

## Human Rights Council Universal Periodic Review

### Pre-Sessions (Third cycle, 37th session, 2020)

#### Georgia

#### Presentation on

### Sexual and Reproductive Health and Rights in Georgia

This **statement** is presented by the Georgian NGO coalition on SRHR, an informal alliance comprising of six organizations working on different SRHR issues in Georgia –Center for Information and Counseling on Reproductive Health - Tanadgoma, Human Rights Education and Monitoring Center (EMC), Association HERA XXI, Women’s Initiative Supportive Group (WISG), and Equality Movement (EM).

The coalition has been engaged in the previous 2<sup>nd</sup> cycle of UPR and has prepared mid-term report on Georgia in 2018.

#### Overview of the national UPR context

At its second periodic review in November 2015, Georgia received and accepted around 70 recommendations on matters related to Sexual and Reproductive Health and Rights (SRHR), namely on discrimination against LGBTI persons, on the implementation of Gender Equality laws and policies, and on Sexual and Reproductive Health services, including safe abortion and contraception.

Upon that background, the coalition would like to bring the attention of Member States to the following issues, as relevant topics for the upcoming third cycle of the UPR of Georgia:

#### 1. HUMAN RIGHTS SITUATION OF LGBTIQI PEOPLE

At the previous UPR cycle, Georgia received and accepted nine recommendations concerning SOGI, Majority of them were on eliminating social stigma towards LGBTIQI individuals. Systematic institutional and social stigma against LGBTIQI people remains as a major problem, including institutional homophobia, as well as recurrent homo/transphobic hate crimes and widespread discrimination<sup>1</sup>. Additionally, enjoyment of the right to freedom of assembly remains a challenge for LGBTIQI groups.

Trans persons continue to be one of the most marginalized groups in Georgia, as their legal gender recognition still unregulated and trans people are forced to undergo unwanted, medically unjustified, expensive and life-threatening procedures (e.g. irreversible sterilization, hormonal treatment and preliminary surgical procedures) in order to change gender marker in their IDs.<sup>2</sup>

The Government’s Covid19 anti-crisis plan failed to address specific circumstances, needs of LGBTIQI people, who usually lack the support of family members or community solidarity in times of crisis. As a result, LGBTIQI persons experience a deepened vulnerability, suffered significant loss of income and employment and are at serious risk of homelessness. The state anti-crisis support programs has overlooked urgent needs, including housing subsidies or shelter.

## **RECOMMENDATIONS FOR ACTION:**

- Strengthen the prevention, investigation and prosecution of hate crimes based on SOGIE by establishing a hate crime investigation unit within the law enforcement system.
- Protect LGBTQI people from violence and incitement of violence from ultra-conservative violent groups in Georgia by implementing effective preventive measures and condemning violent ultra-conservative groups.
- Regulate the process for Legal Gender Recognition based upon self-determination, in line with the Yogyakarta Principles.
- Combat the exacerbation of pre-existing vulnerabilities and ensuring the effective protection of LGBTQI persons in case of emergencies, by paying due consideration of specific circumstances and needs during the preparation and implementation of State emergency programs and plans.

## **2. COMPREHENSIVE SEXUALITY EDUCATION**

Despite its inclusion in CSO-submissions, Georgia did not receive specific recommendations on Comprehensive Sexuality Education at the previous UPR cycle. Yet, some recommendations accepted by Georgia are indirectly linked to CSE, as they highlight promotion of human rights through awareness rising among Georgian population.

In 2014 the EU signed an Association agreement with Georgia, according to which, the Ministry of Education started the process of incorporation of the Healthy Life Skills (HLS) education into education curriculum. However, due to opposition from the society at large as well as ultra-right and Orthodox groups, the curriculum does not include major topics of SRHR and is not in line with the UNESCO standards on CSE.

## **RECOMMENDATIONS FOR ACTION:**

- The State should develop and implement a comprehensive curriculum on SRHR according to UNESCO guideline on CSE.
- The state should provide special training programs for teachers, which include modules on SRHR, gender equality and girls' rights to education and family planning.

## **3. ACCESS TO SAFE ABORTION AND FAMILY PLANNING SERVICES**

During the second UPR reporting cycle, Georgia took some essential steps to develop relevant policies on SRH, including adoption of the Maternal and Newborn Health strategy for 2017-2030<sup>3</sup>. However, there are still major gaps in practice. Many medical facilities refuse to provide abortion services and referrals to them because of their conscience. In addition, the five-day waiting period required for making decisions related to abortions does not work in practice and has not achieved a decrease in the number of abortions. Family planning services are not fully integrated into primary health care creating significant barriers to accessing them.<sup>4</sup> Access to SRH represents a major problem especially for marginalized groups of women, such as ethnic/religious minority women, those living in rural areas, women with disabilities etc.

## **RECOMMENDATIONS FOR ACTION:**

- Reform the primary healthcare system for ensuring a whole-life cycle approach in the provision of sexual and reproductive health services for all individuals in Georgia, especially those in a vulnerable situation.
- Include provision of contraceptives in the Basic Package of the Universal Health Care Program of Georgia, especially for socially vulnerable groups of women including women under the poverty line, IDPs, ethnic minority women, adolescents, youth, students, rural women and women with disabilities.
- Integrate safe abortion services in primary healthcare system to ensure full access to abortion care, particularly at an early stage of gestation and eliminated the mandatory waiting periods for women who decide to have an abortion.
- Ensure continuous education for family and rural doctors to provide quality gender-sensitive, right-based, patient-centered sexual and reproductive health counselling services.

#### 4. HIV/AIDS STIGMA AND DISCRIMINATION

Upon the II cycle of the UPR, Georgia received and accepted one recommendation on the right of the people living with HIV/AIDS. Yet, stigma and discrimination remains a challenge. The Law of Georgia on HIV/AIDs does not provide sufficient safeguards to protect patients' rights, especially the right to privacy and confidentiality.

#### RECOMMENDATIONS FOR ACTION:

- Combat HIV/AIDS and STI-related stigma among health professionals and health services providers by, inter alia, carrying out awareness-raising and educational campaigns.
- Ensure full, equal and free access to prevention, testing and treatment of HIV/AIDS and STIs available for all individuals living in Georgia.

*The NGO coalition on SRHR in Georgia would like to thank UPR-Info for giving us the floor today, as well as to thank all attending Delegations for your kind attention and interest in Georgia. We would like to invite you to consult our Policy Briefs available at UPR-Info's webpage. We remain at your disposal for your questions and requests during today's meeting as well as for bilateral discussions as suitable.*

**NGO Coalition on SRHR**

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<sup>1</sup> Jalagania L. Social Exclusion of LGBTQ People in Georgia, EMC, 2020

<sup>2</sup> Equality Movement, Trans People's Health Related Issues in Georgia, 2020

<sup>3</sup> Maternal and New-born health strategy 2017-2030, see:

<https://matsne.gov.ge/ka/document/view/3825285?publication=0>

<sup>4</sup> UN Women, Country Gender Equality Profile of Georgia, 2020, see: <https://georgia.unwomen.org/en/digital-library/publications/2020/05/the-country-gender-equality-profile>