



საქართველოს სახალხო
ტანდემი

PUBLIC DEFENDER
(OMBUDSMAN)
OF GEORGIA

Submission of the Public Defender of Georgia

Femicide Watch Call 2020

The Public Defender of Georgia expressed readiness to create Femicide monitoring mechanism (Femicide Watch) in 2016 with the technical support of UN Women Georgia, just after the UN Special Rapporteur on violence against women, its causes and consequences, Dubravka Simonovic, called on all states in 2015 to prevent the gender-related killing of women, to establish a femicide watch and to publish a detailed analysis of the cases.

Since 2016, Public Defender issued 5 special reports on Femicide¹, revealing the gaps and shortcomings in the investigation and court level. Also, Public Defender of Georgia already organized three international conferences on Femicide Watch to discuss the issue of Femicide, as a systemic problem with the relevant authorities, local NGOs and keynote speakers from Argentina, Serbia, Croatia, Israel and Armenia. The Conference served as a platform to share the best practices for further improvement of methodology for data collection and analysis. Apart from this, Public Defender of Georgia prepared 5-year Femicide Watch Report (2014-2018 years)², which made it possible to measure the progress achieved and identify the shortcomings that hamper the elimination of problems.

Within the scope of the femicide monitoring mechanism, Public Defender's Office prepares special reports on femicide (attempted killing/killing of women and attempted incitement/incitement to suicide) monitoring annually. The purpose of monitoring is to identify flaws of mechanism for protection of victims of violence and issue the recommendations to the relevant agencies.

Analysis of 5-year (2014-2018) femicide watch report shows that in spite of a number of positive steps taken in the direction of combating violence against women and domestic violence, many challenges remain in the fight against femicide and the administration of justice on these cases.

The Public Defender of Georgia welcomes the fact that, the history of femicide/attempted femicide is studied at the investigation stage in comparison with previous years. The investigation often provides additional legal qualifications to such cases, mainly under Article 126¹ (Domestic Violence) of the Criminal Code of Georgia. It is also important to mention, that in recent years

¹ Information is available on the following link: <https://bit.ly/3mP5Ym1>

² The report was created according to the recommendation of the Consultative Council established under the femicide Watch mechanism.

neither the practice of concluding a plea bargain agreement in cases of femicide and attempted femicide was revealed, nor the imposition of disproportionately lenient sentences was identified.

Despite the positive steps, qualifying femicide/attempted femicide committed on the grounds of jealousy and revenge under the gender ground enshrined in Article 53¹ (1) (Aggravating factors for punishment) of the Criminal Code of Georgia is still problematic. Same is true for aggravating responsibility of the convicted, when gender motivated crime is committed.

Preventing femicide also remains challenging. In 2018 we studied several cases where the victim had reported to the police before the crime was committed, although the crime could not be avoided. For five years, the use of gender-stereotypical expressions has been and continues to be a problem.

In 2020 Public Defender also analyzed the cases of femicide/attempted femicide committed in 2019. Unfortunately, in 9 out of 10 cases, various shortcomings are observed at the stage of investigation or trial. At the stage of investigation, stereotypical attitude toward victim was detected, police enforcement was interested in victim's private/sexual life, even when it was not essential to determine the circumstances of the case.

In the cases of femicide/attempted femicide gathering evidence remained problematic, which affected the qualification of the action and the court found defendant guilty under a relatively light article.

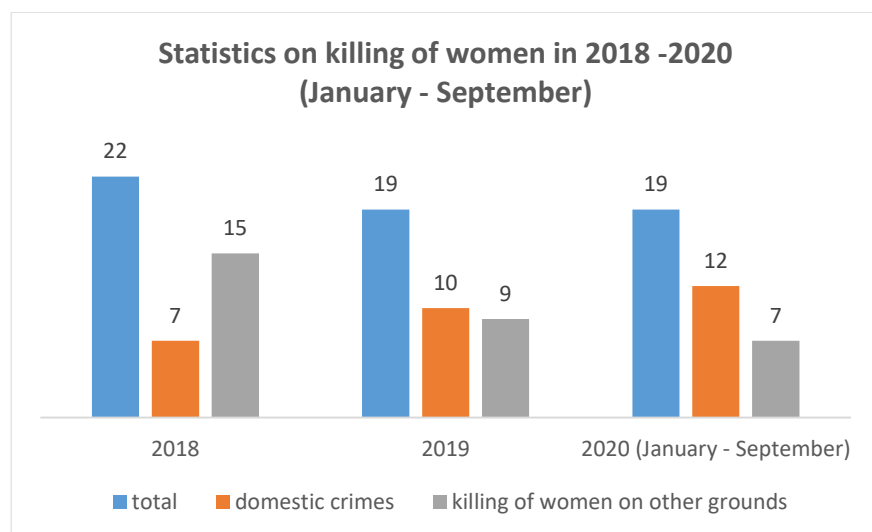
Unfortunately, there are still cases, where victims do not report to the police and in reported cases, preventing the extreme form of violence remains problematic. Prevention of the femicide could not be possible in such case, where before the murder defendant served a sentence for the domestic violence crime.

