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The situation of women in the South Caucasus

Report
Committee on Equal Opportunities for Women and Men
Rapporteur: Ms Vera Oskina, Russia, European Democrat Group

Summary

The Assembly is concerned about the situation of women in the three South Caucasus countries, Armenia, Azerbaijan and Georgia. It underlines the need for a shared regional commitment, exchanges of good practice and co-operation between the three countries in order to improve women's situation.

It therefore calls on the national authorities in Armenia, Azerbaijan and Georgia to include equal opportunities for women and men among their priorities. In particular, it urges them, concerning the participation of women in public and political life, to foster balanced participation of women and men in decision-making and to promote women's right to take part in elections.

With regard to women's health, it focuses on hygiene in public hospitals and on providing quality care at affordable prices to people who need it. It asks the three countries to prevent abortions by raising awareness of effective contraception among both women and men and by stepping up efforts to give women and girls access to affordable or, if necessary, free contraception.

With regard to violence against women, it calls upon the three countries to raise awareness among all relevant authorities and the public at large about the existence of violence against women, in particular domestic violence, and to take part in the Council of Europe campaign to combat violence against women, including domestic violence. It also asks them to raise awareness among all relevant authorities and the public at large on efforts to combat human trafficking, and to take vigorous action to fight it – in Azerbaijan's case by signing, and in the case of all three countries by ratifying, the Council of Europe Convention on Action against Trafficking in Human Beings.

Finally, it calls on the three countries to implement Assembly Resolution 1497 (2006) on refugees and displaced persons in Armenia, Azerbaijan and Georgia and to comply with Recommendation Rec(2006)2 of the Committee of Ministers of the Council of Europe on the European Prison Rules to improve the situation of women prisoners.

With regard to the resolution of the conflicts which exist in the region, it calls on the Committee of Ministers to foster the participation of women in resolving them and to pay special attention to refugee and displaced women who are in a particularly vulnerable situation. Lastly, it calls on the Committee of Ministers to encourage these countries to play a full part in the Council of Europe campaigns to combat violence against women, including domestic violence, and on combating trafficking in human beings.

A. Draft resolution

1. Although the countries of the South Caucasus, Armenia, Azerbaijan and Georgia, are very diverse in cultural, linguistic and religious terms, the situation of women, in a post-Soviet context, shows some similarities between the three. There is therefore a need for a shared regional commitment, exchanges of good practice and co-operation between the three countries in order to improve women's situation.
2. The situation of women in the South Caucasus is, indeed, worrying. The participation of women in public and political life is quite limited. Women continue to be underrepresented in national parliaments, governments, local councils and in senior positions, whether in political parties, the civil service or business. In the employment sector, although progress has been made with regard to legislation, in practice they often suffer discrimination which prevents them from finding jobs and/or earning adequate incomes. Their health, in particular their reproductive health, is not given due attention, while violence against them is often hidden from view. The situation of refugee and displaced women is alarming and women's prisons need to be brought up to European standards.
3. Equal opportunities for women and men should be made a national priority, as they will not come about automatically.
4. The Assembly therefore calls on the national authorities of Armenia, Azerbaijan and Georgia to include equal opportunities for women and men among their priorities and urges them:
 - 4.1. with regard to the participation of women in public and political life:
 - 4.1.1. to comply with Recommendation Rec(2003)3 of the Committee of Ministers to member states on balanced participation of women and men in political and public decision-making and Assembly Recommendation 1738 (2006) on mechanisms to ensure women's participation in decision-making;
 - 4.1.2. to foster balanced participation of women and men in decision-making:
 - 4.1.2.1 by taking measures to develop equal participation by men and women in political parties and democratic institutions;
 - 4.1.2.2 by setting up, if necessary, committees on gender equality in their respective parliaments and assigning such committees real and adequate powers;
 - 4.1.2.3 by increasing the proportion of women members in national parliaments who hold posts of responsibility such as chairs of committees, sub-committees and national delegations, and by encouraging them to come forward as rapporteurs and put their names down on lists of speakers;
 - 4.1.3. to promote women's right to take part in elections:
 - 4.1.3.1 by taking all necessary measures to prohibit and eliminate family voting;
 - 4.1.3.2 by increasing the minimum rate of female representation in parliament and other elected assemblies, in accordance with Assembly Recommendation 1676 (2004) on the participation of women in elections;
 - 4.1.3.3 by training women and raising their awareness so as to encourage them to stand as candidates in elections;
 - 4.1.3.4 by making it easier for women to move from civil society work to politics;
 - 4.2. with regard to combating discrimination in employment:
 - 4.2.1. to comply with Assembly Recommendation 1700 (2005) on discrimination against women in the workforce and the workplace, in particular:

- 4.2.1.1. by protecting pregnant women against dismissal;
- 4.2.1.2. by introducing adequate paid maternity leave funded by the national government;
- 4.2.2. to take all necessary measures to ensure balanced participation of women and men in all spheres of economic life:
 - 4.2.2.1. through gender mainstreaming in economic development and poverty reduction programmes;
 - 4.2.2.2. by establishing affordable childminding facilities and day-care facilities for the elderly with suitable opening hours;
- 4.2.3. to set concrete goals for reducing the wage gap between women and men, in particular in the private sector;
- 4.2.4. to combat discrimination against women in the workplace and adopt measures to help them break through the “glass ceiling”;
- 4.3. with regard to women’s health:
 - 4.3.1. to focus on hygiene in public hospitals and provide quality care at affordable prices to people who need it;
 - 4.3.2. to prevent abortions:
 - 4.3.2.1 by raising awareness of effective contraception among both women and men;
 - 4.3.2.2 by stepping up efforts to give women and girls access to affordable or, if necessary, free contraception;
 - 4.3.3 to offer optimum healthcare and psychological care when women (girls) request the interruption of pregnancy in a medical establishment;
- 4.4. with regard to violence against women:
 - 4.4.1. to raise awareness among all relevant authorities and the public at large about the existence of violence against women, in particular domestic violence;
 - 4.4.1.1. to take part in the Council of Europe campaign to combat violence against women, including domestic violence;
 - 4.4.1.2. to take effective measures to combat such violence by adopting legislation, if they have not already done so, including on marital rape, and by establishing penalties in line with the seriousness of the offences committed and providing compensation for victims, including by setting up a compensation fund;
 - 4.4.1.3. to continue to set up shelters for victims when there is no other way of protecting them against the perpetrators;
 - 4.4.2. to raise awareness among all relevant authorities and the public at large about efforts to combat human trafficking, and to take vigorous action to fight it:
 - 4.4.2.1. in Azerbaijan’s case by signing, and in the case of all three countries by ratifying, the Council of Europe Convention on Action against Trafficking in Human Beings;

