Department] had one case that I recall, when the case was a child victim…”\(^ {162}\) More data is clearly needed to identify the true extent of children’s needs in this area.

Finally, safe shelter space for lesbian, gay, bisexual and transgender (LGBT) TIP victims is also lacking. As a representative of an LGBT rights organization in Georgia stated:

> The government organized shelters for trafficking victims. There are also NGO shelters for victims of DV. But there is no place to send transgender people, gays and lesbians. There is no place to shelter them...We had two transgender people who had nowhere to

---

\(^{157}\) Nazarova 2010  
\(^{159}\) Stephens 2010  
\(^{160}\) Stephens 2010  
\(^{161}\) Kutsishvili 2010, February  
\(^{162}\) Meskhi 2010
live and we rented some small apartments for them before they could find jobs and now they are on their own. But if it was not for us they were staying in parks.\textsuperscript{163}

Unfortunately, data on the extent of the problem among the LBGT community in Georgia is significantly lacking, as this remains a largely unstudied and underreported population, due to widespread homophobia, shame and stigma.\textsuperscript{164} As no other stakeholders interviewed by the SIPA team called attention to the needs of this population, more data on the extent of the TIP-related problems faced by the Georgian LGBT community is needed.

\textbf{Legal Aid}

Many interviewees viewed efforts since 2005 to provide TIP victims with effective legal complaints procedures and remedies as among the most effective efforts to address TIP in Georgia. For instance:

\begin{quote}
[The] most effective was assistance to victims, in legal assistance and providing assistance in consultation…of people seeking guidance of the contract of jobs abroad, providing legal…representation in the court, getting compensation, and awareness campaigns.\textsuperscript{165}
\end{quote}

An interviewee representing the State TIP Fund noted that, now that the GYLA project is completed, “the Ministry of Justice established Legal Aid Centers in Georgia and in regions. There is a Legal Aid Clinic, where they have 80 lawyers and are now in the process in making an agreement with them to assisting in legal aid.”\textsuperscript{166} GYLA (as well as other legal assistance organizations) also continues to provide free legal assistance to TIP victims as part of their mandate “to help the victims of trafficking…and all other vulnerable groups.”\textsuperscript{167} While this dedication is commendable for ensuring that victims of TIP continue to be offered necessary legal assistance, one representative of a donor organization did point to the potential future challenge that sustainability of free legal aid services may be in question.\textsuperscript{168}

\begin{flushleft}
\textsuperscript{163} Sabelashvili 2010
\textsuperscript{164} Ireland, Doug. “Republic of Georgia Frames Gay Leader.” Chelsea Now. 6 January 2010.
\textsuperscript{165} Chkeidze 2010
\textsuperscript{166} Meskhi 2010
\textsuperscript{167} Chitanava 2010, February
\textsuperscript{168} Anonymous 2010
\end{flushleft}
Rehabilitation and Reintegration Services

CEDAW’s General Recommendation No. 19 recommends that “States parties should take...[p]rotective measures including refuges, counseling, rehabilitation and support services for women, who are the victims of violence or who are at risk for violence, [and that] “[m]easures to protect [victims] from violence should include training and employment opportunities...”169

As with most other services assessed in the report, interviewees generally praised the rehabilitation services made available for TIP victims since 2005, in large part because there were virtually no services available before that time. Now, as a representative from the Interagency Council for TIP noted,

[T]here is medical aid included as well as psychosocial rehabilitation and treatment, starting from very basic and general healthcare issues ending up with employment and finding new place of residence...We have a system to trace victim development from day one, whether victims was self-identified or identified by anybody else. [The] assistance package is very broad and include[s] health care and so on to employment.170

These services are mandated by the Interagency Council for TIP, are outlined in “The Strategy for Rehabilitation and Social Reintegration of the (Statutory) Victims of Trafficking in Persons,” approved in July 2007,171 and are available to victims of TIP “whether or not they are in a shelter, and despite their willingness to cooperate with the law enforcement authorities.”172 The latter represents a condition which supports empowerment of victims.

Beneficiaries of TIP services interviewed in shelters by the SIPA team had similarly positive things to say about the rehabilitation and reintegration services offered to them. One TIP victim noted:

My husband died, and I had nowhere to live. When I came here to the shelter...I was provided for economically, and I don’t have to think about a job and where to live...If my husband was alive and each of us had salaries, we could not provide our children with what we have here. I have everything I need.173

---

169 UN, General Recommendation No. 19.
170 Kutishvili 2010, February
171 Interagency Coordinating Council for TIP, “Strategy.”
173 TIP Shelter Beneficiary/Victim 2010
Another commented on the availability of psychological and medical services available at the State Shelter:

I talk to a psychologist twice a week. But if I need, they can come every day…I take some medicine, which is sent from Tbilisi…Yes, [the shelter pays for it].174

While reintegration and rehabilitation services offered at the two State-run shelters in Tbilisi and Batumi have been well-received by beneficiaries, access to such services for TIP victims outside of these major cities remains limited. Given the call in General Recommendation No. 19 that States ensure that “services for victims of violence are accessible to rural women and that where necessary special services are provided to isolated women,”175 Georgia may be falling short of fully meeting its obligations for this sector of the population, and additional efforts are needed to reach those victims of TIP (both men and women) in rural and isolated areas not served by the current shelter system.

In addition, despite general satisfaction with rehabilitation and reintegration services among providers and beneficiaries, long-term sustainability of these efforts remains an issue. This is due primarily to overarching economic conditions facing Georgia. For instance, service providers at the State TIP Shelter in Batumi conceded that “it is very difficult to find jobs for these people and it is a weak side of [the program]...And that we have no homes.”176 A local NGO representative continued,

[f]inding jobs is very hard in Georgia...[T]he rate of unemployment is so high, for general population, not just victims of trafficking. GYLA may have some efforts; also the government can provide programs and skills for employment. It is very hard.177

Underscoring these sentiments, a representative from the Interagency Council for TIP suggested that “...[t]he ultimate tool to prevent trafficking is obviously solid socio-economic development of which broad layers of the population can benefit, including those in disadvantaged rural areas and urban cent[ers].”178

Service Providers

Much effort has been made since 2005 to develop a cadre of social service providers capable of meeting the particular needs of TIP victims. Important efforts include the establishment of social work education at the Bachelor’s level in 2004 and at the Master’s level in 2008,179 the subsequent development of Bachelor’s and Master’s level social work courses on working with

---

174 TIP Shelter Beneficiary/Victim 2010
175 UN, General Recommendation No. 19.
176 Machutadze and Juaini 2010
177 Ketevan Chelidze, Tanadgoma
178 Hulst, personal email.
179 USAID, “Young Lawyers.” xii.
TIP victims at Tbilisi State University, and the State Fund hiring social workers to work specifically with TIP victims based on a mandate in the National Action Plan. Nonetheless, many interviewees pointed to the limited capacity of social workers to offer efficient or effective services to TIP victims. Some pointed to the fact that social work remains a new profession in Georgia, and that the system is still being set up. Others spoke more critically and candidly about the challenges, such as an NGO representative who suggested that the Ministry of Health, Labor and Social Affairs, under which the social work profession falls:

[right] now we don’t have enough number of social workers. We’re establishing an effective and efficient social workers’ system that will deal with DV, but it needs some time.

Moreover, while supportive of the current training on TIP available for social workers at the university level, representatives from World Vision, the NGO responsible for developing the university-level courses, acknowledge that,

those who graduated from the university know about this problem [of TIP], but those who are active workers and who really work with this population all over Georgia, they have no full information about it…And they have no mention in their job description; they don’t know that they have to realize this problem and address [it] to the [State] Fund.

Though efforts continue to support the TIP-related knowledge base among social workers, the lack of available social workers trained in and interested in working on TIP limits the full implementation of reintegration and rehabilitation services for all victims.

---

180 Kupunia and Stephens 2010
181 Sanikidze 2010
182 Papiashvili 2010
183 Sanikidze 2010
184 Sanikidze 2010
Awareness Raising
As stated previously, numerous actors, including GYLA, have been involved in efforts to raise awareness about TIP in Georgia since 2005 (see Appendix J for some examples of the awareness raising materials). These efforts have included print and television media campaigns, publication of brochures and other materials, and outreach to the public, such as at schools and concerts.

Overall, numerous stakeholder testimonies suggest that campaigns to raise awareness about TIP among the general public were effective. Interviewees indicated that television advertising and programs, as well as education among youth at schools, were among the more efficient means to raise awareness. Others indicated that the concert dedicated to A-TIP and put on by GYLA was an effective way to raise awareness, reaching 20,000-25,000 attendants, as was an essay competition among youth in Svanetia. Speaking particularly about GYLA’s efforts, an interviewee from IOM suggested, “[t]he preventive part of the project stood out and was eye-catching.”

Among the key positive messages raised within these campaigns were that trafficking could indeed happen to anyone including men, women, children and sexual monitories, that TIP victims had their human rights violated, and that this was not their fault. On the other hand, there were some indications from interviewees that citizens in Georgia may still consider TIP to be an issue that is not relevant for them, and others indicated challenges in reaching populations in all of the country’s regions and suggested that these areas were not as effectively targeted as were the big cities. Some interviewees suggested that a “problem in implementation and dissemination of information,” continues as TIP victims remain “afraid to speak because they…think nobody exists for human rights. They are not sure the government or any organization will help them.” This point was echoed by a sex worker interviewed in Tbilisi, who said, “I don’t know my rights, but I want to know them and how I can talk to the police.”

185 Meskhi 2010; Dolidze 2010; Hulst 2010; Stephens 2010; Gelashvili 2010
186 Chitanava 2010, February; Sabelashvili 2010
187 Zazashvili 2010, 24 March; Stepanian 2010
188 Chitanava 2010, February
189 Chitanava 2010, February
190 Hulst 2010
191 Chitanava 2010, February
192 Kharati 2010
193 Gelashvili 2010; Japaridze 2010
194 Rusetski 2010
195 Sex worker (Tbilisi) 2010

Key Assessment Findings – TIP Awareness Raising:
- Awareness raising campaign was cited as among the most effective efforts to address TIP, especially TV programming and classroom seminars.
- Much of the DV awareness raising materials viewed by the SIPA team had been translated into multiple languages in order to target non-Georgian speaking citizens.
- Many citizens are still not aware of the rights of TIP victims and of mechanisms for claiming these rights.
- TIP awareness raising programs did not focus enough on reaching out people living in rural areas and to sexual minorities.
- Some of the images used in the campaign were disempowering for victims, and could lead to misrepresentation of the victims.
- Awareness raising efforts have decreased over the past last year, and there is some concern that these efforts will not be sustained.
Some interviewees noted that some images used in the A-TIP awareness raising campaigns emphasized the disempowerment of a trafficked person, which can inadvertently result in misrepresentation of the victims and send a less desirable message to the public. This is of particular importance given experiences in several Eastern European countries where disempowered images of women in A-TIP campaigns served to confirm stereotypes about women that “equate the feminine with the passive object” and actually end up perpetuating violence.  

Finally, despite generally positive efforts to raise awareness about TIP among the greater population, the sustainability of ongoing awareness raising campaigns remains in question. One interviewee commented that television advertising about TIP has not been as prominent over the last year (since the GYLA project was completed),  

\[196\]

and others suggested that campaigns aimed at raising awareness about TIP among sexual minorities face limitations in broadcasting access.  

\[197\]

\[198\]


\[197\] Chelidze 2010

\[198\] Berulava 2010

\[196\] “When the police stopped me to ask about my documents, and found out I was there (Moscow) illegally, they took me to an organization that had foreign people who lived there illegally. There was a lot of Georgians because there was a time when they were driving a lot of Georgians away. We could not even go to the toilet by ourselves. We were locked in rooms all day long. The organization where we lived took five months to get us a ticket. Then we arrived in Georgia, in Tbilisi.” Shelter Beneficiary, March 2010
Training and Education
Training of professionals on TIP has been a key component of many agencies’ efforts to address TIP in Georgia since 2005, including efforts by GYLA. The SIPA team has chosen to focus our assessment below on TIP training efforts among four key professional groups: District and Patrol Police, Border Police, Judges, and Journalists. While not a focus of our assessment, it is useful to note that a former GYLA representative shared that “in terms of follow up, one of [the] things that we didn’t manage to do is sensitizing and training…Georgian diplomats and giving them more leverage on helping the victims of trafficking.” This may be an important group of professionals that programs choose to train in the future.

District and Patrol Police
According to one US-based TIP and DV service provider who has been working on these issues for decades, the first priority of an effective TIP program is training and sensitizing members of courts and the police; “particularly for TIP victims, the focus should be on shifting the mindset that they are criminals to that they are victims.”

Since 2005, positive steps have been taken in this area. For instance, training on TIP is now mandated for all district and patrol police through the Police Academy, and trainees are updated if and when any amendments are made to TIP legislation. Representatives from the Police Academy interviewed by the SIPA team appeared genuinely dedicated to addressing the issue and improving their training, and TIP victims interviewed by the SIPA team were by and large satisfied with the assistance they received from the police. Nonetheless, stakeholders noted the challenge presented by a “significant drain of trained professionals,” particularly among the police, which can reduce the effectiveness of training efforts. Interviews with sex workers in Tbilisi also revealed dissatisfaction with their interactions with police, ranging from distrust to experiences of sexual assault. This is an area requiring additional sensitization and training.

Key Assessment Findings – TIP Training & Education:
- Training and sensitizing professionals such as judges and law enforcement has been a key component in combating TIP. However, a high rate of professional turnover poses a challenge.
- TIP training is mandated for all police officers, and police are more aware of trafficking issues. However, the level of sensitivity can be improved.
- Journalists are more aware of issues related TIP, but concerns remain over journalist sensitivity in victim identity protection.
- Widespread coverage of TIP in the media is limited, particularly in the regions and in languages other than Georgian.

199 Though training evaluations were reportedly conducted by GYLA, no data from training evaluations were made available to the SIPA Team. Therefore, the assessment of training effectiveness below reflects qualitative data gathered from interviews with key stakeholders.
200 Dolidze 2010
201 Silverman-Yam 2010
202 Saakashvili 2010
203 GYLA, Quarterly Report, September 26, 2005 to March 31, 2006
**Border Police**

As a representative from the Interagency Council for TIP suggested, “[t]he biggest challenge is to prevent [potential victims from] be[coming] a victim and identify[ing] them as a victim.”

Border patrol plays a major role in identifying potential cases before they become TIP victims, and in protecting those victims who are identified. According to interviews with representatives of the Police Academy, training on TIP is mandated for all border police, though the extent of the training is not the same for all officers; some only “receive the information on trafficking in general” rather than specific training on procedures for addressing identified TIP cases.

Moreover, as the responsibility for border checkpoints recently shifted from border police to patrol police, some police who work at the border now lack basic training on the specific issues related to TIP and border crossing.

One NGO representative based in Batumi near the Turkish border, highlighted positive changes in both the level of information and knowledge that border police now possess about TIP, and their level of psychological skills in dealing with TIP victims. Others pointed to challenges, ranging from limited sensitivity among border police to meet the needs of victims, lack of time to speak with everyone who comes across the border (particularly at the border between Georgia and Turkey), and limited agency even when they do suspect trafficking.

Frequent staff turnover is an additional contributing factor to these challenges.

**Judges**

GYLA and other stakeholders sought to improve capacity of judges throughout the country in addressing TIP through training and education. While interviews suggest that some judges are indeed sensitive to addressing TIP, in practice, knowledge of TIP varies significantly according to region. As a representative from the Interagency Council for TIP noted, “I wouldn’t say that all the criminal judges are aware and sensitive...There are judges who are sensitive, and those would be judges in Tbilisi.”

This diversity in sensitivity has been attributed primarily to limited opportunities for practice. As the same interviewee above clarified:

Investigation-wise, [the] majority of trafficking cases, with very few exceptions, are investigated by the central authority [in Tbilisi], because Ministry of Internal Affairs has a specialized, centralized unit tasked with the investigation of trafficking [and] illegal migration...[E]ven if a case starts at any other point but Tbilisi, the investigation is transferred, as a rule, to this body. That does not mean that nobody else can investigate, but the general preference is that this body does the investigation. If that is the case, then

---

204 Khutsishvili 2010
205 Saakashvili 2010
206 Saakashvili 2010
207 Chelidze 2010
208 Kharati 2010
209 Kharati 2010
210 Kharati 2010
211 Khutsishvili 2010

"I don't talk generally about the police, but the person who was investigating (my case) said that if he had a daughter who wanted to own her own life, he would beat her.”

