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**Implementing Domestic Violence Policy in Georgia: Impediments and their Causes**

Nino Javakhishvili

Lia Tsuladze

Tbilisi State University

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[Nino.javakhishvili@tsu.ge](mailto:Nino.javakhishvili@tsu.ge)

[Lia.tsuladze@tsu.ge](mailto:Lia.tsuladze@tsu.ge)

## **Abstract**

This study is the first to examine the role of government agencies and non-governmental organizations in implementing anti-domestic violence policy in Georgia. The limited number of studies conducted thus far has focused on data concerning the prevalence of domestic violence in the country. This paper considers the implementation of anti-domestic violence policy in Georgia, which is documented in the law (2006) and the National Action Plan (NAP) (2009-2010). Using in-depth interview data from the representatives of all of the bodies combating domestic violence in the country (25 non-governmental organizations and 4 governmental agencies), this study demonstrates that the implementation of the law and the NAP has faltered. The law's primary preventive tools—restrictive and protective orders—have been issued in limited numbers. Often, the perpetrators breach the orders; as a result, victims remain vulnerable. Hence, the tool is ineffective. In addition, the awareness campaigns and trainings conducted for service providers lack both quality and quantity. Two factors hinder the policy's implementation: the lack of awareness regarding gender equality in the community at large and within our target group specifically, as well as the lack of inter-agency united efforts to combat domestic violence.

## **Introduction**

The Anti-Domestic Violence Law was introduced in Georgia in 2006 and was considered to be a major success in overcoming domestic violence and moving toward gender equality. In the United Nations report of 2008 entitled "Legal Reform on Domestic Violence in Central and Eastern Europe and the Former Soviet Union," Cheryl A. Thomas, director of the Women's Human Rights Program, discusses the effectiveness of legislation that aims to address domestic violence in the region: "Since the 1990s, there has been a great deal of activity towards legal reform on domestic violence in Central and Eastern Europe and the former Soviet Union.... These reforms appear most often in national plans, revisions or additions to family codes, criminal codes or, most effectively, in new more comprehensive laws addressing domestic violence. This reform has, in many circumstances, resulted in huge successes..." (p. 1). One of the most oft-cited examples of success in this respect is the Georgian case. Although the author notes that "one of the most significant obstacles...is gaps and weaknesses in the implementation of the laws" (p. 1) in the above-mentioned regions, she

considers Georgia to be successful in improving the law by proposing the removal of an offender rather than a victim from the home, despite the abuser's ownership of the property (p. 4). The law also authorizes police to issue an emergency order (p. 3), grants "police and courts authority to restrict the abuser's rights to purchase a weapon while the order for protection is in effect" (p. 6), directs the courts to determine whether the "retention of the representation rights of the child to the violent parent is prejudicial to the interests of the child" (p. 7), etc. Significantly, the Georgian law criminalizes domestic violence (p. 9), and the report emphasizes that there are "very positive experiences with police taking a leading role in reform efforts on domestic violence" (p. 11). Five years after the law was adopted and 3 years after the UN's report was issued, it is appropriate to assess whether the law has been effective in combating domestic violence in Georgia.

The limited number of studies dedicated to the topic of domestic violence in Georgia has examined the scope of domestic violence as well as citizens' knowledge of and attitudes toward the problem. According to these studies, reported rates of violence vary from 5% to 31% (Thomas, Nelson, Ellingen, Sumbadze, 2006; Kaze, Pettai, 2008a, 2008b). Nevertheless, much of Georgian society does not recognize domestic violence as a problem, as found by the baseline public opinion study on domestic violence conducted in 2006 by the American Bar Association (ABA) and a national survey of women funded by UNFPA and conducted by CSS and ACT (Aladashvili, Chkheidze, 2008, Chitashvili et al., 2010).

To date, no research has focused on women's NGOs combating DV and serving as agents of social change in Georgian society. Neither the role of government agencies nor the cooperation of governmental and non-governmental organizations in combating the problem have been studied. Using empirical data, we will demonstrate that the law is not as successful as it was considered to be, and that it does not function as outlined in the international standards. We will also discuss why it does not function adequately. We will propose two possible reasons for the law's inefficacy. First, society at large was not ready for the law's adoption and implementation because of the attitudes it had and continues to have toward domestic violence and gender equality. Neither state officials nor the broader society have egalitarian attitudes toward gender issues. The second reason for the law's performance issues is that there is insufficient cooperation between the state agencies and non-governmental organizations working on the problem.

The Council of Europe Convention on preventing and combating violence against women and domestic violence (2011) emphasizes the importance of understanding the unequal power distribution between men and women. It depicts gender discrimination as the underlying cause of gender-based violence:

“...Violence against women is a manifestation of historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women” (Council of Europe Convention on preventing and combating violence against women and domestic violence, 2011).

Such an approach to the problem of domestic violence means “recognizing that the realization of de jure and de facto equality between women and men is a key element in the prevention of violence against women.” Therefore, one of the main tasks in combating domestic violence is to eradicate discriminatory traditions and practices, “which are based on the idea of the inferiority of women or on stereotyped roles for women and men”(Council of Europe Convention on preventing and combating violence against women and domestic violence, 2011).

Encouraging attitudes that favor gender equality is important at all stages of combating the problem of domestic violence. The anti-domestic violence policy aims to support such changes in attitude: “Community norms play an important part in whether violence is tolerated and supports for victims are weak, or whether violence is sanctioned with a high level of disapproval toward offenders and adequate support for victims” (Johnson, 2007 p. 77).