- 4.4.2.2. by implementing the convention without further delay, in particular by protecting trafficking victims and affording them the status of victims and granting them rights;
- 4.4.3. by assigning to the relevant ombudsperson powers and responsibilities concerning violence against women and granting him or her adequate funding in this connection;
- 4.4.4. by introducing a strict prohibition of child marriages and by undertaking explanatory work in order to raise families' awareness about this reprehensible practice;
- 4.5. with regard to refugee and displaced women:
 - 4.5.1. to implement Assembly Resolution 1497 (2006) on refugees and displaced persons in Armenia, Azerbaijan and Georgia;
 - 4.5.2. to help women gain access to posts of responsibility in the management bodies of camps for refugees and displaced persons;
 - 4.5.3. to raise awareness among refugee and displaced women about their right to physical and psychological integrity and their right to report any offences;
 - 4.5.4. to make sure that humanitarian aid is allocated according to needs, particularly to refugee and displaced women;
 - 4.5.5. as regards the Governments of Azerbaijan and Georgia, to further their efforts in the construction of new homes for refugees and the removal of refugees from camps to houses;
- 4.6. with regard to the situation of women prisoners:
 - 4.6.1. to comply with Recommendation Rec(2006)2 of the Committee of Ministers of the Council of Europe on the European Prison Rules, in particular:
 - 4.6.1.1. by building or bringing up to European standards women's prisons which meet the health and hygiene requirements for places of detention;
 - 4.6.1.2. by accommodating all women who are sentenced prisoners or remand prisoners during the night in individual cells except where it is preferable for them to share sleeping accommodation with other women who are sentenced or remand prisoners;
 - 4.6.2. to make sure that detention on remand and imprisonment of women are used only as a last resort, especially in the case of minors and mothers, by reducing and, where appropriate, regulating the length of periods of detention on remand;
 - 4.6.3. to make sure that prison regimes and prison facilities are suited to the category of each woman prisoner;
 - 4.6.4. to facilitate the reintegration into society of women who are prisoners or remand prisoners by providing them with appropriate work and training during their imprisonment;
- 4.7. to involve NGOs in drawing up their policies and to support them financially.

B. Draft recommendation

1. The Assembly draws attention to Resolution ... (2007) on the situation of women in the South Caucasus.
2. It welcomes the co-operation and assistance programmes involving the countries of the South Caucasus.
3. It calls on the Committee of Ministers to continue its co-operation efforts in the countries of the South Caucasus, while taking account of a gender-specific approach in dealing with the problems encountered.
4. In this connection, it calls on the Committee of Ministers to regard gender equality as one of the fundamental requirements for the establishment of democracy.
5. In particular, with regard to prison reform, it calls on the Committee of Ministers to make sure that prison and penal policies in Armenia, Azerbaijan and Georgia are changed so that the application of justice to women is more effective and humane.
6. With regard to the resolution of the conflicts which exist in the region, it also calls on the Committee of Ministers to foster the participation of women in resolving them and to pay special attention to refugee and displaced women who are in a particularly vulnerable situation.
7. Lastly, it calls on the Committee of Ministers to encourage Armenia, Azerbaijan and Georgia to play a full part in the Council of Europe campaigns to combat violence against women, including domestic violence, and on combating trafficking in human beings.

C. Explanatory memorandum by Ms Oskina, rapporteur

I. Introduction

i. Preparation of the report

1. As part of the Parliamentary Assembly's programme of co-operation with the South Caucasus and with a view to preparation of the report, the Committee on Equal Opportunities for Women and Men held a regional parliamentary seminar¹ in Tbilisi on 13 October 2005, which was attended by parliamentarians from the three countries of the South Caucasus (Armenia, Georgia and Azerbaijan). The themes discussed were combating violence against women, the participation of women in public and political life and combating discrimination against women in employment. Given the state of the relations between the three countries, I cannot but welcome the success of the seminar, which saw fruitful exchanges of views between representatives of the three countries on a topic which is actually quite sensitive. Although the topic does not in theory throw up issues of international politics, gender equality is hardly ever, if at all, discussed in the countries of the South Caucasus and is sometimes the subject of taboos, even at this level of discussion. In these emerging democracies, however, equal opportunities for women and men form part of the fundamental requirements which need to be put in place to establish healthy societies based on democratic values. We should therefore welcome the responses of the participants, who, in addition to gaining increased understanding of the problems that exist, exchanged views on their respective problems, in spite of some hesitation, thereby sometimes, indeed frequently, revealing the similarities between the three countries. I welcome the fact that the seminar fostered dialogue between the three countries and strongly urge them to continue their exchanges in this area.

2. The seminar was followed on 14 October by a public hearing on the situation of women in the South Caucasus². The speakers at the hearing, who represented local authorities and NGOs, discussed four themes: post-Soviet transition, women's health, violence against women and women's role in conflict prevention and resolution. There again, it was clear that some subjects such as women's reproductive health are still taboo. Nevertheless, the hearing did enable civil society and parliamentarians to talk more openly about the relevant issues. There was a degree of co-operation between civil society and decision-makers which ought to be stepped up.

