

# Open Society Georgia Foundation

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## Georgian Politics without Women – Quotas as a Solution to the Problem

POLICY BRIEF

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### Executive Summary

This policy brief analyses gender equality in Georgian politics. The brief is based on an analysis of readily available data and information about gender equality and non-discrimination in Georgia. It discusses the results of public opinion polls on women’s political participation and mandatory party quotas to assess public attitudes and demand for increased women’s participation. The brief outlines the policies and laws implemented by Georgia, including financial incentives introduced in 2011.

The paper finds that the measures undertaken by the Government have proven ineffective, as women’s representation in the Parliament, as well as in the Government and local governments, remains disturbingly low. The present policy brief asserts that Georgia’s inefficient laws and policies to combat gender inequality impede the implementation of the EU-Georgia Association Agreement. A contextual analysis concludes that the Georgian Government should implement drastic measures to ensure the equal participation of men and women in politics. The document recommends amendments to the Elections Code of Georgia to establish legislative party quotas, as one of the most effective and well-established methods of boosting women’s participation in political life.



This policy brief covers period from September 2014 (when EU\Georgia AA/DCFTA and Association Agenda provisionally entered into force) - till April, 2015.

This policy brief is prepared within the framework of the Open Society Georgia Foundation’s in-house project monitoring implementation of the EU/Georgia Association Agreement by coalition of civil society organizations. The views, opinions and statements expressed by the author and those providing comments are her only and do not necessarily reflect the position of Open Society Georgia Foundation. Therefore, the Open Society Georgia Foundation is not responsible for the content of the material.

## Introduction

Democracy requires that political decision-making be shared by women and men and that the interests of both are taken into account.<sup>1</sup> Moreover, women’s participation is crucial to promoting the “full and complete development of a country, the welfare of the world and the cause of peace.”<sup>2</sup> Women’s participation in the decision-making process is a prerequisite for developing state laws and policies that safeguard women’s economic, social and cultural rights and promote the interests of women.<sup>3</sup> To have a real impact on political life, women’s engagement needs to reach a critical mass (30-35%) at the decision-making level.<sup>4</sup>

In June 2014 the EU and Georgia signed an Association Agreement to significantly deepen political and economic ties. The EU-Georgia Association Agenda for 2014-2016 was developed to facilitate implementation of the Association Agreement/Deep and Comprehensive Free Trade Agreement,<sup>5</sup> according to which Georgia undertook the commitment to ensure gender equality in political life.<sup>6</sup> The Association Agenda states that Georgia must ensure women’s representation in political and public life on equal terms with men, including Parliament, Government and local governments.<sup>7</sup>

According to data from 2014, women’s representation in the Parliament of Georgia is almost two times lower than the global average.<sup>8</sup> (see chart #1) The very low representation of women in Parliament remains a persistent problem, which has not been effectively addressed by the Government despite the recommendations of a number of international organisations.

**Chart #1: World and Regional Averages of Women in Parliament**

Regional Averages	Percentage of Women in Parliament
Nordic countries	42.1%
Americas	25.2%
Europe (Nordic countries included)	25.1%
Europe (Nordic countries excluded)	23.5%
Sub-Saharan Africa	22.9%
Asia	18.9%
Arab States	17.8%
Pacific	13.4%
World Average	21.8%
Georgia	12%

<sup>1</sup> General Recommendation No. 23, made by the Committee on the Elimination of Discrimination against Women, 16th session, 1997, available at: <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm#recom23>

<sup>2</sup> The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979, preamble, available at: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>

<sup>3</sup> Freeman, Chinkin, Rudolf, The UN Convention on the elimination of All Forms of Discrimination against Women, A Commentary, 2012, p. 198.

<sup>4</sup> supra note 1.

<sup>5</sup> EU-Georgia Association Agreement and Association Agenda 2014-2016, available at: [http://eeas.europa.eu/georgia/pdf/eu-georgia\\_association\\_agenda.pdf](http://eeas.europa.eu/georgia/pdf/eu-georgia_association_agenda.pdf)

<sup>6</sup> ibid, EU-Georgia Association Agenda 2014-2016, part 2.1. Political dialogue and reform, section: Equal Treatment.