International experience demonstrates that victims of domestic violence lack support and understanding from their parents and community; hence, they cannot leave the perpetrators and cannot disclose their problem. They encounter a lack of understanding and support from police, medical personnel, and social workers who, instead of helping them, advise them to remain at home and endure the abuse. Moreover, the officials sometimes fail to register the cases because they do not regard them to be a serious matter. The international literature shows similar findings: “This study reinforces others, which have shown that healthcare workers identify far fewer cases than are described by the police or anonymous surveys, despite the fact that most victims have sought medical help.... The taboo about domestic violence remains very strong and healthcare

workers are also affected by this. The lack of basic knowledge about domestic violence demonstrated here must also contribute to under-detection (Cann, et al. 2001, p. 93).

Evidence from the Georgian context confirms that traditional attitudes pose obstacles to efforts to combat domestic violence. The UN Universal Periodic Review Georgia report states that “... stereotypes prevailing in the society lead to problems in applying to law-enforcement mechanisms. Victims/survivors of violence, the majority of whom are women fear the perpetrator, being shunned by society and exposure of the family secrets, which is indicated by the less number of applications to court compared with the police applications to affirm the issuing of preventive warrants. The above-mentioned fact reveals that legal measures for the protection of victims are not sufficient and do not adequately correspond with the objective reality “(p. 7).<sup>1</sup>

Another important tool in combating domestic violence is encouraging various agencies “to effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence” (Council of Europe Convention on preventing and combating violence against women and domestic violence, 2011). Also, it is the responsibility of state agencies to “recognize...at all levels, the work of relevant non-governmental organizations and of civil society active in combating violence against women and establish effective co-operation with these organizations.” To coordinate these efforts, the document suggests designating or establishing “one or more official bodies responsible for the co-ordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by this Convention” (Council of Europe Convention on preventing and combating violence against women and domestic violence, 2011).

The need for inter-agency cooperation was emphasized even a few decades ago. In Duluth, Minnesota, in the 1980s, Domestic Abuse Intervention Project representatives developed a model to combat domestic violence. The Duluth model has proven to be an effective and efficient strategy to overcome domestic violence. It is an inter-agency approach that stresses cooperation:

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<sup>1</sup> The UN Universal Periodic Review. Prepared by Women’s Right’s NGOs (2010. July, 12). Available at: [http://www.ginsc.net/upload\\_files/docs/UPR\\_Georgia.pdf](http://www.ginsc.net/upload_files/docs/UPR_Georgia.pdf)

“Participating agencies must work cooperatively on examining, adjusting and standardizing practices....” (Paymar, Martinson, 2009, pp.2)

Another important document is the Framework for Model Legislation on Domestic Violence developed by the ESC in 1996, aiming to develop “a greater understanding within the community of the incidence and causes of domestic violence and encourage community participation in eradicating domestic violence” (UN Commission for Human rights, 1996).<sup>2</sup>

The handbook developed in May 2008 by the United Nations Division for the Advancement of Women in cooperation with the United Nations Office on Drugs and Crime analyzed different approaches contained within the anti-domestic violence law, assessed the lessons learned in the process of implementation and identified best practices in implementing the law. According to this document, legislation should “acknowledge violence against women as a form of gender-based discrimination” and include provisions on the “prevention of violence against women, protection and support for the complainant/survivor, and prosecution and punishment of the perpetrator.” The document also stresses the importance of “awareness-raising campaigns, educational curricula, and sensitization of the media in relation to violence against women” (DAW/DESA, 2010 pp.28).<sup>3</sup>

The anti-domestic violence law of Georgia does not contain any reference to gender equality issues; however, it discusses the need to carry out informational/educational campaigns regarding equal rights and obligations in a family, the responsibilities of an offender and the rights of a victim. It also requires the “development and support of joint programs with other interested institutions.” The National Action Plan outlines the need to conduct trainings for institutions that

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<sup>2</sup> Office of the United Nations High Commissioner for Human Rights (1996). *A Framework for Model Legislation on Domestic Violence*. Geneva, Switzerland. Available at:  
<http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/Oa7aa1c3f8de6f9a802566d700530914>

<sup>3</sup> United Nations, Department of Economic and Social Affairs, Division for the Advancement for Women. (2010). *Handbook for Legislation on violence Against Women*. New York.

are involved in combating domestic violence and informational/educational campaigns for different target groups.

Along with the official documents, various studies demonstrate the need for a society to recognize domestic violence as a social problem in order to coordinate efforts against it. The authors agree that only when such awareness is spread can the society “respond in increasing numbers” to the issue (Dobash and Dobash, 1992, p. 27). Describing the history of the rise of women’s movement, Dobash and Dobash state that “there were no set ways of doing things nor any textbook theories or professional philosophies to be adhered to in formulating responses to this plethora of issues. Responses were developed through direct contact with the women in terms of their own needs. New issues arose constantly. New solutions were created daily. New issues necessitated the development of a variety of innovative responses subject to fairly quick adoption, modification or rejection depending on how useful or successful they were in practice” (p. 28).