3. Lastly, I made a fact-finding visit to the South Caucasus from 16 to 21 April 2006³. I wish to reiterate my gratitude for the warm welcome I received and extend my best wishes to the people I met. The various visits and the travel arrangements were particularly well organised. This enabled me to see how the subject is perceived. Unfortunately, however, the information I gathered was inadequate. Many of my requests for data and statistics went unanswered. Although I am aware of the difficulties facing these countries in other areas such as reducing poverty and ensuring economic development, my introductory remark would be to ask the national authorities to pay due attention to this subject, which is crucial in any democracy, and establish detailed and reliable databases to enable them, in the light of all the relevant factors, to opt for programmes fostering gender equality. In any case, improving the situation of women is bound to help resolve other problems. While certain issues are still taboo, it is unfortunate that sometimes even in my personal discussions with national authorities, my contacts were not entirely forthcoming and tended to play down or gloss over problems involving violence against women or reproductive health, for instance. In some cases, the data provided actually varied from one source to another. However, I was able to compare individual accounts and see that problems did exist.

4. I am aware that it will not be possible to address all of the problematic issues in the South Caucasus, for instance female poverty, which is nevertheless partly related to that of discrimination in employment. The aim here is to prepare the ground for increased awareness that the situation of women is an integral part of the democratic process. After reviewing the post-Soviet situation, the

¹ See draft programme AS/Ega (2005) 43 rev.

² The draft minutes of the hearing are available from the committee secretariat under reference AS/Ega (2005) PV 9 addendum I.

³ See programme of fact-finding visit by the rapporteur to the South Caucasus (16-21 April 2006) AS/Ega (2006) 20.

report will consider the following issues: the participation of women in public and political life, combating discrimination in employment, women's health, the situation of refugee and displaced women and, lastly, women in prisons. I am concerned about the situation of women in the South Caucasus and wish to do everything possible to help improve it.

ii. The post-Communist transition and its influence on the situation of women in the South Caucasus

5. The situation of women deteriorated considerably in the former Communist countries of the South Caucasus after the fall of the Soviet Union. The transition to democracy has had various adverse effects, of which women have been the main victims. The changes in political regime, the disruption of relations with the former Soviet Union, economic decline and institutional instability have placed men in a more prominent position. In particular, the new political and economic powers seem to be reserved for men. Women's level of participation in political life was clearly higher under the Communist structure than now because of quota systems. These were abolished in many transition countries upon the advent of democracy. On the other hand, all democracies have a duty to promote equal opportunities for women and men. The contradiction here is fairly striking today.

6. Although there are major differences between countries, analogies may be seen in the situation of women at sub-regional level. This is true of all the three countries of the South Caucasus (or Transcaucasia): Armenia, Azerbaijan and Georgia. From a practical standpoint, given that the problems identified appear similar, each of the three countries could benefit from the experience of its neighbours. In this field, which, unfortunately, is not a major focus of political concern at present, increased regional co-operation seems appropriate. Co-operation between countries and exchanges of good practice and information on legislation could thus raise the profile of equal opportunities issues. After all, how could emerging democracies not take equality into account?

7. Almost 15 years after the end of the Soviet era, the situation remains very difficult for both women and men in the South Caucasus, with approximately 50% of the population living below the poverty line and 15% in severe poverty. Employment is scarce, the markets for agricultural produce have largely disappeared and many industrial production facilities have been dismantled. Governments are struggling to meet citizens' basic needs: infrastructure is inadequate or poorly maintained, water and energy supplies are unreliable, schools are under-equipped and understaffed and large sections of the population have no access to healthcare in general and hospitals in particular. Many families survive only on a subsistence basis, supported mainly by women. The transition agenda therefore still has a long way to go in the South Caucasus. Some reforms are not making headway, economic governance remains inadequate and corruption is widespread. It is women who have suffered most from the adverse effects of transition involving increased immigration, poverty and unemployment, which has also led to their health being neglected.

8. I believe as close a look as possible should be taken at the situation in each of the three countries, on the basis of the information gathered. The situation of women seems fairly disastrous on the whole, and I would thus suggest putting the emphasis on some of the more problematical fields, which are identified below.

II. Participation of women in public and political life

9. Participation of women in public and political life and decision-making remains very limited in the countries of the South Caucasus. This is particularly visible in their parliaments and governments. There is often a patriarchal pyramid of power, with no women in key positions. Under the old regime, the presence of women in political structures was guaranteed by quota systems. Even then, however, few women reached senior positions, which were reserved for men. Accordingly, equality was not achieved in practice, but was merely a facade. Even though women did have seats in parliament, their election was predetermined on the basis of quotas and seen as an obligation imposed from above to symbolise the achievement of equality. Many women still therefore regard politics as unsavoury and keep out of it. This is changing, however, and women are beginning to take an interest in politics again. Nevertheless, the structure of the new parties set up has excluded women in practice. Most of the parties were based on groups of men who were friends, and women felt at unease in those sexist circles. Being part of the political elite essentially depended on the ability to exploit networks of contacts. Moreover, state feminism had partially erased people's memories of

women's rich political traditions and examples of their solidarity. Those women who have reached senior positions therefore seem to have lost interest in promoting equal opportunities and the entry of other women into politics, for example.

10. There is no denying that women are currently not sufficiently represented in the three countries' parliaments. The rate of female participation is 4.61% in Armenia (6 out of 130 members), 10.48% in Azerbaijan (13 out of 125) and 9.4% in Georgia (22 out of 235). Although the Armenian electoral code provides for a quota of only 5% of women, even that figure has not been reached. In Azerbaijan, the NGOs indicated that 250 women had come forward as candidates for the parliamentary elections but their own party had wanted them to withdraw. In Azerbaijan, a woman is deputy speaker of parliament and two women chair parliamentary committees. In Georgia, the Speaker of Parliament is a woman.