Shelter Beneficiary, March 2010
the prosecutorial supervision is also done in Tbilisi, which means that the case is done in Tbilisi court, which gives you better judges in Tbilisi.

Given that TIP cases may technically be investigated anywhere in the country, and the reality that prosecutors “are moved to the other positions very often and new people who take a post are not trained in trafficking issues,” additional familiarity and practice among judges both within and outside of Tbilisi is necessary to ensure parity among victims no matter where their cases are tried.

**Journalists**

Anecdotal reports from interviewees suggest that efforts to sensitize and train journalists in covering issues related to TIP have been fairly successful. Interviewees noted that over the last five years:

> There is more involvement of journalist[s], so when they cover these issues they pay more attention to it.

> We [as a regional newspaper] had an experience of writing articles of concrete cases of trafficking and DV. Sometimes it was with GYLA, but very often it was directly through our journalists’ investigations…

> Yes there have been seminars and trainings [for journalists on TIP and DV] but it does not mean that all of us were involved, but I have heard there were such trainings. As a result there were several TV channels that had programs and reports on this.

Other interviewees from the media field were less complementary of journalists’ coverage of TIP issues. For instance:

> I know that this legislation [for TIP] has passed and there were several cases when I used this legislation in articles as a fundament for something, but it should be also mentioned that this legislation is not very well advertised. A lot of journalists have a lack of knowledge of it, and when I was talking about trainings, I was talking about this type of trainings, so legislation is more accessible. Because even if you yourself do something with law it’s not enough; it should be explained deeper.

A journalist for a regional newspaper in Kutaisi suggested that reporting on TIP is low among journalists because “…the victim does not want their identity revealed so it does not make good news. The ‘yellow press’ sometimes creates the persons who are victims so they use it as

---

212 Khutsishvili 2010
213 Ketevan Kutsishvili, Interagency Council
214 GYLA Quarterly Report, September 26, 2005 to March 31, 2006
215 Sabedashvilli
216 Gubeladze
217 Berulava
218 Gubeladze
219 Note: The “yellow press” refers to newspapers with less stringent editing criteria
A number of interviewees could also recall recent incidents where journalists reporting for television or newspapers failed to protect the confidentiality of victims. For instance:

“Then my friend brought me to an office. I don’t remember the name. They asked me to fill out the application and had me tell my story. Then they sent the application to Kutaisi and they sent my info back approved to be able to stay here at the shelter.”
Shelter Beneficiary, March 2010

There was the case when the face of the victim was covered but [her] name was given, so everyone knows whom she is. Problem is that media and journalists do not know general ethics; for them the most vital thing is just to report, and that’s all. They do not care about victims, and that’s the hardest part of it.

One explanation proposed for lack of sensitivity is staff turnover among journalists. As a representative from Women for Future noted, “…all these people who were trained by us and different TIP organizations are now maybe in politics or somewhere, I don’t know.” Proposed reasons for this turnover included that journalism remains an underpaid and poorly respected profession in Georgia.

In addition, interviewees identified specific challenges for sensitizing and educating regional journalists, particularly those who report in and serve populations that do not speak Georgian. For instance, one interviewee noted that press conferences on projects related to TIP held by NGOs, including GYLA, are “always conducted in Georgian,” though there are journalists from the regions that serve Azerbaijani, Armenians, and other populations within Georgia who report in those languages and who could benefit from education about the issue in their own languages.

Domestic Violence

A small number of organizations, some of which focus on men and women, have been working tirelessly over the last decade to combat DV in Georgia. Many interviewees had positive things to say about these efforts and their effects, pointing to a general (if subtle) shift in cultural and political will around DV since 2005. For instance, as one interviewee noted: “[the] main thing is that [DV] is not shame[ful], that you can speak about this problem.” A representative from GYLA in Batumi pointed to how, during visits to different regions of the country, “some years ago it was the wives that asked the questions [about violence] in secret from their husbands, but now they are freer in this sphere.” These shifts have been attributed, in part, to efforts of

---

220 Chilinjishvili 2010
221 Saginashvili 2010
222 Sanikidze 2010
223 Berulava 2010
224 Gubeladze 2010
225 Chkeidze 2010; Basiladze 2010; Anonymous 2010
226 Basiladze 2010
227 Nino Tavlalalashvili, GYLA/Batumi
stakeholders including local and international NGOs, the Council of Europe, UN agencies and USAID.\textsuperscript{228}

Despite these positive indications, by all accounts, capacity change in addressing DV for men and women in Georgia has moved more slowly than in addressing TIP. Many interviewees pointed to the continued difficulties related to cultural, gender, and socioeconomic conditions. For instance:

\begin{quote}
\ldots A-TIP issue is much easier to solve because when we're speaking about DV we should take into account that it's more or less closed society so people are…reluctant to speak about their family issues and problems. It might be because first, violence is often brutal and severe- in many cases more brutal than the violence that is taking place on the streets, second the perpetrator is someone whom the victim is supposed to trust. The disruption of trust and love- is often what hurts the most. Finally the violence takes place at home- in the place where any person should feel safe. The victim is often too frightened or too ashamed to speak about it. It would be wrong to ignore that many victims and their children may continue to live with violent partners for a significant period of time. They may do so for any number of very complex reasons.\textsuperscript{229}

\ldots [I]t needs some time to make people and families much more open and willing to speak about problems and to understand that crimes within family are much more difficult and much sever than those crimes committed just with people whom you have met by occasion and have no day-to-day connections…\textsuperscript{230}

Because of tradition and mentality in Georgia, women are ashamed; she does not want to speak about this and show others she is a victim because she is often blamed by society. All close people – fathers, brothers – tell [her] she has to tolerate violence and she does not need to apply to police and show others because it is a shame and it is her fault. Children tell their mothers to tolerate the violence to keep the family together.\textsuperscript{231}

Nothing has changed because [DV] is a psychological, economic and social issue. It is not an issue of mentality. In Georgia DV is not tradition. In our country fathers and mothers love their children because there are a few children in each family. But because situation is difficult, is the reason why there is violence in society.\textsuperscript{232}

DV is the culture. The culture has to change itself by, 1) facing the reality of respecting women, because it is a myth that women are respected; [and], 2) making people aware of what is DV, identify[ing] DV [and] what is not okay, and improving the economic environment to make them more self-sufficient, especially in the regions...\textsuperscript{233}
\end{quote}

Other interviewees also pointed to the general differences in capacity to address DV among the regions of Georgia. As a representative from the Interagency Council for DV noted, “[w]hen you

\begin{flushright}
\textsuperscript{228} Chkeidze 2010
\textsuperscript{229} Papiashvili 2010
\textsuperscript{230} Papiashvili 2010
\textsuperscript{231} Gelashvili 2010
\textsuperscript{232} Nazarova 2010
\textsuperscript{233} Dolidze 2010
\end{flushright}
speak about Tbilisi, it’s much more open and people there can speak about these problems more openly, but when we speak about regions and villages, family relationships are much more closed.”

Others highlighted lack of data for men and women victims of domestic violence as a key problem. As one interviewee noted, “it is a need of developing official statistics. Every NGO has statistics, but general statistics doesn’t exist.” The challenge is that there is duplication and overlap of the existing statistics but not necessarily shared within stakeholders. Finally, there was a call for more coordination among and overall inclusion of agencies working on these issues, particularly from smaller NGOs who may not have as much clout with the government.

With these general trends in mind, in the sections below, we discuss these issues as they pertain more specifically to the areas of legislation, victim protection and legal aid, reintegration and rehabilitation, awareness raising, and training and education.

Legislation
The passage of the “Law of Georgia on the Suppression of Domestic Violence, Protection and Assistance of the Victims of Domestic Violence” in May 2006, and the subsequent development of a National Action Plan, represented significant first steps in establishing legislative regulation and protection for men and women victims of DV in Georgia. The scope of the Law is to define domestic violence and to provide legal and organizational methods to identify and combat DV. It also aims to guarantee protections in both legal and social spheres for DV victims.

Nearly all interviewees who commented on the DV law applauded its existence and acknowledged the important legal and governmental precedent it set. For instance:

It was a very important point in the field on DV, because the [legal] mechanisms for protection…did not exist before [it] appeared. It was very important. It was showing that some little steps in the State policies in the field of DV were shaping [up].

Inclusion and participation are essential pieces of a human rights based approach to programming. One representative from GYLA suggested that the drafting of the law was a

Key Assessment Findings – DV Legislation:
- Passing a law on domestic violence has helped to make public an otherwise private matter in Georgia, though there remains a long way to go in this area.
- Positive aspects of the DV law include that it prioritizes the protection and needs of victims rather than focusing primarily on prosecution of offenders.
- The DV law amendments passed in 2009 addressed some of the gaps in the original legislation, such as elaboration on the details of rehabilitation for offenders and increased protection of victims.
- Some local NGOs – particularly smaller organizations with less political clout – would have liked to see a more inclusive and participatory process employed in the drafting and amending the DV law. Beneficiary input would also have been valuable.
collaborative effort between NGOs, initiated by the State Fund. One interviewee, representing a smaller local organization, stated that she would have liked to see a more widely inclusive and participatory process of drafting and amending the law. In addition, beneficiaries of DV services were not consulted in the drafting or amending of the DV law. Such inclusion would have beneficial, though the SIPA team recognizes issues of confidentiality and privacy.

On this point, an interviewee from the Interagency Council for DV commented on the challenges of eliciting input from all stakeholders:

Some [NGOs that work on women’s issues] indeed are members of the Interagency Council [for DV], but at the same time it’s obvious that we cannot invite all NGOs that are dealing with the same issues, so we’re usually trying to pick the major players on that issue...which have links with the problem of domestic violence when we’re speaking about the DV Council, but at same time we’re more than open to cooperate with them. When we’re working on separate pieces of legislation, for example when we are speaking about rehabilitation concept with offenders, we do have people in the Working Group who are not members of the DV Council because we want to get feedback from them to have their views of how do they see how these problems might be solved.

While many interviewees reported that at first there was a lack of commitment on the part of the Government of Georgia to address DV and that the adoption of the law was a formality, others pointed to the important impacts that passing this legislation made on cultural and societal norms, as well as the lives of DV victims:

Our psychologist carry[ies] out meetings with women and she says women are more ready to talk about violence now...The first reason is the existence of law on DV...

[In my] personal opinion...people started to perceive their mentality and rights.

As for the content of the law, a 2006 report published by the Minnesota Advocates for Human Rights highlights areas for stakeholders to monitor as the new law was implemented. Many of their recommendations called for more elaboration and specificity regarding the sections of the legislation that address the needs of victims. For instance, they noted that a particular article of the legislation granted police the “power to remove the victim from the home ‘in the case of necessity,’” arguing that “[t]his provision will likely result in serious hardship for victims of DV in view of the shortage of shelters and services for victims” and that “[t]his provision may deter victims from calling the police.” This sentiment was echoed during field visits by a representative of the Constitutional Court of Georgia, who stated,
...it’s a difficult issue because usually victims are reluctant even to call the police because they are not willing to leave their families. They prefer to stay with their families. Despite the fact that it is usually an administrative offence (unless it is qualified as crime), court may order a fine and that fines might harm the victims because this money will go out from the family.\textsuperscript{247}

Though the fact that this challenge remains present a number of years after the original DV legislation was passed is problematic, importantly, the process of amending the DV law is recent and ongoing. Ongoing assessment will be necessary to indentify additional gaps and improve implementation. Indications from one interviewee from the Ombudsman’s Office in Tbilisi suggest that this process can be expected:

We are working on analyzing how domestic legislation relates to the Convention on the Elimination of All forms of Discrimination against Women. Public Defender submits biannual report to the Parliament. There are some cases where we discover that the domestic legislation is not specific enough, and we go and see what the international standard is on this and try to suggest more systematic solutions. Of course this should be a responsibility of many parts, but, generally, if we have a recommendation we would submit it. It is the mandate of Public Defender to monitor and propose changes…\textsuperscript{248}

At present, regarding implementation of the legislation, many interviewees expressed concern about the victims’ lack of trust in the police. One interviewee stated frankly, “women do not apply to the police so the law does not operate well.”\textsuperscript{249} Another suggested that while the passing of the legislation was significant “…because there was no legislative regulation and the victims were not protected by law…, still for two and a half years we have this law, but I think it needs some [more] years for population to understand what it is, how to use, to call the police.”\textsuperscript{250}

\textsuperscript{247} Papiashvili 2010  
\textsuperscript{248} Arganashvili 2010  
\textsuperscript{249} Gelashvili 2010  
\textsuperscript{250} Sakhli Staff 2010
Victim Protection and Legal Aid

Many interviewees recognized the passing of legislation on DV – and its mandate to develop and implement victim assistance programs; improve criminal procedures, including mechanisms for identifying DV victims; establish and enforce protective and restrictive orders; establish shelter services; and protect children – as critical in improving the lives of DV victims.\textsuperscript{251} One representative from GYLA in Batumi suggested,

\begin{quote}
now when people know that there are some rules about combating…DV, people feel that they are protected and there are not so many victims of this.\textsuperscript{252}
\end{quote}

Separately, a representative of the Ombudsman’s Office suggested that one of the most positive changes over the last five years is that “the responsibility has [become] stricter [for] the person who takes this violence.”\textsuperscript{253} With this in mind, we discuss the effects of efforts to protect and assist DV victims in more detail below.

\textbf{Victim Protection}

While some DV shelter staff reported an increase in recent years in client referrals from police,\textsuperscript{254} without these instructions in place, reports from service providers and DV service beneficiaries suggest that police treatment of victims appears inconsistent. Some reported satisfaction with their interactions with law enforcement.\textsuperscript{255} Others, such as two DV victims staying in an NGO and a State shelter in Tbilisi, respectively, offered experiences where interactions with police had been either unhelpful or exacerbating:

\begin{quote}
Before I applied to the organization, when I called the police they could not help me…I hope to never have to call.\textsuperscript{256}
\end{quote}

\begin{quote}
I will not evaluate [my experience with the police] positively. There was pressure on me when I was the victim. They put guilt on me…I don’t talk general[ly] about the police, but the person who was investigating my case said that if he had a daughter who wanted to own her own life, he would beat her…[T] he police have added to [my violation of human rights] because they didn’t protect me.\textsuperscript{257}
\end{quote}

\begin{table}[h]
\centering
\begin{tabular}{|l|
\hline
\textbf{Key Assessment Findings – DV Victim Protection & Legal Aid:} \\
\hline
- Mechanisms enacted by NGOs and the Government of Georgia are improving DV victims’ lives and sense of safety. \\
- Most of the shelters visited by the SIPA team were at or near full capacity, and access to DV shelters for undeserved and rural populations is limited. \\
- Limited formal coordination mechanism between DV shelters limits opportunities to share best practices and lobby for support. \\
- The State has been slow to implement the provision of the law that calls for separate shelters for DV victims. The SIPA team has concerns about the capacity of the Government to sustain and expand the shelter system. \\
- Though police practice has improved, some police procedures have the potential to put victims at further risk and may lead victims to choose not call the police. \\
\hline
\end{tabular}
\end{table}

\textsuperscript{251} Kervalishvili 2010  
\textsuperscript{252} Tavlalalashvili 2010  
\textsuperscript{253} Basiladze 2010  
\textsuperscript{254} Radadze 2010  
\textsuperscript{255} TIP/DV Shelter Beneficiary/Victim 2010  
\textsuperscript{256} DV Shelter Beneficiary/Victim 2010  
\textsuperscript{257} DV Shelter Beneficiary/Victim 2010
Interviewees shared various reasons for continued challenges in working with police on the issue of DV. An interviewee from UNHCR suggested that,

...[w]orking with police is not very easy on this matter because police who have all their lives been taught to do only certain functions and they are given bigger functions and they have to issue restrictive orders. They don’t want to use too much energy and they would rather avoid because it is a family matter and they don’t want to be involved, unless you get on their case.258

An NGO representative provided insight into the worst ways that such police inaction can impact women and families:

[O]ne of our meetings was attended by a policeman who told us that there were ten women violators who killed their husbands. Before, they were victims of violence from their husbands and the police did not react until they killed their husbands in this extreme case.259

A judge and representative of the Interagency Council for DV also noted how police intervention has the potential to put victims of DV at further risk:

...it’s a difficult issue because usually victims are reluctant even to call the police because they are not willing to leave their families. They prefer to stay with their families. Despite the fact that it is usually an administrative offence (unless it is qualified as crime), court may order a fine and that fines might harm the victims because this money will go out from the family.260

Unfortunately, available data on police intervention is limited. Continued monitoring and evaluation of how protective and restrictive orders are implemented is critical, and this data should be made publicly available.261

Shelter Services
The availability of a safe place for victims of DV to go if they choose to leave their abuser is among the most important indicators of an effective DV program.262 Presently, there are three NGO-run DV shelters in Tbilisi and one in the Samtskhe-Javakheti region; DV victims are also currently staying in the two State TIP Shelters in Tbilisi and Batumi, until State DV Shelters are completed (see Appendix H for map of shelters in Georgia).