In addition, these researchers demonstrate that a crucial factor in the success of women’s movements is the cooperation among different units based on “the notion of group participation, consensus decision making, non-hierarchical structures and divisions of labor” (Dobash and Dobash, p. 30). It is through this cooperation that the “feminist civil society” (Weldon, 2004) is formed wherein gender equality and women’s empowerment are promoted. Such cooperation is necessary at various levels, whether among NGOs or between NGOs and governmental organizations, as it is by means of their coordinated actions that “feminist activists gradually became gender experts, and states, within a new global environment of neoliberal social and economic policies, gradually began to use women’s organizations to provide services that they had given up” (Johnson, 2009). Thus, it is crucial to combine state and societal responses. One successful example is the “coordinated community response model” (the Duluth Model “advocated by prominent transnational organizations”) that calls “for a structured collaboration among state criminal justice and human service agencies and women’s shelter movement activists” (Johnson and Brunell, 2006, p. 579). Similar to this model is one that describes the “domestic violence regime as the interaction between two types of entities – the state and feminist NGOs responding to domestic violence” (Johnson and Brunell, 2006, p. 580). Numerous authors emphasize the importance of such collaboration based on the evidence from various countries. For example, Johnson and Brunell undertake a comparative analysis of 11 countries of Central and

Eastern Europe demonstrating that only those countries, in which “the strong development of the NGO side of...[the] domestic violence regime has been matched by the state side,” can be considered successful in combating domestic violence (Johnson and Brunell, 2006, p. 581).

## **Methodology**

To examine the levels of coordination between government agencies and non-governmental organizations' efforts in combating domestic violence in Georgia, as well as the extent to which their agendas are shaped by traditional views, in-depth interviews were conducted with representatives of the state agencies and NGOs working in the sphere of gender equality and women's issues in Georgia. The interviews lasted for approximately an hour, with a maximum length of 2 hours. The main thematic sections related to the organizations' history and main activities, their relationships to one another and to international donors, their contribution to the passage of the anti-domestic violence law and their assessment of their own and others' success in adopting it, as well as their evaluation of the law's implementation and the obstacles yet to be overcome. Questions also addressed the respondents' attitudes toward Georgian traditions and assessed their awareness of gender equality issues. In addition to open-ended questions, the interview included numerous close-ended questions. These questions were primarily scales measuring the organizations' adoption and implementation of the law, as well as their networking success and dependency on donors. The recorded and transcribed interviews were analyzed using both qualitative and quantitative analysis. The qualitative portion was primarily examined using qualitative content analysis, while the quantitative data were processed and analyzed using SPSS. Additional information regarding these organizations was collected through their legal and policy documents, publications and websites, if any.

We aimed to study all government agencies and non-governmental organizations at work in Georgia that had undertaken at least one project on domestic violence. There are both small-scale peripheral organizations consisting of few members and large-scale central organizations consisting of some 150 members, such as GYLA. The average number of personnel is approximately 5; however, it increases alongside the development of organizations, or it may increase temporarily for short-term projects. The age distribution of the personnel varies from 20 to 50. The

majority are women, as men primarily occupy positions such as IT specialists, accountants or drivers. The number of projects on domestic violence undertaken by these agencies varies from several to more than a dozen, and many are limited in scale to particular regions of Georgia; only 1/3 of the studies analyze the entire country.

We conducted interviews with representatives of 29 organizations: 25 NGOs and 4 state bodies. One NGO refused to participate, and 1 state organization—the Ministry of Healthcare and Welfare—could not be reached. In total, 42 semi-structured interviews were conducted, including two representatives from large-size organizations.

### **Implementation of the Anti-Domestic Violence Policy – the law and the National Action Plan**

The adoption of the anti-domestic violence law in Georgia is considered to be a success both by state officials and the NGO representatives. In their words, the act of adopting the law is already a step forward. One of the effects of the law is that many of the organizations have noted a steady growth in the number of victims approaching them for help. The representatives of both government agencies and non-governmental organizations refer to the law as one of the reasons for such an increase:

“The victims did not apply before because there was no law and qualification of the domestic violence...now we have the law and correspondingly, applications increase” (state, central).

Although the adoption of the law itself can be considered successful, its implementation is related to a number of obstacles that are not easily overcome:

“The adoption of the law, the fact itself was a success....but the implementation of the law is so-so, less than average. [I]t does not do what it should do” (NGO, central).

All of the respondents and experts agree that the restrictive and protective orders are theoretically an important means to combat domestic violence. However, the comparison of 2006-2007 and 2007-2008 data monitoring the use of legal protection mechanisms) showed that the protective mechanisms provided under the law were rarely applied in practice, and none of the criminal cases were pursued against the offenders (GYLA, 2007, 2009).

“This is a so-called preventive law. I mean that the function of the orders is to take apart a perpetrator and a victim. The law will be successful if there are many such orders issued. As far as I know, very few orders have been issued” (NGO, central).

In our respondents’ view, victims are not protected: “I will bring a concrete example.... The woman in Samtskhe-Javakheti region called the police, but afterwards she told us she would never do it again. ‘Why?’ we asked.... ‘100 GEL was a penalty for my husband, which I had to pay... and then, the husband came back in two days, so what did I gain? What mechanism is there to protect me...?’ So, I think the syndrome of fear should be there for a perpetrator, the law should be more severe” (NGO, central).