11. At government level, the female participation rate seems even lower, at least in the most senior positions. In Armenia, there are no female ministers; only the co-ordinator of the women's council in the Prime Minister's office almost has ministerial status. In Georgia, the Deputy Minister for European and Euroatlantic Integration is a woman. In Azerbaijan, there are no female ministers, unless the chair of the committee on family, women's and children's affairs is regarded as a minister. Azerbaijan is the only South Caucasian country which has elected a woman to the post of ombudsperson.

12. Institutional machinery has been established in each of the three countries. In Armenia, a 30-member women's council has been set up. In Georgia, an advisory council on gender equality has been set up under the Speaker of Parliament⁴, and a government committee on gender equality was set up in June 2005. In Azerbaijan, the state committee on women's affairs set up in 1998 became the state committee on family, women's and children's affairs in February 2006.

13. At local and regional level, women are also underrepresented. In Armenia, no regional governors are women, but some deputy governors are. Only 23 of the 930 mayors are women. In Azerbaijan, only 2% of the 25 364 local council seats are held by women, although many stood as candidates. The situation changed on 6 November 2006 when municipal by-elections were held in Azerbaijan. 240 women stood in the elections and 65 of them were elected, so that the percentage of female representation in the local administration rose slightly.

14. This situation is partly due to the increase in the number of political parties in these countries, and the fact that they are dominated by men. The attitude of the parties is open to some criticism in this regard because, for purely electoral reasons, they put forward male candidates who are deemed to be in a better position to win seats. There are some noteworthy exceptions as regards the presence of women. For example, Ms Nino Burdjanadze is Speaker of the Georgian Parliament. Having said that, women who are successful in politics are the exception and often have to prove that they are good wives and mothers as well as being politicians.

15. There are no legal restrictions on female participation in politics and the electoral system is not discriminatory in itself. However, the facts belie this theoretical equality. Indeed, in the background, traditional social norms and the hierarchical role distribution between women and men still restrict their representation in senior positions. There is also a lack of positive measures (such as "zipping") to allow women to be elected and reach positions of responsibility. One NGO in Azerbaijan mentioned that men receive more funding than women for campaigning. Women apparently also refrain from standing as candidates because they feel that the elections are predictably in men's favour.

16. Under these circumstances, women have in many cases ended up losing interest in politics over the last few years. In contrast, there are very many of them in NGOs. Unfortunately, there seem to be no "bridges" between civil society and politics. Some people say they do not believe women will become more involved in politics because they prefer to work in NGOs. In Azerbaijan, the new law on equal participation in public life is intended to introduce a system under which people are chosen on the basis of their ability rather than their gender so as to avoid discrimination in employment.

⁴ http://www.parliament.ge/index.php?lang_id=ENG&sec_id=652

17. A further problem arising in the countries of the South Caucasus is that of family voting, which is an obstacle to women's dignity in a democratic state, as shown in particular in a study produced by the Congress of Local and Regional Authorities of the Council of Europe in 2002⁵ and the 2004 report by the Committee on Equal Opportunities for Women and Men on women's participation in elections⁶. NGOs from the three countries reported that the problem persists on a residual basis in rural areas.

18. I therefore propose finding ways of allowing women in the countries of the South Caucasus to participate fully in political parties and democratic institutions, in a state governed by the rule of law, and to succeed in moving from an "NGO" career to a political career. Ultimately, although the various authorities I met were often against the idea, I am in favour of the introduction of quotas, as women are just as professional as men.

III. Combating discrimination in employment

19. According to the OECD⁷, the economic activity rate of women in the South Caucasus is not insignificant. The figure is 62.3% in Armenia, 55.7% in Georgia and 55.2% in Azerbaijan. According to national statistics, the economic activity rates are 55% for women and 81% for men in Armenia⁸, 57% for women and 74% for men in Georgia⁹ and 59.5% for women and 83.6% for men in Azerbaijan¹⁰. However, women's incomes are much lower than men's. Again according to the OECD, they represent 69.5% of men's income in Armenia, 42.2% in Georgia and 58.4% in Azerbaijan.

20. The number of unemployed women varies depending on the source. In Armenia, some members of parliament quoted a figure of 60%. According to an online news service, women account for 71% of the unemployed¹¹. At the Ministry of Labour and Social Affairs, it was stated that women accounted for 70% of the unemployed in January 2006. Armenian national statistics show that the percentage of unemployed women in the economically active population was 21% in 2003. In Georgia, the figure was 7% in 2004, while in Azerbaijan it was 12.5%.

21. The transition process has led to an unprecedented situation in the countries of the South Caucasus: thousands of people with no personal experience of unemployment or, indeed, of competition on the labour market lost their jobs. Moreover, women in rural areas were particularly severely affected because of the breaking up of the old co-operative farms and because of low volumes of trade¹².

22. Some NGOs complained that employment legislation did not offer pregnant women adequate protection against dismissal and that maternity leave was not paid for by the government. In Georgia, certain NGOs maintained that, under the draft legislation, payment for maternity leave depended on the goodwill of employers. This was denied by members of parliament, who said that four months' maternity leave would be paid for by the state.

23. The NGOs and the government representatives I met underlined that women had to work relentlessly if they wished to reach senior positions. That is impossible in practice, as they also have their families to look after. Even with a higher level of education, women are therefore less likely than men to reach senior positions. Quite apart from the traditional cult of the family, childminding facilities

⁵ Women's individual voting rights – a democratic requirement, Integrated projects, Council of Europe Publishing, 2002.

⁶ Doc 10202

<http://assembly.coe.int/mainf.asp?link=http://assembly.coe.int/documents/WorkingDocs/doc04/EDOC10202.htm>

⁷ <http://www.oecd.org/dataoecd/19/28/36223936.xls>

⁸ "Women and men in Armenia", statistical booklet 2005, National Statistical Service of the RoA, UNDP, SIDA.