In femicide/attempted femicide cases, it's still problematic to identify gender based motive of the crime.

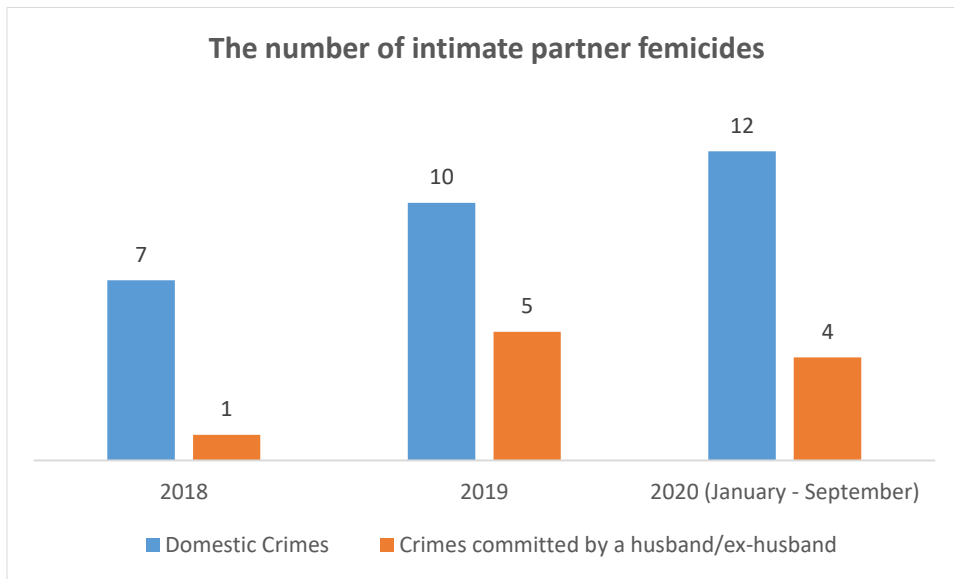
Administrative data (by numbers and percentage) on femicide or gender-related killings of women for the last 3 years (2018-2020):

It should be mentioned, that Public Defender of Georgia only collects the statistical information about killings of women. Also, Public Defender of Georgia does not have segregated statistical information of femicides during the Covid-19 pandemic.

The total number of killings of women:



- According to the prosecutor's office, **22 cases** of killings of women were detected **in 2018** (one of them incitement to suicide); out of this number **in 7 cases domestic** crime (32%) was revealed, and **15 cases - other motives** (one of them incitement to suicide) (68%) respectively.
- According to the prosecutor's office, **19 cases** of killings of women were detected **in 2019**; out of this number in **10 cases domestic** (53%) (2 cases of Incitement to suicide) crime was revealed, **9 cases - other motives** (47%).
- According to the prosecutor's office, **19 cases** of killings of women were detected **in 2020 (January – September)**; out of this number in **12 cases domestic** crime was revealed (10 cases of killing of women and 2 cases of Intentional serious damage to health that caused death) (63%) and **7 cases - other motives** (37%).

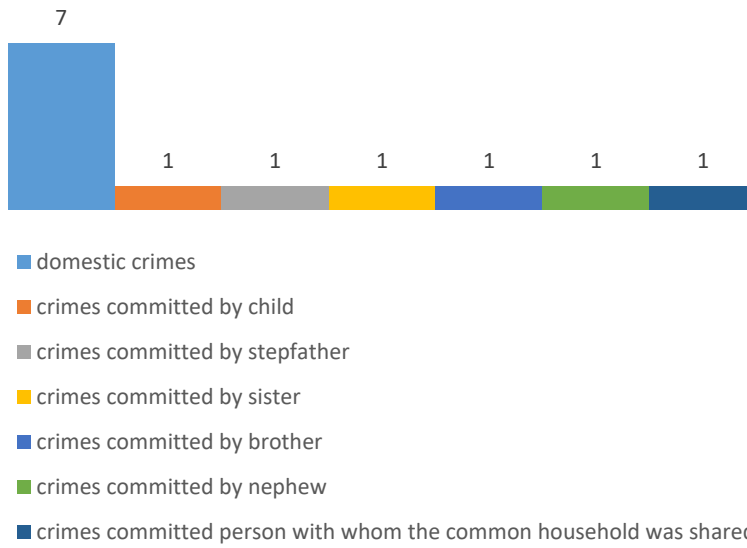


The number of intimate partner femicides:

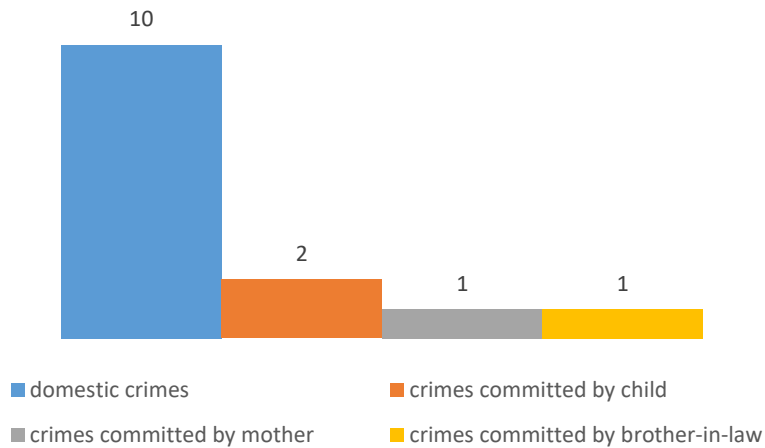
According to the prosecutor's office:

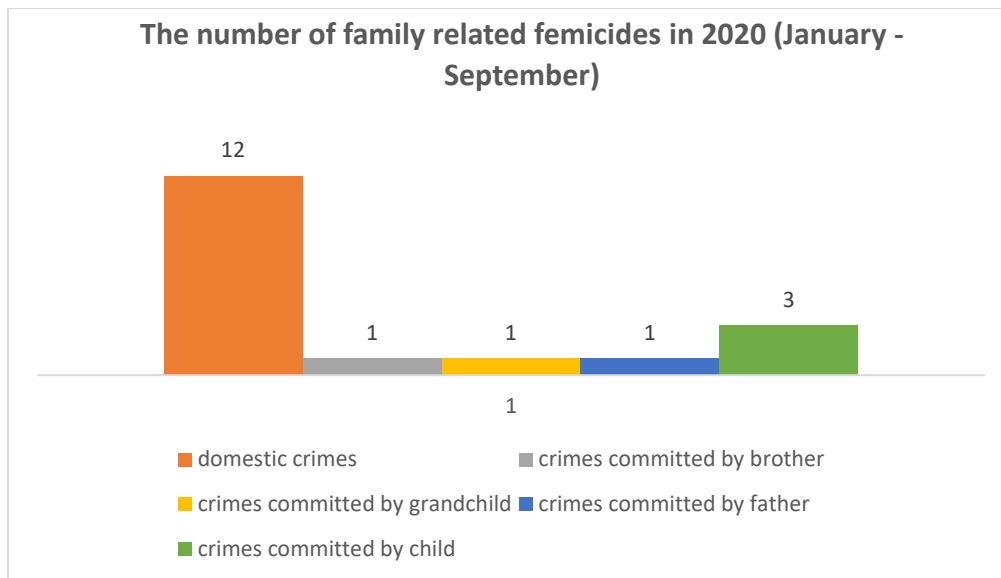
- In 2018 from the 7 cases of domestic crime 1 was committed by husband/ex-husband.
- In 2019 from the 8 cases of 5 domestic crimes were committed by husband/ex-husband. (It should be mentioned that in 1 case son and husband was sentenced for the murder of the mother and wife.) Also 2 cases of incitement to suicide were committed by a husband.
- In 2020 (January – September) from the 12 domestic crimes 4 cases were committed by a husband.

The number of family related femicides in 2018



The number of family related femicides in 2019





The number of family related femicides of women:

According to the prosecutor's office:

- In 2018 from the 7 cases of domestic crimes 1 was committed by child (killing of mother), 1 crime was committed by a stepfather, 1 crime was committed by sister, 1 crime was committed by brother and 1 crime was committed by a nephew and 1 was committed by a person with whom the common household was shared..
- In 2019 from the 8 cases of domestic crimes 2 were committed by child (killing of mother), 1 was committed by a mother, 1 was committed by a brother-in-law. (It should be mentioned that in 1 case son and husband was sentenced for the murder of the mother and wife.)
- In 2020 from the 12 cases of domestic crimes 3 were committed by child, 1 crime was committed by grandchild, 1 was committed by a brother and 1 was committed by a father. (It should be mentioned that 4 cases of killing of women were committed by 2 persons and 1 case of killing of women and 1 case of attempted killing of women were committed by 1 person.)

Statistical information about analyzed cases of femicide/attempted femicide is provided in reports, which can be found on the following link: <https://bit.ly/3mP5Ym1>