The 2009-2010 monitoring report of the National Action Plan also highlights this issue as problematic. The report states that approximately 40 amendments were proposed and adopted; still, it points to approximately 20 additional issues that need to be resolved. Among them is a need to protect victims: if physical violence is detected, the case is automatically considered under the criminal law, no protective order is issued and the victim remains unprotected. If the criminal case is dropped, as often occurs, the perpetrator does not receive any additional punishment. Based on the in-depth interviews with police officers and experts from the national study on domestic violence against women in Georgia, the restrictive order often existed only on paper, and the police did not have an effective means to protect the victims other than to stay at their houses until the situation became less tense (from a focus-group interview with police officers in Tbilisi) (2010, pp. 61-80).

Another challenge in implementing the law is that “many women do not know it exists” and the broader society is not familiar with it. Moreover, one of our interviewees, an NGO representative, did not know that the law had been adopted. While 23 organizations conducted awareness campaigns, Georgian society at large still lacks knowledge of the law. The respondents admit that although they carry out informational campaigns, their scope is insufficient. The NGO representatives believe that the state should have a special informational policy to make the law known to everybody. They are also dissatisfied with the media coverage that domestic violence receives, as journalists lack awareness and adherence to ethical principles in general; the problem is especially pronounced when the media discuss such sensitive issues as domestic violence:

“Instead of solving the problem, they discredit it [the problem of domestic violence] in the eyes of viewers”(NGO, central).

The national Action Plan to combat Domestic violence prescribes training for journalists, police officers, judges, medical doctors, teachers, and social workers. Of these, no organization has apparently undertaken training for journalists; trainings for police officers have been conducted on a regular basis and are considered successful; trainings for judges and social workers have taken place less frequently; as for the rest, trainings, if any, have been sporadic. Our data indicate that 20 organizations train police, 12 train medical staff, 10 train judges and lawyers, and 3 train the staff of the penal system, comprising 22 organizations in total that conduct trainings.

“The police, I have to underline, are very good. The teachers they have at the Police Academy...[who are] men, by the way...are really very well prepared, awesome!” (NGO, central)

The quality of these trainings is another important issue. Even if the trainings are conducted, they may not be adequate because the trainers themselves lack gender awareness, necessary experience and the appropriate skills to address this sensitive issue. One of the respondents described how difficult it had been during her trainings to explain gender inequality to the participants, especially the men.

After having demonstrated that the implementation of the law faces serious impediments recognized by all parties, we will discuss the two primary factors underlying these challenges.

## **Attitudes of those combating DV**

### Views on gender equality

Georgian society continues to be influenced by traditional norms and values. Despite ongoing socio-cultural transformations, interdependency as a basic element of in-group relations (between family, kin, friends, etc.) dominates social life. Moreover, the typical Georgian family represents an emotionally interdependent model (Tsuladze, 2003) characterized by a kind of symbiosis between mother and child (including adult children). A woman is expected to be a mother and caretaker of her children (Javakhishvili, Bregvadze, 2000). In addition, traditional religious-normative

perspectives are strong in Georgia, and they contribute to women's repression through well-known double standards and the "institution of virginity" (Surmanidze, Tsuladze, 2010, Javakhishvili, 2010, Javakhishvili and Khomeriki, 2003; Khomeriki, 2002).

Recent studies indicate that 58.3% of Georgians believe that gender equality does not exist in Georgia, 65.5% believe that women's rights within the family are not sufficiently protected and 58.9% believe that men and women do not hold equal positions in society (Study of CEDAW implementation in Georgia, 2011). According to the national survey conducted in 2010, 46% of Georgians prefer to have a boy if there is only one child in the family, and 63% believe that a man should be the primary decision-maker in a family. While 83% believe that a man should be the family's "breadwinner," only 36% believe that men actually are the breadwinners. Additionally, 80% of respondents believe that a woman should not have sexual relations before marriage, and 56% believe that a woman should live with her parents until she is married (Caucasus Barometer, 2010).

Overall, the opinions of the representatives in our target group demonstrate the prevalence of traditional views about men and women's roles, women's personalities, and a man's control over a woman's body. However, with most of these issues, opinions vary from the traditional to egalitarian. Representatives of the capital city, Tbilisi, expressed egalitarian attitudes to a greater extent than did representatives from the regions. The views of our target group overall are not very different from those of the whole population.

More interestingly, individuals' responses contained contradictory viewpoints. As respondents began to answer our questions, they expressed egalitarian views. However, as they presented further reasoning, they began to espouse traditional views without noticing the inconsistency in their speech. For example, both a husband and a wife should raise their children together, but the wife should be the more responsible partner; both a husband and a wife should be breadwinners in a family, although men are better suited to the task; a woman can have sexual relations with a man before marriage, but it would be better if she did not; divorce is a way to escape violence in a family, although it should only be an option in severe cases and in order to protect children; a husband should not control his wife, but he can; and obedience is not something to demand from a wife, but it should be done. These contradictory views indicate that on the surface, we receive

socially acceptable responses; the NGO and government representatives know “the right answers” that are accepted in the developed democracies and they provide these responses. However, if pressed further, their traditional views emerge.

A similar inconsistency is found among respondents’ views on the distribution of responsibilities within a family. The same respondents promote the equal rights of all family members at the beginning of their discussion, yet they later turn to a traditional division of labor, wherein a man should be the breadwinner and a woman should look after the children and complete the housework.

A majority of the respondents agreed that both parents should be equally responsible for raising their children while also placing more responsibility on the mother. They reasoned that a woman is nurturing by nature and that men are not capable of childcare:

“A woman is responsible more because of her biological function and close connection with children, though both should participate equally.... Childcare needs functions that are better done by women” (NGO, regional).