<sup>7</sup> supra note 2, article 7.

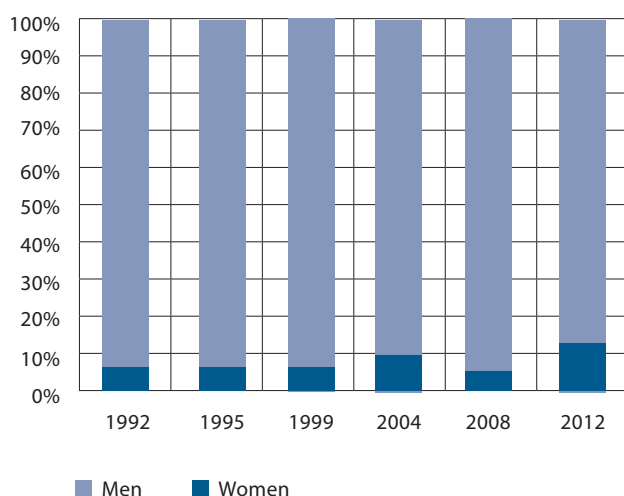
<sup>8</sup> Inter-Parliamentary Union and UN Women, 2014, available at: [http://www.unwomen.org/~media/headquarters/attachments/sections/library/publications/2014/wmnmap14\\_en%20pdf.ashx](http://www.unwomen.org/~media/headquarters/attachments/sections/library/publications/2014/wmnmap14_en%20pdf.ashx)

## Approaches and Results:

### Context Overview

Georgia gained its independence from the USSR in 1991 and had its first parliamentary elections in 1992.<sup>9</sup> The transition of Georgia from an authoritarian to a democratic political system has had little impact on gender equality in the political realm.<sup>10</sup> The representation of women in Parliament remains low (see chart #1).

**Chart #2: Women in Georgian Parliament (1992-2012)<sup>11</sup>**



With women constituting just 11.3% of members of parliament in 2015, Georgia places 108 out of 139 countries according to the Inter-Parliamentary Union's Women in National Parliaments ranking.<sup>12</sup> Georgia falls far below the global average of women parliamentarians of 21.8%, as of January 2015.<sup>13</sup>

Similarly, female representation at the local self-government level is extremely low. In the local self-government elections held in 2014 women secured only 11% of the seats in Sakrebulo (local self-government bodies in Georgia), a figure that remained unchanged since the 2010 elections.<sup>14</sup>

A gender imbalance is also evident in the executive branch. There are no female mayors in Georgia and only two out of 69 Gamgebelis (executive heads of the local municipalities) are women. As for the Government of Georgia, only three of the total 19 members of the Cabinet of Ministers are women.

The National Democratic Institute (NDI) in Georgia has measured public attitudes towards women's participation in politics. In nation-wide surveys, respondents were asked whether they were satisfied with the number of women in the Parliament in November 2012 and again in October 2014. The first survey was conducted immediately after the elections, when women parliamentarians managed to secure 11.3% of the seats in Parliament. At that time, 46% of respondents stated that number of

<sup>9</sup> Georgia – History of Elections 1990-2010, available at: <http://www.cesko.ge/files/TEA/archevnebisistoria/geohistory.pdf>

<sup>10</sup> Nana Sumbadze, Gender and Society: Georgia, UNDP, 2008, p. 15, available at: [http://old.undp.org.ge/files/24\\_425\\_824113\\_gender&society2008.pdf](http://old.undp.org.ge/files/24_425_824113_gender&society2008.pdf)

<sup>11</sup> Central Elections Commission of Georgia, information provided by letter #03-07/692, dated 1 May 2015.