⁹ "Women and men in Georgia", statistical abstract 2005, Department for Statistics, Ministry of Economic Development of Georgia, Parliament of Georgia, UNDP, SIDA.

¹⁰ "Women and men in Azerbaijan", State Statistical Committee of Azerbaijan Republic, 2005.

¹¹ http://www.armenews.com/article.php3?id_article=22887.

¹² For a detailed description of the economic situation of women in Georgia, see "Gender economic issues: the case of Georgia", Charita Jashi, 2005, SIDA, UNDP.

are in any case lacking. While a fairer distribution of parental and family responsibilities is obviously desirable, I also believe that it is essential to provide suitable childminding facilities, which are accessible and affordable, so that women can reconcile their working lives and family responsibilities.

24. NGO representatives in Azerbaijan indicated that, in industrial enterprises, women had no chance of reaching even middle-level posts, as both they and senior posts were obtained through corruption, which was not widespread among women. Dismissals always hit women first. There are many women in low-level posts in schools, universities and research centres, but only around 20% in management posts. For instance, in the Academy of Sciences, no management posts are held by women. There is a kind of man's world where corruption prevails.

25. There is also a gender wage gap and women's level of education in the three countries would not appear to be adequate to overcome it. Only a proper employment policy would enable women to earn equal pay for equal work, especially in the private sector.

IV. Women's health

26. I visited some very modern hospitals which have nothing in common with the general situation in each of the countries, in particular in terms of gynaecology and perinatal departments. However, it was clear that only the well-off could afford their services. For instance, I visited a private clinic in Azerbaijan which charged US\$850 for childbirths. In the same clinic, the price of an abortion was US\$100. It is unfortunate that the conditions in all hospitals are not such as to enable all women and children to be treated under satisfactory conditions. I hope that the authorities will focus on healthcare provision for the entire population, in particular women and children. In Armenia, the high levels of breast cancer and tumours were underlined. The country has also launched a screening programme for cancer of the uterus. The occurrence of anaemia during pregnancy is fairly high, as pregnant women do not eat properly.

27. Senior positions in hospitals are rarely held by women. Some people I spoke to in government departments said that the relevant appointments did not depend on them. In Armenia, I was told that some hospitals were headed by women. Half of the doctors are women but only 30% are head doctors (50% in the provinces). I have no data concerning Georgia or Azerbaijan.

28. Regarding reproductive health, the countries of the South Caucasus need to make further efforts. In Armenia, the maternal mortality rate is 18 per 100 000 births in urban areas and 30 per 100 000 in rural areas. According to figures from the Yerevan perinatal, obstetrics and gynaecology centre, the average figure is 26 per 100 000 women giving birth. The infant mortality rate (age under one year) was 11 per 1 000 births in 2003¹³. Again according to the centre in Yerevan, the infant mortality rate for children aged up to seven days was 23 per 1 000. During the Soviet era, two consultations were compulsory during pregnancy. Now these consultations are only recommended. In Azerbaijan, the maternal mortality rate is 42.4 per 100 000 births in urban areas and 12.4 in rural areas, or an average of 25.8 per 100 000¹⁴. The infant mortality rate was 8.8 per 1 000 births in 2004. In Georgia, the maternal mortality rate was 21 per 100 000 in 2003. The infant mortality rate for boys was 26.9 per 1 000 births, while for girls it was 22.4 per 1 000 births in 2003¹⁵.

29. The Armenian government's strategy is based on contraception and is leading to a reduction in abortion levels. However, some departments indicated that the official statistics did not reflect the actual situation, as they only showed what took place in public hospitals, ignoring private clinics. According to another source, 350 women in every 1 000 now have abortions, compared with 600 in every 1 000 in the early 1990s. According to the Armenian health service, the average number of abortions women have in their lifetimes fell from 2.6 in 2000 to 1.8 in 2005. The preliminary report of a demographic and health study in Armenia for 2005 gives a figure of 1.8 for women aged 15 to

¹³ "Women and men in Armenia", statistical booklet 2005, National Statistical Service of the RoA, UNDP, SIDA.

¹⁴ "Women and men in Azerbaijan", State Statistical Committee of Azerbaijan Republic, 2005.

¹⁵ "Women and men in Georgia", statistical abstract 2005, Department for Statistics, Ministry of Economic Development of Georgia, Parliament of Georgia, UNDP, SIDA.

49 years, which is considerably lower than the 2000 figure of 2.6. The authors are unclear about the reasons for the decline, given the simultaneous reduction in the use of contraceptives¹⁶.

30. With regard to abortions, while there was some marked reluctance to give figures, it was clear that there was a real and substantial problem. It would also seem that the figures gathered were lower than the actual levels. According to data from the Yerevan perinatal, obstetrics and gynaecology centre, it is impossible accurately to determine the abortion rate. Even though a law on women's rights and reproductive health was passed in Armenia in 2002, there were said to have been 8 500 abortions compared with 38 000 births in the country in 2005. The number of clandestine abortions is said to be falling, but the official cost remains US\$20, part of which is met by the state.

31. In Georgia, the total number of abortions was 10 700 in 2004, up on 2002 (8 800) and 2003 (8 700). According to figures from members of parliament, there are now 18 000 abortions for every 50 000 births. The average abortion rate over a woman's lifetime is said to be 2.5 as against the previous figure of 3.1. Nevertheless, it would seem that the family planning work done by the UNFPA (United Nations Population Fund) is beginning to bear fruit. In Gudushauri perinatal institute, there were 335 abortions and 894 births in the first quarter of 2006. Women remain in hospital for a minimum of two hours for abortions, which is a very short period, given the risks of complications. Most say that their decision to have an abortion is dictated by their social condition.