“This mother instinct is such a thing that a mother is fully responsible for a child...but a man also, equally” (NGO, regional).

Some respondents believe that both parents should be equally responsible for childcare but that the reality is different: mothers typically care for their children because fathers spend most of their time out. Moreover, children’s misconduct is often blamed on their mothers.

Following the same reasoning, many respondents believe that a man should be the family breadwinner. The proffered reasons demonstrate the dominance of traditional stereotypes:

“A man, because it has always been like this” or “Because of the personality of men, they like to be leaders” (NGO, regional).

These traditional views are expressed by the representatives of regional NGOs, although one of them holds a modern view of housework completed by women:

“Both should contribute.... And besides, even if a woman sits at home, she does so many things at home that she contributes anyway” (NGO, regional).

To locate our respondents' narratives in the context of the perception of gender roles,<sup>4</sup> housework is considered to be a reproductive task, while work for pay is considered to be a productive task. Typically, housework is not recognized as work at all, and women are regarded as doing nothing while their husbands are paid for "real" work. The source of the above quote considers housework to be equally important as paid work.

In expressing their views concerning the control of women's bodies and the regulation of their behavior, the representatives of government agencies and non-governmental organizations expressed more homogenous views. Sexual relations before marriage are considered unacceptable by most of the respondents, who justify their views in reference to Georgian traditions and church doctrines, which aim at protecting marriage, family and the "purity" of a virgin.

Although a number of respondents say that young women can and should have sexual relations before they get married, they add that this freedom is not a license for promiscuity:

"One should not restrict a woman as it was before—do not open a door and do not look out of a window—but it is not right to run back and forth to show others how up-to-date one is" (NGO, central).

"We should respect free will, wishes of people but, at the same time, traditions tell us other things, and we would rather keep the traditions" (NGO, central).

#### Views on divorce

Another area deeply influenced by traditional views and public disapproval is divorce. In Georgia, the normative expectation of a woman is to be modest and obedient, while her main task is sacrificial motherhood. Therefore, women often associate divorce with "disaster" and the "end of the world" (from focus group interviews with women aged 35-59 in Tbilisi and Telavi). Society has a negative attitude toward the "returned" woman, as women are expected to tolerate mistreatment from their husband and in-laws in order to preserve the family for the sake of their children (National Research on Domestic Violence against Women in Georgia, 2010).

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<sup>4</sup> This concept of gender roles was developed based on Caroline Moser's work and has been used as a tool for gender analysis by various international organizations, like the International Labor Organization.

Divorce is considered by all respondents—both the representatives of government agencies and non-governmental organizations—to be a terrible event, a tragedy caused by unbearable conditions. Our respondents are familiar with many cases of domestic violence and are aware of its cyclical nature. In their understanding, the violence may endure over a long period of time, such that divorce is a possible solution; by the same reasoning, however, the situation may improve, thus remaining in the marriage is also an appropriate option.

Those who are familiar with the legal aspects of divorce warn that women have fewer rights in such cases. A perpetrator may be able to take custody of his children and leave his ex-wife in the street with no support. If a woman does not have the support of her parents' family, she may not risk divorce. Respondents justify divorce only if the children suffer because of the violence. The church allows divorce only when the situation is intolerable and the woman is harmed on a regular basis.

#### Views on traditions

Some respondents criticize traditions such as living among extended family and men being the sole heir of a family property. According to one of the respondents, these traditions are one of the reasons for domestic violence.

“If a Georgian tradition gets tolerant to children, to a daughter and a son, and they will be equal heirs of a family, a woman will be socially secure and her rights will also be better protected” (NGO, central).

Here, the abovementioned inconsistency is again noted: some respondents state that a husband and wife should be equally responsible for raising their children and also express admiration for hierarchical traditions that emphasize the traditional role of women as mothers and primary caretakers. Similar findings emerged in the UNFPA 2010 study. Although the respondents realize that many of these traditions bring more harm than good to the society, they still support them. A focus group discussion with the service providers in Tbilisi revealed that the participants considered Georgian traditions to facilitate gender-based domestic violence, while at the same time, they espoused traditional perspectives that maintain gender inequality and men's unquestioned authority (2010, pp. 61-80).

## Views on domestic violence and interventions

These traditional understandings of gender relations provide the grounds for an approach to domestic violence that is in many cases anti-egalitarian. The views of the specialists involved in combating domestic violence are similar to those of the lay population. As the National Study on Domestic Violence conducted in Georgia in 2009 shows, even those individuals who protect the victims of domestic violence on a daily basis have a vague understanding of what domestic violence entails. The police officers whose responsibility it is to protect the population from domestic violence not only have little understanding of what domestic violence is, but they also may possess sexist and violent ideas themselves: “Every woman has and must have the fear that if she does something wrong or something non-traditional...” (From a focus group discussion with the policemen in Tbilisi, 2009). They may believe that violence is a traditional way of resolving a misunderstanding between spouses. The same viewpoint is common among experts and service providers as well. For instance, some service providers believe that traditional and enduring behaviors—e.g., when a woman did not have a right to speak until addressed—cannot be considered gender-based violence (2010, pp. 61-80).