Visits by the SIPA team to four shelters housing DV victims (two run by NGOs and two run by the State) revealed comfortable, safe, secure housing situations. All beneficiaries interviewed by

258 Jambazishvili-Yucer 2010
259 Gelashvili 2010
260 Papiashvili 2010
261 Japaridze 2010
262 Silverman-Yam 2010

“I had a good experience with the police and received assistance.”
Shelter Beneficiary, March 2010
the SIPA team reported feeling relief and improved safety since living in the shelters. Interviewees were generally satisfied with the responsiveness of the State to the needs of victims. As one interviewee noted, “…when the [State] shelter was established it was very well done, but first the victims…had to stay here only for three months, and now they can stay here for two years… [T]hey discovered that it was not enough time for them.”

DV victims interviewed by the SIPA team reported that they found their way to the shelters by word of mouth, including through churches, friends, and shelter or NGO staff. Most of the shelters visited were at or near full capacity. One staff from the DV shelter in Samtskhe-Javakheti region recalled a recent case when a “woman came to the shelter with all her kids [and] they had not place for her…they do not have enough space.” A representative of UNHCR, which supports one of the DV shelters in Tbilisi, pointed to the potentially detrimental effects that prematurely releasing a DV victim from shelter can have:

they have space for 6-7 [DV beneficiaries] at the State Shelter; I have 10 [at an NGO shelter], including minors. You have to release one to adopt another. How are they going to fit? By releasing her too early you determine her future.

While the GYLA project aimed to address this problem by assisting the Government in establishing two DV shelters in the final year of the USAID-funded project, this effort has not been carried out, and the State DV shelters are still incomplete at the time of writing. Interviewees reported that this may be due to a combination of factors, from limited resource allocation, to delays due to the conflict with Russia in 2008, to a lack of willingness on the part of the government. Some interviewees shared the following speculations:

…there was no clear agreement of the State to run the DV victims’ [shelter]. For TIP it was more clear, however because of the nature, gravity, and how widespread it might be, it was difficult to determine that it was State’s obligation and how far it might go for the obligation for State-run shelters [for] DV.

It was difficult for them to establish a separate shelter for victims of DV although it was established in the law…[T]hey found a way to have the shelter for TIP to include victims of DV, but it’s difficult. It takes time. I think [the Government is] a little bit slow. According to the law they were supposed to provide shelters for DV two years ago, but they’re doing it now. It’s better late than never.

---

263 Machutadze 2010
264 Note: due to time restrictions the SIPA team could not visit this shelter
265 Marina Modebadze, Democratic Women’s Organization of Samtskhe-Javakheti
266 Jambazishvili-Yucer 2010
267 Cherkezishvili 2010
268 Chkheidze 2010
269 Cherkezishvili 2010
A representative from the State A-TIP Fund, which is mandated to manage the government’s efforts to combat DV, shared a challenge: “There is a need for DV shelters. Since 2009, we have been responsible for the shelter; however, we had no resources to renovate it.”

Given the delay in establishing the State DV shelter, TIP and DV victims currently live side-by-side in the State shelters in Tbilisi and Batumi. On this issue, a US-based practitioner with decades of experience working on DV highlighted cases where, when TIP and DV victims reside in the same shelters, DV victims look down on TIP victims as criminals and prostitutes, which can exacerbate the shame experienced by the latter. However, it is important to note that there is not a consensus on the extent to which this is problematic. Another US-based practitioner suggested that, given that it often takes such an effort “to even be able to provide a safe space for the victims,” that they live together is less important. This appears particularly so in a relatively resource-poor country such as Georgia, and though the State must meet its obligations to provide adequate shelter to DV victims, that they live together with TIP victims at the moment does not appear to be of the highest priority.

Providing access to DV shelters for underserved populations including men and children victims of domestic violence should be a priority. Access is particularly limited for victims who live far from one of the six existing shelters where DV victims may go, four of which are in Tbilisi. For instance, one interviewee from Kutaisi noted:

If a woman or man victim will decide to announce a violation of her rights, there are no shelters in the Imereti region for her to go to. We have shelters for children and old people, but not DV. It is a big problem. Where can they go?

Additional gaps in current shelter availability include limited children’s services (including child-friendly spaces and safe-havens for children whether unaccompanied or accompanied); lack of safe shelter space for DV victims from the LGBT community; and restrictions on

---

270 Meskhi 2010
271 Silverman-Yam 2010
272 Mason 2010
273 Ebralidze 2010
274 Modebadze 2010
275 Sabelashvili 2010
access to space in DV shelters for victims with mental illnesses. As formal data is not currently available to assess the extent of the problems faced by members of these communities, more research is needed to ensure that the government and NGO community meet their obligations to protect potential victims who may be isolated and hidden from the general community due to location, sexual orientation and mental health status.

**Service Coordination**

While individual organizations such as AVNG operate hotlines for DV victims, a coordinated State-run DV hotline is still under development. Given stakeholders’ satisfaction with the TIP hotline, it is important that the State-run DV hotline be established and coordinated. Moreover, while shelter staff reported using an informal referral mechanism between shelters (particularly among those shelters located within Tbilisi), no formal coordination mechanisms currently exist between DV shelters. One interviewee described her efforts to organize a meeting among all three NGOs providing shelter to DV victims in Georgia, noting that, “it did not go very well. Maybe the problem is that it depends on who organizes it… Now we have meetings with UNFPA and UNIFEM so when big organizations do the convening we work effectively.” This lack of formal coordination serves to limit shelter operators’ capacity to share best practices and to join together to lobby for further support.

**Legal Aid**

As with efforts to address TIP, a number of interviewees pointed to legal aid for DV victims as among the most effective portions of GYLA’s efforts to address DV. An interviewee from the American Bar Association (ABA) suggested why free legal assistance is so important:

…socially vulnerable people don’t have access to legal assistance which is expensive and the State Fund doesn’t provide legal aid to victims of DV because it’s an administrative case…Unfortunately currently there is a great lack of legal assistance for them. A very important remedy for them is a protective order...They need help to obtain it and to go to court, and need to know that such a remedy exits. They need help from [a] lawyer.

Despite the completion of the USAID-funded project, GYLA (and likely other NGOs) continue to have a mandate to provide free legal assistance to vulnerable populations. In addition, one interviewee informed the SIPA team that the State is also expected to assume duties to provide legal aid to DV victims after 2011. In the meantime, the reliance on donor funding to provide such assistance to DV victims represents a potential vulnerability, particularly for victims of DV outside of the major cities where organizations such as GYLA operate.

---

276 Tabukashvili 2010
277 Kamnadze 2010
278 Zazashvili 2010
279 Japaridze 2010
280 Japaridze 2010
281 Japaridze 2010
Rehabilitation and Reintegration

Victim Services

As with TIP services, basic indicators of effectiveness for rehabilitation and reintegration services include whether the survivor feels safer as a result of services offered; whether there are economic opportunities in place; whether all relevant services available; and whether adequate housing and educational opportunities available.\(^{282}\)

Although certainly not representative of all DV victims in Georgia, all DV service beneficiaries interviewed by the SIPA team at NGO and State-run shelters had been offered and/or were receiving rehabilitation and reintegration support. While most shelter staff interviewed by the SIPA team reported that they write up individual rehabilitation and reintegration plans for each beneficiary, unfortunately, the SIPA team was neither able to review these plans nor to determine whether follow-up or aggregated data exists. Nonetheless, anecdotal reports from interviews with DV beneficiaries suggested that those receiving such support are satisfied with the services offered to them. One woman, who had been staying at an NGO-run DV shelter in Tbilisi for one year, said,

> [t]hey do their best to support us here. We have received health assistance, economic assistance, and the main factor is psychological assistance. [I feel] more safe, we all assist each other, we give advice to each other. We try to explain what kind of problem we have, and to take each other’s problems close to heart…\(^{283}\)

Another female beneficiary staying at the same shelter with her 11-year-old son shared that her son is receiving educational support with assistance from the shelter, and that she herself received training to work at a local business, as well classes in clay and knitting.\(^{284}\) A representative from an NGO-run crisis center in Kutaisi reported on DV victim satisfaction with psychological services received, suggesting that, “our psychologist gives advice…[and] I know it helps because that is what the victims say.”\(^{285}\)

Given limited time and access, the SIPA team was only able to interview beneficiaries of rehabilitation and reintegration services who were staying at shelters in Tbilisi and Batumi. Although the SIPA team was unable to interview DV victims living outside of major cities, some interviewees highlighted the gap in services for DV victims in rural areas. For instance, one psychologist working...

---

\(^{282}\) Silverman-Yam 2010

\(^{283}\) DV Shelter Beneficiary/Victim 2010

\(^{284}\) DV Shelter Beneficiary/Victim 2010

\(^{285}\) Metskhvarishvili 2010

---
at an NGO in Tbilisi noted that, “...in the regions, they need psychological help but there are no psychologists there. All the regions should have small organizations like this, but they are only in Tbilisi.” She noted that, if this was a priority for the government, “there are professionals in Georgia who can make this happen.” Others pointed to the need for more victim services in general in rural areas, calling for efforts that address DV to “be done closer to the villages, [in] some remote areas.”

Despite apparent satisfaction among those beneficiaries who do have access to services, interviewees were open about the macro-level challenges affecting the overall effectiveness of reintegration services for any individual victim. “It is very difficult to find jobs for these people...and...we have no homes,” shared staff at the State-run shelter in Batumi. More follow-up data on victims who receive reintegration services is needed to determine how much these factors are at play.

**Offender/perpetrator services**

Many interviewees both men and women, suggested that rehabilitation services for offenders of DV are needed in Georgia. One interviewee went so far as to suggest that, “simply from my point of view, when we’re speaking about DV, the most important problem is the problem of rehabilitation of offenders, because right now we don’t have any programs dealing with this issue...” At present, no formalized services are available in Georgia for offenders, though at least one NGO, Sapari, mentioned that they had provided psychological services for offenders on an ad hoc basis.

Amendments to the “Law of Georgia on Fighting Domestic Violence, Protection and Support to DV Victims,” adopted in December 2009, do introduce provision of rehabilitation measures for DV offenders, which include rehabilitation and crisis intervention. This shows continued commitment on the part of the Government towards prevention and improved protection of DV victims. At the same time, a representative of the Interagency Council on DV highlighted the challenges faced by stakeholders in establishing services for offenders:

…it’s really [a] very difficult one because we have to choose if it should be compulsory or voluntary rehabilitation. If we’re speaking about voluntary rehabilitation, then it will need change in mentality because I’m afraid not all people will be willing to take such courses. If we’re speaking about compulsory one, then...would it be in line with international standards?

---

286 Zazashvili 2010  
287 Agadashvili 2010  
288 Machutadze and Juaini 2010  
289 Gelashvili 2010; Sabelashvili 2010; Papiashvili 2010  
290 Papiashvili 2010  
291 Zazashvili 2010  
292 Khutsishvili, “Brief.”  
293 Papiashvili 2010
Another interviewee from an NGO suggested that, even if rehabilitation services exist for offenders, “[o]ne of the main reasons of DV is the need for empowerment…[It] is because the men have no job…There is great aggression when there are no jobs.”294 These are important factors that, while outside of the scope of this assessment, must be taken into account when considering offender interventions.

**Service providers**

Many interviewees pointed to the need for more social workers trained and available to work with DV victims. A representative from a crisis center in Kutaisi lamented that they “had a social worker but we do not anymore. We don’t have the finances anymore.”295 She reported that, “in this case we cooperate with the organization World Vision that has social workers, but mostly they are working with children.”296

There is a clear need to attract more social workers and psychologists to work on DV, particularly if services for perpetrators are to be developed by the Government. One judge pointed to the fact that “right now we don’t have enough number of social workers. We’re establishing an effective and efficient social workers system that will deal with DV. But it needs some time.”297 Whereas a specific training course on TIP for social workers is available at the Bachelors and Masters level at Tbilisi State University, according to information gathered by the SIPA team, no such course exists for training university-level social workers on DV; interviewees with child psychologists working at an NGO-run DV shelter also noted that no such courses exist for psychology students.298

---

294 Radmadze 2010
295 Metskhvarishvili 2010
296 Metskhvarishvili 2010
297 Papiashvili 2010
298 Jgenti and Javahishvili 2010
Awareness Raising
While efforts by GYLA to raise awareness about issues of DV only began in 2009, numerous stakeholders’ testimonies suggest that the campaigns to raise awareness on DV were effective (see Appendix J for some examples of raising awareness materials). Specifically, interviewees indicated that television advertising and programs, as well as education among youth, were among the more efficient means to raise awareness.

Though hard data remains limited, interviewees pointed to anecdotal indicators of improved awareness and sensitivity among the general population. For instance, one interviewee from an NGO working on DV suggested that “the most important thing is that when we were starting work in 2000 no one knows what gender, DV, [and] TIP [are], but now everyone knows definition.” In addition, although not directly attributable to awareness raising efforts by GYLA, a representative from AVNG, Imereti Region offered another indicator of improvement in the area of public awareness. Results of two studies conducted by AVNG in 2004 and in 2005-2006, suggest that in 2004 a majority of study participants indicated that “DV happens in their neighbors’ houses, but not in their families,” but that by 2005-6, more than half of the study participants shared that DV existed in their families. Other such studies would be required to adequately assess the level of awareness on DV in other regions of the country.

Despite these positive anecdotes, interviewees consistently reported that the general population is still not fully aware of available protection and assistance mechanism, such as the existing DV hotline. As one interviewee commented:

“…when we’re speaking about DV we should take into account that DV is a problem with complex causes. At the same time it it’s not just a legal problem or a health problem or a policing problem- It belongs to society and the society as a whole is more or less closed. So people are…reluctant to speak about their family issues. It might be also problem of public awareness, as well as attitude towards DV and the offender, because in the case of DV victims have to testify against their family member and must choose whether to stay together or separate and etc…”

<table>
<thead>
<tr>
<th>Key Assessment Findings – DV Awareness Raising:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Awareness about DV appears to have increased among the general population.</td>
</tr>
<tr>
<td>• Much of the DV awareness raising materials viewed by the SIPA team had been translated into multiple languages in order to target non-Georgian speaking citizens.</td>
</tr>
<tr>
<td>• However, DV continues to be viewed as a private matter.</td>
</tr>
<tr>
<td>• DV awareness raising programs did not focus enough on reaching out people living in rural areas and to sexual minorities</td>
</tr>
<tr>
<td>• Funding limitations impede stakeholders’ ability to maintain continuous awareness raising efforts.</td>
</tr>
</tbody>
</table>

299 Meskhi 2010; Dolidze 2010; Hulst 2010; Stephens 2010; Gelashvili 2010
300 Chitanava 2010; Sabelashvili 2010
301 Zazashvili 2010; Stepanian 2010
302 Natsavaladze 2010
303 Metskhvarishvili 2010
304 Kamnadze 2010
305 Papiashvili 2010
Interviewees suggested that additional efforts to increase awareness among the general population about types of violence included within the definition of DV (e.g., psychological, emotional, financial, etc.) are needed.\textsuperscript{306}

While much of the DV awareness raising materials viewed by the SIPA team had been translated into multiple languages in order to target non-Georgian speaking citizens, interviewees noted that the remoteness of some regions of the country was posed a challenge to rolling out awareness raising campaigns throughout Georgia\textsuperscript{307} – leading to limited information being shared areas outside of larger cities\textsuperscript{308} – and that efforts specifically targeting ethnic and sexual minority populations were lacking.\textsuperscript{309}

The SIPA team acknowledges that funding and cultural limitations impede stakeholders’ ability to maintain a continuous awareness raising campaign. For example, AVNG shared that they run television advertisements and radio transmissions about DV only when funding allows them to do so.\textsuperscript{310} Though GYLA has passed all of its unused awareness raising material to the State Fund, they expressed some concern about whether it would be utilized and further disseminated.\textsuperscript{311} Separately, interviewees indicated that, in general, it is more difficult to garner attention about DV in comparison to TIP.\textsuperscript{312} These issues present areas of concern, and if not tackled by the State, NGOs and the donor community, will continue to impede efforts to combat DV in Georgia.

