



## **Case of Dea Goshkheteliani: Government is forcing the victim to stop speaking up about her experience of violence**

**GYLA believes that the police and the court are making the groundless, lawfully inappropriate decisions containing revictimization threat against the victim of domestic violence, Dea Goshkheteliani. Instead of offering the victim effective tools for protection from violence, the state is using repressive measures against her. Due to this, addressing the appropriate bodies is worsening the woman's condition and forces her to reject using the government-given tools of protection from violence.**

Dea Goshkheteliani's ex-husband used force against Dea and her father on the 3<sup>rd</sup> of January 2018. Subsequently the Procurator's Office started investigation and they held him accountable according to the criminal law. A restraining order was issued on

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3<sup>rd</sup> of January 2018, according to which the offender was restricted from every kind of communication with the victim, including social networks. Although, on the 8<sup>th</sup> of January, 2018 he broke the conditions of the restraining order, making contact with the victim through Facebook. Due to this fact the workers of the Ministry of Internal Affairs formed an administrative infraction minute, although the fact of breaking the order was not considered confirmed by the Kutaisi Appeal Court and the offender was not held accountable.

Since February 2018 the measures of protection from violence has begun to be used not for Dea Goshkheteliani, but against her. On the 6<sup>th</sup> of February Kutaisi Police Department issued a restraining order against Dea on the basis of her former father-in-law [ ] statement, saying that he was experiencing psychological abuse from Dea. A Facebook status on Dea [ ] personal page stating the years-long abuse from her husband [ ] family was received as an evidence of this psychological abuse by the police. The order mentioned was appealed by GYLA in the Kutaisi City Court, but the judge left it valid.

**By the decision mentioned above the court created a risky and victim-damaging precedent, with which it unjustifiably limited the victim the right to speak up about her experience of domestic violence in public space and state her mind. This decision made the victim the offender, sending the message from the state to the women who are victims of violence, the message saying that they must not speak out about the violence they have gone through, as this can be used as a restricting measurement basis against them.**

In spite of the frivolousness of the minute, Dea obeyed it and **didn't make any statement against her former family members after the 6<sup>th</sup> of February by any form of social network.** Although, on the 17<sup>th</sup> of February 2018, her ex mother-in-law and sister-in-law addressed the police asking to issue a restraining order against Dea, so that she would stop spreading statuses insulting them in the social network. **The police satisfied their request and restricted Dea Goshkheteliani from spreading statuses insulting her mother-in-law and sister-in-law** (in spite of the fact that she did not spread any statement after the 6<sup>th</sup> of February).

The events taking place in Dea Goshkheteliani [ ] case clearly shows that the police and the court are using the restraining order against the interests of the victim. The

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aim of the order is not to restrict certain people from speaking out in public space and unconditionally ban them from spreading statements, but to correctly identify the offender and the victim and protect the victim from the real, present and future violence.

**The restraining orders issued by the police and in certain cases left valid by the court give the impression that issuing the order is based not on protecting the interest of the victim and preventing the violence against her, but discusses the matter without realizing its importance and gender problematics of it.** A restraining order ☐ function of meeting the real needs and being operative loses its meaning, revictimizes the victim and hinders her to use the existing tools of the state effectively. **Having this kind of approach, the state does not ensure an effective battle with the violence against women, domestic violence and achieving the fundamental equality for women.**