32. In Azerbaijan, the NGOs indicated that many abortions were conducted outside hospitals or clinics because the operation is expensive (approximately US\$30). They said that there were no reliable statistics on the number of abortions. One NGO said that more were now taking place because families wanted fewer children. According to the official statistics, women aged 15 to 49 years had 19 806 abortions in 2004¹⁷. The state committee on family, women's and children's affairs is planning to launch a special new contraception programme. In spite of the religious ban, it is clear that many abortions do take place.

33. It should be noted that the teenage fertility rate is also worrying. The fertility rate for girls and women aged 15 to 19 years was 29.8 per 1 000 women in that age group in Armenia in 2004 and 31 per 1 000 in Azerbaijan, with no figures available for Georgia¹⁸. These levels are too high, given the disastrous physical and psychological effects which early pregnancies can have, and could also tie in with the problem of child marriages. In this connection, according to the OECD, 0.09% of women and girls in Armenia aged 15 to 19 years are married, the figures being 0.16% in Georgia and 0.13% in Azerbaijan.

34. With regard to modern contraceptive methods, many women still believe they have adverse effects. For instance, they wrongly believe that the contraceptive pill could cause them to put on weight, could reduce fertility in the long term or increase the risk of breast cancer. In Armenia, 53% of married women used contraceptive methods, mostly of the traditional kind, in 2005, against a figure of 61% in 2000¹⁹. In 2000, 22% of Armenian women used an oral contraceptive or an IUD. An NGO in Azerbaijan said that men in rural areas refused to use condoms. Use of contraceptives in Azerbaijan has also fallen to almost negligible levels: just under two women in 1 000 use hormonal contraceptives and just over one in 1 000 use IUDs²⁰.

35. Given the harmful psychological and physical effects abortions have on women, the relevant authorities should promote the contraceptive methods which seem most suitable and effective in their countries by raising women's awareness and providing modern contraception at affordable prices.

¹⁶ Armenia Demographic and Health Survey 2005, Preliminary Report, Ministry of Health, Republic of Armenia: http://www.armstat.am/Publications/2006/DHS_e/DHS_e.pdf#search=%22demographic%20health%20survey%20Armenia%22.

¹⁷ "Women and men in Azerbaijan", State Statistical Committee of Azerbaijan Republic, 2005.

¹⁸ See UNECE (United Nations Economic Commission for Europe) statistics <http://www.unece.org/>

¹⁹ Armenia Demographic and Health Survey 2005, Preliminary Report, Ministry of Health, Republic of Armenia.

²⁰ "Women and men in Azerbaijan", State Statistical Committee of Azerbaijan Republic, 2005.

V. Violence against women

36. In the countries of the South Caucasus, violence against women, especially domestic violence, remains a taboo subject. Even some of the people I met there tended to deny the existence of the problem. I find it hard to believe the claims made by some that there is no such violence, as women are revered as symbols of motherhood. It should be noted that most of those claims were made by men. On the contrary, discussions with civil society and some authorities showed that, although it is not a huge problem, women do, unfortunately, suffer violence, as in all other countries in the world. Traditionally, however, women do not report their husbands for acts of violence. As some people underlined, this does not mean that there is no violence and intervention by neighbours only rarely has the effect of calming down the perpetrators. Some NGOs explained that the violence is partly due to the fact that men have lost power in the family unit because they have lost their jobs over the last ten years and are taking revenge on their wives.

37. In Armenia, as the violence is hidden from view, there are no data, but a rehabilitation centre for domestic violence and trafficking victims is due to be established in 2008. In Georgia, the new law on the eradication of domestic violence and on victim protection and support is a significant advance in efforts to combat such violence. The law requires the government to provide welfare services, shelters and rehabilitation centres for victims and for perpetrators; in practice, however, the plans have not yet been realised. Several NGOs referred to instances of domestic violence, although they noted that women were often reluctant to lodge complaints. In Azerbaijan, the state committee on women's affairs had conducted a study in which all women had replied that there was no violence but that their husbands did hit them. It is interesting to see what is regarded as violence. An NGO in Azerbaijan reported that it had received numerous complaints about domestic violence. The prohibition of rape under the country's criminal code also applies to marital rape. In Georgia, legislation on domestic violence is under consideration. It should enable women victims of domestic violence to seek refuge in shelters and allow the police to order the separation of the spouses for 48 hours.

38. Some traditions still infringe the dignity and human rights of women in the countries of the Caucasus, even though it was often pointed out that this was a residual problem mainly confined to rural regions. In Georgia and Azerbaijan, for example, there is the tradition of the abduction of girls before their marriage and also of forced marriages. One NGO mentioned that the problem also existed in the Martouni region of Armenia. In Armenia, eight cases of marriage with girls aged under 17 years were officially recorded in 1998 and in 2000. Child marriages are more frequent than during the Soviet era in rural areas because young people have less access to education. The girls may be 14 or 15 years old, or younger in some minorities, and the boys 17 or 18. There are no exact figures because these traditional marriages are not recorded. Women whose marriages are not recorded have no rights. It was mentioned that, because of the economic conditions, some very poor families in southern Azerbaijan agreed to young girls marrying Iranians who bought them. The girls concerned often return to their own villages later on and have to bring up their children on their own. While child marriages are clearly linked to attitudes, the economic dependency of women is also a factor. It would appear that the problem is being addressed by NGOs but not by the national authorities.

