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**Input for the Thematic Report on the Human Rights of Older Women of the UN Independent Expert on the human rights of older persons**

**Submitted by**

**The National Human Rights Institution – Public Defender
(Ombudsperson) of Georgia**

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**Questionnaire on the Human Rights of Older Women**

**The rights of older women in international, regional and national law, policies and programmes**

1. *What legal instruments, policies and programmes exist to address the particular challenges faced by older women, and how are they implemented and monitored?*

Georgia has had a state policy concept and action plan on population aging since 2016, which was developed only for the years of 2017-2018. The action plan already expired, but a new plan has not been developed yet. At the end of 2017, a report was drafted on the implementation of the action plan, according to which, more than half of the main obligations had not been implemented by the Government. The state policy concept also provides for the obligation to establish a monitoring mechanism and periodically submit a report to the Parliament of Georgia, although this obligation has not been implemented either.

1. *What type of statistical data are collected on older women, if any, and is it disaggregated by age, gender, and other relevant factors? How are older women defined for the purposes of law, policy and data collection?*

Statistics shall be maintained by the National Statistics Office,[[1]](#footnote-1) which shall also produce gender-segregated data. According to Georgian legislation, a person over 65 is considered to be an older person. Consequently, the website of the National Statistics Office provides information on the population, indicating age groups within the range of 65-85.[[2]](#footnote-2) Currently, the population of Georgia is experiencing a process of demographic aging: from 2000 to 2020, the percentage of women aged 65 and over increased by about 22% in the total number of women, while the same rate for men increased by about 14%.[[3]](#footnote-3) Pursuant to the same source, in 2020, women made up 18.2% of the population aged 65 and over, while men made up 11.8%. In addition, the workload rate is significantly different, namely the workload of young people is at 31.7%, while the workload of older persons is at 23.4%, which indicates their passive lifestyle and low involvement in public life.

1. *Please indicate how older women take part in participatory mechanisms?*

N/A

**Economic, social and cultural realities lived by older women**

1. *What are the specific challenges and concerns faced by older women, including on the basis of their accumulated life experience as compared to older men, in enjoying their economic, social and cultural rights (for example in terms of social protection, health, education, work, adequate standard of living, land and property ownership)? Please provide related data and statistics, including disaggregated data, where available.*

Older women may be discriminated against based on two grounds - gender and age. Other challenges for older women are lack of livelihoods, access to health programmes, medications, the care system and the stigma in the community, which further isolates them from active life.

The age pension represents the largest category of social protection in Georgia, covering about 20% of the total population. Women are able to receive a pension from the age of 60 and men from the age of 65. The number of men receiving social packages is almost twice as much as the number of women beneficiaries, due to the higher number of male persons with disabilities, state compensation recipients and war veterans. Women make up the majority of beneficiaries of the targeted social assistance programme. With regard to the age pension, the above can be explained by demographic factors, as there are more women among the vulnerable older population.[[4]](#footnote-4) Older women in Georgia are mostly discriminated against when exercising their property rights. In particular, men own and manage a larger portion of almost all types of assets, such as real estate, land, appliances. Gender inequality in this regard is more evident in rural areas.

1. *What forms of gender-based discrimination and inequality experienced by women throughout the life cycle have a particular impact on the enjoyment of their human rights in older age?*

Achieving gender equality at all levels of life remains a problem in Georgia. Women face discrimination even before birth due to gender-based sex selection. On average, 109 boys are born per 100 girls. According to a study conducted by the United Nations Population Fund,[[5]](#footnote-5) 25,000 girls disappeared between 1990 and 2010 as a result of the violation of gender ratio caused by gender-based sex selection in favour of sons.

Another big challenge is stereotypical attitudes about gender roles, according to which, domestic work and taking care of the family are still the core duties of women.