<sup>12</sup> Women in National Parliaments, 2015, available at: <http://www.ipu.org/wmn-e/classif.htm>

<sup>13</sup> UN Women, Facts and Figures: Leadership and Political Participation, available at: <http://www.unwomen.org/en/what-we-do/leadership-and-political-participation/facts-and-figures#sthash.do1MQRmH.dpuf>

<sup>14</sup> Representation of Women and Gender Balance in Local Self-Government Sakrebulo in Georgia, International Society for Fair Elections, 2014, available at: <http://www.isfed.ge/main/653/eng/>

women in Parliament was enough.<sup>15</sup> The question was repeated in a survey in October 2014. This time only 34% of respondents stated that the number of women parliamentarians (11.3%) was enough.<sup>16</sup> Thus, the number of satisfied respondents significantly decreased (down 12%) while the number of women parliamentarians remained unchanged. These results should be analysed by taking into account the fact that the number of women parliamentarians in 2012 doubled (11.3%) in comparison with the results of the 2008 elections (6%). It can be argued that the two-fold increase of women parliamentarians was initially assessed positively by society, but after two years they considered that women's representation in Parliament was unsatisfactorily low. Awareness raising campaigns have also contributed to changing public attitudes about gender equality in politics.

The need for women's empowerment in political life has become a highly debated topic in recent months. On 13 February 2014, the Task Force on Women's Political Participation in Georgia (the Task Force) was established by local civil society and international organisations. The Task Force has been actively advocating for amendments to the Election Code of Georgia to introduce mandatory party quotas in Parliament.<sup>17</sup> On 8 March 2015, the Georgian Women's Movement, an informal women's initiative composed of more than 600 women activists, held a demonstration called "More Women in Parliament" in 25 cities throughout the country in support of mandatory party quotas.<sup>18</sup> Moreover, 68% of the population of Georgia say that they support the Parliament adopting a mandatory gender quota.<sup>19</sup> Thus, the demand for changes to the electoral system and the introduction of mandatory legislative quotas has reached an unprecedented level in Georgia.

To respond to the public demand for legislative quotas, a high level meeting was organised on 16 March 2015, where both President of Georgia Giorgi Margvelashvili and Speaker of the Parliament Davit Usupashvili<sup>20</sup> expressed their support for legislative amendments introducing mandatory party quotas. Again on 31 March 2015, the President of Georgia called upon the Parliament to support legislating gender quotas during his annual parliamentary speech.<sup>21</sup>

In spite of the public demand, neither the ruling Georgian Dream (GD) coalition nor the United National Movement (UNM) have officially expressed their support for the quota system. Currently the topic remains unresolved and open for further discussion. Therefore the need for lobbying mandatory quotas before international institutions, including the European Union, remains a matter of high priority.

## Legal Framework

Georgia is a member of international conventions that guarantee gender equality, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the International Covenant on Civil and Political Rights (ICCPR). Georgia has also joined the Beijing Declaration and Platform for Action.

Article 14 of the Constitution of Georgia guarantees the equality of all persons.<sup>22</sup> In 2010 Georgia adopted the Gender Equality Law, Article 4 of which stipulates that the state guarantees the equality of men and women in political life.<sup>23</sup> In 2011, Georgia accepted a number of recommendations regarding the enhance-

<sup>15</sup> Public Attitudes in Georgia: Results of a November 2012 survey, NDI, CRRC, q#43, available at: <https://www.ndi.org/files/Georgia-Nov-2012-Survey-ENG.pdf>

<sup>16</sup> Results of October 2014 Public Opinion Poll on Women's Political Participation in Georgia, NDI, CRRC, q#33, Available at: [https://www.ndi.org/files/NDI%20Georgia\\_October%202014\\_Gender%20poll\\_Public%20ENG\\_Final\\_0.pdf](https://www.ndi.org/files/NDI%20Georgia_October%202014_Gender%20poll_Public%20ENG_Final_0.pdf)

<sup>17</sup> Radio Free Europe, Radio Liberty, Women Demand Protection and Quotas, June 4, 2014, available at: <https://www.youtube.com/watch?v=42E0G4MPK6c>