The survey conducted within the framework of the same study found that 51% of women blame alcohol consumption for husbands’ violence against their wives, 25% blame economic problems and 17% blame unemployment, although 21% of women identify a wife’s conduct as a reason for her husband’s violence, e.g., if she makes him jealous or does not obey him (2010, pp. 37). A majority of these explanations are repeated in our interviews with the representatives of government agencies and non-governmental organizations working on issues of domestic violence. They describe domestic violence as a result of the difficult economic conditions in the country and the men losing their jobs; hence, the men have lost their breadwinner function and have begun to drink. Heavy drinking and drug addiction are considered the main reasons for husbands’ violence against their wives. However, there are respondents who blame gender inequality for domestic violence. Men demonstrate their power and dominance by exercising control over their wives. According to these respondents, unemployment, drinking, and other factors increase the

husbands' desire to demonstrate their power, but they are not the reasons for men's violent behavior.

"The style of raising children contains violence; many such things are present in traditions, so traditions cause gender inequality, which, in turn, is one of the most serious reasons for domestic violence" (NGO, central).

A majority of our respondents believe that domestic violence should be qualified as a crime and a social problem. However, few mentioned punishing the offender; and calling the police. Those who try to help domestic violence victims within the bounds of their responsibility have encountered serious problems because of the community reaction:

"...We get many obstacles while doing this thing.... We can intervene to a certain stage and then...there were cases when we were targeted in all ways, including physical. We felt ourselves very much threatened.... We fight not to leave the poor victim alone with the family that terrorizes her. We combat against and frequently become the target ourselves" (NGO, regional).

"Here we come across the most difficult issue...the mentality of the society. They think everything in the family is a family issue and even if human rights are breached, one should not react, say something, or offer help...." (NGO, central).

Many of our respondents, all representing NGOs, opposed intervention by anyone:

"The issue should not go outside; it would rather be solved within the family" (NGO, regional).

"Overreaction is not the right thing to do, everybody should look after their own rights" (NGO, central).

"Why, this is not the issue for relatives and those... it should be resolved by two persons" (NGO, central).

Considering the above statements, it is not surprising that many respondents prefer not to call the police. Most report that they would try to solve the problem by themselves and approach the police only after failing:

“I might have called the police, but it is difficult to say. Despite having worked on these issues since 2000...I am a child of this society, you know” (state agency).

It is not surprising, then, that some of the respondents would apply their own ideas of punishment, such as not talking to the perpetrator for a week, or that they would be opposed to punishment in any form:

“I cannot justify punishment of anybody. A person should understand the meaning of his/her own behavior and make a decision of what to do accordingly” (NGO, central).

The lack of social awareness regarding gender equality is also apparent in the organizations’ lack of reference to gender issues in their mission statements. This absence is especially meaningful for the developed non-governmental organizations and state agencies that are actively combating domestic violence. Such a gap in understanding is perhaps not surprising given the country’s cultural background, as well as the fact that the study participants were raised in traditional families, and their reference groups in many cases share their traditional views.

We have demonstrated that the lack of gender equality awareness is reflected in the understanding of causes of the problem, while the Council of Europe Convention on preventing and combating violence against women and domestic violence clearly states that

“Parties shall ensure that culture, custom, religion, tradition or so-called ‘honor’ shall not be considered as justification for any acts of violence covered by the scope of this Convention” (Council of Europe Convention on preventing and combating violence against women and domestic violence).

## **Cooperation**

The Interagency Council to combat domestic violence is responsible for coordinating and monitoring actions against domestic violence, as stated in its decree. The council consists of the deputy ministers and experts. There is no formalized forum for discussing issues related to domestic violence. The government allocates funding to state agencies, and international donors financially support both state agencies and non-governmental organizations. Since the Rose

Revolution of 2003, international donor support for the state has dramatically increased, while support for the NGOs has decreased.

Our study indicates that there is cooperation within and between the governmental and non-governmental organizations. However, this cooperation is limited in terms of its content (i.e., the issues included) and scope (i.e., the organizations involved).

According to the representatives interviewed, the government agencies and non-governmental organizations formerly cooperated in adopting the anti-domestic violence law and currently cooperate in implementing it. Representatives from both sectors assert that they would not be as successful without the other's cooperation. However, the actual areas of cooperation are limited to police trainings or assisting victims seeking counsel or shelter. One organization is not capable of managing the entire process and approaches others for support. This process occurs quite frequently in terms of legal advice within the Georgian Young Lawyers Association (GYLA) or Anti-Violence Network of Georgia (AVNG), SAKLHI and AVNG in terms of psychological support and among the organizations that run shelters for victims. This type of cooperation can be regarded as an achievement; however, there is an apparent lack of cooperation regarding a strategic approach, and some of the representatives interviewed are not aware that a strategy has been developed at all:

“There should be some space for cooperation.... I do not mean victims, in case of victims, they [these organizations] address each other, cooperate, but strategically they do not.... [T]he state fund could overtake this function” (NGO, central).

“There might be some state strategy, but I am not familiar with it” (NGO, regional).

“Yes, the interagency Council helps us.... [I]t would have been good to have an organization responsible for coordination. All the information should be accumulated at this place and it will coordinate us all” (NGO, regional).