Although the awareness of the importance of gender equality has been relatively raised in recent years, unequal attitudes towards women's participation in public life and their leadership are still widespread in Georgia. It should also be noted that girls have significantly better academic achievement at various stages of education than boys, however, women's involvement and participation in the decision-making processes, as well as managerial positions, is significantly lower.[[6]](#footnote-6)

Other important manifestations of gender inequality are the distribution of inherited property and land ownership. Unfortunately, the practice of the distribution of inherited property remains unchanged, (the preference is given to boys, while women are less likely to be registered as owners of land, or real estate. It should be noted that the distribution of property also depends on families’ financial state, however, when the family has to make a choice, boys play the decisive role as heirs of the family and successors to the family name. There are also frequent cases when women themselves refuse and give property to their brothers. Consequently, the discriminatory practice of women being left without inheritance, real estate or land ownership makes them more vulnerable and further complicates their economic empowerment. Gender inequality in agricultural land ownership also remains a challenge, with men being the documented owners twice as often as women. The latter cannot enjoy the right to sell or bequeath their own assets either, as their involvement in decision-making is limited. In many cases, it is the lack of property that forces the victim of violence to stay with the abuser. Such women are mostly employed for low-paid jobs, which later becomes the reason for their inappropriate living conditions in older age. Low-income women are unable to buy the property and/or save money. In addition, the amount of pension is critically low in Georgia, so that in many cases older persons cannot meet their essential needs, such as food, adequate housing or medication.

1. *Has the COVID-19 pandemic affected older women differently than older men and how?*

The United Nations Policy Brief: The Impact of COVID-19 on Women emphasizes that care for older persons is also a critical need in the face of COVID-19.[[7]](#footnote-7) In particular, older women tend to face lower life incomes and also lower pensions, with fewer possibilities to access care for themselves. Women of all ages provide the bulk of unpaid care for older persons, male or female; the continuity of this care will depend on their own health and wellbeing as well their ability to minimize the risk of contagion for people in their care.

According to the National Center for Disease Control and Public Health,[[8]](#footnote-8) 57% of those who tested positive for COVID-19 were women and 43% were men. We are also aware of the percentage of COVID-19 cases according to age groups, although no sex-segregated data are available for each age category.

**Table N1: Percentage of COVID-19 cases according to age groups**

1. *Please share examples of how older women participate in and contribute to economic, social and cultural life, including inter-generational solidarity and support.*

Older people, including women, are less involved in building the economic wealth of the country. The Action Plan on Aging[[9]](#footnote-9) does not include measures or activities for the involvement of older persons in economic, social or cultural life.

As for the solidarity between generations it should be noted that various activities and events are held in nursing homes, in which the elderly and the young are equally involved (cleaning, film screening-discussion, tree planting, cultural events, board game competitions), however, such events are not regular and do not reflect the results or real goals of solidarity between generations. In addition, the pandemic showed us that when older people were advised to stay home, young volunteers started to distribute food to lonely older people in various municipalities.

**Forms of discrimination against older women and gender-specific abuses**

1. *What forms of structural and systematic discrimination do older women face (for example through laws, policies, traditional and customary practices, etc.) and what measures have been taken to address them?*

Discriminatory practices towards older women may be spotted in employment. For instance, as the per the practice of Public Defender, in cases, where legislation imposes an age limit for a certain job, in the majority of cases, women are dismissed.

1. *How do intersectional factors exacerbate the combined effect of ageism and sexism, including the perspective of older LGBTI women, older women with disabilities, older migrant women, older women belonging to indigenous and minority groups, etc.?*

Legislation and response mechanisms relating to violence against women and domestic violence are improved in Georgia every year, however, according to the cases studied by the Public Defender of Georgia, there still remain a number of problems. In comparison to the previous reporting year, the identification of the motive of gender discrimination has slightly increased, however, the above still remains a problem in some cases. The statutory responsibilities of the Social Service in relation to the cases of violence against women and domestic violence are barely implemented. According to the examination of cases, the tendency remains unchanged from year to year, and domestic violence has particularly severe effects on women with low or no income, as well as uneducated, single, conflict-affected, older women, women representing ethnic minorities and women with many children.