<sup>18</sup> Georgian Public Broadcaster, March 8, 2015, available at: <http://1tv.ge/ge/news/view/87076.html>

<sup>19</sup> *ibid.*

<sup>20</sup> The Speaker, David Usupashvili delivered the speech at the Conference "High Level Meeting for Increasing of Women's Political Participation", available at: <http://www.parliament.ge/en/media/axali-ambebi/the-speaker-david-usupashvili-delivered-the-speech-at-the-conference-high-level-meeting-for-increasing-of-womens-political-participation.page>

<sup>21</sup> Annual Report of the President of Georgia to the Parliament, 2015, Available at: <https://www.president.gov.ge/ge/PressOffice/Documents?9375>

<sup>22</sup> Constitution of Georgia, 1995, available at: [http://www.parliament.ge/files/68\\_1944\\_951190\\_CONS-TIT\\_27\\_12.06.pdf](http://www.parliament.ge/files/68_1944_951190_CONS-TIT_27_12.06.pdf)

<sup>23</sup> The Law of Georgia on Gender Equality, 2010, available at: <http://www2.ohchr.org/english/bodies/cedaw/docs/AdvancementVersions/GeorgiaAnnexIII.pdf>

ment of women's participation in politics during its first Universal Periodic Review concerning the adoption of political, legislative and administrative measures guaranteeing a higher representation of women in decision-making, as well as in senior positions in all areas of the public administration.<sup>24</sup> In 2014 Georgia adopted the Law on the Elimination of All Forms of Discrimination, which aims to eliminate all forms of discrimination and to ensure equal rights for all persons.<sup>25</sup>

The abovementioned Georgian laws are gender neutral, as is Georgian legislation in general. Georgia's legislation does not differentiate according to treatment based on sex or gender identity. However, Georgia does not assess the impact of its laws and policies on women's equality. Thus, Georgian legislation guarantees de jure equality with its gender-neutral legislation, but does not have policies and laws that promote de facto equality. On numerous occasions, international organisations have recommended that Georgia take steps to increase women's participation in politics, including at senior and decision-making positions in public administration.

According to the EU-Georgia Association Agenda 2014-2016, Part 2.1 "Political dialogue and reform," Section "Equal Treatment," Georgia will "enhance gender equality and ensure equal treatment between women and men in social, political and economic life."<sup>26</sup> The progress report on the implementation of the European Neighbourhood Policy in Georgia in 2014 determined that "there is a continued need to introduce special measures to enhance women's participation in politics."<sup>27</sup>

On 18 July 2014, the UN Committee on the Elimination of Discrimination against Women issued its concluding observations on Georgia. The Committee expressed concern about the low number of women in legislative and executive bodies and recommends that state authorities adopt statutory gender quotas. The statement calls upon "the State party [to] introduce mandatory quotas for political parties in order to significantly increase women's representation both in national and local legislative bodies."<sup>28</sup>

### Measures Implemented to Enhance Women's Political Participation

Women's right to participate in political life includes women's right to be elected. But to be elected, a woman must be nominated as a candidate.<sup>29</sup> Unfortunately, the measures Georgia has implemented to resolve this problem have been unsuccessful to date.

In 2011 the Organic Law of Georgia on Political Union of Citizens was amended to provide financial incentives to those political parties that voluntarily include candidates of different sex in their party lists. Initially the law provided 10% additional funding if the party list was composed of at least 20% women candidates. This law now provides a 30% increase in the supplement from the state budget if the party list includes at least 30% women distributed within every ten candidates.<sup>30</sup> This was done to ensure that women candidates are present at the top of the party list and have the opportunity to be elected.

These voluntary financial incentives for parties have not been successful in Georgia. In the 2012 parliamentary elections, the OSCE's election observation mission concluded that the voluntary incentives designed to promote more balanced gen-

<sup>24</sup> Report of the Working Group on the Universal Periodic Review of Georgia, 16 March 2011 (A/HRC/17/11), recommendations 106.32, 106.33, 106.34, 105.23, 105.24.