39. The authorities in the South Caucasus seem to have equal difficulty in acknowledging another aspect of violence against women, namely trafficking in human beings, of which girls and women are the main victims. Certain individual cases in specific regions were reported. The problem seems to be relatively new or, in any case, has only recently received attention in these countries. In Armenia, women are sold into forced prostitution in Dubai. In Georgia, women are sometimes deceived by the promises of other Georgian women and then taken to Turkey, which serves as the starting point of a whole network of trafficking for the purpose of sexual exploitation. In Azerbaijan, some women move to Iran under the cover of arranged marriages and are then forced into prostitution. An NGO in Azerbaijan claimed to have come under pressure after denouncing trafficking in the press. It had reported that refugee children and young women living under deplorable conditions had fallen into the hands of professional traffickers who had sold them in Dubai and Turkey. Armenia is planning to establish a rehabilitation centre for domestic violence and trafficking victims in 2008. On 6 May 2004, Azerbaijan adopted a national action plan against trafficking. The relevant measures will begin with the establishment of a rehabilitation centre for trafficking victims. Since 1 January 2006, under Azerbaijani law, trafficking has been an offence subject to five to fifteen years' imprisonment, with the possibility of the confiscation of the traffickers' assets. As a result, 319 cases of crimes connected with

trafficking in human beings were uncovered, 40 criminal groups were disbanded, 294 persons were brought to trial and 298 victims detected. Again in Azerbaijan, the authorities prohibit women from 16 to 35 years from travelling alone to certain destinations. In addition, they have to prove that they are going to visit friends or on a business trip. This is pointless discrimination in my view.

40. In Armenia, an NGO referred to an unpublicised case of trafficking in men: a Russian employer had called in 30 Armenians before confiscating their passports and sending them elsewhere in Russia. Another NGO mentioned trafficking for the purpose of organ removals involving the United States and Germany.

41. Some NGOs complained that Azerbaijan's new legislation on gender equality did not cover private life, which could have allowed women to report cases of discrimination and violence in the family.

42. Domestic violence must be taken very seriously in these countries and urgent and substantial action needs to be taken to combat it. As regards human trafficking, it is all too often the case that the victims are not recognised as such but, on the contrary, are rejected in the name of so-called "family honour". Apart from the preventive measures needed to eradicate the problem, it is essential that the victims are recognised and treated as such.

VI. The situation of refugee and displaced women

43. Refugee and displaced women are in a particularly vulnerable situation. As described in the section above on human trafficking, they can fall victim to trafficking which infringes their human dignity. Their poverty, low levels of education and terrible living conditions all combine to make them potential victims of traffickers. Often left to their own devices and having to muddle through to ensure the daily survival of their families, they easily fall victim to false promises of a better life.

44. In refugee camps themselves, they are often defenceless in the face of violence perpetrated by men who are idle and vent their frustration on their families.

45. The authorities dealing with refugees and displaced persons must therefore take action to put an end to these violations of human rights, inform the victims of their rights and encourage them to lodge complaints.

46. During my discussions with members of parliament in Azerbaijan, I was told that child mortality among refugees was double the figure for the rest of the population. Sterility rates among refugee women are 2.5 times higher and they suffer from more illnesses. That is the result of psychological trauma and poor living conditions. Unemployment was also said to be much higher than among the rest of the population. Social problems weigh down more heavily on women, who have to make sure that their families have enough to eat and are therefore unable to take part in public life.

47. In addition, it seems that refugee and displaced men, who are fewer in number, tend to monopolise humanitarian aid to the detriment of basic family needs. Humanitarian aid should therefore primarily go to women, who would share it out among family members.

48. Moreover, sharing posts of responsibility in refugee camp management bodies between women and men would be bound to benefit all concerned. At the same time, refugee and displaced women must be informed about their right to physical and psychological integrity and the possibility of lodging complaints if they suffer violence.

VII. Women prisoners

49. I visited a women's (and children's) prison in each of the three countries. Because of the relatively low number of women in prison, there are few prisons or remand centres housing women. In Azerbaijan, for instance, female crime rates are low, at 1.5% of offences committed. Each of the three countries basically has only one women's prison. There is only one prison for female sentenced and remand prisoners (both adults and minors) in Armenia. In Georgia, there is only one prison for adult women and a remand centre and prison for female minors. In Azerbaijan, there is a prison for

sentenced women and a remand centre. All are located in or near the relevant capital cities. The women may therefore be far from their homes, which breaks down their family ties.

50. Moreover, women whose needs and past records differ greatly are detained together. They may therefore be held in the wrong categories or under inappropriate prison regimes. Women on remand may be held in the same building as sentenced women. That makes it particularly hard to meet the specific needs of the different groups of prisoners. In Azerbaijan, the prison authorities explained that holding prisoners of different age groups and levels of intellect together ensured that relations between them were better. In my view, this approach does not take account of the prisoners' offences, which are the sole reason for their imprisonment. I am not sure that a murderer will serve her sentence under the same conditions as a thief or that preparations for her reintegration into society can follow the same pattern.

51. During my visit to Armenia, the prison was holding 94 women prisoners, whose main offences had been theft and family murders (40%). Ten had been sentenced for trafficking in human beings. Remand periods were fairly long and did not seem to be regulated. No female minors were being held at the time. In Georgia, 62 of the 208 sentenced women prisoners had been convicted of murder, mainly within their families, while the others had been sentenced for theft or drug-related offences. There were two or three cases of trafficking. Remand often lasted almost two years. Moreover, the remand centre for female minors originally designed for 110 was holding 160. In Azerbaijan, of the 248 sentenced women prisoners, 77 had committed murders and 49 had been involved in drug trafficking or abuse. Five women who each had a child under 3 years old (for whom schooling was available) were in a separate room. One had been sentenced to 10 years for theft (repeat offender), one to three years for fraud and another to eight years for burglary. In general, women with older children were separated from them. In this connection, it should be noted that the imprisonment of an adult must not infringe the rights of their children. As women prisoners usually bring up their children on their own, separation tends to be more traumatic than when fathers are imprisoned. Moreover, if family ties are maintained, there is a lower risk of women prisoners reoffending upon their release. Detention on remand, which must be strictly regulated, and imprisonment should therefore only be used as a last resort and in a manner proportionate to the offence committed, taking account of whether or not it was violent. Consideration could be given to alternative sentences such as community service.