There is a big problem for women representing ethnic minorities, since they need the service of an interpreter during their interviews with the law enforcement agency, which further prevents them from applying to the law enforcement agencies and from cooperating with them. The problem with access to various services for women with disabilities should also be underlined. Transport and buildings are not properly accessible or adapted; access to health services is also a problem, which often causes discriminatory approaches.

It is also noteworthy that most of the people migrating from Georgia are women. They have to live away from family for years, often doing hard work. Most of them are women over 40. In 2020, after returning to Georgia, 34 migrants applied to the Temporary Governmental Commission for the Needs of Villages Near the Dividing Line for retraining and qualification raising. 29 of the above-mentioned persons were women, which makes it 85.3% of the total number. This critically low rate indicates a low level of public awareness.

1. *What forms does gender-based violence and abuse against older women take and how is such violence prevalent? Please share available data and statistics, including in relation to femicides.*

According to the cases studied by the Public Defender of Georgia in 2019-2020, domestic violence against older persons is mainly of economic and psychological nature, which is manifested in the sole use of co-ownership, forced deprivation of pension, restriction of the supply of necessary medicines or food, etc.

In many cases, older persons suffer from being attached to the alleged abuser and do not cooperate with the law enforcement agencies. Cases of violence against persons with disabilities are particularly difficult to study. At the same time, property disputes are quite frequent.

The cases of alleged violence against older persons are mainly reported to the Public Defender’s Office by third parties (neighbors). However, in many cases, after the launch of the examination of the case, violence cannot be confirmed for various reasons. For example, a person may have dementia, atherosclerosis and may not adequately perceive either family members or his/her whereabouts or might be unreasonably irritated.

The Ministry of Internal Affairs of Georgia does not produce statistics on cases of violence against older persons, which limits our ability to see the real picture of offences committed against the elderly. In the available statistics, the data on older persons are combined with the data on violence committed against people over 45 years of age. In 2019, a total of 2349 warrants were issued relating to the offences committed against persons over the age of 45. During the pandemic, when the risks of violence and neglect grew as a result of the “stay at home” advice, the need to produce accurate statistics on violence against older persons further increased, especially given the increase in the number of restraining orders issued in relation to domestic violence (persons aged 45+) since April 2020, in comparison to the previous year. In addition to that, the State does not have separate care or assistance psycho-social services/programmes tailored to older victims of violence, including at the local municipality level.

In order to implement the recommendation of the United Nations Special Rapporteur on violence against women, its causes and consequences, the Public Defender of Georgia expressed readiness in 2016 to set up a femicide monitoring mechanism.[[10]](#footnote-10) Accordingly, through the mandate granted under this mechanism, the Public Defender annually analyzes cases of gender-based murders, attempted murders and suicides of women in order to identify gaps in the protection mechanism for victims of violence and issue recommendations to the relevant agencies. Unfortunately, the Public Defender's Office does not analyze cases of femicide or femicide attempts in the context of age.

1. *Please provide examples of how the life cycle perspective is integrated into policies and programmes to prevent and address gender-based violence against women and girls.*

N/A

1. *Please share information about reporting, accountability, remedy and protective mechanisms available and targeted to older women victims of gender-based violence and discrimination.*

The Public Defender’s Office constantly monitors and evaluates the ongoing processes in the country. At the same time, the Office is actively working to improve the legislative space and draft recommendations/proposals in order to create additional legal guarantees for the country to achieve gender equality.

Following the recommendation of the Public Defender's Office, the Human Rights Protection and Monitoring Department was established at the Ministry of Internal Affairs in 2018, which monitors investigations and administrative proceedings relating to domestic crime, violence against women, discrimination and hate crimes, trafficking, crimes committed against and by juveniles.

The Public Defender of Georgia has been underlining the importance of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in the annual parliamentary reports since 2012 and has been recommending its ratification.