\textbf{Training and Education}

Though other NGOs had been working for some time to train various professionals on issues related to DV (see section above), because GYLA’s efforts to address DV under the USAID-funded project commenced only in 2009, training and education efforts on issues of DV among professionals were far fewer than for TIP. While measuring the effectiveness of these efforts is difficult in such a short timeframe, a preliminary assessment of such efforts, focusing specifically on training and education for police, journalists and educators, is included below.

\textbf{Police}

As with TIP, experts suggested that the first priority of an effective DV program is training and sensitization for law enforcement officials, given that the police are generally the first responders

\begin{quote}
\textbf{Key Assessment Findings – DV Training & Education:}

- Strong efforts have been made to sensitize police about DV, and police are undertaking wholehearted efforts to improve practices related to DV victims.
- Lack of DV data is a challenge to improving police education and training.
- High levels of staff turnover within all professions create gaps in knowledge about DV.
- There are concerns that trainings of judges and other public officials will not be ongoing due to limited funding.
- There are indications that there is not enough training of educators to identify family violence among school-aged students.
- Specific training on DV for social workers and psychologists is needed and not readily available.
\end{quote}

\textsuperscript{306} Chkeidze 2010
\textsuperscript{307} Rusetski 2010
\textsuperscript{308} Chilinjishvili 2010
\textsuperscript{309} Stepanian 2010; Berulava 2010; Sabelashvili 2010
\textsuperscript{310} Kashia 2010
\textsuperscript{311} Chitanava 2010
\textsuperscript{312} Chkeidze 2010
in DV cases. The Police Academy training curriculum contains “an extensive tactical training course, and local legislation as well as a course on international human rights law...[which] deal in detail with the issues of the use of force by police.” The Ministry of Internal Affairs, under which the Police Department falls, now has a prominent webpage on DV, on which is provided a definition of DV, a description of the Ministry’s procedures for addressing reports of DV, as well as a hotline number for victims. This, combined with anecdotal evidence from interviews with trainers from GYLA and the Police Academy, indicate strong efforts on to sensitize police about DV. Describing these efforts, which began in 2006 when the DV legislation was adopted by Parliament, and updated since amendments were passed in 2009, interviewees shared:

I was a trainer in 2006-7 when the law was new. The goal of the trainings was to teach police about the new law [and] how to use it in practice. I think these goals were achieved in this period. The result was that some statistics were raised about imprisonment for violators. I think when we gave information to the police and representatives of the Prosecutor’s Office, they became better at investigating...

...[We] started in ‘06, and we gained experience, day-by-day we had some changes on their duties and responsibilities...and we put this experience into the manual. After the theoretical part [of the training], these police have a special a practical exam, and role-play. These are in line with European standards they have to follow, human rights, and all topics they have were received during the trainings. Before there was an exam, but it didn’t include all of this because we had to gain experience in these cases...Cases [of DV] would happen with all police officers since 2006. Because we have more experience, we can use this.

Data available from the Ministry of Internal Affairs of Georgia on victims and offenders of DV between 2007 and 2009 (see Appendix I) suggests that the total number of DV victims (male and female) reported to the police decreased significantly between 2007 and 2008, from 578 to 198 reported victims, and then decreased again slightly in 2009 to 176 victims. Similarly, the number of DV offenders (male and female) reported to the police decreased significantly between 2007 and 2008, from 578 to 154.

<table>
<thead>
<tr>
<th>DV Offenders by Sex¹</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female</td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>55</td>
<td>523</td>
<td>13</td>
<td>141</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DV Victims by Sex</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female</td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>509</td>
<td>69</td>
<td>189</td>
<td>9</td>
</tr>
</tbody>
</table>

---

313 Silverman-Yam 2010
315 Ministry of Internal Affairs, “Human Trafficking.”
316 Peradze 2010
317 Ebralidze 2010
318 Saakashvili 2010
319 Ministry of Internal Affairs, “Data.”
and again slightly in 2009 to 143. Unfortunately, it is unclear what led to these changes, and the SIPA team received these data too late to request more information of the Police Academy interviewees. The significant decrease in reported cases does not necessarily complement qualitative reports from DV service providers, who suggested that, while “[s]ome years ago it was uncomfortable for people to cooperate the police, …we have trained police officers about implementation about DV law and now [that] they are aware we have too many cases when the police send the victims to us.” Given such qualitative reports, the SIPA team would expect reported cases to have increased since the training for police began in 2006. Further investigation into this discrepancy is necessary.

According to a report submitted to the UN Human Rights Committee in October 2009, as of February 2009, the Office of the Chief Prosecutor of Georgia adopted new samples for gathering disaggregated data on crime statistics. This includes information “from the commencement of the investigation, including the hearing of the case at the first instance and courts of appeals,” and offers “specific information with respect to the perpetrator and the victim…[and] a detailed list of crimes with particular emphasis on the motives of domestic violence.”

Despite the existence of the abovementioned statistics, a representative from the Police Academy acknowledged lack of relevant data as a challenge in their work:

...[A]s far as we teach them, the patrol and district police have to count how many violations they have had, and what was treated, and if there were any complaints. We need to have stats, and at this stage we don’t have feedback from the stats and we don’t have enough information. At this stage we don’t know how effective it is. In order to have real information we need to see stats; how many violations were fixed, and it depends on families. How many times did we receive calls from the same family and if these families were calling for other issues?

Moreover, while at least one representative from a DV shelter in Tbilisi commented that, even in the capital city “[s]ome police are still not aware of the protective and the restrictive orders and the new laws,” others pointed to significant regional differences in police training and awareness. One NGO representative suggested that “[i]n the city of Tbilisi there is no problem, in the cities, with the police, because they are aware of this problem. But in the regions where there isn’t enough money…the police [are] not aware of this issue.” Indeed, from 2007 to 2009, reported cases of DV victims and offenders are significantly higher in Tbilisi than in any other region of the country. Though it is unclear from the data to what extent this is due to police sensitivity, awareness among the population, and/or lack of available services for victims

---

320 Ministry of Internal Affairs, “Data.”
321 Radmadze 2010
322 HRC, 2.
323 Saakashvili 2010
324 DV Shelter Beneficiary/Victim 2010
325 Tsintsadze 2010
326 Ministry of Internal Affairs, “Data.”
outside of major cities such as Tbilisi, it does point to a need for greater training, awareness raising and service availability across the country.

**Journalists**

Limited data was available to the SIPA team to assess the effectiveness of trainings for journalists on DV. However, speaking particularly about regional media outlets, one interviewee suggested that, “periodically [regional media outlets] have information on DV but generally…in regional media active work on these…issues is not there, it’s quite passive work. It’s occasional work, but not systematic.”327

Another interviewee, from a media organization in Tbilisi, pointed to the continued issues with victim protection among media in Georgia:

> For us an important problem is protection of victims especially in mass media because often mass media do not give correct information [about] DV…victims. Sometimes journalists can speak about problems and sometimes don’t show their face, but maybe [the victim’s] situation is shown, because it’s a small village and everyone knows each other and can see who it is.328

These comments point to a need for further training and education among journalists both within and outside of Tbilisi to observe the right to privacy and confidentiality among DV victims, and to encourage an increase in accurate and informed reporting on this issue.

**Educators**

Although training for educators was not a key component of GYLA’s efforts to address DV, at least one interviewee pointed to the importance of training educators to identify and help prevent DV, especially in cases of child family violence. The need for this kind of training was stated poignantly by an attorney at the ABA in Georgia: “…teachers need to be trained to identify whether the child is being abused or there are some problems in families because sometimes, they may stay undiscovered.”329 Additionally, another interviewee raised the importance of exposing school-age children to more progressive gender norms as a preventive measure against DV.330 As educators are in a key position to offer these lessons, future programs that address the DV training needs should be certain to include training and education for educators.

---

327 Gubeladze 2010
328 Rusetski 2010
329 Japaridze 2010
330 Sabelashvili 2010
**Overarching Challenges and Limitations**

The SIPA team acknowledges that a number of overarching challenges and limitations will affect TIP and DV programs moving forward. While not an exhaustive list, the team presents some of these constraints below, given that they will likely affect stakeholders’ ability to implement proposed recommendations.

**Limited Data**

Limited data on nearly all issues related to TIP and DV for women and men victims remains an ongoing challenge for programs in Georgia. Data is necessary to assess and evaluate current efforts, discover trends, and to identify ways to improve programming and policymaking. Stakeholders report an overall lack of data as well inconsistent updating of available data. More accurate portrayal of cases of TIP and DV will ultimately benefit victims.

**Gender and Cultural Norms**

Overcoming strong gender stereotypes remains a challenge in Georgia, despite the significant strides accomplished by the efforts to raise awareness about TIP and DV. These dynamics manifest themselves on the personal, familial, educational, religious, and national levels. At the political level, an interviewee from UNDP noted that “…unfortunately there are less women in the Parliament now than there used to be due to political dynamics, despite the facts that there are many women in political parties.”\(^{331}\) The Parliament of Georgia has made strides in lobbying for a Gender Law that will promote gender equality. However, a cultural shift is needed to promote a more open dialogue with more participation among both men, women and sexual minorities.

**Conflict in 2008\(^ {332}\)**

The aftermath of the conflict in 2008 presents an additional challenge to addressing TIP and DV, including how to address the particular vulnerabilities of IDPs, refugees, and ethnic minorities. Issues of concern include how to prevent, protect, and prosecute violations of human rights and to address issues of discrimination among these already vulnerable populations.\(^ {333}\) In addition, given the financial strain that the conflict has put on the Government of Georgia, some interviewees expressed concern that the conflict might lead the Government to shift attention and limited resources away from TIP and DV programs in the future.

**Economic Situation**

One interviewee suggested candidly that “job creation in Georgia has been attempted but has not been so successful…it is not sustainable, and it’s not building jobs.”\(^ {334}\) Overall unemployment has created a situation that includes economic emigration, which leads to cases of trafficking in persons, as well as economic dependency among men and women victims of DV to their perpetrators. As an NGO representative suggested,

\(^{331}\) Cherkezishvili 2010  
\(^{332}\) For more detailed information on the conflict, see Appendix E.  
\(^{333}\) Kervalishvili 2010  
\(^{334}\) Mitchell 2010
if we do not resolve these problems and if people can’t get a job, cannot get a normal salary, are not able to improve their lives and the live of their families and children, it will be always a problem in Georgia and will become worse and worse in future.\textsuperscript{335}

This was poignantly reflected by a sex worker interviewed in Tbilisi, who stated: “I have no other options for a job right now.”\textsuperscript{336} Though acknowledged by the SIPA team as a long-term process that must include involvement from public, private and non-governmental sectors, duty bearers must help promote economic progress, investment, and job creation – for both potential victims and offenders, within and outside of the capital city – in order to fully meet their obligations to rights holders.

\textit{Access to Services for Minorities}

A representative from an NGO devoted to promoting monitory rights, suggested that while minorities generally have access to services, the problem is that ethnic monitories “cannot always apply to them because of language barriers. They need to just pay money for translators to write officially in Georgian. That is officially what is happening.”\textsuperscript{337} This reality represents an overall challenge in both raising awareness and ensuring equal access to quality services, and will require sustained and targeted intervention on behalf of duty bearers to mitigate. Furthermore, sexual minorities constitute another minority group that also has limited access to TIP and DV shelter services.

\textit{Donor Involvement}

Georgia’s dependence of funding from international donors to support programs represents both an opportunity and a challenge. At present, donor funding is critical to help NGOs develop programs and projects to address TIP and DV, and to promote a more robust civil society generally. At the same time, reliance on limited donor funding presents challenges in ensuring sustainability of efforts.\textsuperscript{338} As one interviewee noted, “…[a]ll of these centers and projects are very short-term; they are within the frame of one project. When this project is finished, sometimes even crisis centers go away.”\textsuperscript{339} Furthermore, reliance on limited donor funding can foster competition among NGOs, which hampers collaboration.\textsuperscript{340}

\textsuperscript{335} Sanikdze 2010
\textsuperscript{336} Sex worker (Tbilisi) 2010
\textsuperscript{337} Stepanian 2010
\textsuperscript{338} Meskhi 2010
\textsuperscript{339} Gubeladze 2010
\textsuperscript{340} Sabelashvili 2010
Efforts to address TIP and DV in 2010

Although the focus of this assessment has been on efforts undertaken to address TIP and DV between 2005 and 2009, the SIPA team recognizes that a number of efforts are currently underway since 2009, which will affect programming moving forward. Though not an exhaustive discussion, the following section presents a snapshot of current and continued efforts that are ongoing.

Trafficking in Persons

Despite the end of the USAID-funded project, GYLA continues to offer free legal assistance to victims of TIP. IOM is working with the Ministry of Education on issuing handbooks for students in preventing TIP cases, and is working to collect more robust data on TIP in Georgia. The People’s Harmonious Development Society is currently undertaking a project focused on efforts to foster “policymaking, prevention of illegal immigration, media and informational campaign, anti-trafficking and training center,” and is developing a training course on TIP for social workers. Tanadgoma continues to conduct trainings in Tbilisi to combat TIP, and the Ministry of Education recently created short films and an accompanying curriculum to combat TIP in schools.

Domestic Violence

In December 2009, amendments to the DV law were approved and adopted by Parliament. Among other issues, these amendments aim to address with more specificity rehabilitation services for DV perpetrators, and to reassess the national referral mechanism. These changes will likely have a strong effect moving forward on the identification and treatment of DV victims and perpetrators alike.

An upcoming UNIFEM-funded project, entitled Project SHIELD, will be opening two additional DV shelters in Gori and Tbilisi in accordance with the DV law (see Appendix H for map of shelters), will assist in creating a national DV hotline, and will collaborate with three local NGOs – AVNG, Sahkli and Amagdari – to support psychological rehabilitation services and reintegration efforts such as job placement. UNIFEM has indicated that they hope to partner with the police to update their training curriculum and referral mechanisms, and to collaborate with the Ombudsman’s Office in hiring lawyers to enhance their work on DV prevention, protection, and prosecution.

References:
341 Chitanava 2010, March
342 Hulst 2010
343 Nazarova 2010
344 Kharati 2010
345 Parsudanishvili 2010
346 Papiashvili 2010
347 Sabedashvili 2010
348 Sakhli Staff 2010
349 Sabedashvili 2010
Individual NGO and other agencies’ efforts continue as well. For instance, GYLA continues to offer free legal assistance to victims of DV,\textsuperscript{350} representatives from the Police Academy indicated that they continue to hold lectures on DV in schools for children,\textsuperscript{351} and AVNG reported that they have commenced a project on women’s property rights with the goal of raising awareness about women’s rights and providing “…small enterprises to help them live economically independent lives.”\textsuperscript{352} AVNG has also recently partnered with UNICEF on a project to create programs for children in DV shelters, and with the People’s Harmonious Development Society and IOM to create “training courses for children in schools and teachers.”\textsuperscript{353} AVNG also facilitates Women’s Councils in villages that continue to conduct trainings on DV within the regions.\textsuperscript{354}

At the national level, “the Interagency Council and especially a State Fund continues to work on “refurbishing state shelters and setting up hotlines.”\textsuperscript{355} The Interagency Council for DV is reportedly also paying for NGOs to set up a pilot project on rehabilitation courses for victims of DV, which “by the end of the project…will be the obligation of the State to continue.”\textsuperscript{356} The ABA is assisting in lobbying for including the DV shelter costs and maintenance in the government budget, and reported that it intends to hire an international expert in gender-related violence to assess the costs of implementation in next year’s DV National Action Plan.\textsuperscript{357}

In addition to specific efforts to address TIP and DV, the SIPA team also notes efforts by many stakeholders to pass the Gender Equality Law. Passed in Parliament on 26 March 2010, this legislation will help to establish Action Plans to ensure implementation of gender equality efforts in Georgia, and will establish a “Permanent Institution of Gender,” centered at the Ombudsman’s Office, to assist in implementation.
**Human Rights Impact of Efforts to Address TIP and DV: Recapitulation**

The SIPA team’s assessment findings, based on the HRBA and gender mainstreaming approach, suggest that efforts to address TIP and DV in Georgia since 2005 have made significant strides in building capacity of duty-bearers and rights-holders to meet and access relevant human rights, respectively (see Appendix B for relevant human rights at stake). Nevertheless, comprehensive fulfillment of the State’s obligation to respect, protect and realize all relevant rights\(^\text{358}\), remains a target. According to CEDAW General Recommendation No. 19, gender-based violence is a form of discrimination,\(^\text{359}\) and CEDAW Article 5 obliges States parties to take measures “to eliminate social and cultural patterns of conduct” that are based on the idea of inferiority between the sexes.\(^\text{360}\) Continued efforts to address TIP and DV in Georgia will help duty-bearers fulfill these obligations toward all, including men and women, sexual and ethnic minorities, and rural population. In the following section of the report, the SIPA team offers recommended future steps.