<sup>25</sup> The Law of Georgia on the Elimination of All Forms of Discrimination, 2014, available at: <http://www.equalrightstrust.org/ertdocumentbank/Georgian%20Anti-D%20Law%20final%20version.pdf>

<sup>26</sup> EU-Georgia Association Agenda 2014-2016, available at: [http://eeas.europa.eu/georgia/pdf/eu-georgia\\_association\\_agenda.pdf](http://eeas.europa.eu/georgia/pdf/eu-georgia_association_agenda.pdf)

<sup>27</sup> High Representative of the European Union for Foreign Affairs and Security Policy, Joint Staff Working Document, Implementation of the European Neighbourhood Policy in Georgia Progress in 2014 and recommendations for actions, Brussels, 25.3.2015, SWD(2015) 66 final, p.8, Available at: [http://eeas.europa.eu/enp/pdf/2015/georgia-enp-report-2015\\_en.pdf](http://eeas.europa.eu/enp/pdf/2015/georgia-enp-report-2015_en.pdf)

<sup>28</sup> Committee on the Elimination of Discrimination against Women, 18 July 2014, point 24 and 25.

der representation did not result in the political parties including more women.<sup>31</sup> In the 2014 self-government elections, the ruling Georgian Dream coalition did not make use of the voluntary financial incentives and consequently no positive development was observed in female representation. Thus financial incentives did not produce any tangible results, making mandatory quotas the only viable option for resolving the problem of very low representation of women in politics.

In 2014 the Georgian Parliament adopted a new action plan for 2014-2016 on gender equality. Chapter 6, titled Woman and Politics, refers to the equal treatment of men and women in politics and includes the following activities, which the Government of Georgia is obliged to undertake: awareness raising of political parties on gender equality, cooperation with political parties regarding financial incentives for nomination of women candidates, study of obstacles to the appointment of women to senior positions and improvement of legislative bases to increase women representation in elected posts.<sup>32</sup> Most of these activities are yet to be implemented. As of the publication of this policy brief, no research has been conducted and no legislative changes have been adopted. Given its general character, the Action Plan item of “adoption of legal amendments” could include the passage of legislative quotas before 2016.

## Conclusions and Recommendations

Georgia has ranked among the countries with the lowest female representation in decision-making and senior positions for more than two decades. The voluntary financial incentives for political parties that were introduced in 2011 in order to generate an increase of women candidates in election party lists have proven ineffective, as none of the dominant political parties has ever used it and it did not affect the number of women in politics.

Currently, Georgian society’s demand for the greater involvement of women in politics is high: 70% of the population think the number of women in Parliament should be at least 30%.<sup>33</sup> Given the failure of financial incentives, both local civil society and international organisations recommend mandatory party quotas to promote gender equality in politics. These policies must be designed to reach a critical mass of women in politics (at least 30%) to allow women the opportunity to have an impact on the decision-making process.

### Recommendations:

- Georgia should introduce legislation on mandatory gender quotas for Parliament and local self-government bodies.
- Georgia should ensure that mandatory quotas are efficient and accompanied by sanctions and enforcement measures and monitoring and accountability mechanisms.
- Georgia should reach a critical mass (at least 30%) of women in Parliament and local self-government bodies.

<sup>29</sup> supra note 3, p. 202.

<sup>30</sup> Organic Law of Georgia on Political Union of Citizens, Article 30 (71), available at: <https://matsne.gov.ge/ka/document/view/28324>

<sup>31</sup> International Election Observation, Georgia — Parliamentary Elections, 1 October 2012, Statement of Preliminary Findings and Conclusions, p.2, available at: <http://www.osce.org/odihr/elections/94593?download=true>

<sup>32</sup> Decree of Parliament of Georgia on 2014-2016 Action Plan on Implementation of Gender Equality Policy, February 2, 2014 [www.parliament.ge/ge/ajax/downloadFile/27264](http://www.parliament.ge/ge/ajax/downloadFile/27264)

<sup>33</sup> supra note 15, Opinion Poll November 2014, NDI.



