



## GYLA presented the results of the study "Urgent Issues of Domestic Violence and Violence against Women"

On 28 March 2019, GYLA held a presentation of the study "Urgent Issues of Domestic Violence and Violence against Women".

With reference to specific examples, the study evaluates the effectiveness of the State response to domestic violence, domestic crimes and violence against women. For the purposes of the research, GYLA studied and analyzed the response of law enforcement agencies, approaches of the Prosecutor Office and the court and the services offered by the State to victims of violence and perpetrators.

The State has taken a range of steps to improve the response to the above offences, but there are still a number of shortcomings and challenges. The study looks at both the problems existing in practice and legislative shortcomings.

**As a result of the observations, the following key findings have been identified:**

- The interviews with victim survivors of violence have proved that violence is often caused by the desire of the perpetrator to control the victim's behavior, actions of the victim not approved by the abuser and the subordinate and stereotypical roles existing in the family;
- The analysis of the cases handled by GYLA shows that when both parties involved in a family conflict claim that they have been subjected to violence, the police find it challenging to identify the victim. In such cases, a restraining order was issued against the abuser as well as the victim, which indicates the police having difficulty in differentiation of the abuser and the victim;
- The interviews with the MIA officials have illustrated that provision of an effective response by law enforcement agencies is a challenge when the victim refrains from providing information about violence and / or expresses a negative attitude towards the initiation of an investigation;
- The interviews have indicated that proactive measures were not implemented by law enforcers to monitor the implementation of restrictive and protective orders. The identification of any violation of the terms of restrictive and protective orders was largely dependent upon the victim's initiative. In 2018, MIA introduced the mechanism for monitoring the orders, however, despite GYLA's multiple requests, we were not provided with the information about the performance of the mechanism.
- Among 102 judgments examined in 2017, the Prosecutor's Office identified gender discrimination motivation only in 2 cases (2%). As regards the year of 2018, the prosecution identified the discriminatory ground in 3 cases (2%) out of 131 court decisions examined. The court in none of the cases accepted the argument of the prosecutor regarding the commission of crime under discriminatory ground;
- The analysis of court judgments has proved that court judgments are often pronounced against physical violence into cases of domestic crimes. It must be positively assessed that compared to the previous year, in 2018, the statistics of the response to psychological violence has increased, but the identification and effective

investigation of such cases is still a challenge;

- The study of the court judgments has shown that in 2018, the policy of the Prosecutor's Office was further toughened in terms of demanding preventive measures. In particular, the examination of the judgments rendered in 2017 has shown that the Prosecutor's Office requested bail in 12 (22%) out of 54 cases, and in 2018, the Prosecutor's Office motioned for bail only in 4 (5%) cases out of 77;
- The interviews and public information have proved that victims of violence usually face the obstacles when they apply for the shelter. In some cases, victims have to go to other cities to obtain shelter, because there are not sufficient places in their cities. In certain cases, victims cannot change their place of residence, even temporarily, due to their employment and / or minor children;

*The study was carried out by GYLA with the financial support of the United States Agency for International Development (USAID) through the project "Promoting Rule of Law in Georgia" (PROLoG), implemented by the East-West Management Institute (EWMI).*

**[See the study](#)**