---

\(^{358}\) UNAIDS, “Issue Paper.”  
\(^{359}\) UN, *General Recommendation No. 19.*  
\(^{360}\) UN, CEDAW.
V. Recommendations for Future Programming and Policymaking

Based on the assessment above, addressing TIP and DV in Georgia would require society-wide, multifaceted efforts. Existing efforts have a varied degree of impact on human rights, highlighting rehabilitation and reintegration services, their accessibility and reach, scarcity of disaggregated data and research on TIP and DV as well as education programs assessed against CEDAW benchmarks.

The SIPA team presents recommendations for future programming and policymaking below. These recommendations fall under three key areas and include proposals to: 1) adjust content of ongoing efforts to improve programming; 2) address issues of sustainability; and, 3) ensure inclusiveness regarding opportunities for stakeholder coordination and sensitivity to underserved regions and minorities.

The recommendations below are organized by broad category (legislation; rehabilitation and reintegration; awareness raising; and training and education). Within these sections are recommendations that apply to both TIP and DV programs generally, and, where appropriate, specific recommendations for each content area.

**Legislation**

*Legislation: Both TIP and DV*

Many interviewees expressed the ongoing challenges of ensuring proper and complete implementation of the laws on TIP and DV for men and women (as well as the recently passed Gender Equality law). All stakeholders should continue periodical review of the TIP, DV and Gender Equality laws with an eye towards appropriate revision and amendments, and should monitor ongoing implementation efforts. The SIPA team encourages the amendment process to be participatory and open to all organizations that are working on these issues. These efforts should continue to ask whether these laws are meeting the needs of men and women victims, and should work to identify gaps or challenges in program operation. (Please see Training and Education Recommendations section for details on teaching professionals about the legislations).

**Rehabilitation and Reintegration**

*Rehabilitation and Reintegration: Both TIP and DV*

**Victim Services**

The SIPA team applauds all of the combined efforts in the areas of rehabilitation and reintegration. One identifiable gap is in the area of long-term follow up services and ongoing skill-building and training for victims.\(^{361}\) Voluntary long-term follow up with victims is an essential piece of reintegration and prevention, and should be a priority for organizations, when financial and human resources are available. While recognizing that the state of the economy is currently a major limitation, particularly as it relates to vocational training, the SIPA team

\(^{361}\) Jambazishvili-Yucer 2010; Chkeidze 2010
recommends conducting further research on what kind of vocational skills are currently in demand in Georgia, and from the findings of this research, to develop targeted vocational programs that could be available to victims in both the short- and long-term.

The SIPA team also recommends that equal protection, aid and services be given to sexual minorities. There are strong indicators that the needs of this group are not being met. One interviewee’s example is illustrative of the situation, “If you are thrown out as a wife you can go to friends or relatives (hopefully), but if you are [transgender] and family finds out about you, then you have no one literally because you can lose your friends when they find out. If you say I am a woman, it is not a problem but if you say I am a lesbian woman, it is a bigger problem.”

There is a lack of shelter space for victims from the LGBT communities as well as for male victims of DV and TIP, and we recommend that heightened consideration of the needs of these groups be mainstreamed throughout existing and future victim service programs.

Interagency Coordination and Collaboration
Shelter service providers effectively coordinate when it comes to victim referrals, for instance coordinating transfer of clients when one shelter is at capacity or if the needs of a client are better suited to another organization’s services. However, a psychologist at Sapari mentioned that she has never had the opportunity to visit the State Fund Shelter in Tbilisi. Since the number of organizations providing shelter for TIP and DV victims is small, limited coordination is a missed opportunity for both professional development and for effective and ongoing program development and evaluation. In particular, the SIPA team recommends that organizations that provide shelter, victim rehabilitation and reintegration services build on their current informal coordination and develop mechanisms that will ensure sharing of best practices and challenges.

The SIPA team recommends that there be different arrangements to ensure that more voices are heard at the decision-making table. We recommend that there be research into the potential for a public hearing whenever a new State Action Plan is released. This could be a forum for both the public and concerned NGOs and other advocates to come and give feedback on the previously released draft of the Action Plan and heighten inclusiveness.

Rehabilitation and Reintegration: DV
Victim Services
Many interviewees reported that the need for services is greater than what service providers can offer: “There is a lack of social services. Crises centers usually provide temporary residence but after several months women have to seek other opportunities for living which is complicated due to their unemployment and other financial reasons.” The lack of shelter services in rural areas, as well as in the Kutaisi, Georgia’s second largest city, is an area of major concern. The SIPA team is aware of ongoing efforts to expand existing services and provide more shelter space for both men and women victims. These efforts are beginning to address this need, and the SIPA team encourages and applauds this ongoing work. At the same time, additional research is...

---

362 Sabelashvili 2010
363 Zazashvili 2010; Kashia 2010
364 Javahishvil 2010
365 Arganashvili 2010
needed to identify the true scope of the need for services—both nationally and within regions that are currently underserved. Reliable data will help stakeholders better lobby additional shelter space.

**Programming for Perpetrators**
The need for programming and interventions for men and women perpetrators of DV was an issue of primary concern for many interviewees. Despite the fact that it was consistently raised, no one seemed to have any concrete recommendations on how to address it. The DV law states a future commitment to provide “psychosocial assistance and recovery for the perpetrator, as well as curing him/her of alcoholism, drug addiction or other mental disease.” The SIPA team recommends further research on this kind of programming and encourages stakeholders to pursue future opportunities to consult and partner with organizations to understand best practices in this area. These efforts could be in conjunction with the contents of the DV law that calls for the Government of Georgia to define rehabilitation measures for perpetrators in future resolutions. The law foresees these measures enacted by 1 July 2015.

**Awareness Raising**

*Awareness Raising: Both TIP and DV*

Awareness raising campaigns were consistently lauded as an effective way to educate the public about TIP and DV in Georgia. It was of primary concern to many interviewees that awareness raising efforts not be concentrated in urban areas. More robust outreach to rural areas was consistently cited as an area for improvement, with specific emphasis on the differing demographics, perceptions, and needs of urban vs. rural populations. An interviewee from Georgia’s Imereti region commented on the particular needs of rural populations:

> In rural areas women do not have information compared with cities because in cities there are NGOs to inform people about these issues. There are some villages that are far from the center so the problem is more...It is important to have projects directed in rural areas.

Another interviewee highlighted that to reach remote regions of the country and challenge cultural norms and stereotypes, it is essential to work on a community level and be informed by the work of locals. In future awareness raising campaigns, particularly in rural areas of Georgia, more robust efforts should be made to reach people in languages other than Georgian, and sensitivity to the evolving needs of IDP groups and sexual minorities should also be considered.

---

366 Papiashvili 2010; Sabelashvili 2010; Japaridze 2010; Metskhavarishvili 2010
367 GoG, “Law against DV.”
368 GoG, “Law against DV.”
369 Gelashvili 2010; Berulava 2010
370 Gelashvili 2010
371 Berulava 2010
372 Chitanava 2010, February; Sabelashvili 2010
Media can also play a key role in advertising services that are available to victims. Due to the evolving nature of programs and limited life cycle of certain projects based on grant cycles, NGOs should partner with journalists and media outlets to ensure that consistent and up-to-date resources are available.

Data Collection
The SIPA team also encourages that efforts be made to collect consistent and comprehensive data on issues of DV and TIP as they relate to men and women. Data collection should be unified and centralized and complemented by training for police on how to accurately record and compile data with sensitivity to the security and needs of victims.

There are also opportunities for more consistent and robust studies to be done on Georgia’s progress fulfilling its human rights obligations with regard to DV and TIP. The SIPA team recommends that periodic and regular studies be commissioned by the Gender Advisory Council in Parliament, in partnership with the Interagency Councils on TIP and DV as well as other agencies.

Awareness Raising: TIP
The content of materials used for raising awareness about TIP may be improved. Indications suggest that interest exists among the stakeholders to change improve awareness raising material content and to communicate empowerment and human rights of victims. In order to decrease the likelihood of disempowerment as a result of awareness raising efforts in Georgia, the SIPA team encourages sensitivity when it comes to the images chosen to depict TIP victims. One interviewee had a particularly interesting suggestion that more psychologists be involved in creating future A-TIP publications. Incorporating this perspective in the design of materials could help ensure sensitivity of the images used in these campaigns and increase the likelihood that a victim would seek help.

Awareness Raising: DV
Assessment findings suggest that at times the media sensationalizes DV, which may lead to perpetuation of victimization and violations of human rights. Many interviewees noted that it is more difficult to get peoples’ attention about DV than about TIP, and it has a much longer way to go. Of primary importance to many of the interviewees is the need for more consistent outreach and education about DV. The SIPA team’s research indicates that a continued further and more aggressive ADV campaign would be desirable in Georgia, with particular focus on the different types of violence that fall under the definition of DV, and on raising awareness about the existing DV hotline.

---

373 Nazarova 2010
374 Nazarova 2010
375 Petriashvili 2010
376 Alexadze 2010; Berulava 2010
377 Chkeidze 2010; Tabukashvili 2010; Khutsishvili 2010
378 Sabelashvili 2010; Chkeidze 2010
379 Chkeidze 2010
380 Kamnadze 2010
In addition, the SIPA team recommends that future awareness raising efforts particularly target rural regions of the country, given the finding that areas outside of large cities receive less information about DV.\(^{381}\) A number of interviewees shared interesting efforts to engage communities in rural regions on issues of DV, such as women’s centers that monitor police activity and act as informal watchdogs,\(^{382}\) and women’s groups that administer surveys in their communities about perceptions on DV.\(^{383}\) Such promising examples to target rural communities should be shared among and explored further by stakeholders.

**Training and Education**

**Training and Education: Both TIP and DV**

**Police**

The SIPA team applauds existing efforts to train district and patrol police about issues related to TIP and DV.\(^{384}\) Police sensitivity to these issues could be strengthened if training about TIP and DV was widespread in all regions of Georgia. Interviewees consistently spoke about the importance and the challenge of reaching people outside of the urban centers (where our assessment took place).\(^{385}\) Of the challenges of working in rural regions, one interviewee recommended “…connecting rurally-working police officers, educating them and putting in their heads that it’s their obligation to take care about [TIP and DV].”\(^{386}\)

In training design, specific attention should be paid to developing among the police the knowledge, psychological skills and sensitivity needed to protect the rights of men and women victims. When police officers are being trained in how to identify and treat victims of both TIP and DV, they could be sensitized about the experiences of victims so they are better equipped to handle cases in the field. The police already incorporate simulations and experiential components into their trainings for domestic violence.\(^{387}\) Opportunities to enhance training content include specific emphasis on this kind of learning, if possible with case-based training modules derived from real-life situations police have experienced with victims of both TIP and DV. Eliciting the feedback of victims and allowing police trainings to be informed by their experiences will make police efforts more effective.

**Journalists**

Many interviewees emphasized the key role that media plays in raising awareness and educating the public about human rights. Similarly, interviewees from the independent media in Georgia emphasized media’s capacity to inform society of their rights, encourage democratic participation and government accountability, and address the stigma surrounding issues of TIP and DV.\(^{388}\)

\(^{381}\) Chilinjishvili 2010  
^{382}\) Tabukashvili 2010  
^{383}\) Metskhavarishvili 2010  
^{384}\) Saakashvili 2010  
^{385}\) Tsintsadze 2010  
^{386}\) Tabukashvili 2010  
^{387}\) Saakashvili 2010  
^{388}\) Zazashvili 2010
Since journalists are uniquely positioned to shape public discourse and perception, the SIPA team recommends that journalists continue to receive training about general human rights, TIP and DV, particularly on issues of victim confidentiality and protection, availability of services, and the legislations, as each relates to men, women and children. Training could potentially include opportunities for journalists to interact with those that are spearheading activism around these issues in Georgia, as well site visits to crisis centers or shelters, where appropriate. Such efforts to empower journalists with broader knowledge about the issues of TIP and DV have the potential to encourage more informed and sensitive reporting on these issues, as well as to generate investment and interest in these issues and their root causes, ideally leading journalists to be more inclined to report on them. These steps will contribute to awareness raising efforts and societal sensitization, and more broadly, contribute to the professionalization of the journalism field through capacity building. In the long term, as one interviewee suggested, training on human rights issues be turned into a certification course provided by the Government.

In addition, trainings should be accessible not only to journalists based in urban areas, but throughout all regions of Georgia. One interviewee emphasized the importance of targeting regional media, and suggested efforts such as distributing TIP and DV related fliers in regional newspapers, and stimulating regional journalists to cover these issues through incentives such as honoraria.

Training and Education: TIP

Interviewees indicated many parallel efforts by NGOs to train judges, law enforcement, and police on issues of TIP. The opportunity for coordination in this area should be investigated to facilitate both the sharing of resources and training materials so efforts are not duplicated, and to increase organizational capacity. In addition, in general, future trainings on issues related to TIP should include an emphasis on the needs of minority, IDP, and other vulnerable populations.

District and Patrol Police

Given the stated focus on human rights law within the existing Police Academy training curriculum, and that internal trafficking remains an underreported concern among interviewees, the SIPA team encourages continued inclusion of TIP-related material in training for district and patrol police. In addition, interviewees highlighted the particular need to sensitize police about the need of sex workers. Given numerous accounts of police mistreatment reported by sex workers interviewed by the SIPA team, the SIPA team encourages that content of police trainings incorporate increased sensitivity to the needs of these individuals.

Border Police

To address concern about the limited sensitivity, psychological skills and agency to meet the needs and protect the rights of TIP victims, the SIPA team recommends that border police

389 Gubeladze 2010
390 Kharati 2010
391 HRC
392 Kharati 2010
393 Kharati 2010
training be made more consistent and mandatory, with special attention to developing the skills needed to interact with and provide support for men and women victims. Given evidence that border patrol police have difficulty identifying TIP victims, particular emphasis should be put on victim identification in these trainings.

*Training and Education: DV*

**Police**
The SIPA team supports the continued, mandatory training among police on DV as required by the recently passed amendments in the DV legislation, and as part of the focus on human rights law within the existing Police Academy training curriculum. 394 A trainer for the Police Academy reported that though DV training is mandatory, it is only required once with limited follow up. 395 To ensure sustainability, these trainings should be institutionalized and ongoing, with follow up trainings on any changes in policy and practice.

**Social Workers**
The social work profession plays an important role in victim protection, advocacy, rehabilitation and reintegration. 396 The SIPA team encourages more specialized trainings for social workers to be made available on the topic of DV, as is currently available on the topic of TIP. Efforts should also be made to increase the visibility of the social work field, and to encourage both men and women to consider it as a career option.

**Students**
The need for training and education at the elementary and secondary level was emphasized by a number of interviewees. 397 Of awareness raising campaigns targeted at young people, one interviewee said, “it would be an effective way of reaching out and empowering young people to make more informed decisions, and to make a choice and how to shape their lives.” 398 The SIPA team supports continued intervention at the elementary level, with development and implementation of human rights programming specifically for elementary school-aged students. Such programs should inform young people of their rights, and focus on a number of specific areas including DV.

---

394 HRC
395 Saakashvili 2010
396 Stephens 2010
397 Sabelashvili 2010; Hulst 2010; Chelidze 2010
398 Hulst 2010
References


Andrijasevic, Rutvica. "Beautiful Dead Bodies: Gender, Migration and Representation in Anti-Trafficking Campaigns". Feminist Review. 24-44. 2007.


Chelidze, Ketevan. Tanadgoma - Center for Information and Counseling on Reproductive Health, Tbilisi. Personal Interview. 8 February 2010.


Dolidze, Anna. GYLA (formerly). Telephone Interview. 28 January 2010.


GYLA. "Quarterly report April 1, 2006 to June 30, 2006. Print.