It should be noted that the Government of Georgia signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in 2014. In early 2017, the package of ratification of the Convention was submitted to the Parliament of Georgia, which will provide a number of important guarantees in terms of prevention of violence, protection of and assistance to victims. The Public Defender will monitor the implementation of the Convention.

The Public Defender of Georgia also monitors the implementation of national and international acts on gender equality in Georgia.[[11]](#footnote-11) According to the Law of Georgia on Gender Equality, the Public Defender of Georgia, within his/her competence, shall monitor the protection of gender equality and respond to the cases of violation of gender equality. Accordingly, the Public Defender's Office monitors the following action plans:

* Action plan for the implementation of the gender equality policy in Georgia;
* Action plan for the measures to be taken to combat violence against women and domestic violence and to protect victims;
* National action plan for the UN Security Council ResolutiononWomen*,*Peace and Security

One of the most important directions of the Public Defender’s Office is the prevention and elimination of violence against women and domestic violence. Accordingly, the Gender Department conducts annual monitoring to evaluate public services and mechanisms relating to violence against women and domestic violence. That is why the Public Defender's Office monitors all state-owned shelters and assesses the satisfaction of the service users. The operation of the hotline is also evaluated and special recommendations are drafted based on the analysis of the results.[[12]](#footnote-12)

In 2014, the Public Defender of Georgia exercised the powers granted to the national human rights institutions for the first time and submitted an alternative report to the Committee on the Elimination of All Forms of Discrimination against Women.[[13]](#footnote-13) The Public Defender’s Office, as a national human rights institution with "A" status, also submitted written opinions to the Universal Periodic Review (UPR) Working Group of the UN Human Rights Council.[[14]](#footnote-14)

1. Information is available at the following link: <https://www.geostat.ge/en>. [↑](#footnote-ref-1)
2. Information is available at the following link: <https://www.geostat.ge/ka/modules/categories/41/mosakhleoba>. [↑](#footnote-ref-2)
3. Information is available at the following link: <https://www.geostat.ge/media/36192/Women-and-Men-in-georgia%2C-2020.pdf>. [↑](#footnote-ref-3)
4. Information is available at the following link: <https://www.geostat.ge/media/36192/Women-and-Men-in-georgia%2C-2020.pdf>. [↑](#footnote-ref-4)
5. Information is available at the following link: <https://georgia.unfpa.org/sites/default/files/pub-pdf/A3-%28eng%29.pdf>. [↑](#footnote-ref-5)
6. Information is available at the following link: <https://reports.weforum.org/global-gender-gap-report-2020/dataexplorer/#economy=GEO>. [↑](#footnote-ref-6)
7. Information is available at the following link: <https://www.un.org/sites/un2.un.org/files/policy_brief_on_covid_impact_on_women_9_april_2020.pdf>. [↑](#footnote-ref-7)
8. Information is available at the following link: <https://www.ncdc.ge/Handlers/GetFile.ashx?ID=20ed3f9c-54bd-42e2-a58a-dffea6169fc6>. [↑](#footnote-ref-8)
9. 2017-2018. [↑](#footnote-ref-9)
10. Information is available at the following link: <https://ombudsman.ge/eng/femitsidze-zedamkhedvelobis-meqanizmis-sakonsultatsio-sabchos-shesakheb>. [↑](#footnote-ref-10)
11. Information is available at the following link: <https://ombudsman.ge/eng/190306081201spetsialuri-angarishebi>. [↑](#footnote-ref-11)
12. Information is available at the following link: <https://ombudsman.ge/res/docs/2020122316265135625.pdf>. [↑](#footnote-ref-12)
13. Information is available at the following link: <https://drive.google.com/file/d/0B9BM3M8hbgAUSjYxaFVIZlU0UDQ/view>. [↑](#footnote-ref-13)
14. <https://drive.google.com/file/d/0B9BM3M8hbgAUbjd1Z1ozSnVxWE0/view>. [↑](#footnote-ref-14)