In the report assessing the implementation of the NAP for 2009-2010, the Council is described as having coordinated the development of the policy against domestic violence along with the work of various agencies responsible for executing the law and the National Action Plan. The Council's establishment is understood as a good-faith gesture on the part of the state to address domestic

violence in Georgia (Bochorishvili, Chkeidze, 2010).<sup>5</sup> In 2009, the state began to designate funds to combat domestic violence. The State Anti-trafficking Fund was made responsible for the funds, and the assignments increased for 2011. However, few of the respondents are knowledgeable about the Council's activities; others are under the impression that no one is responsible for coordinating the state agencies and NGOs' efforts to combat domestic violence. Apparently, the council does not fulfill these functions. According to its decree, the council should meet at least twice per year, whereas the last meeting was held in August 2009. The Council has no website and has produced no documents. One of the representatives of the Council believes that it was important to establish the Council in December 2008 "to attract attention to the problem and to mobilize," whereas there is no need for it now; the State Fund is the main actor and the Council "is a formality."

Strategic planning, data collection and analysis are not clearly articulated as tasks of any of the state agencies. However, the Interagency Council is tasked with presenting proposals to the President of Georgia on "the ways to eradicate the causes of domestic violence in the country" (Regulation of the Interagency Executive Council on the Prevention of Domestic Violence, 2009, p.3). As a result, no agency is responsible for the law's implementation, and no formal mechanism has been established to monitor it. However, several of the respondents believe that the law and the NAP represent the state strategy: and adhere to it:

"The National Action Plan might be a strategy that is followed by the Fund, although to what extent, I do not know. The state should be involved in it more, let us say, it is involved with 3 scores on a 10-point scale, while it should be involved with at least 8 scores" (NGO, central).

"The action plan that was adopted by the presidential order has the activities for 2 years, what to do and when.... [W]e follow this one" (state agency).

"We have a strategy, we have a conception, we have the law, thousands of normative acts.... [S]o, the state has already claimed its position.... The state recognized domestic violence as a problem...and started taking certain steps in this direction" (state agency).

The scope of the Anti-trafficking Fund is narrow and primarily focused on victims, although it is meant to play a role in elaborating legislative acts that aim to support and protect the victims of

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<sup>5</sup> Interestingly, one of the authors of the report is a member of the Council.

domestic violence. The Fund's activities can easily be traced in its reports (available on its website) and through interviews with its representatives. The interviewees mentioned the Fund numerous times in terms of cooperation, along with the police force, i.e., the Ministry of Internal Affairs. At the same time, the interviews indicate that the Fund cooperates within a very limited circle of NGOs that are perceived as "elite" by other NGOs:

"Some NGOs are very close to the government [agencies]. They have a reputation of the state NGOs and there also are relatively far-away and opponent NGOs" (NGO, central).

"The state applies to the certain organization for the psychological support of victims, while there are better psychologists in other organizations" (NGO, central).

"One and the same organizations cooperate closely with the state; I can name only three of them" (NGO, regional).

In addition, there is a level of competition within the sector: in some cases, certain NGOs do not provide information to others. There would likely be more cases like this if not for donor requirements.

"...But there are some organizations that do not cooperate....for some unclear reasons, there is competition within the sector.... There is no need for competition, there is enough space for everybody, and we could have done much more with united forces. ....This is strange, but this organization does not call that one, and that one does not inform this one and suddenly this one was not informed.... There are problems in the exchange of information" (NGO, central).

"We compete for grants, so some organizations conceal information" (NGO, regional).

There is no indication of competition within the state sector, possibly because there are only a few state agencies working on domestic violence: the Ministries of Healthcare, Internal Affairs and Education; the Anti-trafficking Fund; and the Interagency Council, which consists of the representatives of the above-mentioned ministries among others. In addition, the Interagency Council and the Ministry of Healthcare are passive and do not need to compete for scarce resources.

There is no competition between the state agencies and non-governmental organizations. The representatives of state agencies hold positive views of NGOs, recognizing that they help them to fill gaps in services. For example, there is no state crisis center; only NGOs run such centers. On a 10-point scale, representatives of the state agencies assess their cooperation with NGOs with an average score of 8.48. However, the state agencies often refer to international and transnational donor organizations, such as the UN and USAID, when describing their work with NGOs.

“The NGOs and donors help us a lot; they help us in organizational issues, also in developing the position to the problem...” (state agency).

“State agencies have their own resources to realize activities, but in order to have a high quality of these activities, we cooperate with NGOs” (state agency).

In some cases, the state agencies criticize NGOs, arguing that the NGO sector has become weak (this is found in nearly all studies conducted in Georgia since 2003) and that it focuses its efforts on critiquing state efforts rather than supporting and cooperating with the state. Representatives of both sectors offered concrete suggestions for improved cooperation:

“The standards for shelters should be unified.... There are cases when victims cannot leave shelters in due time...[there is a defined period of time a victim can stay, usually three months]...because the threat is still there, so they move from one shelter to another...and they encounter different conditions. I think the shelters should all have the same standards, the services should have the same standards, otherwise the victims do not understand the situation”(state agency).

However, the NGOs identify certain problems in cooperating with the state agencies. First, as we have demonstrated, state agencies cooperate predominantly with the limited number of “elite” NGOs; hence, many respondents report a lack of cooperation with the state. Second, the NGOs expect financial support from the state, which they do not receive either because the state has other priorities or because it lacks sufficient funds. On a 10-point scale, the NGO representatives rate their cooperation with the state sector with an average score of 7.1.

“The state should be more interested in cooperation with the non-governmental sector” (NGO, central).