<http://www.norad.no/en/Tools+and+publications/Publications/Publication+page?key=109343>


President of Georgia. “On the Approval of the Composition and Regulation of the Interagency Coordination Council for the Actions to be Carried out against Trafficking in Persons.” Decree of the President of Georgia. No. 534. 1 September 2006. Tbilisi. Print.


Sbedashvili, Tamar. UNIFEM. Personal Interview. 18 March 2010.


Sakhli Staff. Personal Interview. 9 February 2010.


Sex Workers. Tanadgoma - Center for Information and Counseling on Reproductive Health, Tbilisi. Personal Interview. 25 March 2010.


Tsereteli, Nino. Tanadgoma - Center for Information and Counseling on Reproductive Health, Tbilisi. Personal Interview. 8 February 2010.


USAID Staff. Personal Interview. 12 February 2010.


Appendix A: Definition of Human Rights

Human rights are a set of individual and collective rights that have been promoted and protected through international and domestic legal frameworks.\(^{399}\) Codified first in 1948 in the Universal Declaration of Human Rights (UDHR), human rights are considered universal and inalienable, and include the principle of state accountability.\(^{400}\) Though the UDHR is not legally binding, the international community has ratified a series of legally-binding international treaties, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICECSCR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT) and the Convention on the Protection of All Migrant Workers and Members of their Families.\(^{401}\) By ratifying these Covenants, States assume immediate obligations.\(^{402}\)

Human rights fall under two general categories: civil and political rights, which “uphold the sanctity of the individual before the law and guarantee [one’s] ability to participate freely in civil, economic and political society,” and economic, social and cultural rights, which “promote individual flourishing, social and economic development, self-esteem, and identity.”\(^{403}\)

By signing on to human rights treaties, States are obligated to ensure that citizens are empowered to claim their rights, and to Respect, Protect, and Fulfill them, as defined below:

1) **Respect** – “requires the State and all its organs and agents to abstain from carrying out, sponsoring or tolerating any practice, policy or legal measure violating the integrity of individuals or impinging on their freedom to access resources to satisfy their needs. It also requires that legislative and administrative codes take account of guaranteed rights;”

2) **Protect** – “obliges the State and its agents to prevent the violation of rights by other individuals or non-state actors. Where violations do occur, the State must guarantee access to legal remedies;” and,

3) **Fulfill** – “involves issues of advocacy, public expenditure, government regulation of the economy, the provision of basic services and related infrastructure, and redistributive measures. The duty of fulfilling comprises those active measures necessary for guaranteeing opportunities to access entitlements.”\(^{404}\)

\(^{399}\) UNDP Indicators for Human Rights Based Approaches to Development in UNDP Programming, 2-4

\(^{400}\) UNDP Indicators for Human Rights Based Approaches to Development in UNDP Programming, 4

\(^{401}\) UNDP Indicators for Human Rights Based Approaches to Development in UNDP Programming

\(^{402}\) NORAD, 11

\(^{403}\) UNDP Indicators for Human Rights Based Approaches to Development in UNDP Programming, 2-4

\(^{404}\) UNDP Indicators for Human Rights Based Approaches to Development in UNDP Programming, 2-4
Appendix B: Definitions of Rights at Stake and State Obligations in Normative Framework

Human Rights at Stake with Regard to both Trafficking in Persons and Domestic Violence

a. **Liberty and Security of Person:** The ICCPR states that “1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law” in Article 9.405

b. **Just and Favorable Work Conditions:** Article 11 of CEDAW expresses how a State must work toward the elimination of discrimination against women in the context of employment. It states that the right to work is “an inalienable right of all human beings,” and that all human beings are afforded the “right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.”406

c. **Non-Discrimination:** There are several legal statutes that together define the Right to Non-Discrimination. In Article 26 of the ICCPR, it states that “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”407

More specifically referring to women, CEDAW’s Article 1, explains that the “the term ‘discrimination against women’ shall mean any distinction, exclusion or restriction made on the bases of sex which as the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, and social cultural, civil or any other field.”408 In Article 5 of CEDAW, it states that States must take measures to “(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either sexes or on stereotypes roles for men and women.”409 Also in the ICCPR, Article 23 specifies that the State must take measures to “ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution. In the case of dissolutions, provision shall be made for then necessary protection of any children.”410

d. **Right to Protection of a Child:** Article 24 of the ICCPR states that “1. Every child shall have, without any discrimination as to race, colour, sex, language, religions, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society, and the State.”411

e. **Gender-Based Violence:** In General Comment 19 of CEDAW, gender-based violence is expressed “as a form of discrimination that seriously inhibits women’s ability to enjoy rights and freedoms on a basis of equality with men.” It is defined as “violence that is directed
against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.”

Additional Human Rights at Stake with Regard to Trafficking in Persons

a. **Prohibition of Slavery and Forced to Labor:** Slavery and forced labor are prohibited in various human rights conventions and legal statutes. In the International Covenant on Civil and Political Rights (ICCPR), Article 8 states that “1. No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited. 2. No one shall be held in servitude. 3. (a) No one shall be required to perform forced or compulsory labour.”

More specific to the trafficking of persons for the purposes of sexual exploitation, the Convention on the Elimination of All Forms of Discrimination against Women explicitly states that “State Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution in women” in Article 6. Further, the Optional (Palermo) Protocol has defined human trafficking (see section on Human Trafficking) and, thus, prohibits slavery and forced labor that is attributable in any way to the use of force, fraud, or coercion to exploit any human being.

b. **Personal and Physical Dignity:** The Georgian Constitution, in Article 17, states that honor and dignity an individual is an inviolable right.

Additional Human Rights at Stake with Regard to Domestic Violence

a. **Life:** The right to life is briefly laid out in Article 3 of the Universal Declaration of Human Rights: “Everyone has the right to life, liberty and security of person.” The ICCPR also explains that “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life” in Article 6.

b. **Torture, Cruel, Inhuman or Degrading Treatment or Punishment:** Article 7 of the ICCPR explains that “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.”

c. **Health:** The following provision is contained in Article 12 of CEDAW:

   i. States Parties shall take appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning. 2. Notwithstanding the provisions of paragraph I of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

   ii. General Comment 19 of CEDAW explicitly states that “violence against women puts

---

412 UN, *General Recommendation No. 19.*
414 UN, “CEDAW.”
415 UN, “Palermo Protocol.”
418 UN, “ICCPR.”
419 UN, “ICCPR.”
420 UN, “CEDAW.”
their health and lives at risk” and that “family violence” puts “women’s health at risk.”\textsuperscript{421}

d. Property: The Georgian Constitution provides for the right to property in that the rights to inherit, acquire, and alienate property are recognized and guaranteed.\textsuperscript{422}

\textit{International Instruments Georgia is Party to Related to TIP and DV}

\textbf{a. International Covenant on Civil and Political Rights (ICCPR)}

\textbf{b. International Covenant on Economic, Social and Cultural Rights (ICESCR)}

\textbf{c. Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)}

i. Trafficking in Persons: Article 6--States Parties ‘shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women’

ii. Domestic Violence:

1. Article 2: comprehensive state obligation to eliminate discrimination against women
2. Article 5: elimination of prejudices and practices, based on the stereotyped roles of women and men
3. Article 16: elimination of discrimination against women in marriage and family relations: equality of women and men, same rights and responsibilities
4. General Comment 14 includes obligations of the State Party to pass legislation to protect women from all kinds of violence (sexual violence, domestic violence, sexual harassment etc.); establish other measures to eradicate violence against women; ensure the existence of support services for women victims; and maintain statistical data on the incidence of violence against women.
5. General Comment 19 maintains that discrimination is not restricted to action by or on behalf of Governments and that States may be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation.

\textbf{d. Convention on the Rights of the Child}

i. Recommendations include appropriate and effective measures to overcome all forms of gender-based violence, whether by public or private act; adequate legal protection (penal sanctions, civil remedies); appropriate protection and support services (refuges, counseling, rehabilitation and support services); gender sensitive training of judiciary and law enforcement; compilation of statistics and research on the extent, causes and effects of violence, and on the effectiveness of measures; effective measures to ensure that the media respect and promote respect for women; effective measures to overcome attitudes, customs and practices that perpetuate violence against women; effective complaints procedures and remedies, including compensation; and preventive measures, including public information and education programs to change attitudes concerning the roles and status of men and women.

ii. Specific recommendations on domestic violence include criminal penalties where necessary and civil remedies; legislation to remove the defence of honour in regard to the assault or murder of a female family member; services to ensure the safety and security of victims, including refuges, counselling and rehabilitation programmes; rehabilitation

\textsuperscript{421} UN, \textit{General Recommendation No. 19.}

\textsuperscript{422} GoG, “Constitution of Georgia.”
programmes for perpetrators; support services for families where incest or sexual abuse has occurred.

e. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (Palermo Protocol)
   i. Article 4: applies to “the prevention, investigation and prosecution of the offences established in accordance with article 5 of this Protocol, where those offences are transnational in nature and involve an organized criminal group, as well as to the protection of victims of such offences.”

f. Convention on Action against Trafficking in Human Beings of the Council of Europe

g. European Convention on Human Rights of the Council of Europe
   i. Siliadin v. France, 26 July 2005
   ii. Rantsev v. Cyprus and Russia, 7 January 2010

Law of Georgia on Combating Human Trafficking
Text of the Law can be found at: http://www.hsph.harvard.edu/population/trafficking/georgie.traf.06.pdf

Law of Georgia on the Prevention of Domestic Violence, Protection of and Assistance to Victims of Domestic Violence
Text of the Law can be found at: http://www.mnadvocates.org/Work_in_the_Republic_of_Georgia.html

Constitution of Georgia: Articles Related to Domestic Violence

a. Article 7
   i. The state shall recognize and protect universally recognized human rights and freedoms as eternal and supreme human values. While exercising authority, the people and the state shall be bound by these rights and freedoms as directly acting law.

b. Article 14
   i. Everyone is free by birth and is equal before law regardless of race, color, language, sex, religion, political and other opinions, national, ethnic and social belonging, origin, property and title, place of residence.

c. Article 15
   i. 1. Everyone has the inviolable right to life and this right shall be protected by law.
   ii. 4. Physical or mental coercion of a person detained or otherwise restricted in his/her liberty is impermissible. (27.12.06)

d. Article 17
   i. 1. Honour and dignity of an individual is inviolable.
   ii. 2. Torture, inhuman, cruel treatment and punishment or treatment and punishment infringing upon honour and dignity shall be impermissible.

e. Article 39
   i. The Constitution of Georgia shall not deny other universally recognized rights, freedoms and guarantees of an individual and a citizen, which are not referred to herein but stem inherently from the principles of the Constitution.

f. Article 38
i. 1. Citizens of Georgia shall be equal in social, economic, cultural and political life irrespective of their national, ethnic, religious or linguistic belonging. In accordance with universally recognized principles and rules of international law, they shall have the right to develop freely, without any discrimination and interference, their culture, to use their mother tongue in private and in public.

**Article 21**

i. 1. The property and the right to inherit shall be recognized and guaranteed. The abrogation of the universal right to property, of the right to acquire, alienate and inherit property shall be impermissible.

ii. 2. The restriction of the rights referred to in the first paragraph shall be permissible for the purpose of the pressing social need in the cases determined by law and in accordance with a procedure established by law.
### Appendix C: List of Interviewees