52. The efforts to provide adequate and meaningful work in certain prisons deserve particular praise. One example is the weaving workshop in Baku prison, which employs 29 women. Praise is also due for Baku prison's efforts to establish services involving prisoners, such as a hairdresser's, and the fact that some women prisoners are employed in the prison kitchen. In Armenia, the women do sewing or work on a small farm. A support association for women prisoners helps them find work. In Georgia, the prison governor expressed regret that the prison workshops were not operating and that she could not offer the prisoners work. It should be noted, however, that the women receive no training of any kind. Most of them spend their days idling the time away, often without any contact with the outside, which means it is doubtful whether they will be properly reintegrated into society.

53. While the prison authorities and prison staff clearly were making efforts, none of the prisons I visited complied with the European Prison Rules laid down by the Committee of Ministers of the Council of Europe in Recommendation Rec(2006)2²¹. In particular, Rule 18.5 (reiterated in Rule 96 concerning the accommodation of untried prisoners), which provides that "prisoners shall normally be accommodated during the night in individual cells except where it is preferable for them to share sleeping accommodation", is not complied with in any case. The prisons in question are modelled on the Soviet system of penal "colonies". The prisoners are held in dormitories that can accommodate very large numbers of people, with only limited private space. The distance between the individual beds is approximately 1 to 1.5 metres. In Armenia, the prison comprised two barracks, one of which was for the younger women (numbering 40). In Georgia, the prison colony comprised one dormitory housing 62 women. In Azerbaijan, there was a dormitory with 32 places and other dormitories which smelt damp. In all the prisons, various prisoners complained about overcrowding and lack of space. In Azerbaijan, the prison authorities are aware of the overcrowding in the women's prison with dormitories accommodating too many prisoners. They mentioned a programme to build new prisons,

21

[http://wcd.coe.int/ViewDoc.jsp?Ref=Rec\(2006\)2&Sector=secCM&Language=lanEnglish&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75](http://wcd.coe.int/ViewDoc.jsp?Ref=Rec(2006)2&Sector=secCM&Language=lanEnglish&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75)

one of which should include several different regimes with places for women and children, as well as plans to relocate prisons. In breach of Rule 19.1, under which “all parts of every prison shall be properly maintained and kept clean at all times,” the various premises and dormitories sometimes presented some signs of humidity. However, they were generally well maintained. In contrast, the toilet and shower facilities did not seem adequate for the size of the prison population or in terms of privacy. Moreover, the frequency of one shower a week in Armenia and Georgia did not seem adequate either.

54. Ultimately, I believe that prison and penal policies in the South Caucasus should ensure that the application of justice to women is more humane and effective. Remand prisoners and sentenced prisoners should have individual cells in premises maintained in good condition and be provided with training and work to enable them to reintegrate into society more readily upon their release.

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Reporting committee: Committee on Equal Opportunities for Women and Men

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Draft recommendation and draft resolution unanimously adopted by the Committee on 15 January 2007

Members of the Committee: Mrs Minodora Cliveti (Chairperson), Mrs Rosmarie **Zapfl-Helbling** (1st Vice-Chairperson), Mrs Anna **Čurdová** (2nd Vice-Chairperson), Mrs Svetlana **Smirnova** (3rd Vice-Chairperson), Ms Birgitta Ahlqvist, Ms Elmira **Akhundova**, Mrs Željka Antunović, Mrs Aneliya **Atanassova**, Mr John Austin, Mr Denis Badré (alternate: Mr Jean-Guy **Branger**), Ms Marieluise Beck, Mrs Gülsün **Bilgehan**, Mrs Oksana Bilozir (Mrs Olha **Herasym'yuk**), Mrs Raisa Bohatyryova, Mrs Olena **Bondarenko**, Mr Krzysztof Bosak, Mrs Mimount Bousakla, Mr Paul **Bradford**, Ms Sanja Čeković, Mrs Ingrida **Circene**, Ms Diana Çuli, Mr Ivica Dačić, Mr Marcello Dell'utri (alternate: Mr Italo **Bocchino**), Mr José Luiz Del Roio, Mrs Lydie Err, Mrs Catherine Fautrier, Mr Adolfo **Fernández Aguilar**, Mrs Maria Emelina Fernández Soriano (alternate: Mrs Maria Josefa **Porteiro Garcia**), Ms Sonia **Fertuzinhos**, Mrs Margrét Frímannsdóttir, Mr Piotr **Gadzinowski**, Mrs Alena **Gajdušková**, Mr Pierre Goldberg, Mrs Claude Greff, Mr Attila Gruber, Mrs Carina Hägg, Mr Poul-Henrik Hedeboe (alternate: Mr Per **Kaalund**), Mr Ilie **Ilașcu**, Mrs Halide Incekara, Ms Danuta Jazłowiecka, Mrs Eleonora Katseli, Baroness Knight of Collingtree, Mrs Angela Leahu, Mrs Minna Lintonen, Ms Assunta Meloni, Mr José Mendes Bota, Mrs Danguté Mikutienė, Mrs Ilinka Mitreva, Mr Burkhardt Müller-Sönksen, Mrs Christine Muttonen, Mrs Hermine Naghdalyan, Mr Hilmo Neimarlija, Mrs Vera **Oskina**, Mr Ibrahim Özal, Ms Elsa Papadimitriou, Mr Jaroslav Paška, Mrs Fatma Pehlivan, Mrs Maria Agostina Pellegatta, Mrs Antigoni Pericleous-Papadopoulos, Mr Leo Platvoet, Mrs Majda **Potrata**, Mr Jeffrey Pullicino Orlando, Mrs Marlene Rupprecht, Mrs Klára Sándor, Mrs Giannicola Sinisi, Mrs Rodica-Mihaela Stănoiu, Mrs Darinka Stantcheva, Mrs Ruth-Gaby Vermot-Mangold, Mrs Betty Williams, Mrs Jenny Willott, Mr Gert Winkelmeier, Ms Karin S. Woldseth, Mrs Gisela Wurm.

N.B. The names of the members who took part in the meeting are printed in bold

Secretariat of the Committee: Ms Kleinsorge, Ms Affholder, Ms Devaux