The NGO representatives reported that they wish to hold more joint meetings and to establish additional task forces. They believe that in many cases, the government agencies do not acknowledge their expertise and experience. They also assert that there is a lack of information exchange and transparency on the part of the government agencies.

“We [NGOs] have been working on this issue even before they started to think about it...so why invent a bicycle again? Use our expertise...let us have more joint projects, joint activities, to which we could contribute a lot” (NGO, central).

“They [ministries] should have a special officer responsible for gender issues because when we apply to a ministry, we write letters to a minister, then he sends it to a deputy minister, who, in turn, sends it to somebody else, and we spend quite a while to find out where the letter is and who is going to answer” (NGO, regional).

Thus, there is more cooperation within the sectors than between the sectors. In addition, there is a certain competition within the NGO sector. The reasons for this situation become clear if we explore the views of the NGO and state-agency representatives on cooperation, including their role and each other’s role. All respondents express their desire to cooperate with any other organization; however, several organizations have certain preconditions. For the Ministry of Internal Affairs, the interests of the other organization should coincide with its own, and its criteria must be met: the NGOs should be qualified, have sufficient experience, and share the views and strategies of the state. The NGOs wish to have a common space (for example, on the internet) for the exchange of information, expertise and ideas, where they can share specific information about projects and relevant studies. In addition, the NGOs desire a coordinating body consisting of the representatives responsible for inter-organization cooperation.

The government-agency representatives were unable to offer concrete suggestions for improving cooperation, while the non-governmental organizations’ representatives offered several concrete ideas (listed above). Additionally, when discussing cooperation, the state agencies more often referred to donor organizations such as UNICEF. These findings demonstrate that the NGOs are more willing to cooperate than are the government agencies. However, the State Fund stands alone as an agency that cooperates with both government and non-governmental organizations; it is interested in cooperation and has its ideas regarding further collaborative efforts.

The representatives of state agencies believe that they are the most important force in combating domestic violence, with the assistance of NGOs, while the NGO representatives believe that they are the primary force against domestic violence, with the assistance of the state.

The state plays “the most important role.... Although [domestic violence] is the problem of the whole society, it is the state’s responsibility and task to establish the attitudes of the society.... The state does all these measures, to punish the perpetrators, to prevent...” (state agency).

“The NGO sector plays the most serious role here, with its shelters, preventing and awareness-raising.... We have a strategy and certain priorities” (NGO, central).

We conclude that state agencies and non-governmental organizations’ understanding of their roles in cooperation differs; hence, there is a lack of cooperation between the two sectors. However, both sectors acknowledge the need for one another in effectively combating domestic violence. Joint efforts to clearly articulate a strategy and plan its execution may result in lower national rates of domestic violence. The existing level of cooperation is sustainable, but it represents few organizations and a limited number of activities.

## **Conclusion**

International agencies responsible for combating domestic violence exhort countries to acknowledge structural gender inequality as one of its main causes and to coordinate a community response to overcome it.

In this paper, we have illustrated that Georgia faces obstacles in both respects: few citizens see gender inequality as the basis for domestic violence, and there is a little inter-agency cooperation to combat the problem. Georgian social attitudes tend to be traditional, predominantly perceiving family as a woman’s domain and paid work and the outside world as a man’s domain. Those whose task it is to address domestic violence share these widespread views of gender roles. Most of the non-governmental organizations see their role as raising community awareness, which they attempt to carry out through informational campaigns and trainings. However, they have scarce resources, which are only provided by international donor organizations, and they often hold a

traditional understanding of gender issues themselves. The lack of community awareness is described in the 2010 report of the NAP implementation: “The need to more effectively plan and carry out work with the broad society to prevent domestic violence is clear” (Bochorishvili, Chkheidze, 2010). Additionally, the UN Universal Periodic Review of 2010 ascribes the responsibility for the lack of awareness to the state:

”Despite certain positive changes on the path towards building a democratic state in the recent years, adequate attention is not paid to women’s rights and gender equality issues on a policy-making level. Insufficient resources provided by the government to implement the Gender Equality National Action Plan of 2007-2009 and the lack of the political will, especially in the executive branch of the government, to tackle inequality problems, leads to ineffective protection of women’s rights and slow progress towards enhanced gender equality” (p. 3).

Government agencies and non-governmental organizations demonstrate an insufficient understanding of one another’s role and a lack of effort in cooperating on strategic issues. Moreover, most of the organizations, and especially the state agencies, do not recognize the need for a fully developed strategy. The development of the National Action Plan was initiated by the international donor organizations. A number of UN agencies coordinated the process and ensured full participation by all relevant bodies. At present, the state agencies recognize NAP as a strategic document and adhere to it, but several non-governmental organizations are not aware of its existence or its strategic meaning and function.

Our data reveal that non-governmental organizations have a stronger desire to cooperate with the state bodies than vice versa. The state agencies predominantly refer to the international donor organizations when discussing cooperation and largely ignore local women’s rights organizations. However, the NGOs characterize their attitude toward the government as “critical solidarity” (interview with a central NGO representative).

The obstacles described above represent the most significant challenges to the implementation of anti-domestic violence law in Georgia. This situation necessitates additional and better-coordinated actions against domestic violence at all levels of Georgian society. Within and between the NGOs and state bodies, and between the state agencies and the general population, an effort

must be made to address all significant aspects of domestic violence. It is especially important to raise public awareness to move from a traditional perspective of domestic violence as an issue that should be resolved within a family to one that searches for its roots in society's structure.