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
<th>Title</th>
<th>Date</th>
<th>Format</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Stephen Sestanovitch</td>
<td>Columbia University, SIPA</td>
<td>Kathryn and Shelby Cullom Davis Professor of International Affairs</td>
<td>11/23/2009</td>
<td>in person</td>
</tr>
<tr>
<td>Ms. Anna Dolidze</td>
<td>Georgian Young Lawyers’ Association (GYLA) (formerly)</td>
<td>Research Fellow at Cornell University Law School; President, GYLA (2004-2006)</td>
<td>1/28/2010</td>
<td>skype</td>
</tr>
<tr>
<td>Dr. Beth Silverman-Yam</td>
<td>Sanctuary for Families</td>
<td>Clinical Director</td>
<td>2/2/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Marc Hulst</td>
<td>International Organization for Migration (IOM)</td>
<td>Programme Officer</td>
<td>2/2/2010; 2/9/2010</td>
<td>in-person (follow-up to in-person interview)</td>
</tr>
<tr>
<td>Ms. Khatuna Chitanava</td>
<td>GYLA</td>
<td>Project Coordinator for USAID-funded project</td>
<td>2/5/2010; 3/24/2010</td>
<td>in-person; in-person</td>
</tr>
<tr>
<td>Ms. Ketevan Kachlishvili</td>
<td>GYLA</td>
<td>Staff Attorney focused on TIP and DV</td>
<td>2/5/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Nino Chkheidze</td>
<td>GYLA</td>
<td>Staff involved in the media campaign</td>
<td>2/5/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Professor Lincoln Mitchell</td>
<td>Columbia University, SIPA</td>
<td>Assistant Professor in the Practice of International Politics</td>
<td>2/4/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Nino Tsereteli</td>
<td>Tanadgoma - Center for Information and Counseling on Reproductive Health</td>
<td>Executive Director</td>
<td>2/8/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Ketevan Chelidze</td>
<td>Tanadgoma - Center for Information and Counseling on Reproductive Health</td>
<td>MD/Counselor</td>
<td>2/8/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Teona Kupunia</td>
<td>World Vision/Georgia</td>
<td>Human Rights Program Manager</td>
<td>2/9/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Matthew R. Stephens</td>
<td>World Vision</td>
<td>Regional Anti-trafficking Coordinator, Middle East and Eastern Europe</td>
<td>2/9/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Marina Meskhi</td>
<td>A-TIP Fund - State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking</td>
<td>Director</td>
<td>2/9/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Name</td>
<td>Organization</td>
<td>Title</td>
<td>Date</td>
<td>Format</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------------------------------</td>
<td>---------------------------------------------------------</td>
<td>------------</td>
<td>----------</td>
</tr>
<tr>
<td>Mr. Guram Tsintsadze</td>
<td>Anti-Violence Network of Georgia (AVNG)</td>
<td>Lawyer</td>
<td>2/10/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Nia Kashia</td>
<td>AVNG</td>
<td>Program Assistant</td>
<td>2/10/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Rusudan Kervalishvili</td>
<td>Parliament of Georgia</td>
<td>Deputy Chairman</td>
<td>2/10/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Mary Japaridze</td>
<td>Organization Article 42 of the Constitution</td>
<td>Lawyer</td>
<td>2/10/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Nazibrola Janezashvili</td>
<td>Organization Article 42 of the Constitution</td>
<td>Director - Project &quot;Strategic Litigation in the Caucasus&quot;</td>
<td>2/10/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Tamar Gabisonia</td>
<td>Organization Article 42 of the Constitution</td>
<td>Lawyer</td>
<td>2/10/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Giorgi Chkheidze</td>
<td>GYLA</td>
<td>Executive Director</td>
<td>2/11/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Galina Petriashvili</td>
<td>Gender Media Caucasus</td>
<td>Journalist</td>
<td>2/11/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Maka Peradze</td>
<td>Ministry of Internal Affairs of Georgia</td>
<td>International Relations Main Division, Head of Project Coordination and Cooperation with International Organizations Unit</td>
<td>2/12/2010; 2/25/2010</td>
<td>in-person; email</td>
</tr>
<tr>
<td>Ms. Tamar Salukvadze</td>
<td>Ministry of Internal Affairs of Georgia</td>
<td>International Relations Main Division, Chief Specialist</td>
<td>2/12/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Tamar Tomashvili</td>
<td>Ministry of Justice / Prosecutor's Office</td>
<td>Head of Public International Law Department</td>
<td>3/15/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Tsovinar (“Nana”)</td>
<td>People's Harmonious Development Society</td>
<td>Director; Chair/Head of Project</td>
<td>3/17/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Arnold Stepanian</td>
<td>Public Movement Multinational Georgia (PMMG)</td>
<td>Chairman</td>
<td>3/18/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Tamar Sabedashvili</td>
<td>UNIFEM</td>
<td>Gender Advisor</td>
<td>3/18/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Paata Sabelashvili</td>
<td>Inclusive Foundation</td>
<td>Founder</td>
<td>3/19/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Helen (Maya) Rusetksi</td>
<td>Women’s Information Center</td>
<td>Coordinator</td>
<td>3/19/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Archil Rekhviashvili</td>
<td>Tanadgoma</td>
<td>MD/Social worker</td>
<td>3/19/2010; 3/25/2010</td>
<td>in-person; in-person</td>
</tr>
<tr>
<td>Ms. Keti Chelidze</td>
<td>Tanadgoma</td>
<td>Director</td>
<td>3/19/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Nato Gubeladze</td>
<td>Regional Media Organization &amp; P.S. Newspaper</td>
<td>Founder</td>
<td>3/20/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Sophio Tabaghua</td>
<td>Sapari</td>
<td>Psychologist (shelter worker)</td>
<td>3/21/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Anna Jgenti</td>
<td>Sapari</td>
<td>Psychologist</td>
<td>3/24/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Tina Javahishvili</td>
<td>Sapari</td>
<td>Psychologist</td>
<td>3/24/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Marina Modebadze</td>
<td>Democratic Women’s Organization of Samtskhe-Javakheti</td>
<td>President</td>
<td>3/22/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Nia Kashia</td>
<td>Anti-Violence Network of</td>
<td>Program Assistant</td>
<td>3/22/2010</td>
<td>in-person</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
<th>Title</th>
<th>Date</th>
<th>Format</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms. Nino Razmadze</td>
<td>Anti-Violence Network of Georgia</td>
<td>Social Worker (shelter worker)</td>
<td>3/22/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>--</td>
<td>AVNG</td>
<td>3 DV service beneficiaries</td>
<td>3/22/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Maya Mtskhvarishvili</td>
<td>AVNG, Imereti Committee (Kutaisi) / &quot;Akhal Gazieti&quot; Newspaper</td>
<td>Director / Editor</td>
<td>3/23/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Kvicha Vashakmadze</td>
<td>AVNG, Imereti Committee (Kutaisi)</td>
<td>Program Coordinator</td>
<td>3/23/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Ilia Natsvaladze</td>
<td>AVNG, Imereti Committee (Kutaisi)</td>
<td>Coordinator</td>
<td>3/23/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Madona Basiladze</td>
<td>Office of Public Defender (Ombudsman) of Georgia (Kutaisi)</td>
<td>Head of the Public Defender’s Regional Office in West Georgia</td>
<td>3/23/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Tamar Ebralidze</td>
<td>Kutaisi Akaki Tsereteli State University’s Juridical Clinic (Kutaisi)</td>
<td>Clinic Lawyer, Member of GYLAs (former trainer of police as part of the GYLAs project)</td>
<td>3/23/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Lali Papiashvili</td>
<td>Constitutional Court of Georgia</td>
<td>Justice</td>
<td>3/23/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Zurab Tavberidze</td>
<td>GYLA-Batumi</td>
<td>Manager</td>
<td>3/23/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Nino Tavlatashvili</td>
<td>GYLA-Batumi</td>
<td>Manager</td>
<td>3/23/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Beka Machutadze</td>
<td>State Shelter-Batumi</td>
<td>Manager</td>
<td>3/23/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>--</td>
<td>State Shelter-Batumi</td>
<td>2 TIP and DV service beneficiaries</td>
<td>3/23/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Lika (Khatuna) Sanikidze</td>
<td>Women for Future</td>
<td>Director</td>
<td>3/24/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Irina Japharidze</td>
<td>American Bar Association/Central European and Eurasian Law Initiative-Georgia Office (ABA/CEELI-Georgia)</td>
<td>Staff Attorney</td>
<td>3/24/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Sophie Jambazishvili-Yucer</td>
<td>United Nations High Commissioner on Refugees (UNHCR)</td>
<td>Assistant Protection Officer</td>
<td>3/25/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Marina Tabukashvili</td>
<td>TASO Foundation (Women's Fund &amp; Memory Research Center)</td>
<td>General Director</td>
<td>3/25/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Levan Kamnadze</td>
<td>State Shelter-Tbilisi</td>
<td>Administrator</td>
<td>3/25/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>N/A</td>
<td>State Shelter-Tbilisi</td>
<td>1 DV service beneficiary</td>
<td>3/25/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Irakli Berulava</td>
<td>InterNews Georgia</td>
<td>Producer</td>
<td>3/25/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Mikheil Gelashvili</td>
<td>Police Academy</td>
<td>Police Officer</td>
<td>3/25/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Nodar Saakashvili</td>
<td>Police Academy</td>
<td>Police Trainer</td>
<td>3/25/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Irina Bregadze</td>
<td>Tanadgoma-Tbilisi</td>
<td>Social Worker</td>
<td>3/25/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Name</td>
<td>Organization</td>
<td>Title</td>
<td>Date</td>
<td>Format</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-------------------------</td>
<td>------------------------------</td>
<td>------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>--</td>
<td>Tanadgoma-Tbilisi</td>
<td>5 sex workers</td>
<td>3/25/2010</td>
<td>in-person (focus group)</td>
</tr>
<tr>
<td>Ms. Nino Parsadanishvili</td>
<td>Tbilisi State University</td>
<td>International Law Student</td>
<td>3/25/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Ms. Nino Saginashvili</td>
<td>Tbilisi State University</td>
<td>International Law Student</td>
<td>3/25/2010</td>
<td>in-person</td>
</tr>
<tr>
<td>Mr. Giorgi Amirahashvili</td>
<td>Tbilisi State University</td>
<td>Domestic Law Student</td>
<td>3/25/2010</td>
<td>in-person</td>
</tr>
</tbody>
</table>
Appendix D: Interview Guide Samples

I. Interview Guide for Local NGOs and Government Staff

Good morning/afternoon my name is____ and this is my colleague _____. We are Columbia University graduate students working with the Women’s Political Resource Center here to assess the impact of an anti-Trafficking and Domestic Violence project in Georgia. Thank you so much for taking the time to meet with us.

All information that you share with us today will be kept confidential. We would like to request your permission to use a recorder for the purpose of ensuring that our analysis accurately reflects your inputs. If you would like for us to refrain from explicitly stating your name and position in our final research document, please let us know now.

Your questions are valuable and are welcome at any point during the interview, so do not hesitate to interrupt us if something is unclear. Also, if you would like to discontinue our conversation at any time, you are free to do so. We thank you for agreeing to meet with us and to share your thoughts and guidance. Do you have any questions before we begin?

Ice breaker questions
1) Can you tell us what you know about the situation of DV and TIP in Georgia?
2) Who are the typical victims of DV in Georgia? Who is at risk?
3) Who are the typical victims of trafficking? Who is at risk?
4) To what extent is your organization involved in addressing the issues of DV and TIP?

Transition question
5) Are you familiar with the anti-DV and TIP project that GYLA recently completed?
   a. If so, what do you know about that project?

[If interviewee is familiar with the GYLA project, go to question 6. If not familiar, skip to question 13.]

Primary questions
6) To what extent was your organization consulted in the development/design of the project?
7) Has your organization been involved in implementing any of the project activities?
   a. If so, which activities? What was your role? What was your organization’s experience in implementing these activities?
   b. If not, why not?
8) From your perspective, what aspects of the project have been most effective?
9) What aspects of the project have been least effective?
   a. (Note: If the interviewee is having difficulty answering the question, offer possible reasons such as time, money, staff, decentralization issue, political issues, etc.)
10) From your perspective, how has the project contributed to the development of anti-trafficking and anti-domestic violence legislation and policy?
    a. Are there aspects of current anti-trafficking and domestic violence legislation could be improved? If so, how?
11) In your view, has the project served to give victims of trafficking in persons and domestic violence any or all of the following:
   a. Autonomy/power to make decisions for themselves
   b. Opportunities for alternative and viable options in terms of occupation/housing/healthcare
   c. State legal, health, and psychological support
   d. Knowledge of their rights
   e. Means to ensure that their rights are guaranteed/promoted

12) In your view, has that project contributed to decreasing the occurrence of trafficking in persons and domestic violence in Georgia?
   a. If so how?
   b. If no, why not?

Questions to use for potential recommendations:
13) In the last five years, what do you think have been the most significant changes regarding DV and TIP in Georgia?
14) Related to DV and TIP, what do you think are the areas that require the most attention moving forward?
15) What do you think are the greatest challenges to addressing DV and TIP in Georgia at this time?
   a. Probes: role of financial crisis affecting government’s ability to carry out its obligations?
   b. Role of conflict in 2008?
16) Are there any general recommendations you have for future projects that aim to address issues of DV and trafficking in Georgia?
17) Is there anything else you’d like to share with us before we finish?

Conclusion
Thank you for your time. My colleagues and I will leave you with our contact information, and if at any time you would like to contact us with questions and/or additional information, please feel free.
II. Interview Guide for Female Adult Program Beneficiaries
Good morning/afternoon my name is____ and this is my colleague ____. We are Columbia University graduate students working with the Women’s Political Resource Center here to assess the impact of an anti-Trafficking and Domestic Violence project in Georgia. Thank you so much for taking the time to meet with us.

All information that you share with us today will be kept confidential. We would like to request your permission to use a recorder for the purpose of ensuring that our analysis accurately reflects your inputs. If you would like for us to refrain from explicitly stating your name and position in our final research document, please let us know now.

Your questions are valuable and are welcome at any point during the interview, so do not hesitate to interrupt us if something is unclear. Also, if you would like to discontinue our conversation at any time, you are free to do so. We thank you for agreeing to meet with us and to share your thoughts and guidance. Do you have any questions before we begin?

Ice breaker questions
1) What is your name?
2) Would you feel comfortable telling me where you’re from?
3) Would you feel comfortable telling me how old you are?

Transition question
4) How long have you been at this shelter?

Primary questions
5) Did you find the shelter on your own or did someone bring you here?
   • If brought by someone ask: Can you explain how you were brought here? By whom? How did they treat you? What kinds of questions did they ask you? Were they helpful?
   • If not brought by someone ask: How did you find out about the shelter on your own? How were you able to make your way here? Was it difficult to find the shelter or to get in touch with the shelter to come here?
6) What has your experience been like at this shelter?
   • Do you feel like the services you have been provided with at the shelter have helped you?
   • Do you feel like the services have done enough for you or are there something missing at the shelter that you think would be helpful to you?
   • Since living here, have you felt more or less safe?
   • If your first language is not Georgian, have you been provided with all information and the same assistance and support as Georgian nationals but in your own language?
   • Since living here, have you felt more comfortable discussing your story with others?
   • Since living here, has there been any change in the way you think about your future?
7) How has the treatment been in terms of healthcare, psychological counseling, and general support?
   • Have you felt comfortable telling your stories and experiences to the counselors/staff here?
• If yes, why?
• If not, why not?
• Do you feel like you receive enough attention from the staff and counselors at the shelter?
• If you could get more medical or psychological support, what would you like to receive and why?

8) Has the shelter provided you with legal assistance and, if so, have you taken any legal action related to your situation?
   • Did you take legal action before moving into the shelter?
   • If yes, has the legal pursuit been successful?
   • If you have not pursued legal assistance or taken legal action, can you please explain why not?

10) Have you had any contact with the police in the past (before moving to the shelter)?
    What happened?
    • How do you feel about the police in your country in general? Are you comfortable asking the police for help?

11) Has the shelter provided you with other types of educational/vocational programming, like classes of any kind?
    • If so, what have the classes been?
    • Have you taken part in the classes and have you enjoyed them? Do you feel like you’ve gotten something from such courses?
    • If not, do you think it would help if there were educational classes offered at the shelter?

12) Do you know about your rights according to the national law on DV/ATIP?
    • If not, are you interested in learning your rights?
    • If so, do you feel like your rights have been violated by anyone?
      o If so, by whom? Police? Clients? Family members? Others?

13) For sex workers only:
    • Have you noticed the police using the law to deport sex workers without asking them if they have been trafficked? Can you tell us more about these experiences?
    • Have there been raids of brothels in which sex workers have been asked to show identification documents? If so, what has occurred during these raids?

14) For foreign victims of DV or TIP:
    • How has your experience been in dealing with the police as a foreigner in Georgia?
    • How has your experience been in living at this shelter as a foreigner in Georgia?

Conclusion
Thank you for your time. My colleagues and I will leave you with our contact information, and if at any time you would like to contact us with questions and/or additional information, please feel free.
Appendix E: Country Context and Background

Geography and Demographics
The country of Georgia is located in the Caucasus region of Eurasia. Currently Georgia has a population of 4.4 million people, \(^\text{423}\) of which live in Tbilisi, the capital. \(^\text{424}\) Georgians are an ethnic majority (84% in 2002); the two main ethnic minorities are Azeri and Armenians, representing approximately 6% of the population each as of 2002. \(^\text{425}\) As of the 2002 census, 84% of Georgians identify as Orthodox Christian, 10% as Muslim, 4% as Armenian-Gregorian, with smaller percentages of the population subscribing to other religions or to no religion. \(^\text{426}\)

Historical and Political Background
For thousands of years a variety of tribal people occupied what is now the modern-day Georgia. \(^\text{427}\) Rooted in the long history of statehood, Georgia established itself as one of the earliest European social democracies in 1918. \(^\text{428}\) The constitution passed during this time devoted a whole chapter to the citizens’ rights, \(^\text{429}\) and electoral rights of women were established in 1918. \(^\text{430}\) In 1921, Georgia was annexed by Russia. \(^\text{431}\) The following year the United Soviet Socialist Republic (USSR) was created, and Georgia became a part of it. Georgia regained independence after the USSR collapsed in 1991. Following independence, the 1990s were characterized by the civil war and political instability, “the Georgian government’s lack of control over the implementation of its laws and its excessive corruption” which resulted in the people’s mistrust toward the Government. \(^\text{432}\)

Since taking the office, Georgia under President Mikheil Saakashvili implemented economic and police reforms and took strides against corruption. Since then, some observers have suggested that the presidential power has increased and subsequently limited the powers of the Parliament.

\(^{425}\) Ministry of Economic Development, 22.
\(^{426}\) UNPD, Progress by Goals.
\(^{429}\) Jones, 1.
\(^{430}\) Jones, 1.
\(^{431}\) Asmus, Ronald D. “A Little War that Shook the World. 2010, 54.
\(^{432}\) Katz, 32.
and the courts. The government has been accused of exerting pressure on private media, and the majority of the public television coverage has been sympathetic to the government.

While the 2008 August war with Russia exceeds the scope of our report, it had devastating consequences for Georgia. During the conflict, close to 850 persons were killed on both sides and additional persons went missing; over 100,000 civilians left their homes and approximately 35,000 remain to be resettled, which significantly added to the 210,000 displaced as a result of the conflicts of the 1990s.

Economy
Following a post-Soviet period economic collapse, Georgia’s economy has recovered with an impressive average GDP growth rate of over 9% in 2004-07. In 2005-2007, the construction sector was among the most dynamic within Georgia’s economy, and its high growth has contributed to employment growth in the telecommunications, hotel and catering sectors.

However, by 2008, even before the conflict with Russia, Georgia saw signs of a slowdown in economic activity. In 2007-2008, estimates of unemployment ranged from 17.6-18.6%, though the real level remains difficult to calculate since substantial economic activity takes place in the gray economy. Nonetheless, unemployment is expected to continue to rise and real wages are expected to decline. As of late 2009, Georgia remained in deep recession with real GDP shrinking sharply by close to 6% in the first quarter of 2009. The construction sector was hit the hardest, and the banking sector continued to shrink. The value of both imports and exports has led to a reduction in the trade deficit, and consolidated budget revenue fell by close to 12% while the state expenditure increased. In August 2009, the International Monetary Fund (IMF) approved a credit increase for Georgia.

Shortly after the conflict with Russia, the U.S. promised a $1 billion “transition assistance” aide package to Georgia, making Georgia the third largest recipient of U.S. assistance after Israel and Egypt. The stated goals for this assistance included helping internally displaced persons, rebuilding infrastructure, restoring economic growth, sustaining investor confidence in the Georgian economy, and fostering continued democratic reform and energy security.

