

Written submission for the Universal Periodic Review of Georgia:
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Partnership for Human Rights
&
Sexual Rights Initiative

Sexual and reproductive health rights of women and girls with disabilities

1. In 2015, Georgia was reviewed for the 2nd cycle of the Universal Periodic Review (UPR) by the Human Rights Council. The country accepted 70 recommendations including the following related to SRHR: Recommendation 118.42 provided to take steps to ensure that sexual and reproductive health services, including abortion and contraception services and information, are available, accessible, and affordable to all women and girls, especially in rural areas and among vulnerable groups (Denmark). Recommendation 118.43 suggested ensuring universal access to quality reproductive and sexual health services, including contraception services, especially to women in rural areas and those living with HIV/AIDS (Brazil).
2. In 2019, Georgia submitted the Mid-term Report on the UPR, which included certain references for implementing accepted SRHR recommendations.ⁱ However, none of these actions have been effective concerning women and girls with disabilities. In 2020 Georgia adopted the new Law on the Rights of Persons with Disabilities, where the NGOs advocated to introduce special provision on women's sexual and reproductive health rights. Still, this provision has not yet been enforced, and the situation in this regard remains dire.

Lack of data and information

3. Discriminatory practices and violation of sexual and reproductive rights of women and girls with disabilities lead to a high level of inequality in Georgia. The State collects little to no data on SRH service provision and related discriminatory practices that lead to the gaps in services for women with disabilities.
4. Information on sexual and reproductive health is not provided for women and girls with disabilities. According to Public Defender of Georgia report, comprehensive sex education is missing from the school curriculum in Georgia. Certain related concepts are mentioned in Civic Education and Biology courses. However, they are minimal: they mainly cover the anatomy and function of body parts.ⁱⁱ A recent UNFPA study notes that Biology teachers usually "skipped the reproductive health-related chapters or discussed them very briefly."ⁱⁱⁱ

Women in disability in institutions and psychiatric facilities

5. The crisis deepens for women living in State institutions, especially psychiatric institutions. Psychiatric hospitals fail to detect, acknowledge, and prevent violations of SRHR. As per

the latest study of the Public Defender of Georgia, a psychiatric institution was unaware of a patient's pregnancy until the patient gave birth in a facility's toilet. The patient gave birth without medical assistance and at 36-37 weeks of gestation.^{iv}

Lack of family planning and independent living services

6. Access to contraception is problematic for all women in Georgia, particularly for women with disabilities. As the Public Defender study reports,^v the State does not fund family planning services, including contraceptives mandated by State programs.
7. Women with disabilities find it particularly challenging to have a private and family life due to lack of housing, stigma, and the lack of resources for independent living

Violence against women with disabilities

8. While the number of violent cases against women has exponentially increased from 2014 to 2019 from 642 cases to 4761 cases annually,^{vi} only 3 cases of domestic violence against women with disabilities have been registered for the same period. During the five years from 2014 to 2018, there have been only 2 cases of sexual assault against women with disabilities.^{vii}
9. Law enforcement and prosecutorial services have not developed appropriate investigation methods of sexual and gender-based crimes against women with disabilities. Lack of training, together with discriminatory stereotypes and ideas surrounding disability, consent, and sexual violence, result in police and prosecutors failing to recognize consent and / or the absence of informed consent of women with disabilities, particularly women with mental health and intellectual disabilities.
10. Due to COVID 19, women with disabilities face even more significant issues. NGOs have lost communication with women with disabilities living in residential homes in psychiatric hospitals and institutions that has worsened their access to free legal aid and consultations. Many of them have no communication means available to call for support of NGO lawyers.

Recommendations

11. Collect disaggregated gender and disability data to explain current discrepancies and enable better planning of meaningful services for women and girls with disabilities. Reform the State registration process for people with disabilities from the outdated diagnose-based model to become more inclusive.
12. Develop and implement a deinstitutionalization plan to provide conditions for independent, private, and family living for women with disabilities. Secure necessary support in terms of accessible housing, education, employment, and personal assistance for enabling childcare and parenthood for women with disabilities.

13. Provide specific provisions for women with disabilities in policy and strategy documents on SRHR and human rights, including the Georgian National Youth Policy, National Maternal, and Newborn Health Strategy, The Demographic Security Policy, National Strategy for the Protection of Human Rights in Georgia, and ensure meaningful participation and consultation of women with disabilities in forums discussing health and rights in Georgia.
14. Organize and run awareness-raising campaigns on the local and national level for reducing stigma against SRHR of women with disabilities and their private and family life; arrange regular consultations with women with disabilities and with organizations that work on this issue to inform these campaigns better.
15. Guarantee the involvement and consideration of women's with disabilities inputs in all decision-making bodies as primary stakeholders in SRHR programs. Organize accessible consultations during every process and discussion dealing with health and SRHR rights.
16. Eliminate the practice of forced sterilization, suppression of sexual self-expression, and violation of the right to privacy in all health care facilities, especially psychiatric facilities. Ensure disciplinary proceedings against medical facilities continuing these illegal practices.
17. Ensure complete access to SRHR services, including contraception and abortions, and the infrastructural changes necessary to accommodate women with disabilities. This should also include comprehensive sexuality education at all levels of schooling, including day-care centers.
18. Organize strategy, action, and capacity building of legal, medical, and social welfare professionals to combat violence against women and girls with disabilities. Provide specialized training and retraining in consultation with women with disabilities.

ⁱ Georgia, United Nations Universal Periodic Review, 2019. Available at: https://lib.ohchr.org/HRBodies/UPR/Documents/session23/GE/UPR2ndCycle_midterm.pdf

ⁱⁱ Public Defender's Office of Georgia, *Human Rights in the Context of Sexual and Reproductive Health and Well-being in Georgia: Country Assessment*, P.26, 2019. P.74.

<http://www.ombudsman.ge/res/docs/2019040211031497196.pdf>

ⁱⁱⁱ Evert Ketting, *Possibilities for developing Youth-Friendly Sexual and Reproductive Health Services in Georgia - A Situation Analysis*, Report of a consultancy mission on behalf of UNFPA Country Office Georgia, p.22, 2015

^{iv} Public Defender (Ombudsman) of Georgia, *Protection of Women's Sexual and Reproductive Health and Rights in Psychiatric and State Care Institutions, Special Report, 2020*, p. 19. Available at:

<http://ombudsman.ge/res/docs/2020051120233280003.pdf>

^v Public Defender (Ombudsman) of Georgia, *Sexual and Reproductive Health and Human Rights: National Assessment, Key Findings*, p. 9, <https://georgia.unfpa.org/sites/default/files/pub->

[pdf/Sexual%20and%20Reproductive%20Health%20and%20Rights%20Country%20Inquiry.%20Key%20Findings
ENG.pdf](#)

^{vi} Ministry of Internal Affairs, annual reports of the criminal statistics, Available at:

<https://info.police.ge/uploads/5e3a6b603887b.pdf>, <https://info.police.ge/uploads/5a90001f27496.pdf>

^{vii} Partnership for Human Rights, *Collection, Processing and Dissemination of Gender Statistics to Combat Gender-based Violence in Georgia*, p. 54 (2019.)