The government’s draft budget for 2010 plans to keep expenditure on social benefits and education close to its level in 2009, although substantial cutbacks will be made in other areas.
Maintenance of spending on social welfare will be necessary in 2010 in order to offset the negative effects of higher unemployment and increased poverty.447

Post-Communism and Post-conflict Context: Impact on DV and TIP
Post-communist countries have tended to face high unemployment and the loss of social benefits.448 Generally, the former USSR democratization process has been characterized by the exclusion of women in the new democratic parliaments.449 In addition, Georgia’s military conflict with Russia in 2008 likely escalated the effects of issues of DV and TIP in the country.450

Domestic Violence451
The impact of war can lead to women’s increased vulnerability to DV due to factors such as living in ethnically mixed marriages, being an IDP, the stressors of economic hardship, living with men who have fought and now suffer consequent post-traumatic stress symptoms, and a crisis of masculinity due to oppression by other men.452

Trafficking in Persons453
Militarism and war are also strong factors that impact sex trafficking in women and children.454 Trafficking is influenced by two major groups of socio-economic, political and cultural factors – the so-called “push” and “pull” factors. The “push” factors include unemployment, poverty, disturbed family relationships, sexual and domestic violence, war and militarization; the presence of armed forces, including peacekeepers, may also create an increased demand for sex work.455 “Pull factors” include myths about destination countries, the West and westernization; these are especially strong among the countries that were detached from the West during Communism.456 Young people and, especially, single mothers and women with children tend to be among the most affected by economic factors, and thus may be more easily persuaded by traffickers.457

Social Service Sector
Georgian social services sector was significantly influenced by the Soviet period. “During the Soviet era, social problems were either unrecognized or minimized in the Europe and Eurasia region, which limited the availability of social and other support services.”458 Countries in the region heavily relied on insufficient financial allocation which undermined the efforts to provide adequate social services support.459 Service providers, such as social workers, did not exist.460 In

449 Nikolic-Ristanovic, XV.
450 Nikolic-Ristanovic, 96; 123-5.
451 Nikolic-Ristanovic, 96.
452 Nikolic-Ristanovic, 97.
453 Nikolic-Ristanovic, 123-5.
454 Nikolic-Ristanovic, 130.
455 Nikolic-Ristanovic, 130.
456 Nikolic-Ristanovic, 123-5.
457 Nikolic-Ristanovic.
460 USAID “Social Work Education and the Practice Environment in Europe and Eurasia”, 1
Georgia this started to change mostly due to the establishment of the social work education. The education started in 2004 at the University level and the Graduate level in 2008.\textsuperscript{461}

The issue of social services allocation remains. “The rural/urban divide is of great concern as services are concentrated centrally so people in rural areas often do not even know about the existence of such services, and when they do, may not be able to reach them.”\textsuperscript{462}

**Human Rights in Georgia**

Recent interest in human rights in Georgia has been directed primarily towards the armed conflict with Russia in August 2008, and specifically to the needs and conditions of IDPs resulting from the conflict, though local human rights agencies note that there has also been a focus on poverty reduction and establishing equality in education and healthcare.\textsuperscript{463} In January 2009, the Parliamentary Assembly of the Council of Europe (PACE) passed a resolution on Georgia’s human rights commitments and obligations. PACE noted that “[o]n a formal level, a significant number of commitments…have been fulfilled, even if several important shortcomings still persist,” highlighting the conditions of detention, prevention of torture, and respect for minority, religious or property rights as areas of continued concern.\textsuperscript{464} Human Rights Watch (HRW) outlined its own concerns in a 2009 memo, including:

...indiscriminate and disproportionate attacks during the August 2008 armed conflict over South Ossetia; lack of accountability for the excessive use of force by law enforcement officials; criminal justice reforms that violate human rights standards; and pressure and threats on the media.\textsuperscript{465}

The latest Human Rights Report provided by the U.S. Department of State’s Bureau of Democracy, Human Rights and Labor indicated that the main human rights abuses reported during last year included:

...at least one suspected death due to excessive use of force by law enforcement officers, politically motivated kidnappings and assaults, poor prison conditions, abuse of prisoners, including juveniles, arbitrary arrest and detention, politically motivated imprisonment, excessive use of force to disperse demonstrations, pressure that appeared politically motivated on owners of property, lack of due process, government pressure on the judiciary, and senior-level corruption in the government.\textsuperscript{466}

Further, trafficking in persons, abuse of women and children, as well as discrimination based on sexual orientation were also reported.\textsuperscript{467}

\textsuperscript{461} USAID “Social Work Education.” 1.
\textsuperscript{462} USAID “Social Work Education.” 18.
\textsuperscript{465} Human Rights Watch. “Human Rights Watch Concerns and Recommendations on Georgia.” Nov 2009.
\textsuperscript{467} U.S. Department of State. “2009 Report.”
Appendix F: Definitions of Trafficking in Persons and Domestic Violence

*Trafficking in Persons*

Before assessing policy on human trafficking, it is imperative to deconstruct and define the key terms often found in anti-trafficking (A-TIP) legislation, such as *sex work, prostitution, forced prostitution, human smuggling, sex trafficking,* and *human trafficking.* These terms are all contested, especially in regards to policy implementation and enforcement.

*Sex work* connotes a degree of agency on the part of those who are in the sex work profession. Research consultant and advocate for sex worker rights, Melissa Ditmore, explain how most sex workers “are not forced or tricked into their jobs, but choose sex work from the limited opportunities available to them.”\(^{468}\) For the purposes of this report, *sex work* is a profession in which people are active agents who have made the choice to work in the sex industry.

Alternately, *prostitution* connotes a lack of agency on the part of those working in the industry. Women considered prostitutes are often perceived to be victims. The term *forced prostitution* is used by some instead of simply *prostitution* to recognize that *prostitution* carries a negative connotation (e.g., those perceived to be prostitutes are looked down upon by society).\(^{469}\) The term *forced prostitution* aims to contradict the perception that prostitutes are ‘dirty’ or ‘outcasts’, and to remove blame from the person.\(^{470}\) For the purposes of this report, the SIPA team defines *forced prostitution* as a situation in which a person does not choose to work in the sex industry but does so as result of exploitation by others. The SIPA team has chosen not to use the term *prostitution* due to the stigmatization and ambiguity surrounding the term.

One of the main policy concerns surrounding the terms *sex work* and *forced prostitution* is that while there is some acknowledgment that most cases fall along a spectrum between one and the other, policy prescriptions do not often state this, especially when *prostitution* is used to categorize all possible cases on the spectrum. It will be important to distinguish the terms *forced prostitution* from *prostitution* when researching legislation against human trafficking.

The United Nations Office of Drugs and Crime (UNODC) defines *human smuggling* as “the crime of aiding irregular migration;” more specifically, “the act of enabling the illegal entry of another person” into a State that is not that person’s national or resident State to procure a “financial or other material benefit.”\(^{471}\)

UNODC defines *human trafficking* (or “trafficking in persons” (TIP)) as occurring when “the migration is not entirely voluntary and the intent invariably exploitative.”\(^{472}\) The United Nations defines *human trafficking* as:

…the recruitment, transportation, transfer, harboring or receipt of persons, by means of


\(^{469}\) Moraga 2009

\(^{470}\) Moraga 2009


\(^{472}\) UNODC 1
the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.473 474

Definitions of human trafficking rely on acts of “force, fraud, and coercion to exploit a person’s labor or services.”475 With force, fraud, and coercion being the main factors of human trafficking, this definition is dependent upon acts of violence against the trafficked victim476.

For this report, the SIPA team adopts the definitions of human smuggling and human trafficking referred to above with several acknowledgments. First, it is clear that cases can range along a spectrum between human smuggling and human trafficking, and strict definitions of these terms are problematic, as are the stereotypes associated with them. Second, although human trafficking includes forced labor, sexual exploitation, the smuggling of organs, and irregular adoptions, though human trafficking is often assumed to mean only sex trafficking.477 The SIPA team acknowledges that human trafficking affects individuals of all genders, backgrounds, and industries, including construction, domestic, factory and sex workers.478 Third, sex work is often conflated with sex trafficking; “sex work is alternately described as being the same as [TIP] or as the cause of trafficking into sex work.”479 480 As such, sex workers’ agency may be denied or overlooked and the capacity for organizations and governments to combat TIP is minimized.

Domestic Violence

The term domestic violence (DV) is broadly defined as acts of violence perpetrated on a victim by a spouse, intimate partner, or other family member or cohabitant.481 482 Alternatively, the Domestic Violence Resource Center defines DV as “a pattern of coercive behavior aimed at gaining and then maintaining power and control over the behavior of an intimate partner.”483

The types of abuse considered to be acts of DV, according to the United Nations Children Fund (UNICEF), include:

- Physical abuse such as slapping, beating, arm-twisting, stabbing, strangling, burning, choking, kicking, threats with an object or weapon, and murder. Traditional practices

---

474 See Appendix 1 for chart on the definition of Human Trafficking as defined by the Palermo Protocol.
475 Ditmore, 55.
476 Ditmore 2009
477 Ditmore 2009
478 Ditmore 2009
479 Ditmore 2009
480 Ditmore 2009
482 The SIPA team recognizes that the term domestic violence is contested. Some claim that DV excludes abuse between intimate partners not cohabiting and that the term intimate partner violence would be more inclusive and appropriate. However, the SIPA team has chosen to utilize the term domestic violence in our workplan report and project as it is more commonly known throughout the world, and is the term used by the GYLA and the Government of Georgia. The team will utilize it such that it is includes violence perpetrated on family members and intimate partners regardless of cohabitation.
harmful to women such as female genital mutilation and wife inheritance (the practice of passing a widow, and her property, to her dead husband’s brother).

- *Sexual abuse* such as coerced sex through threats, intimidation or physical force, forcing unwanted sexual acts or forcing sex with others.
- *Psychological abuse*, which includes behavior intended to intimidate and persecute, and which takes the form of threats of abandonment or abuse, confinement to the home, surveillance, threats to take away custody of the children, destruction of objects, isolation, verbal aggression and constant humiliation.
- *Economic abuse*, which includes acts such as the denial of funds, refusal to contribute financially, denial of food and basic needs, and controlling access to health care, employment, etc.\(^{484}\)

For the purposes of this report, the SIPA team understands *domestic violence* as both the literal acts of violence, as well as the general behavioral and psychological patterns, and factors involved in this type of abuse. While there are several commonly-used terms to describe DV (e.g., *intimate partner violence, domestic abuse, spousal abuse*), for this purposes of this report, the SIPA team will utilize the term *domestic violence*, which encompasses these other terms.

\(^{484}\) UNICEF, 2.
Appendix G: Timeline of Main Events that Contributed to Combating TIP and DV

1994: GoG signs on to CEDAW.

1999: GoG initiates some efforts to address TIP in response to their low status of the TIP report with the five OSI Fellows.

May 2003: National Security Council of the Government creates an Inter-Ministerial Working Group in an effort to combat TIP.

December 2004: National Action Plan to combat TIP is approved and an Interagency Commission is created.

June 2003: Trafficking is criminalized in Georgia’s Civil Code.

June 2003: Interagency Coordination Council for carrying out measures against trafficking in persons is established.

2005: SOD is created within the Ministry of Internal Affairs, which includes an Anti-Trafficking Unit.

2006: GoG ratifies the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children.

2006: Georgia becomes party of the European Convention for the Protection of Human Rights and Fundamental Freedoms

April 2006: Parliament passes TIP legislation, which establishes the State fund.

2006: GYLA works to establish TIP shelter in Batumi to be later transferred to the State Fund.

2006: President of Georgia formally designates by decree members to the Interagency Coordination Council for TIP.


2007: GYLA works to establish TIP shelter in Tbilisi to be later transferred to the State fund.

December 2008: Interagency Council for the prevention of DV is established by presidential decree.

2011: State fund will assume duties to provide legal aid to DV victims.

Summer 2010: transfer of 2 DV shelters in Gori and Tbilisi and DV hotline to the State fund.

Appendix H: Map of TIP and DV Shelters in Georgia (Planned & Existing) – April 2010

Shelter Locations & Details

**Akhaltsikhe**
- 1 DV shelter run by AVNG

**Batumi**
- 1 TIP/DV combined shelter run by State Fund (initiated by GYLA)

**Gori**
- 1 future DV shelter planned jointly by Sakhli, Amagdari & AVNG

**Tbilisi**
- 1 TIP/DV combined shelter run by State Fund (initiated by GYLA)
- 1 DV shelter run by Anti-Violence Network of Georgia (AVNG)
- 1 DV shelter run by Sapari
- 1 DV shelter run by Sakhli [specifically for IDPs]
- 1 future DV shelter planned jointly by Sakhli, Amagdari & AVNG

Key

- **DV Shelter**
- **TIP Shelter**
- **Future DV Shelter**

---

106
### Appendix I: Data on Domestic Violence in Georgia

<table>
<thead>
<tr>
<th>The data on the victims and offenders of the domestic violence by age, persons</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Offender</td>
<td>Victim</td>
<td>Offender</td>
</tr>
<tr>
<td>Georgia, total</td>
<td>578</td>
<td>578</td>
<td>198</td>
</tr>
<tr>
<td>o. w. by age:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;16</td>
<td>0</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>16-24</td>
<td>46</td>
<td>40</td>
<td>16</td>
</tr>
<tr>
<td>25-44</td>
<td>332</td>
<td>323</td>
<td>129</td>
</tr>
<tr>
<td>&gt;44</td>
<td>200</td>
<td>213</td>
<td>51</td>
</tr>
<tr>
<td>o. w. by Regions</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tbilisi and Mtskheta Mtianeti</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;16</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>16-24</td>
<td>32</td>
<td>30</td>
<td>11</td>
</tr>
<tr>
<td>25-44</td>
<td>239</td>
<td>229</td>
<td>99</td>
</tr>
<tr>
<td>&gt;44</td>
<td>146</td>
<td>157</td>
<td>43</td>
</tr>
<tr>
<td>Adjara AR</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;16</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>16-24</td>
<td>8</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>25-44</td>
<td>38</td>
<td>38</td>
<td>11</td>
</tr>
<tr>
<td>&gt;44</td>
<td>27</td>
<td>33</td>
<td>3</td>
</tr>
<tr>
<td>Imereti</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;16</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>16-24</td>
<td>3</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>25-44</td>
<td>16</td>
<td>12</td>
<td>4</td>
</tr>
<tr>
<td>&gt;44</td>
<td>6</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>Kakheti</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;16</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>16-24</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>25-44</td>
<td>5</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>&gt;44</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Samegrelo-Zemo Svaneti</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;16</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>16-24</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>25-44</td>
<td>4</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>&gt;44</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Samtskhe-Javakheti</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;16</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>16-24</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>25-44</td>
<td>4</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>&gt;44</td>
<td>6</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Sliida Qartli</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;16</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>16-24</td>
<td>3</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>25-44</td>
<td>26</td>
<td>26</td>
<td>2</td>
</tr>
<tr>
<td>&gt;44</td>
<td>11</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>Qvemo Qartli</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;16</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>16-24</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>25-44</td>
<td>0</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td>&gt;44</td>
<td>0</td>
<td>0</td>
<td>4</td>
</tr>
</tbody>
</table>

Source: Ministry of Internal Affairs of Georgia.
### The data on the victims and offenders of the domestic violence by sex

<table>
<thead>
<tr>
<th></th>
<th>2007</th>
<th></th>
<th>2008</th>
<th></th>
<th>2009</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Women</td>
<td>Men</td>
<td>Women</td>
<td>Men</td>
<td>Women</td>
<td>Men</td>
</tr>
<tr>
<td><strong>Georgi, total</strong></td>
<td>55</td>
<td>533</td>
<td>509</td>
<td>69</td>
<td>70</td>
<td>178</td>
</tr>
<tr>
<td><strong>o. w. By Regions</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Tbilisi and Mtskheta</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mtsiani</td>
<td>38</td>
<td>379</td>
<td>372</td>
<td>45</td>
<td>13</td>
<td>141</td>
</tr>
<tr>
<td>Adj AR</td>
<td>6</td>
<td>6/1</td>
<td>6/2</td>
<td>10</td>
<td>3</td>
<td>13</td>
</tr>
<tr>
<td>Imereeti</td>
<td>3</td>
<td>22</td>
<td>23</td>
<td>2</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>Kakheti</td>
<td>0</td>
<td>7</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Samegrelo-Zemo Svaneti</td>
<td>7</td>
<td>4</td>
<td>4</td>
<td>7</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Samebche Javakheti</td>
<td>3</td>
<td>7</td>
<td>8</td>
<td>2</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Shida Qurtti</td>
<td>3</td>
<td>37</td>
<td>32</td>
<td>8</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Qvemo Qurtti</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>15</td>
</tr>
</tbody>
</table>

*Source: Ministry of Internal Affairs of Georgia*
Appendix J: Examples of Awareness Raising Campaign Materials

Trafficking in Persons (TIP)

A-TIP Fund

World Vision

World Vision

GYLA

GYLA

GYLA
Domestic Violence

Anti-Violence Network of Georgia

GYLA

Sakhli